

PENNSYLVANIA BULLETIN

Volume 40

Number 22

Saturday, May 29, 2010 • Harrisburg, PA

Pages 2731—2924

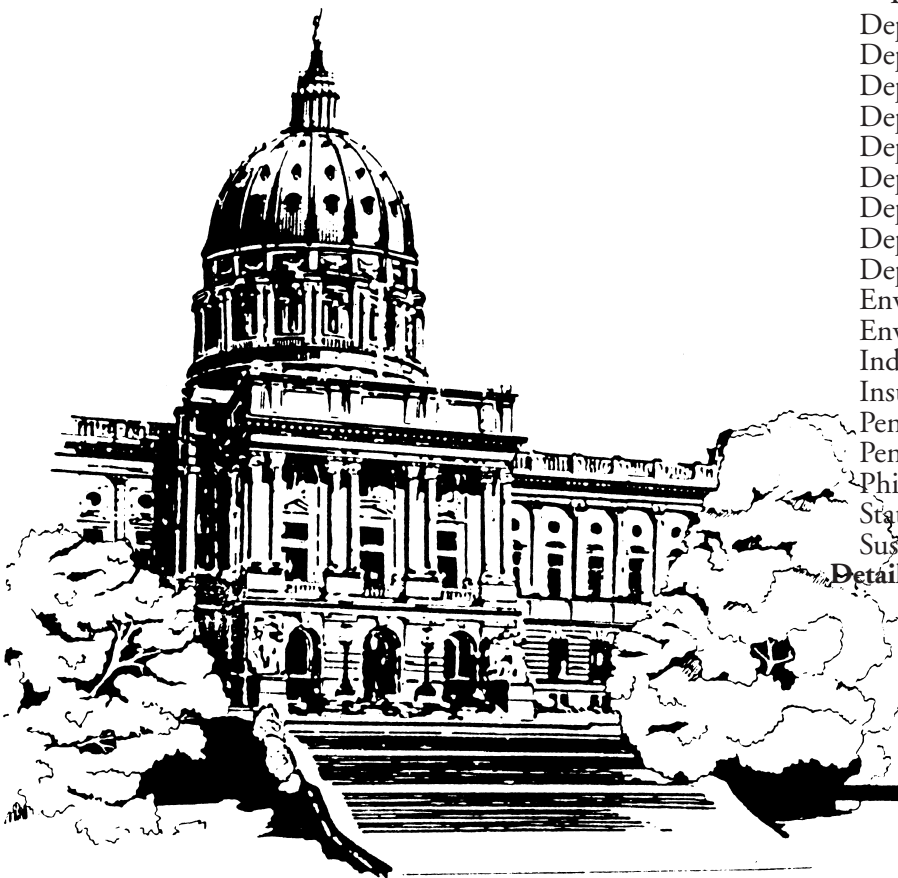
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for the State Ethics Commission's
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BULLETIN

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2010.

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THE GENERAL ASSEMBLY

Recent Actions during the 2010 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2010 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2010 GENERAL ACTS OF REGULAR SESSION ENACTED—ACT 023 through 028					
023	May 12	HB0464	PN3559	Immediately	Prohibiting use of certain ticket purchasing software and penalty
024	May 12	HB0961	PN3563	Immediately	Municipal Waste Planning, Recycling and Waste Reduction Act—Recycling fee for municipal waste landfills and resource recovery facilities
025	May 12	HB0975	PN2060	60 days	Engineer, Land Surveyor and Geologist Registration Law—General powers of registration board, procedure for licensing as a professional geologist, continuing professional competency and education requirements, practice by firms and corporations
026	May 12	HB2003	PN2882	60 days	PFC Joseph J. Lannon, Jr., USMC Memorial Bridge—designation
027	May 12	SB0916	PN1102	Immediately	Second Class County Code—required financial reporting
028	May 12	SB0960	PN1164	Immediately	Military and Veterans Affairs (51 Pa.C.S.)—composition of the State Veterans' Commission

* denotes an effective date with exceptions

Effective Dates of Statutes

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

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services (Department) shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$25.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0053, accompanied by a check or money order in the sum of \$25, payable to the "Commonwealth of Pennsylvania."

ROBERT W. ZECH, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 10-977. Filed for public inspection May 28, 2010, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 19]

Proposed Amendment to Rule 1931

The Appellate Court Procedural Rules Committee (Committee) proposes to amend Pennsylvania Rule of Appellate Procedure 1931. The amendment is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court.

Proposed new material is bold while deleted material is bold and bracketed.

All communications in reference to the proposed amendment should be sent no later than July 13, 2010, to:

Dean R. Phillips, Counsel
D. Alicia Hickok, Deputy Counsel
Scot Withers, Deputy Counsel
Appellate Court Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635

or Fax to: (717) 231-9551
or E-mail to: appellaterules@pacourts.us

An Explanatory Comment follows the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

By the Appellate Court Procedural Rules Committee
HONORABLE MAUREEN LALLY-GREEN,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 19. PREPARATION AND TRANSMISSION OF RECORD AND RELATED MATTERS

RECORD ON APPEAL FROM LOWER COURT

Rule 1931. Transmission of the Record.

* * * * *

(c) *Duty of clerk to transmit the record.*—When the record is complete for purposes of the appeal, the clerk of the lower court shall transmit it to the prothonotary of the appellate court. The clerk of the lower court shall number the documents comprising the record and shall transmit with the record a list of the documents correspondingly numbered and identified with [**reasonable definiteness**] **sufficient specificity to allow the parties on appeal to identify each document and to determine whether the record on appeal is complete.** Documents of unusual bulk or weight and physical exhibits other than documents shall not be transmitted by the clerk unless he or she is directed to do so by a party or by the prothonotary of the appellate court. A

party must make advance arrangements with the clerk for the transportation and receipt of exhibits of unusual bulk or weight. Transmission of the record is effected when the clerk of the lower court mails or otherwise forwards the record to the prothonotary of the appellate court. The clerk of the lower court shall indicate, by endorsement on the face of the record or otherwise, the date upon which the record is transmitted to the appellate court.

(d) *Service of the list of record documents.*—The clerk of the lower court shall, at the time of the transmittal of the record to the appellate court, mail a copy of the list of record documents to all counsel of record, or if unrepresented by counsel, to the parties at the address they have provided to the clerk. The clerk shall note on the docket the giving of such notice. **Should the clerk fail to transmit to the appellate court any document specifically identified or fairly subsumed within the list of record documents, the absence of such document shall not be a basis for the appellate court not to consider the document. Upon discovery of the omission from the record of any document specifically identified or fairly subsumed within the list of record documents, the record shall promptly be corrected pursuant to the Pa.R.A.P. 1926.**

* * * * *

Explanatory Comment

The Rules of Appellate Procedure and case law place a burden on the appellant to make sure that a full and complete record is forwarded to the appellate court. The Appellate Court Procedural Rules Committee undertook a review of the rules to assist appellant in determining what, in fact, was sent by the trial court to the appellate court which led to the adoption in 2004 to the adoption of subdivision (d)—a requirement that the clerk or prothonotary send the appellant the list of recorded documents. However, the appellant’s ability to determine what was included or subsumed in the list is hindered if the list is not sufficiently specific. Also, in many cases, items included in the list were not actually transmitted to the appellate court.

The Appellate Court Procedural Rules Committee recommends that the Supreme Court amend subdivision (c) to deal with lack of specificity in the lists. The proposed amendment to subdivision (c) provides that the list be sufficiently specific “to allow the parties on appeal to identify each document and to determine whether the record on appeal is complete.”

The Appellate Court Procedural Rules Committee recommends that the Supreme Court amend subdivision (d) to permit appellant to rely on the content of the list without having to physically examine the record transmitted to the appellate court. The proposed amendment to subdivision (d) provides that:

Should the clerk fail to transmit to the appellate court any document specifically identified or fairly subsumed within the list of record documents, the absence of such document shall not be a basis for the appellate court not to consider the document. Upon discovery of the omission from the record of any document specifically identified or fairly subsumed within the list of record documents, the record shall promptly be corrected pursuant to the Pa.R.A.P. 1926.

[Pa.B. Doc. No. 10-978. Filed for public inspection May 28, 2010, 9:00 a.m.]

Title 25—LOCAL COURT RULES

BRADFORD COUNTY

Local Rules of Juvenile Court Procedure 515.B(4) and 1604

Order

And Now, this 12th day of May, 2010, the Court, having received approval from the Juvenile Court Procedural Rules Committee, hereby adopts the attached Bradford County Rules of Juvenile Court Procedure, to be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

It is further ordered that the District Court Administrator shall send one (1) certified copy of this Rule to the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and one (1) copy to the *Bradford County Law Journal* for publication in the next issue of the *Bradford County Law Journal*.

It is further ordered that this local rule shall be kept continuously available in the Clerk of Court's Office for public inspection and copying.

By the Court

JEFFREY A. SMITH,
President Judge

BRADFORD COUNTY LOCAL JUVENILE RULES

Local Rule 515.B(4).

(a) Upon entry of a consent decree of adjudication of delinquency, the juvenile offender shall be assessed a fee in the amount of twenty (\$20.00) per month for each month of supervision. This fee shall be payable to the Bradford County Juvenile Court VOJO Restitution Fund, (VOJO Fund), which has been established pursuant to 42 Pa.C.S.A. § 6352(a)(5). Said fee shall not be charged for any time that the juvenile is in placement.

(b) No fee will be imposed if all of the following conditions are met:

(1) The juvenile is indigent and is likely to remain so for the foreseeable future;

(2) The juvenile is and will continue to be unable to earn any income in the foreseeable future;

(3) The presiding judge, following hearing, orders that the fees shall be waived.

(c) Expenditures to victims from the VOJO Fund shall be made pursuant to guidelines established by this court.

In Re: Rule 1604 of the Rules of Juvenile Procedure; No. 10IR000065

Order

And Now, January 11, 2010, the Court Administrator is hereby designated as the individual to receive reports submitted by foster parents pursuant to Rule 1604 of the Pennsylvania Rules of Juvenile Procedure.

By the Court

JEFFREY A. SMITH,
President Judge

[Pa.B. Doc. No. 10-979. Filed for public inspection May 28, 2010, 9:00 a.m.]

LYCOMING COUNTY

Distribution of Juvenile Restitution, Reparation, Fees, Costs, Fines and Penalties; Administrative Order

Order

It is *Ordered* and *Directed*, pursuant to the authority of 42 Pa.C.S. § 9728 and other laws pertaining thereto, and the designation of the Lycoming County Commissioners, that the Lycoming County Cost Clerk is appointed as the agency authorized to collect all restitution, reparation, fees, costs, fines and penalties. All prior orders relating to distribution of restitution, reparation, fees, costs, fines and penalties are hereby vacated.

It is further *Ordered* and *Directed*, effective immediately, that monies collected by the Lycoming County Cost Clerk on account of restitution, reparation, fees, costs, fines and penalties shall be distributed in the following priorities:

1. Crime Victim's Compensation Fund & Victim Witness Services Fund

In juvenile court cases, \$25.00 shall be paid to these funds under 18 P.S. § 11.1101, the Crime Victim's Act, provided there is either a consent decree or an adjudication of delinquency.

2. Restitution

In juvenile court cases, no less than fifty percent (50%) of all monies collected by the Lycoming County Cost Clerk pursuant to 42 Pa.C.S. § 9728 (b)(1) and deducted pursuant to 42 Pa.C.S. § 9728 (b)(5), shall be disbursed on account of restitution until paid in full, under 42 Pa.C.S. § 9728 (G.1).

In making restitution in juvenile court cases, priority of payment among the restitution recipients shall be in the following order, under 18 Pa.C.S. § 1106:

A. To the Victim; if more than one, then among them pro-rata.

B. To the Crime Victims' Compensation Board.

C. To any other government agency which has provided reimbursement to the victim as a result of the juvenile's criminal conduct or wrongdoing.

D. To any insurance company which has provided reimbursement to the victim as a result of the juvenile's criminal conduct or wrongdoing.

3. All Other Fees, Costs, Fines and Penalties

Any money remaining after payment under sections 1 and 2, above have been made in full, or one hundred percent (100%) thereof, shall be distributed in the following priorities.

A. *Supervision Fees, Electronic Monitoring Fees, Server Fees, Witness Fees*

(1) Costs of offender supervision fees under 18 P.S. § 11.1102 (Act 111 of November 24, 1998); the supervision fees shall be based on the defendant not on the case.

(2) Service fees.

(3) Witness fees.

B. *Judicial Computer System*

All moneys payable to the Judicial Computer System Augmentation Account under 42 Pa.C.S. § 3733.

C. All other Fees, Costs, Fines, and Penalties

Disbursement shall first be made to the County expense items, secondly to municipal or local expense items and finally to expenses due to the Commonwealth.

D. Judgment Fees

Fees due for entry of and satisfaction of judgment shall be paid before the record is marked satisfied.

It is further *Ordered* and *Decreed* that pursuant to 42 Pa.C.S. § 9728, all sentences, pretrial dispositions, or orders entered relating to the disposition of a dependent child under 42 Pa.C.S. § 6352, for restitution, reparation, fees, costs, fines and penalties shall, together with interest and any additional costs that may accrue, be a judgment in favor of the Lycoming County Juvenile Probation Office. The Lycoming County Prothonotary and Clerk of Courts, upon the docketing of such order, shall enter, docket, and index the same record in his office without pre-payment of costs.

It is further *Ordered* and *Decreed* that the Lycoming County Cost Clerk, in conjunction with the Juvenile Probation Office, is authorized to prepare an interim bill of costs upon receipt of an order of sentence, pretrial disposition or disposition of a delinquent child under 42 Pa.C.S. § 6352 and, pending receipt of the final bill of costs, to make disbursements of all monies collected in accordance with the interim bill of costs and this order.

By the Court

NANCY L. BUTTS,
President Judge

[Pa.B. Doc. No. 10-980. Filed for public inspection May 28, 2010, 9:00 a.m.]

LYCOMING COUNTY

Establishment of Juvenile Restitution Fund; Administrative Order

Order

And Now, this 17th day of May, pursuant to Act 217 of 2004, the Court Orders the Juvenile Probation Department to establish a restitution fund and assess fines, court costs, supervision or other appropriate fees to be paid by the child, all of which shall be deemed contributions to said fund, excluding any costs, fines or fees which are mandated by statute or rule to be assessed and paid to any specific fund or purpose. Any cases referred for informal adjustment, consent decree, or adjudicated delinquent may be assessed the above fees. Further, the Court authorizes any collection of fines and costs from delinquent juvenile cases that have previously appeared before a county district justice to be enforced and collected by the Juvenile Probation Office of this Court and deposited with the county collections department in the juvenile restitution fund.

The initial Court costs shall be \$40.00 per each petition filed. The President Judge shall approve any increase in fees.

Any fines, costs, fees or restitution payments collected from the above sources, excluding mandatory costs, fines or fees, are to be deposited in a separate and fiscally distinct restitution fund as noted above and maintained by the county. They should not be included in the AOPC/CPCMS system.

Any money paid into the restitution fund should be used as payment to victims for approved restitution claims filed with this Juvenile Court. The payment shall be made upon approval of the Chief Juvenile Probation Officer. When authorized by the Court, juvenile offenders may be directed to do community service to earn monies for payment of their restitution as approved by the Chief Juvenile Probation Officer at the rate of the state's minimum wage. Any such money shall be paid to the victim who is owed restitution and not to the juvenile. The Chief Probation Officer shall develop and maintain a written policy to implement the Order which shall be subject to Court approval. The written policy, 3.1, is attached to this Order and is hereby approved.

By the Court

NANCY L. BUTTS,
President Judge

**LYCOMING COUNTY
JUVENILE PROBATION
POLICY and PROCEDURES**

**POLICY
NUMBER: 3.1
(updated 7/22/09)**

RESTITUTION and COURT COSTS

Section 6352(a)(5) of the PA Juvenile Act provides the Court the ability to order payment by a delinquent child and their parents of reasonable amounts of money as fines, costs and/or restitution that shall be used to reimburse crime victims for financial losses resulting from delinquent acts. Additionally, the county's President Judge, via an Administrative Order, will establish a Restitution Fund for the deposit of all contributions to the fund which are received or collected. Informal adjustment and consent decree dispositions can also require juveniles and their parents to pay reasonable amounts of money as fines, costs and/or restitution. Act 217 amended the PA Juvenile Act in sections 6323 and 6340 allowing this change to occur. The Act also created 6304.1 "Summary Offenses" which provides for the option of contributions to the restitution fund in cases where a child has failed to comply with the lawful sentence imposed for a summary offense. These written guidelines establish procedures for the administration for this fund. The Juvenile Act section is copied at the end of this policy.

The Juvenile Probation Office maintains a Restitution program and a Restitution Fund to provide monetary compensation to victims. Our Restitution Fund will not be used to reimburse 3rd party payers, e.g. insurance companies, PA Crime Victim Compensation Fund, etc. Both are accessed via Court Order. The process is initiated by the Victim/Witness Coordinator who mails a "Description of Loss" form to victims. Upon the return of the verifiable loss/damage paperwork, the District Attorney presents this paperwork at the youth's hearing. The Court can order juveniles and their parents responsible for payment to victims. Parents are liable for up to \$1000 for a single act or \$2500 for a series of acts (See Title 23 Domestic Relations, Section 5505) whereas juveniles are liable for the entire loss, based on their ability to pay. A copy of the signed Restitution Order is kept on the left side of file. The procedure to ensure restitution and court cost orders are correctly filed in the Prothonotary and Cost Clerk's Office is attached.

When a juvenile or their family does not have sufficient funds to repay victims, our office can access a Restitution Fund to provide restitution. Clients provided this privilege are required to work Community Service at the minimum wage rate as their means of repayment to our Office. The Community Service work must be completed first before any funds can be sent to the victim. Example

is \$515 of restitution at \$7.25/hour = 100 hours of community service as repayment.

Upon approval of the Chief JPO, disbursements to victims can be made in advance and a client can repay the Restitution Fund by community service work at a later date. Officers must complete 2 forms, "Transfer of Funds" memo to the Fiscal Office and "Juvenile Fund Withdraw" Court Order and give to Chief J.P.O. for signature. To authorize disbursements from the Restitution Fund, the Chief JPO will forward the forms to the Fiscal Office. Officers must complete a "Payments to Restitution Fund" Court Order form and give to Chief J.P.O. This procedure is utilized when Restitution Funds were used to repay a victim and the youth has employment or ability to pay. A copy of this Order is kept on the left side of the file.

Disbursements from the Restitution Fund require at least 2 signatures. The 2 persons designated by this policy and the subsequent Administrative Order are the Lycoming County Treasurer and a Lycoming County Commissioner.

An annual report, detailing the aggregate and individual data regarding payments to and disbursements from the fund, is required. This report shall be provided to the Chief JPO. The "1069 report" in the CPCMS satisfies this requirement.

An annual audit, under county policy, of all payments to and disbursements from the Restitution Fund shall occur. Currently, the annual County audit is completed by Thomas Keller, CPA.

Youth must complete all restitution requirements before they can be released from supervision.

All youth charged and subsequently adjudicated delinquent or ordered placed under a consent decree shall be assessed a \$40 Court Cost. Youth handled informally can be assessed a court cost also. The informal adjustment agreement shall list an amount that is mutually agreed upon by all parties. The Court Cost will be paid to the Restitution Fund. The youth may be liable for other fines, costs and service fees imposed by statute.

Victims of aggravated assault where serious bodily injury results are eligible for compensation through the Crime Victim's Compensation Board. The Victim/Witness Coordinator identifies and completes the paperwork to access this restitution program.

APPENDIX A

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

IN THE INTEREST OF A JUVENILE: NO.

NAME: DOB:

ADDRESS: S.S. #

PARENT(S):

NAME: S.S. #

ADDRESS: S.S. #

NAME: S.S. #

ADDRESS: S.S. #

APPENDIX A TO ORDER OF (date)

ORDER FOR PAYMENT OF COSTS, FINES AND RESTITUTION

In accordance with the foregoing order of this date, it is hereby ORDERED and DIRECTED that the juvenile and parent(s) shall pay the amounts directed herein. The juvenile's parent(s) shall pay restitution as set forth below.

COURT COSTS Court costs waived () \$ 40.00
PA CRIME VICTIMS COMPENSATION FUND \$ 25.00

DNA DETECTION FUND (\$250.00)
Costs waived () \$ _____

ACT 198 (18 Pa.C.S. § 7508.1) DUI/Drug Offenses
(\$100.00/\$300.00 BA > 0.16%) \$ _____

COSTS OF PROSECUTION, including but not limited to witness fees, blood tests, laboratory tests, plus any bill of costs submitted by the District Attorney within 30 days of this date; otherwise only as directed by a subsequent court order. \$ _____

FINE UNDER CHARGE NUMBER(S) _____
\$ _____

Other fines and costs:
\$ _____
\$ _____

Restitution total to be paid by juvenile (detailed on page 2). The juvenile shall make payment as directed by the Juvenile Probation Office. \$ _____

Juvenile Total \$ _____

Restitution to be paid by parent(s) (detailed on page 2). The parent(s) shall pay as follows:

RESTITUTION PAYMENT PLAN FEE (\$10.00) \$ _____
Parent Total \$ _____

As Recommended by the Master BY THE COURT Under Pa.R.J.C.P. 191

Family Court Hearing Officer Judge
Assigned Probation Officer _____

NOTE: [] Adult Co-Defendants [] Other Juvenile Participants
[] NO [] YES (State names and case numbers, if known)

PAGE 2 RESTITUTION PAYMENTS

Victim: _____
Address: _____
Total restitution owed victim is \$ _____
Juvenile's share of responsibility is _____%
The Juvenile shall pay the victim \$ _____
The Juvenile's parent(s) are also ordered to pay the victim \$ _____
[] Juvenile and parent(s) payments to victim are joint and several
[] Restitution paid by restitution fund approved

Victim: _____
Address: _____
Total restitution owed victim is \$ _____
Juvenile's share of responsibility is _____%
The Juvenile shall pay the victim \$ _____
The Juvenile's parent(s) are also ordered to pay the victim \$ _____
[] Juvenile and parent(s) payments to victim are joint and several
[] Restitution paid by restitution fund approved

Victim: _____
 Address: _____
 Total restitution owed victim is \$ _____
 Juvenile's share of responsibility is _____%
 The Juvenile shall pay the victim \$ _____
 The Juvenile's parent(s) are also ordered \$ _____
 to pay the victim
 Juvenile and parent(s) payments to
 victim are joint and several
 Restitution paid by restitution fund
 approved

Victim: _____
 Address: _____
 Total restitution owed victim is \$ _____
 Juvenile's share of responsibility is _____%
 The Juvenile shall pay the victim \$ _____
 The Juvenile's parent(s) are also ordered \$ _____
 to pay the victim
 Juvenile and parent(s) payments to
 victim are joint and several
 Restitution paid by restitution fund
 approved

Victim: _____
 Address: _____
 Total restitution owed victim is \$ _____
 Juvenile's share of responsibility is _____%
 The Juvenile shall pay the victim \$ _____
 The Juvenile's parent(s) are also ordered \$ _____
 to pay the victim
 Juvenile and parent(s) payments to
 victim are joint and several
 Restitution paid by restitution fund
 approved

[Pa.B. Doc. No. 10-981. Filed for public inspection May 28, 2010, 9:00 a.m.]

MIFFLIN COUNTY

**In the Matter of Local Rules 58th Judicial District;
No. 02-2010**

Administrative Order

And Now, this 13th day of May, 2010, with respect to the Mifflin County Local Rules of Court, the Court hereby *Orders* the following:

The following new Mifflin County Local Rule of Court is hereby *Adopted* and shall become effective thirty days after the publication of same in the *Pennsylvania Bulletin*.

Rule MC1018.1—Notice to Defend. Form.

(a) Every complaint filed by a plaintiff and every complaint filed by a defendant against an additional defendant shall begin with a notice to defend in substantially the form set forth in subdivision (b). No other notice to plead to a complaint shall be required.

(b) [CAPTION]
NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims

set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICE TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

MidPenn Legal Services
3 West Monument Square, Suite 303
Lewistown, PA 17044
(717) 248-3099

By the Court

TIMOTHY S. SEARER,
President Judge

[Pa.B. Doc. No. 10-982. Filed for public inspection May 28, 2010, 9:00 a.m.]

SCHUYLKILL COUNTY

Adopted Criminal Rule of Procedure; AD-45-10

Order of Court

And Now, this 6th day of May, 2010 at 3:00 p.m., the Court hereby adopts Schuylkill County Criminal Rule of Procedure, Rule 507. The rules are adopted for use in the Court of Common Pleas of Schuylkill County, Pennsylvania (21st Judicial District) and shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

The Clerk of Courts of Schuylkill County is Ordered and Directed to do the following:

- 1) File ten (10) certified copies of this Order and Rules with the Administrative Office of the Pennsylvania Courts.
- 2) File two (2) certified copies of this Order and Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* together with a CD-ROM reflecting the text in the hard copy version.
- 3) File one (1) certified copy of this Order and Rules with the Pennsylvania Criminal Procedural Rules Committee.
- 4) Forward one (1) copy to the Schuylkill County Law Library for publication in the *Schuylkill Legal Record*.
- 5) Keep continuously available for public inspection copies of this Order and Rule.

It is further *Ordered* that said Pennsylvania Rule of Criminal Procedure, Rule 507 become effective July 1, 2010.

By the Court

WILLIAM E. BALDWIN,
President Judge

**COURT OF COMMON PLEAS OF
SCHUYLKILL COUNTY
TWENTY-FIRST JUDICIAL DISTRICT**

Rule 507. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.

The District Attorney of Schuylkill County having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging:

- A. Murder (all types)—18 Pa.C.S.A. § 2502,
- B. Voluntary Manslaughter—18 Pa.C.S.A. § 2503,
- C. Involuntary Manslaughter—18 Pa.C.S.A. § 2504,
- D. Causing or Aiding Suicide—18 Pa.C.S.A. § 2505,
- E. Drug Delivery Resulting in Death—18 Pa.C.S.A. § 2506,
- F. Murder of an Unborn Child (all types)—18 Pa. C.S.A. § 2604,
- G. Voluntary Manslaughter of Unborn Child—18 Pa. C.S.A. § 2605,
- H. Kidnapping—18 Pa.C.S.A. § 2901,
- I. Arson—18 Pa.C.S.A. § 3301,
- J. Homicide by Vehicle—75 Pa.C.S.A. § 3732,

K. Homicide by Vehicle while Driving Under Influence—75 Pa.C.S.A. § 3735,

L. Homicide by Watercraft while Operating Under Influence—30 Pa.C.S.A. § 5502.1,

M. Homicide by Watercraft—30 Pa.C.S.A. § 5502.2; or

N. Any inchoate form of the foregoing—Criminal Attempt—18 Pa.C.S.A. § 901, Criminal Solicitation—18 Pa.C.S.A. § 902, Criminal Conspiracy—18 Pa.C.S.A. § 903

O. Rape—18 Pa.C.S.A. § 3121,

P. Statutory Sexual Assault—18 Pa.C.S.A. § 3122.1,

Q. Involuntary Deviate Sexual Intercourse—18 Pa.C.S.A. § 3123,

R. Sexual Assault—18 Pa.C.S.A. § 3124.1,

S. Institutional Sexual Assault—18 Pa.C.S.A. § 3124.2,

T. Aggravated Indecent Assault—18 Pa.C.S.A. § 3125

shall not hereafter be accepted by any judicial officer unless the complaint and affidavit have the approval of an Attorney for the Commonwealth prior to filing.

Effective July 1, 2010.

[Pa.B. Doc. No. 10-983. Filed for public inspection May 28, 2010, 9:00 a.m.]

RULES AND REGULATIONS

Title 28—HEALTH AND SAFETY

DEPARTMENT OF HEALTH

[28 PA. CODE CHS. 23 AND 27]

School Immunizations; Communicable and Non-communicable Diseases

The Department of Health (Department), with the approval of the State Advisory Health Board (Board), amends Chapter 23, Subchapter C (relating to immunization) and § 27.77 (relating to immunization requirements for children in child care group settings) to read as set forth in Annex A.

A. Purpose and Background

The final-form rulemaking amends immunization requirements that children seeking to enter and attend school in this Commonwealth shall meet, and is based upon recommendations of the Advisory Committee on Immunization Practices (ACIP), an advisory committee of the Centers for Disease Control and Prevention (CDC).

The final-form rulemaking is intended to control the spread of diseases in schools, which are known to be ideal settings for the transmission of communicable diseases. Requiring immunity before a child enters school in 1st grade or kindergarten, or before the child is permitted to attend a school in this Commonwealth, protects that child before entering an environment which readily lends itself to the transmission of disease. Further, ensuring that children are appropriately immunized carries with it advantages for the public as a whole, including other high-risk populations, as well as for the child. There is less chance of other persons contracting a highly infectious disease if children are vaccinated and less chance of outbreaks of contagious diseases occurring.

The final-form rulemaking combines the immunization requirements in § 23.83 (relating to immunization requirements) for school entry into kindergarten or 1st grade with immunization requirements for school attendance in all grades and adds two new immunization requirements for entry into the 7th grade. The Department reviewed the recommendations of the CDC's ACIP and determined that certain ACIP recommendations serve to meet the needs of the Commonwealth with respect to requirements for school immunizations. The final-form rulemaking requires that students be immunized with the hepatitis B vaccine (previously required for entry into either kindergarten or 1st grade and entry into the 7th grade) before entering school. The final-form rulemaking requires that students entering the 7th grade be immunized with the tetanus, diphtheria and acellular pertussis (Tdap) vaccine, if at least 5 years has elapsed since their last tetanus and diphtheria-containing immunization. The final-form rulemaking also requires that children entering the 7th grade be immunized with the meningococcal conjugate vaccine (MCV).

The final-form rulemaking also institutes ACIP recommendations regarding an additional dose requirement for mumps vaccine and for varicella vaccine. The existing requirement for varicella immunity upon school entry and for entry into the 7th grade will now be an all-grades requirement.

Further, the final-form rulemaking also clarifies what immunization requirements apply to children under 5 years of age attending child care group settings located in a school. The final-form rulemaking also makes it clear that children in a school district operated prekindergarten program, early intervention program operated by a contractor or subcontractor (this includes districts, intermediate units and private vendors) and private academic preschool are required to obtain age-appropriate immunizations as a condition of attending those programs.

Finally, the final-form rulemaking adds a 4-day grace period for vaccine administration, also in accordance with recommendations of the ACIP, and amends the Department's requirements for school reporting of immunizations in § 23.86 (relating to school reporting).

The Department published the proposed rulemaking at 38 Pa.B. 750 (February 9, 2008) and provided a 30-day public comment period. Because the title of the proposed rulemaking failed to include reference to school immunization and only mentioned communicable and noncommunicable diseases, and this could have created confusion among potential commentators, the Department extended the public comment period an additional 2 weeks. (See 38 Pa.B. 1150 (March 8, 2008).) The Department received comments from two commentators and from the Independent Regulatory Review Commission (IRRC). The comments and the Department's responses appear in the summary of this final-form rulemaking.

B. Summary

General comments

IRRC and one commentator raised the question of whether the Department could simply adopt the ACIP's recommendations regarding vaccinations by reference and avoid the need for the Department's updating of regulations every time the ACIP makes a change to its recommendations. If the Department chose not to do so, IRRC recommended that the Department carefully consider the commentator's other recommendations and warned that IRRC would review the Department's responses in determining whether or not the regulation met the criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Department considered this particular comment with regard to the ACIP's recommendations on several previous occasions, and after reviewing its previous responses, will not revise the regulations as the commentator has requested.

In determining what immunizations to require for school attendance, the Department reviews the ACIP's guidelines and recommendations. The Department does not, however, typically or uniformly accept or adopt the ACIP's recommendations, either for the immunizations the Department will require or for the standards applicable to those immunizations. The ACIP's recommendations are helpful and often definitive but may not take into consideration issues that may be important to the adopting state jurisdiction. Because the ACIP's recommendations are based on the purely public health reason of protecting children from every possible disease, the ACIP does not take into account the possibility of community reaction, nor should it. Practitioners, too, seeking to recommend the best health practices to their patients, are not constrained by the need to accept and review public

comment regarding the efficacy and necessity of obtaining a particular vaccine. The Department, through these regulations, however, is in the position of mandating that a child obtain a particular disease vaccine or be denied access to the educational system for some period of time. To that end, the Department will allow for the public to review and present its concerns regarding a mandate such as this. To have adopted the ACIP recommendations without further review would have mandated the provision of human papillomavirus (HPV) to all boys and girls attending school without allowing for public comment. Regardless of one's position with respect to the efficacy of, and necessity for, receiving this vaccine, it shall be acknowledged that this particular vaccine has given rise to some controversy and concern in the public. In addition, there are groups of individuals who strongly disagree with immunization of children. Regardless of one's view of this issue, in the context of a regulation that requires immunizations for school attendance, rather than recommending them for personal health reasons, these persons, too, should have a meaningful opportunity to voice their concerns.

Adopting ACIP recommendations upon their issuance would raise other issues. Some immunizations for diseases that are not prevalent in this Commonwealth would involve unnecessary cost to patients. For example, with respect to the hepatitis A vaccine, although the ACIP is careful to recommend vaccination against hepatitis A in states that are considered to be at high risk, a simple adoption of ACIP requirements would be insufficient to fully explain to the regulated community, that is, children, parents and guardians, and schools, whether the immunization is or is not required. These persons are unlikely to know that this Commonwealth is, in fact, not considered to be a high risk state for this disease due to low prevalence of hepatitis A disease. This would necessitate additional guidance from the Department in some form.

While the issuance of additional guidance does not, at first glance, appear to be overly burdensome, it is not the effect on the Department that raises the issue here. The Department attempts to make its school immunization regulations as simple as possible to aid schools and school nurses in their responsibilities to make certain only children who are appropriately vaccinated are attending schools. To this end, the Department attempts to limit the number of communications with respect to existing requirements. The ACIP issues recommendations three times a year, however, and adopting ACIP recommendations wholesale would require schools and school nurses to review children for the appropriate vaccine requirements at least 3 times each year to ensure compliance with recommended changes.

Adopting the ACIP's recommendations, without being able to review and affirmatively accept each one, with whatever modifications deemed necessary, would inhibit the flexibility needed by the Department to apply its and the Board's expertise to the question of what immunizations are appropriate as a condition of school attendance. This requires a balancing of the importance of the immunization to children in this Commonwealth preventing morbidity and mortality, versus the burden the requirements would place upon schools, parents and the community.

In fact, the General Assembly has recognized the Department and the Board as authoritative on the issue of immunizations. In section 16(a)(6) of the Disease Prevention and Control Law of 1955 (35 P. S.

§ 521.16(a)(6)), section 2111(c.1) of The Administrative Code of 1929 (71 P. S. § 541(c.1)) and section 1303 of the Public School Code of 1949 (24 P. S. § 13-1303a(a)), the General Assembly authorized the Department, with the Board, without reference to the ACIP, to create a list of diseases against which children shall be immunized. To cede this authority to create a list of diseases to a Federal advisory committee that does not have rulemaking authority or responsibility, and whose recommendations are not subject to a rigorous rulemaking process prior to issuance, is not in accord with the General Assembly's direction to the Department. It is the Department's responsibility, with the approval of the Board and the necessary State regulatory review bodies, including the General Assembly, to determine when and how to add required immunizations to the list.

The Department may review standards from groups with expertise in the matters the Department is seeking to regulate and may consult with those groups as well. In fact, the Department has done, and continues to do, just that in many areas falling under its purview. When, however, the General Assembly delegated a responsibility to the Department, the final execution of that responsibility rests with the Department under the law. Therefore, the Department may review and approve standards recommended by independent entities, but cannot, however, adopt future unspecified and unknown standards and guidelines.

Then, too, there is a question as to whether it is beneficial to allow some time to pass before accepting an ACIP recommendation as a mandate for school attendance. There may be problems with a vaccine that the ACIP has not anticipated. The Department notes that, although the vaccine against the rotavirus was not recommended by the ACIP for the age group in question here, within 4 months of the ACIP's recommendation regarding that immunization, problems arose and children suffered severe injuries and death from twisting of the bowel, attributable to the vaccine. If this were to occur following the adoption of an immunization mandate for school attendance, the public's trust in State government to properly protect them could be irreparably damaged.

The Department understands the concern that the regulatory process lags behind current thinking of the scientific community. The Department is willing, following the implementation of this final-form rulemaking, to invoke a stakeholder process to consider alternatives that may expedite the regulatory process, while at the same time preserving the Department's and the Board's careful review of proposed amendments to immunization requirements for school attendance.

New vaccinations continue to be developed and recommendations of knowledgeable bodies change from day to day. What remains a constant, however, is the Department's commitment to protect the health and safety of the children of this Commonwealth by ensuring that it exercises its discretion and expertise to review recommendations and only require the most appropriate immunizations for school attendance in this Commonwealth. The fact that this may take some time only means that these vaccinations are not required for a child's attendance at school immediately upon their recommendation by the ACIP. It does not prevent a physician from recommending and offering the vaccination to his patients when the recommendations are issued. The Department would rather be cautious in the exercise of its discretion than create additional burden to the citizens of this Common-

wealth by abdicating its responsibilities to take the most efficient and practical means necessary to prevent and control the spread of disease.

CHAPTER 23. SCHOOL HEALTH

Subchapter C. IMMUNIZATION

§ 23.83. Immunization requirements.

Subsection (a). Duties of a school director, superintendent, principal or other person in charge of a public, private, parochial or nonpublic school.

IRRC noted that the proposed rulemaking did not specifically address whether the requirements of this subsection would apply to charter and cyber schools. The Public School Code of 1949 (24 P. S. §§ 1-101—27-2708), upon which the final-form rulemaking is based, in part, states that “school directors, superintendents, principals, or other persons in charge of any public, private, parochial, or other school including kindergarten” must ascertain whether the immunization has occurred. The statute is sufficiently broad enough to include cyber and charter schools, without the need for that statement appearing in this section. Since this section is being amended at this time, the Department, however, does not have an objection to adding language that would make it clear that persons in charge of cyber and charter schools should also ascertain whether a child is in compliance with the appropriate immunization requirements and that the immunizations required in § 23.83(b) for school attendance are also required for children in cyber and charter schools. Children in these educational settings are exposed to other children and placed at risk for contracting or spreading a vaccine-preventable disease. These children are able to participate in extra-curricular activities, just as children who attend “regular” schools do, and have regular contact with adults, who may be susceptible to contracting diseases like pertussis. The definition of “attendance at school” in § 23.82 and §§ 23.83(a) and (c) and 23.86(a) have been revised to include a reference to cyber and charter schools.

IRRC recommended that the Department add language to subsection (a) specifically telling persons required by law to ascertain whether a child was in compliance with the appropriate immunization requirements how to make that determination. The commentator suggested that the Department add the language in § 27.77 and require that parents provide a written verification from a physician, the Department or a local health department be provided to the school. In the alternative, the commentator recommended that the Department include the language that the Department used with respect to proof of varicella immunity with each of the immunizations required.

The Department has not revised this subsection as recommended. The language that appears in the Department’s regulations regarding child care group settings was written because there was not a requirement prior to the adoption of those regulations in 2002 that a child care group setting require certain vaccinations or how that entity should verify vaccinations. Schools, however, are governed by the regulations of the Department and the Department of Education. (See 22 Pa. Code §§ 11.20 and 51.13 (relating to nonimmunized children; and immunization).) Section 23.85 (relating to responsibilities of schools and school administrators) discusses how schools are to carry out these responsibilities. Section 23.85(a) requires a school administrator to obtain a certificate of immunization from the child’s parents or a history of the child’s immunization and requires that the information be stored in a database. In general, the information is kept in the

child’s medical record; schools are required to keep medical records of students, independently of the Department’s regulations regarding school immunizations. (See section 1402 of the Public School Code of 1949 (24 P. S. § 14-1402), regarding health services. While the need existed in the regulations regarding child care group settings to explain how vaccinations would be verified, that requirement is already in place regarding schools and does not need to be reiterated in this final-form rulemaking.

Further, with respect to the language included with the varicella vaccine regarding verification of varicella immunity, the language could not be adopted for each immunization listed in subsection (b) because of the nature of the disease and the response of the public to that disease. Chickenpox (varicella) is often considered by parents to be a “rite of passage” of childhood, a disease that is not dangerous and need not be treated like a more “serious” disease would be, for example, like measles. Children with varicella are often not taken to the doctor’s office. In addition, at the time the varicella regulation was first promulgated the vaccine had been relatively newly licensed in the United States. The Department, taking these circumstances into consideration, allowed for immunity to be verified in different ways and not simply by the recording of the administration of the vaccine. One way, for example, is through a statement of the parent that the child has had the disease. This language would not be applicable and the same considerations would not hold true, for instance, in the case of a disease like tetanus or diphtheria.

IRRC suggested that the Department cross-reference section 1303 of the Public School Code of 1949 in subsection (a) to clarify the statutory exemptions and penalties involved.

The Department added a cross-reference as recommended. With respect to the statutory exemptions, however, it should be noted that those are already included in § 23.84 (relating to exemption from immunization).

Subsection (b). Required for attendance.

IRRC and one other commentator raised the question of combination vaccines. The commentator suggested that the Department use combination vaccines for several of the immunizations required. IRRC stated that the commentator made a compelling argument for the use of combination vaccines. IRRC requests that the Department explain why the proposed rulemaking did not include a requirement for combination vaccines.

The commentator strongly urged the Department to encourage the use of combination vaccines when available and to encourage the use of the correct vaccine for diphtheria, tetanus and pertussis. According to the commentator, children under 6 years of age should receive five doses of DTaP and adolescents 11 years of age through 18 years of age should get one booster dose of Tdap based on the CDC guidelines. This would eliminate confusion between the two different vaccines.

The Department supports the commentator’s position that combination vaccines are preferable because of the reduction in cost by eliminating multiple visits, stocking and storing multiple vaccines and stress on the child. The Department’s existing regulations neither encourage nor discourage the use of combination vaccines; it should be noted that many vaccines are not available in this Commonwealth or United States as single antigen vaccines. The Department believes that health care professionals, if they have single antigen vaccines available to

them, will take these issues into consideration in deciding which vaccine to use. Given the concern expressed by commentators, however, the Department has decided to revise this subsection to add language acknowledging that a combination vaccine is an acceptable vaccine for purposes of school attendance, as well as a single antigen vaccine. The Department added this language even in situations when a combination vaccine currently does not exist to anticipate the continuing development of these vaccines. The Department agrees with the commentators and strongly encourages the use of combination vaccines when appropriate and available.

The Department cannot, however, state that single antigen vaccines will not be considered acceptable for school attendance. In some instances, for example, in the case of the hepatitis B vaccine, a combination vaccine is not presently available for school age children. There is a combination vaccine for hepatitis B available; it is, however, only licensed for children 18 years of age and older. In addition, because single antigen vaccines are still given in many other countries, there are children coming to school in this Commonwealth with single antigen measles and mumps vaccines that should be counted as valid doses. If regulation requires that only combination vaccines are counted as valid doses, these children would have to be revaccinated unnecessarily at additional cost.

With respect to the comment regarding the differences between Tdap and DTaP, the level of specificity the commentator is recommending in final-form rulemaking regarding Tdap and DTaP goes beyond what the Department feels is appropriate for regulation in this area, given the possible encroachment on professional judgment resulting from a regulation such as this. The Department is not in a position to substitute its regulatory authority for the professional judgment and knowledge of a health care practitioner. The Department believes that health care practitioners following accepted standards of practice and exercising their professional judgment do not need to be instructed by the Department through regulation of which vaccine to administer and when.

One commentator stated that the commentator felt that it would be more beneficial for the Department to require Tdap and MCV for entry into the 8th grade than the 7th grade. This would allow additional time for students to become vaccinated and prevent exclusion of those students who fail to obtain the required vaccinations. The commentator based this recommendation on the fact that out of a class of 500 6th graders in what the commentator classified as a middle class school district there were only 100 students who received the MCV and 176 who received the Tdap. Further, as a school nurse, the commentator sent letters to parents explaining the Department's proposed rulemaking which would require those vaccinations and did not receive a significant response.

The Department considered this comment and did not revise this subsection. The Department is unable to draw a conclusion from the parents' lack of response to the commentator's letter. Further, the vaccinations in question were not required for entry into 7th grade at the time the commentator informally surveyed the 6th grade class and sent a letter to parents.

In addition, in 2007, in preparation for the eventual implementation of this final-form rulemaking, the Department itself conducted a survey of 160 schools in selected school districts, including Philadelphia and Allegheny Counties. The survey showed that 11% of 7th graders had, at that point, received the MCV, while 16% received the Tdap, without the existence of a requirement that

children have these vaccines for entry into the 7th grade. In setting entry into the 7th grade as the time in which children are required to have the MCV and the Tdap, the Department is following the ACIP guidelines with respect to those vaccinations. Nothing in its study or the commentator's informal survey leads the Department to the determination that to implement the vaccination in accordance with the ACIP requirements would be improper or would create hardship on students. It should also be noted that the health departments of Allegheny and of Philadelphia Counties require meningococcal vaccine for school students. The health departments of Allegheny and of Philadelphia Counties are local health departments with the authority to promulgate their own regulations, so long as those regulations are more stringent than those of the Department (See section 16(c) of the Disease Prevention and Control Law of 1955 (35 P. S. § 521.16(c)).) As of the 2009-2010 school year, the Allegheny County Health Department requires the vaccine for students entering 7th through 12th grades; as of the 2008-2009 school year, the Philadelphia Department of Public Health requires students entering 6th grade to have the vaccine.

Questions were also raised concerning the cost of the MCV to families whose children will now be required to obtain this vaccine before entering the 7th grade. Certain insurance plans are required to cover provision of the MCV, since it is a recommendation of the ACIP, and was included in a notice published by the Department in accordance with the Childhood Immunization Insurance Act (40 P. S. §§ 3501—3508) and its accompanying regulations in 31 Pa. Code §§ 89.801—89.809 (relating to childhood immunization insurance). In addition, the vaccine is covered for vaccine-eligible children enrolled in the Federal Vaccines for Children Program. (See section 1928 of the Social Security Act (42 U.S.C.A. § 1396s).) Lastly, for children not covered by either of these programs, the Department makes vaccine, which it obtains through a Federal grant, available through "catch-up" programs at schools and through its State health centers. It has done so in the past with respect to hepatitis B vaccine and varicella vaccine and will do so with respect to the MCV, Tdap and the second dose of varicella.

In connection with cost concerns, an issue has also been raised regarding the College and University Student Vaccination Act (act) (35 P. S. §§ 633.1—633.3). The College and University Student Vaccination Act requires students entering college and living in dormitories to have a one-time vaccination against meningitis. Concerns were raised that students required to receive the MCV in 7th grade under the Department's regulations would then be forced to have a booster shot prior to entering college to comply with the College and University Student Vaccination Act. Under the ACIP recommendations, MCV is specifically recommended for children 11 or 12 years of age and is only recommended for 13 years of age through 18 years of age if not previously vaccinated. (See 58 MMWR 1042 (September 25, 2009).) Secondly, booster shots are only recommended for children who remain at increased risk after 5 years. The recommendations specifically state that persons whose only risk factor is living in on-campus housing are not recommended to receive an additional dose. (See 58 MMWR 1042 (September 25, 2009).) Therefore, under these recommendations, there would not be a requirement for an additional vaccine at college entry if the child is vaccinated in the 7th grade. It should also be noted that, depending upon the child's insurance coverage and age at the entry to college, there is a greater possibility of the vaccine being covered by

private insurance or a government program for the child if it is received at entry into 7th grade than at entry into college.

IRRC and one other commentator asked whether the Department had considered adding requirements for immunization for hepatitis A, rotavirus, haemophilus influenzae type b and HPV to its list of diseases against which children must be immunized prior to school attendance or entry. The Department has not changed the final-form rulemaking in response to this comment.

The Department did consider the addition of hepatitis A to the list. It determined against including that requirement, since this Commonwealth is not considered a high risk state for that disease.

The Department began consideration of what action to take with respect to vaccination for HPV when that vaccination became licensed several years ago. The Department formed the Cervical Cancer Task Force to discuss and make recommendations regarding that particular vaccination. At this time, there has not been a recommendation for the addition of HPV to the list.

The Department has not added haemophilus influenzae type b or rotavirus to the list since this final-form rulemaking deals with school attendance. Typically, children begin school at 5 years of age and rotavirus and HIB are vaccines licensed for children under 5 years of age.

One commentator also requested that the Department give preference to the injectible inactivated polio vaccine, since the oral polio vaccine is no longer considered the standard of care.

The Department has not revised this subsection. Oral polio vaccine is no longer available in the United States. The Department will, however, continue to take into consideration the possibility that children coming from other countries may have had the oral vaccine. The subsection must allow for this to be counted as a dose. Further, the Department relies upon health care practitioners to follow the standard of care demanded by their professional judgment and licensure requirements.

IRRC raised the question that the Department continually uses the phrase "properly spaced dose" in subsection (b) without explaining where the definition of "properly spaced dose" is to be found. The commentator recommended that the Department include the standard in the final-form rulemaking.

The Department has not revised the regulation. This language is not new to the school immunization regulations, although it does appear in the new language regarding mumps, hepatitis b, and varicella. (See subsection (b)(6)–(8)). Physicians and other health care practitioners who have worked with these regulations have never raised a question as to its meaning prior to this time. The term "properly-spaced dose" refers to the standard of practice followed by practitioners whose license permits them to administer vaccinations and is unique to each vaccine series. Practitioners determine appropriate dosing by reference to guidelines developed by their medical associations and other experts in the field of immunizations. The Department does not have the authority to define the standard of practice for licensed practitioners.

Further, within the context of the regulations, the term, "properly-spaced dose" is intended to identify which doses may be counted by the Department for audit purposes and for record checking. From the Department's perspective, a dose which is not a "properly-spaced" dose under

the CDC's guidelines means that the Department will not count that dose towards the number of children receiving vaccinations, which is required to be reported to the CDC. The information may also be used in the event of an outbreak of a vaccine reportable disease. In that case, a child not having received properly-spaced doses (given at too early of an age or at less than a minimum interval between doses for that vaccine) may need to be excluded from attendance by the school. These regulations, however, do not provide for punitive action against either the school or the practitioner.

Subsection (b)(1). Diphtheria.

Subsection (b)(2). Tetanus.

One commentator recommended that the language for diphtheria and tetanus be changed from requiring one dose on or after the 4th birthday to the final dose being administered at 4 years of age. This is intended to clarify that the initial three doses have already been given and that the booster shot should be administered at 4 years of age.

The Department agrees that the language of the paragraphs should be changed to reflect that the three initial doses should occur prior to the 4th birthday. The Department believes that the language suggested by the commentator, that the final dose be given "at 4 years of age" is too restrictive, and could be read to mean that the dose must be given on the 4th birthday. Therefore, the Department has revised the paragraph to read "The fourth dose shall be administered on or after the 4th birthday." This takes into consideration the commentator's concern that the paragraphs lack clarity regarding when the first three doses may be given and requires that the fourth and final dose be given on or after the child turns 4 years of age.

Subsection (b)(4). Measles (rubeola).

Subsection (b)(5). German measles (rubella).

IRRC questioned the Department's removal of the requirement in subsection (b)(4) and (5) that serological evidence showing antibodies to rubeola (subsection (b)(4)) or rubella (subsection (b)(5)) determined by the hemagglutination inhibition test or a comparable test be the specific type of testing used as an alternative to evidence of vaccination. The Department has changed that requirement to allow acceptance of "laboratory testing" as evidence of immunization. IRRC recognized that, as the Department stated in the preamble to proposed rulemaking, the Department's intention was to allow for changing technology to be recognized, but questioned whether the requirement had now become too broad. IRRC asked what type of laboratory testing the Department would accept and whether the testing procedure and laboratory would be required to be approved or accredited by an appropriate medical authority.

It is the Department's intent to allow for the most current testing to be utilized, and the language that has been removed from these paragraphs would have prevented that from occurring. In considering this comment, the Division of Immunization sought the advice of the Department's Bureau of Laboratories (BOL). There are numerous tests on the market for detection of Rubella and Rubeola antibodies. The majority are enzyme linked immunoabsorbent assay tests, although there are other methods available. These tests could all be considered "comparable" to the hemagglutination inhibition test. Use of any of these tests would require licensure for nonsyphilis serology under The Clinical Laboratory Act (35 P. S. §§ 2151–2165) and certification for general

immunology under the Federal Clinical Laboratory Improvement Amendments of 1988 (CLIA).

Under the CLIA requirements, a laboratory offering one or more of these tests would require a CLIA certificate of compliance (the agency inspecting the laboratory would be the CLIA state agency, which in the Commonwealth is the BOL) or a certificate of accreditation (the agency inspecting the laboratory would be a Federally-approved accrediting agency). CLIA certified and state permitted laboratories are inspected at least every 2 years. In addition, laboratories shall participate regularly and successfully in an external proficiency testing program (usually three times per year). The Department has revised subsection (b)(4) and (5) to clarify that the laboratory performing the testing must have the appropriate certification.

Once a laboratory meets these requirements, it may perform testing to determine immunity for rubella and rubeola without any additional approvals by the Department.

Subsection (b)(8). Chickenpox (varicella).

IRRC asked the Department to clarify how it determined that the school year 2010-2011 allowed a reasonable amount of time for children to meet the requirement for the two dose varicella vaccine.

In choosing the time frames for varicella compliance in the proposed rulemaking, the Department drew on its experience in phasing in vaccine requirements. The Department did not wish to delay an unduly long period of time in creating an all grades requirement, since there is a need for a second dose to ensure that children are appropriately immunized, and not either contracting or spreading a serious disease. The varicella vaccine has been licensed since 1995 and a one dose requirement of the vaccine for school attendance has been in place since 2001. Most children, therefore, already have received one dose of the vaccine. Further, the recommendation for a second dose of varicella was issued by the ACIP in 2007 and many doctors are already giving the second dose as a result of these recommendations. Because the school immunization regulations of the Department and the Department of Education provide that a child may attend school so long as he has one dose and then receives subsequent doses within an 8 month provisional period, the Department did not believe that the proposed amendment would cause hardship to children by causing their immediate exclusion from school. (See § 23.83(e) and 22 Pa. Code §§ 11.20 and 51.13.)

After a request to allow additional time for school nurses and for children, parents and guardians to prepare to administer the new vaccine requirements, however, and given that the final-form rulemaking will most likely not be effective until the very end of school year 2009-2010, making that preparation more difficult for schools, the Department has agreed to delay implementation of this final-form rulemaking until school year 2011-2012. This will provide ample time for schools to make families aware of the new immunization requirements and will provide ample time for families to obtain the required immunizations before the school year starts in the fall of 2011. Because of this change in implementation date, the Department has removed the phase-in requirements for varicella from the final-form rulemaking.

IRRC also recommended adding the qualifier "or older" to proposed subsection (b)(8)(i)(A), which required the first dose of the vaccine to be administered at 12 months of age, since the existing regulation contained that lan-

guage. The Department agrees and has revised subsection (b)(8)(i)(A) to include the recommended language.

IRRC requested that the Department explain the difference between subsection (b)(8)(i)(B) and (C).

The Department revised the regulation to remove the phase-in requirement and deleted subsection (b)(8)(i)(B) and (C). Children attending school will be required to have two properly-spaced doses of varicella vaccine, the first dose administered at 12 months of age or older.

§ 23.83. Immunization requirements.

Subsection (e). Prekindergarten programs, Early Intervention programs' early childhood special education classrooms and private academic preschools.

The Department sought the expertise of the Department of Public Welfare (DPW) and the Department of Education with respect to the language included in this subsection. The DPW's Office of Childhood Development and Early Learning provided clarification regarding the types of programs and the age of the children that are intended to be covered by this subsection. The Department revised the language and title of the subsection to reflect those clarifications.

Subsection (f). Grace period.

IRRC requested that the final-form rulemaking explain who will monitor the 4-day grace period and what the consequences are for exceeding it.

The implementation of a 4-day grace period for the provision of doses of vaccine was instituted by the Department through a final-form rulemaking published at 32 Pa.B. 1305 (March 9, 2002). The grace period was intended to allow for the acceptance of vaccinations as valid that were given at a time less than or equal to 4 days prior to the minimal interval or age limit for a valid dose of vaccine administration. A vaccine given outside this grace period would result in that dose being considered an invalid dose and could result in a child not having the necessary immunizations for the purpose of school attendance. A vaccine counted as an invalid dose could cause the child to be excluded from school if he did not meet the requirements for provisional admission. (See § 23.85 and 22 Pa. Code §§ 11.20 and 51.13.)

With respect to monitoring, the Department does random school audits and checks for compliance with dosage requirements. School nurses and administrators are also aware of these requirements and monitor the immunization status of children.

§ 23.85. Responsibilities of schools and school administrators.

The Department received comments on this section, although it did not propose substantive changes to this section. This section previously allowed provisional admission if a child had received one dose of each antigen of a vaccine. Since a vaccine like the MCV only requires one dose to complete the vaccine, concerns were raised that it was possible that a child failing to receive either the MCV or Tdap by school entry in school year 2010-2011 would be excluded immediately without a provisional period allowed.

In response to these concerns, the Department added language to this section to clarify that a child may be provisionally admitted to school in a situation in which he needs a single dose vaccine (like the MCV or Tdap) as well as when the child is missing a multiple vaccine series, even if the child fails to obtain the necessary dose of the single dose vaccine. The Department also changed

the effective date of the final-form rulemaking to August 1, 2011, so that it will be implemented for school year 2011-2012 in the hopes that this will limit the number of children needing provisional admittance for failure to obtain these vaccines.

§ 23.86. *School reporting.*

Although the Department did not receive comments on this section, in reviewing the proposed rulemaking, the Department determined that nonsubstantive changes were necessary in subsection (d)(6) and (7). The Department amended these paragraphs to mirror language in earlier paragraphs. The Department also amended subsection (e)(3) to clarify that the paragraph does not require reporting on antigens given to each individual child, but, rather requires reporting on the number of doses of each individual antigen given in each grade level.

CHAPTER 27. COMMUNICABLE AND NONCOMMUNICABLE DISEASES

Subchapter C. QUARANTINE AND ISOLATION

Communicable Diseases in Children and Staff Attending Schools and Child Care Group Settings

§ 27.77. *Immunization requirements for children in child care group settings.*

One commentator recommended that the fourth dose of necessary vaccines should be given between 4 years of age and 6 years of age, since this reflects the recommendations of the ACIP, the American Academy of Pediatrics and the American Academy of Family Practitioners. The commentator noted that this would alter the language in § 27.77(d)(1)(i) and (ii).

The Department did not make changes in response to this comment. This final-form rulemaking is not intended to set out general rules of medical practice for the provision of immunizations to children. The Department's authority in promulgating this final-form rulemaking is to set out a list of diseases against which children must be immunized for entry to and attendance at school. Therefore, the regulations are written to set out requirements for school attendance.

Because the age of children attending a school-based setting is changing, and many children younger than the typical age for school entry at kindergarten (5 years of age), are found in school-based settings, the Department found it necessary to clarify its regulations regarding immunizations for children. This could, potentially, create confusion with the Department's separate set of regulations promulgated under a different authority addressing the issue of children in child care group settings. See § 27.77. To ensure that confusion does not continue, the Department also revised § 27.77(d) to ensure that children attending kindergarten, elementary or higher school who are 5 years of age or older are not subject to those child care group setting requirements and are required, even in a child care group setting, to receive the immunizations in Chapter 23, Subchapter C.

C. Cost and Paperwork Estimate

1. *Cost*

a. *Commonwealth*

The Commonwealth will incur some costs for the purchase of TdaP and MCVs, as well as additional Td, hepatitis B and varicella vaccines, and the mumps containing vaccine (MMR), through the expenditure of Federal immunization grant funds. The Commonwealth will also incur costs through the Medical Assistance Program, which pays for administering the vaccines for eligible

persons. The Department makes vaccines available at no cost to private providers enrolled in the Vaccines for Children (VFC) Program for children through 18 years of age who have no insurance, who are Medicaid eligible or who are Alaskan Native or American Indian. In addition, VFC Program vaccines are also made available to other public clinic sites (Federally qualified health centers and rural health clinics) for the same population and also for underinsured children through 18 years of age. Vaccines are made available to schools at no cost through the Department's School Based Catch-Up Program for students who do not have a medical home or are unable to seek the immunization through a public clinic site. The Commonwealth will realize savings, however, based on the amount of funds that will not be needed to control the outbreak of vaccine preventable diseases.

The inclusion of a grace period into the final-form rulemaking adds no cost for the Commonwealth, including either the Department or the Department of Education. The 4-day grace period is intended to allow a vaccine dose administered 4 days before the minimum interval between doses or before the appropriate age is reached to be counted as a valid dose. Since there is no scientific basis for taking a position that a vaccine must be given with a strict interval between doses or at an exact age or the vaccine is ineffective or unsafe, the grace period would merely allow schools to accept vaccines provided within this period for purposes of determining compliance with the Department's regulations regarding school attendance.

b. *Local Government*

There will be no fiscal impact on local governments. Local governments may see a slight cost savings, since they do bear some of the cost of disease outbreak investigations and control measures. The Department addresses the potential impact of final-form rulemaking on school districts, which may be considered to be local government, under the heading of "regulated community."

c. *Regulated Community*

Families whose children's vaccinations are covered by their insurance plans (public or private) under State law will not see out-of-pocket costs for the added vaccines. Families whose insurance plans do not cover these vaccinations, or who do not have insurance, will need to seek other assistance to pay for the vaccines or pay out-of-pocket. In general, there is other assistance provided for vaccinations from the Department, if a third party payer is not available. The Department, through its State health centers, provides vaccinations. The Department also provides vaccines to providers for certain eligible children through the VFC Program and to schools through its School Based Catch-Up Program. The savings in prevention of childhood illness outweigh the minimal cost of the vaccine.

The inclusion of a grace period does not add costs for school districts. School districts currently decide which children are appropriately immunized and which are not appropriately immunized and so are to be excluded from attendance. The inclusion of a 4-day grace period, which is intended to allow a vaccine dose administered 4 days before the minimum interval between doses or before the appropriate age is reached to be counted as a valid dose, will now be taken into consideration in making this determination. This final-form rulemaking does not add significantly to the cost of determining whether children are appropriately immunized, since the recommendation

for a waiver period has been in place since the Department published a final-form rulemaking in 2002.

The final-form rulemaking adds two additional immunizations for school officials to review, two additional vaccine doses to account for (two doses of varicella and two doses of mumps) and may increase the amount of follow-up needed to ensure that provisionally enrolled students in all grades receive the necessary doses in the series for all required immunizations prior to the expiration of the 8-month provisional enrollment deadline. Provisional enrollment allows for a child who has not had all the required vaccine doses described in § 23.83 to continue attendance at school if he has had at least one dose of each required vaccine and there is a plan for that child obtaining all required immunizations or, in the case of a multiple dose vaccine, that, although the child lacks any dose, there is a plan in place to receive the required dose. (See § 23.85(e).) A child provisionally admitted to school shall have completed the immunizations required under § 23.83 within an 8-month period from the date of his provisional admission or the school administrator may neither admit the child to school nor permit the child's continued admission. (See § 23.85(e).) Again, the savings in the prevention of an outbreak of a childhood illness in a school district outweighs the minimal cost in staff time to review two additional immunizations and to follow-up on provisional enrollments.

No additional cost will be added to the regulated community by the deletion of the requirements that the hemagglutination test or a comparable test be used to show a history of immunity to measles or German measles and that a more current test be used. Even without an amendment to the regulations, there would be a cost associated with choosing this particular method of showing immunity—the cost of the hemagglutination test. Since the final-form rulemaking does not prohibit that particular test from being used in the future, no cost beyond that of the hemagglutination test would be incurred and the cost of the final-form rulemaking in this regard remains stable. Future tests may, in fact, decrease in price, which would provide a cost savings for affected persons. Further, use of this method of proving immunity is not required.

Lastly, no additional cost is added by the Department's clarification regarding children in child care group settings located in schools. The requirements for attendance at school and school reporting do not apply to those children. The regulations that apply are those immunization requirements that are already in place that deal with child care group settings in § 27.77.

d. *General Public*

The general public will not see an increase in cost. The general public will see a decrease in costs resulting from a reduction in medical treatment needed to treat the disease and a reduction in the loss of work to stay home with a sick child. The general public may see a benefit in the reduction of vaccine preventable diseases, such as pertussis, chickenpox, mumps and meningitis. Since the school environment is conducive to the contracting and transmission of diseases among children with no immunity, failure to immunize properly not only puts children at risk for contracting these debilitating diseases, it also places the public at risk since these diseases are then easily spread by staff and children outside the school setting and into the general public.

2. *Paperwork Estimates*

a. *The Commonwealth and the Regulated Community*

Schools will be required to report in accordance with the new reporting requirements, which require them to report the number of doses of individual antigens that have been administered to students. The Department will need to review and include those new reported numbers in its report to the CDC. Schools are currently required to report immunization coverage status for their students to the Department for the Department to satisfy CDC requirements regarding reporting of immunizations. The additional paperwork requirements for the Commonwealth, including both the Department and the Department of Education, and the regulated community would be minimal, however, since school districts already complete this annual report regarding the number of immunizations and follow up on provisional enrollment. School nurses, who perform recordkeeping and reporting requirements in the schools, currently maintain and report this information. The CDC, however, is in the process of changing these requirements. The Department will provide reporting forms to schools, as it currently does, and the reports will be sent to the same Department office as the current reports. Schools also have the option of electronic reporting.

b. *Local Government*

There is no additional paperwork requirement for local government. The Department included school districts, which may be considered to be local government, under the heading of "regulated community."

c. *General Public*

There is no additional paperwork requirement for the general public.

D. *Statutory Authority*

The Department obtains its authority to promulgate regulations regarding immunizations in schools from several sources. Generally, the Disease Prevention and Control Law of 1955 (act) (35 P. S. §§ 521.1—521.21) provides the Board with the authority to issue rules and regulations on a variety of matters regarding communicable and noncommunicable diseases, including what control measures are to be taken with respect to which diseases, provisions for the enforcement of control measures, requirements concerning immunization and vaccination of persons and animals, and requirements for the prevention and control of disease in public and private schools. (See section 16(a) of the act.) Section 16(b) of the act gives the Secretary of the Department the authority to review existing regulations and make recommendations to the Board for changes the Secretary considers to be desirable.

The Department also finds general authority for the promulgation of its regulations in The Administrative Code of 1929 (71 P. S. §§ 51—732). Section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)) gives the Department this general authority. Section 2111(b) of The Administrative Code of 1929 (71 P. S. § 541(b)) provides the Board with additional authority to promulgate regulations deemed by the Board to be necessary for the prevention of disease and for the protection of the lives and the health of the people of this Commonwealth. Section 2111 of The Administrative Code of 1929 further provides that the regulations of the Board shall become the regulations of the Department.

The Department's specific authority for promulgating regulations regarding school immunizations is found in

The Administrative Code of 1929 and in the Public School Code of 1949. Section 2111(c.1) of The Administrative Code of 1929 provides the Board with the authority to make and revise a list of communicable diseases against which children are required to be immunized as a condition of attendance at public, private or parochial schools, including kindergarten. The section requires the Secretary to promulgate the list along with rules and regulations necessary to insure the immunizations are timely, effective and properly verified.

Section 1303 of the Public School Code of 1949 provides that the Board will make and review a list of diseases against which children shall be immunized, as the Secretary may direct, before being admitted to school for the first time. The section provides that the school directors, superintendents, principals or other persons in charge of public, private, parochial or other schools including kindergarten, shall ascertain whether the immunization has occurred, and certificates of immunization will be issued in accordance with rules and regulations promulgated by the Secretary with the sanction and advice of the Board.

E. Effectiveness/Sunset Dates

The final-form rulemaking will become effective on August 1, 2011. This will allow parents, guardians and schools time to become familiar with the requirements, prepare for their implementation and obtain the required vaccinations prior to the effective dates. No sunset date has been established. The Department will continually review and monitor the effectiveness of these regulations.

F. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 21, 2006, the Department submitted a copy of the notice of proposed rulemaking, published at 38 Pa.B. 750, to IRRC and to the House Health and Human Services Committee and the Senate Public Health and Welfare Committee (Committees) for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on April 21, 2010, the final-form rulemaking was approved by the Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 22, 2010, and approved the final-form rulemaking.

G. Contact Person

Questions regarding this final-form rulemaking should be submitted to Heather Stafford, Director, Division of Immunization, Department of Health, 625 Forster Street, Harrisburg, PA 17108, (717) 787-5681 within 30 days after publication in the *Pennsylvania Bulletin*. Persons with a disability who wish to submit comments, suggestions or objections regarding the final-form rulemaking may do so by using the previous phone number or address. Speech or hearing impaired persons may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT). Persons who require an alternative format of this document should contact Heather Stafford so that necessary arrangements may be made.

Findings

The Department finds that:

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

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

(3) The adoption of final-form rulemaking in the manner provided by this order is necessary and appropriate for the administration of the authorizing statute.

Order

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

(1) The regulations of the Department, 28 Pa. Code Chapters 23 and 27, are amended by amending §§ 23.82, 23.83, 23.85, 23.86 and 27.77 to read as set forth in Annex A. (*Editor's Note:* Section 23.85 was not proposed to be amended at 38 Pa.B. 750.)

(2) The Secretary of Health shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as required by law.

(3) The Secretary of Health shall submit this order, Annex A and a Regulatory Analysis Form to IRRC, the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare for their review and action as required by law.

(4) The Secretary of Health shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(5) This order shall take effect August 1, 2011.

EVERETTE JAMES,
Secretary

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 40 Pa.B. 2493 (May 8, 2010).)

Fiscal Note: 10-181. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 28. HEALTH AND SAFETY
PART III. PREVENTION OF DISEASES
CHAPTER 23. SCHOOL HEALTH
Subchapter C. IMMUNIZATION**

§ 23.82. Definitions.

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

Ascertain—To determine whether or not a child is immunized as defined in this subchapter.

Attendance at school—(i) The attendance at a grade, or special classes, kindergarten through 12th grade, including public, private, parochial, vocational, intermediate unit and home education students and students of cyber and charter schools. (ii) The term does not cover the attendance of children at a child care group setting, defined in § 27.1 (relating to definitions), located in a public, private, or vocational school, or in an intermediate unit.

Certificate of immunization—The official form furnished by the Department. The certificate is filled out by the

parent or health care provider and signed by the health care provider, public health official or school nurse or a designee. The certificate is given to the school as proof of immunization. The school maintains the certificate as the official school immunization record or stores the details of the record in a computer data base.

Department—The Department of Health of the Commonwealth.

Immunization—The requisite number of dosages of the specific antigens at the recommended time intervals under this subchapter.

Record of immunization—A written document showing the date of immunization—that is, baby book, Health Passport, family Bible, other states' official immunization documents, International Health Certificate, immigration records, physician record, school health records and other similar documents or history.

Secretary—The Secretary of the Department.

§ 23.83. Immunization requirements.

(a) *Duties of a school director, superintendent, principal or other person in charge of a public, private, parochial or nonpublic school.* Each school director, superintendent, principal, or other person in charge of a public, private, parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate units, and special education and home education programs, cyber and charter schools, shall ascertain that a child has been immunized in accordance with the requirements in subsections (b), (c) and (e) prior to admission to school for the first time, under section 1303 of the Public School Code of 1949 (24 P. S. § 13-1303a) regarding immunization required; penalty.

(b) *Required for attendance.* The following immunizations are required as a condition of attendance at school in this Commonwealth:

(1) *Diphtheria.* Four or more properly-spaced doses of diphtheria toxoid, which may be administered as a single antigen vaccine or in a combination form. The fourth dose shall be administered on or after the 4th birthday.

(2) *Tetanus.* Four or more properly-spaced doses of tetanus toxoid, which may be administered as a single antigen vaccine or in a combination form. The fourth dose shall be administered on or after the 4th birthday.

(3) *Poliomyelitis.* Three or more properly spaced doses of either oral polio vaccine or enhanced activated polio vaccine, which may be administered as a single antigen vaccine, or in a combination form. If a child received any doses of inactivated polio vaccine administered prior to 1988, a fourth dose of inactivated polio vaccine is required.

(4) *Measles (rubeola).* Two properly-spaced doses of live attenuated measles vaccine, the first dose administered at 12 months of age or older, or a history of measles immunity proved by laboratory testing by a laboratory with the appropriate certification. Each dose of measles vaccine may be administered as a single antigen vaccine or in a combination form.

(5) *German measles (rubella).* One dose of live attenuated rubella vaccine, administered at 12 months of age or older or a history of rubella immunity proved by laboratory testing by a laboratory with the appropriate certification. Rubella vaccine may be administered as a single antigen vaccine or in a combination form.

(6) *Mumps.* Two properly-spaced doses of live attenuated mumps vaccine, administered at 12 months of age or

older or a physician diagnosis of mumps disease indicated by a written record signed by the physician or the physician's designee. Mumps vaccine may be administered as a single antigen vaccine or in a combination form.

(7) *Hepatitis B.* Three properly-spaced doses of hepatitis B vaccine, unless a child receives a vaccine as approved by the Food and Drug Administration for a two-dose regimen, or a history of hepatitis B immunity proved by laboratory testing. Hepatitis B vaccine may be administered as single antigen vaccine or in a combination form.

(8) *Chickenpox (varicella).* One of the following:

(i) *Varicella vaccine.* Two properly-spaced doses of varicella vaccine, the first dose administered at 12 months of age or older. Varicella vaccine may be administered as a single antigen vaccine or in a combination form.

(ii) *Evidence of immunity.* Evidence of immunity may be shown by one of the following:

(A) Laboratory evidence of immunity or laboratory confirmation of disease.

(B) A written statement of a history of chickenpox disease from a parent, guardian or physician.

(c) *Required for entry into 7th grade.* In addition to the immunizations listed in subsection (b), the following immunizations are required at any public, private, parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate unit, special education and home education programs, and cyber and charter schools as a condition of entry for students entering the 7th grade; or, in an ungraded class, for students in the school year that the student is 12 years of age:

(1) *Tetanus and diphtheria toxoid and acellular pertussis vaccine (Tdap).* One dose if at least 5 years have elapsed since the last dose of a vaccine containing tetanus and diphtheria as required in subsection (b). Tdap may be administered as a single antigen vaccine or in a combination form.

(2) *Meningococcal Conjugate Vaccine (MCV).* One dose of Meningococcal Conjugate Vaccine. MCV may be administered as a single antigen vaccine or in a combination form.

(d) *Child care group setting.* Attendance at a child care group setting located in a public, private or vocational school, or in an intermediate unit is conditional upon the child's satisfaction of the immunization requirements in § 27.77 (relating to immunization requirements for children in child care group settings).

(e) *Prekindergarten programs, Early Intervention programs' early childhood special education classrooms and private academic preschools.* Attendance at a prekindergarten program operated by a school district, an early intervention program operated by a contractor or subcontractor including intermediate units, school districts and private vendors, or at private academic preschools is conditional upon the child's satisfaction of the immunization requirements in § 27.77.

(f) *Grace period.* A vaccine dose administered within the 4-day period prior to the minimum age for the vaccination or prior to the end of the minimum interval between doses shall be considered to be a valid dose of the vaccine for purposes of this chapter. A dose adminis-

tered greater than 4 days prior to minimum age or interval for a dose is invalid for purposes of this regulation and shall be repeated.

§ 23.85. Responsibilities of schools and school administrators.

(a) The administrator in charge of a school shall appoint a knowledgeable person to perform the following:

(1) Inform the parent, guardian or emancipated child at registration or prior to registration, if possible, of the requirements of this subchapter.

(2) Ascertain the immunization status of a child prior to admission to school or continued attendance at school.

(i) The parent, guardian or emancipated child shall be asked for a completed certificate of immunization.

(ii) In the absence of a certificate of immunization, the parent, guardian or emancipated child shall be asked for a record or history of immunization which indicates the month, day and year that immunizations were given. This information shall be recorded on the certificate of immunization and signed by the school official or the official's designee, or the details of the record shall be stored in a computer database.

(b) If the knowledgeable person designated by the school administrator is unable to ascertain whether a child has received the immunizations required under § 23.83 (relating to immunization requirements) or under subsection (e) or is exempt under § 23.84 (relating to exemption for immunization), the school administrator may admit the child to school or allow the child's continued attendance at school only according to the requirements of subsections (d) and (e).

(c) The parent or guardian of a child or the emancipated child who has not received the immunizations required under § 23.83 shall be informed of the specific immunizations required and advised to go to the child's usual source of care or nearest public clinic to obtain the required immunizations.

(d) A child not previously admitted to or not allowed to continue attendance at school because the child has not had the required immunizations shall be admitted to or permitted to continue attendance at school only upon presentation to the school administrator or school administrator's designee of a completed certificate of immunization or immunization record, upon submission of information sufficient for an exemption under § 23.84, or upon compliance with subsection (e).

(e) *Provisional admittance to school.*

(1) *Multiple dose vaccine series.* If a child has not received all the antigens for a multiple dose vaccine series described in § 23.83, the child may be provisionally admitted to school only if evidence of the administration of at least one dose of each antigen described in § 23.83 for multiple dose vaccine series is given to the school administrator or the administrator's designee and the parent or guardian's plan for completion of the required immunizations is made part of the child's health record.

(2) *Single dose vaccines.* If a child has not received a vaccine for which only a single dose is required, the child may be provisionally admitted to school if the parent or guardian's plan for obtaining the required immunization is made a part of the child's health record.

(3) *Completion of required immunizations.* The plan for completion of the required immunizations shall be reviewed every 60 days by the school administrator or the school administrator's designee. Subsequent immuniza-

tions shall be entered on the certificate of immunization or entered in the school's computer database. Immunization requirements described in § 23.83 shall be completed within 8 months of the date of provisional admission to school. If the requirements are not met, the school administrator may not admit the child to school or permit continued attendance after that 8 month provisional period.

(f) A school shall maintain on file a certificate of immunization for a child enrolled. An alternative to maintaining a certificate on file is to transfer the immunization information from the certificate to a computer database. The certificate of immunization or a facsimile thereof generated by computer shall be returned to the parent, guardian or emancipated child or the school shall transfer the certificate of immunization (or facsimile) with the child's record to the new school when a child withdraws, transfers, is promoted, graduates or otherwise leaves the school.

§ 23.86. School reporting.

(a) A public, private, parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate units, special education and home education programs and cyber and charter schools, shall report immunization data to the Department by October 15 of each year, using forms provided by the Department.

(b) The school administrator or the administrator's designee shall forward the reports to the Department as indicated on the reporting form provided by the Department.

(c) Duplicate reports shall be submitted to the county health department if the school is located in a county with a full-time health department.

(d) The school administrator or the administrator's designee shall ensure that the school's identification information, including the name of the school, school district, county and school address, is correct, and shall make any necessary corrections, prior to submitting the report.

(e) Content of the reports must include the following information:

(1) The month, day and year of the report.

(2) The number of students attending school in each grade-level, or in an ungraded school in each age group, as indicated on the reporting form.

(3) The number of doses of each individual antigen given in each grade-level, or in an ungraded school, in each age group, as indicated on the reporting form.

(4) The number of students attending school who were classed as medical exemptions in each grade-level, or in an ungraded school, in each age group, as indicated on the reporting form.

(5) The number of students attending school who were classed as religious exemptions in each grade level, or in an ungraded school, in each age group, as indicated on the reporting form.

(6) The number of students provisionally admitted in each grade level or, in an ungraded school, in any age group as indicated on the reporting form.

(7) The number of students in each grade level who were denied admission because of the student's inability to qualify for provisional admission or, in an ungraded school, in each age group as indicated on the reporting form.

(8) Other information as required by the Department.

**CHAPTER 27. COMMUNICABLE AND
NONCOMMUNICABLE DISEASES**

**Subchapter C. QUARANTINE AND ISOLATION
COMMUNICABLE DISEASES IN CHILDREN AND
STAFF ATTENDING SCHOOLS AND CHILD CARE
GROUP SETTINGS**

§ 27.77. Immunization requirements for children in child care group settings.

(a) *Caregiver responsibilities.*

(1) Except as exempted in subsection (d), effective March 27, 2002, the caregiver at a child care group setting may not accept or retain a child 2 months of age or older at the setting, for more than 60 days, unless the caregiver has received a written objection to a child being vaccinated on religious grounds from a parent or guardian, or one of the following:

(i) For all children not exempt under subsection (d)(1)(ii), an initial written verification from a physician, the Department or a local health department of the dates (month, day and year) the child was administered any vaccines recommended by ACIP. The verification must also specify any vaccination not given due to medical condition of the child and state whether the condition is temporary or permanent. The verification must show compliance with the vaccination requirements in subsection (b).

(ii) For all children for whom vaccinations remain outstanding following the caregiver's receipt of the initial written verification, subsequent written verifications from a physician, the Department or a local health department as additional vaccinations become due. These verifications shall be prepared in the same manner as set forth in subparagraph (i), but need not repeat information contained in a previously submitted verification. The verifications must demonstrate continuing compliance with the vaccination requirements in subsection (b).

(2) If the caregiver receives a written verification under paragraph (1) explaining that timely vaccination did not occur due to a temporary medical condition, the caregiver shall exclude the child from the child care group setting after an additional 30 days unless the caregiver receives, within that 30-day period, written verification from a physician, the Department or a local health department that the child was vaccinated or that the temporary medical condition still exists. If the caregiver receives a written verification that vaccination has not occurred because the temporary condition persists, the caregiver shall require the presentation of a new verification at 30-day intervals. If a verification is not received as required, the caregiver shall exclude the child from the child care group setting and not readmit the child until the caregiver receives a verification that meets the requirements of this section.

(3) The caregiver shall retain the written verification or objection referenced in paragraphs (1) and (2) for 60 days following the termination of the child's attendance.

(4) The caregiver shall ensure that a certificate of immunization is completed and signed for each child enrolled in the child care group setting. The certificates shall be updated by the caregiver to include the information provided to the caregiver under subsection (a) when that additional information is received. The immunization status of each enrolled child shall be summarized and reported on an annual basis to the Department at the time prescribed by the Department and on the form provided by the Department.

(b) *Vaccination requirements.* Each child enrolled in a child care group setting shall be immunized in accordance with ACIP standards in effect on January 1, 1999, governing the issuance of ACIP recommendations for the immunization of children.

(1) The standards are as follows:

(i) The immunization practice is supported by both published and unpublished scientific literature as a means to address the morbidity and mortality of the disease.

(ii) The labeling and packaging inserts for the immunizing agent are considered.

(iii) The immunizing agent is safe and effective.

(iv) The schedule for use of the immunizing agent is administratively feasible.

(2) The Department will deem an ACIP recommendation pertaining to the immunization of children to satisfy the standards in this subsection unless ACIP alters its standards for recommending immunizations for children by eliminating a standard set forth in this subsection and the recommendation is issued under those changed standards.

(c) *Notice.* The Department will place a notice in the *Pennsylvania Bulletin* listing publications containing ACIP recommendations issued under the standards in subsection (b). The Department published the initial notice at 32 Pa.B. 539 (January 26, 2002), contemporaneously with the adoption of amendments to this chapter. The Department will update that list in a notice which it will publish in the *Pennsylvania Bulletin* within 30 days after ACIP issues a recommendation which satisfies the criteria of this section.

(d) *Exemptions.*

(1) This section does not apply to the following:

(i) Children attending kindergarten, elementary school or higher school who are 5 years of age or older. These caregivers shall comply with §§ 23.81—23.87 (relating to immunization).

(ii) A caregiver who does not serve as a caregiver for at least 40 hours during at least 1 month.

(2) The requirement imposed by subsection (a), to not accept a child into a child care group setting without receiving an initial written verification or objection specified in subsection (a), does not apply during a month the caregiver does not serve as a caregiver for at least 40 hours.

(e) *Exclusion when disease is present.* Whenever one of the diseases in § 27.76 (relating to exclusion and readmission of children, and staff having contact with children, in child care group settings) has been identified within a child care group setting, the Department or a local health department may order the exclusion from the child care group setting or any other child care group setting which is determined to be at high-risk of transmission of that disease, of an individual susceptible to that disease in accordance with public health standards as determined by the Department.

[Pa.B. Doc. No. 10-984. Filed for public inspection May 28, 2010, 9:00 a.m.]

Title 37—LAW

DEPARTMENT OF CORRECTIONS

[37 PA. CODE CH. 93]

Inmate Correspondence

The Department of Corrections (Department) amends § 93.2 (relating to inmate correspondence) to read as set forth in Annex A under the authority in The Administrative Code of 1929 (71 P. S. § 51-732).

Omission of Proposed Rulemaking

Notice of proposed rulemaking is omitted under section 204(3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(3)), known as the Commonwealth Documents Law (CDL), and 1 Pa. Code § 7.4(3) (relating to omission of notice of proposed rulemaking) because the Department has found for good cause that under the circumstances the publication of proposed rulemaking is impracticable, unnecessary and contrary to the public interest. The final-omitted rulemaking amends § 93.2 to clarify that inmates are not permitted to receive correspondence containing nudity, explicit sexual material or obscene material. Section 93.2 provides an exception for artistic, literary, educational and scientific materials. The final-omitted rulemaking is necessary to clarify § 93.2 which addresses obscene material, but is silent with respect to nudity and explicit sexual material. The Department issued an internal policy, notice of which was provided to inmates, prohibiting correspondence containing nudity and explicit sexual material. However, the Commonwealth Court declared the Department's internal policy to be "of no effect" because it was not promulgated through the process in the CDL.

The Department, for good cause, finds that notice of proposed rulemaking is impracticable, unnecessary and contrary to the public interest. The effect of the Commonwealth Court's decision will be to permit inmates to obtain nudity and explicit sexual material until § 93.2 can be amended. The Department amended § 93.2 because it believes that allowing inmates to possess nudity and explicit sexual material is contrary to its effort to rehabilitate inmates, particularly sex offenders. Additionally, the possession of explicit sexual material by minors is a crime. The Department's inmate population includes many minors. Providing notice of proposed rulemaking also will allow nudity and explicit sexual material into State correctional institutions for a time and then require that the material be removed. This will create an extremely hazardous situation.

Inmates and staff in prisons in this Commonwealth are experiencing a higher amount of tension than is normal largely because the Commonwealth currently is incarcerating over 52,000 inmates; the largest population in the Department's history. Inmates also are tense concerning the planned temporary relocation of 2,000 inmates to Virginia and Michigan. Additionally, the economic downturn has strained the Department's budget and new personnel are not being hired at the same rate as those who leave employment, creating additional work for the remaining personnel. The increase in inmate and staff tensions, coupled with the population level, increases the risk of a prison riot. Allowing inmates to possess nudity and explicit sexual material on a temporary basis while a proposed rulemaking is published will mean that Department employees will have to sweep the prisons and confiscate newly introduced nudity and explicit sexual material when § 93.2 is amended. This will further strain

employee resources and morale. Further, inmate frustration will increase when what has been returned temporarily is removed giving rise to more inmate grievances and potentially resulting in aggressive actions toward an already burdened staff. Finally, permitting inmates to possess nudity, explicit sexual material and obscene material temporarily will result in some inmates expending funds for subscriptions which they will be unable to receive once § 93.2 is amended.

The introduction of nudity and explicit sexual material into State correctional institutions will also undercut the sex offender programs, which do not allow sex offenders to view these materials because once the materials are introduced into the system there is no effective way of preventing inmates from passing them on to other inmates, including minors. The introduction of nudity and explicit sexual material will also cause confusion for overburdened mailroom staff that has been trained not to permit inmates to possess these materials. Additionally, in *Brittain v. Beard*, 974 A.2d 479 (2009), the Pennsylvania Supreme Court determined that an inmate did not prove that the Department's prohibition of nudity and explicit sexual material violated the First Amendment. Finally, inmates will be given notice of the amendment to § 93.2 through postings placed in the libraries and housing units of State correctional institutions.

Purpose

The purpose of this final-omitted rulemaking is to amend the Department's inmate correspondence regulation to prohibit inmates from receiving nudity and explicit sexual material. The final-omitted rulemaking is necessary to preserve the Department's current prohibition which was found to be "of no effect" by the Commonwealth Court because it was not promulgated according to the process set forth in the CDL. The prohibition is intended to further the Department's efforts to rehabilitate inmates and reduce and prevent crime.

Affected Individuals

The final-omitted rulemaking affects Department staff, inmates and persons who publish or send inmates material containing nudity, explicit sexual material or obscene material. The final-omitted rulemaking affects Department staff and inmates by preserving the Department's existing policy which prohibits inmates from receiving or possessing nudity, explicit sexual material and obscene material. The final-omitted rulemaking affects persons who publish and send inmates material containing nudity, explicit sexual material or obscene material by preventing inmates from having these publications mailed to State correctional institutions. The final-omitted rulemaking affects persons who send to inmates correspondence containing nudity (such as nude photographs), explicit sexual material or obscene material in that the material will be confiscated in the mailrooms of the various State correctional institutions and not furnished to the inmate.

Fiscal Impact and Paperwork Estimates

The final-omitted rulemaking will be revenue neutral as it simply preserves existing Department practice. The final-omitted rulemaking is not expected to result in an increased amount of paperwork.

Public Comment and Contact Person

Although the rulemaking is being adopted without publication as a proposed rulemaking, interested persons are invited to submit written comments, suggestions or objections to the Department of Corrections, Randall N. Sears, Deputy Chief Counsel, 55 Utley Drive, Camp Hill, PA 17011.

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

Effective Date

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

Sunset Date

No sunset date has been assigned.

Regulatory Review Act

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on April 7, 2010, the Department submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the House Judiciary Committee and the Senate Judiciary Committee (Committees). On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.1) and (j.2) of the Regulatory Review Act, on May 12, 2010, the final-omitted rulemaking was approved by the Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on May 13, 2010, and approved the final-omitted rulemaking.

Findings

The Department finds that:

(a) Notice of proposed rulemaking is omitted in accordance with section 204(3) of the CDL and 1 Pa. Code § 7.4(3) because the Department has made a good cause finding that, under the circumstances, a proposed rulemaking is impracticable, unnecessary and contrary to the public interest. The final-omitted rulemaking amends § 93.2 to clarify that inmates are not permitted to receive correspondence containing nudity, explicit sexual material or obscene material. Section 93.2 provides an exception for artistic, literary, educational and scientific materials. The final-omitted rulemaking is necessary to clarify § 93.2 which addresses obscene material, but is silent with respect to nudity and explicit sexual material. The Department issued an internal policy, notice of which was provided to inmates, prohibiting correspondence containing nudity and explicit sexual material. However, the Commonwealth Court declared the Department's internal policy to be "of no effect" because it was not promulgated through the process in the CDL.

The Department, for good cause, finds that notice of proposed rulemaking is impracticable, unnecessary and contrary to the public interest. The effect of the Commonwealth Court's decision will be to permit inmates to obtain nudity and explicit sexual material until § 93.2 can be amended. The Department has amended § 93.2 because it believes that allowing inmates to possess nudity and explicit sexual material is contrary to its effort to rehabilitate inmates, particularly sex offenders. Additionally, the possession of explicit sexual material by minors is a crime. The Department's inmate population includes many minors. Providing notice of proposed rulemaking also will allow nudity and explicit sexual material into State correctional institutions for a time and then require that the material be removed. This will create an extremely hazardous situation.

Inmates and staff in prisons in this Commonwealth are experiencing a higher amount of tension than is normal largely because the Commonwealth currently is incarcer-

ating over 52,000 inmates; the largest population in the Department's history. Inmates also are tense concerning the planned temporary relocation of 2,000 inmates to Virginia and Michigan. Additionally, the economic downturn has strained the Department's budget and new personnel are not being hired at the same rate as those who leave employment, creating additional work for the remaining personnel. The increase in inmate and staff tensions, coupled with the population level, increases the risk of a prison riot. Allowing inmates to possess nudity and explicit sexual material on a temporary basis while a proposed rulemaking is published will mean that Department employees will have to sweep the prisons and confiscate newly introduced nudity and explicit sexual material when § 93.2 is amended. This will further strain employee resources and morale. Further, inmate frustration will increase when what has been returned temporarily is removed giving rise to more inmate grievances and potentially resulting in aggressive actions toward an already burdened staff. Finally, permitting inmates to possess nudity, explicit sexual material and obscene material temporarily will result in some inmates expending funds for subscriptions which they will be unable to receive once § 93.2 is amended.

The introduction of nudity and explicit sexual material into State correctional institutions will also undercut the sex offender programs, which do not allow sex offenders to view these materials because once the materials are introduced into the system there is no effective way of preventing inmates from passing them on to other inmates, including minors. The introduction of nudity and explicit sexual material will also cause confusion for overburdened mailroom staff that has been trained not to permit inmates to possess these materials. Additionally, in *Brittain v. Beard*, 974 A.2d 479 (2009), the Pennsylvania Supreme Court determined that an inmate did not prove that the Department's prohibition of nudity and explicit sexual material was unconstitutional under the First Amendment. Finally, inmates will be given notice of the amendment to § 93.2 through postings placed in the libraries and housing units of State correctional institutions.

(b) The adoption of this final-omitted rulemaking in the manner provided by this order is necessary and appropriate for the administration of State correctional institutions under the jurisdiction of the Department.

Order

The Department, acting under The Administrative Code of 1929, orders that:

(a) The regulations of the Department, 37 Pa. Code Chapter 93, are amended by amending § 93.2 to read as set forth in Annex A.

(b) The Secretary of the Department shall submit this order and Annex A to the Offices of General Counsel and Attorney General for approval as to legality and form as required by law.

(c) The Secretary of the Department shall certify and deposit this order and Annex A with the Legislative Reference Bureau as required by law.

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

JEFFREY A. BEARD, Ph.D.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 40 Pa.B. 2838 (May 29, 2010).)

Fiscal Note: 19-12. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 37. LAW

PART III. AGENCIES AND OFFICES

Subpart B. DEPARTMENT OF CORRECTIONS

CHAPTER 93. STATE CORRECTIONAL INSTITUTIONS AND FACILITIES

Subchapter A. RIGHTS AND PRIVILEGES

§ 93.2. Inmate correspondence.

(a) *Permitted correspondence.* Inmates are permitted to correspond with friends, family members, attorneys, news media, legitimate business contacts and public officials. There may be no limit to the number of correspondents.

(b) *Restrictions.* The following restrictions apply:

(1) Correspondence with inmates of other facilities, former inmates, probationers or victims of the criminal acts of the inmate will not be permitted except upon approval of the facility manager or a designee.

(2) Correspondence containing threatening, obscene or explicit sexual material, or nudity as well as correspondence containing criminal solicitation or furthering a criminal plan or institution misconduct is prohibited.

(3) An inmate shall refrain from writing to persons who have stated in writing that they do not wish to receive mail from the inmate. This will not be interpreted to restrict the right of inmates to correspond with public officials with respect to the official duties of the latter.

(4) Correspondence with prohibited parties through a third party is also prohibited.

(5) Mail addressed to an inmate organization will not be accepted unless the facility manager and Secretary have approved the organization and it is addressed to the staff coordinator of the organization.

(c) *Incoming mail.* Mail sent to a facility will be opened and examined for contraband in the facility's mailroom or designated area except when permitted under paragraph (1).

(1) The Department may permit sealed mail to be opened in the presence of an inmate under the following conditions:

(i) An attorney or authorized representative/designee may hand-deliver a sealed confidential client communication to an inmate if the attorney is unable to communicate through alternative means, if the following conditions are met:

(A) The person making the delivery does so during normal business hours unless granted permission in advance by the Secretary or a designee.

(B) The person making the delivery shall provide valid identification and information sufficient to verify that the person is the inmate's attorney or authorized representative of the attorney.

(C) The person making delivery shall present the documents for inspection for contraband, unsealed and unbound.

(D) Upon inspection, the documents will be sealed and delivered to the inmate where they will be unsealed and searched again for contraband.

(ii) An attorney may obtain a control number from the Department's Office of Chief Counsel if the attorney

wishes to have correspondence addressed to an inmate client opened in the presence of the inmate.

(A) An attorney shall submit a written request for a control number to the Office of Chief Counsel. The request must include the attorney's name, address, telephone and facsimile numbers, State attorney identification number and a verification subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) that all mail sent to inmates using the control number will contain only essential, confidential, attorney-client communication and will contain no contraband.

(B) The attorney shall place the control number on each envelope that the attorney wishes to have opened in an inmate's presence. The number is confidential. It shall only be placed on the outside of the envelope so that it can be obliterated before it is delivered to an inmate client.

(C) If a control number does not appear on the envelope, the mail will be treated as regular mail and opened in the mailroom unless the procedures in subparagraph (i) are followed.

(D) The Department may change the control number for any reason upon notice to the attorney who requested it.

(iii) A court may direct delivery of court documents sealed from public disclosure to an inmate by specific order. The court's representative shall deliver the sealed documents and the specific court order to the facility. Under no circumstances will documents filed in a court of public record be delivered sealed to an inmate.

(2) Contraband in the form of money orders, certified checks, cash or other negotiable instruments will be recorded indicating the nature of the receipt, the sender, the amount received and the date. Personal checks, unless certified, will be returned to the sender. The facility is not responsible for cash sent through the mails. Confiscated coins and currency will be deposited in the Inmate General Welfare Fund. Contraband not specifically addressed in this section will be returned to the sender or destroyed.

(d) *Outgoing mail.* Sealed outgoing mail from an inmate will not be examined except as set forth in subsection (e).

(e) *Scrutiny of correspondence.*

(1) The facility manager or a designee may read incoming or outgoing mail, except mail sealed in accordance with subsection (c)(1), when there is reason to believe that it may reveal or discuss illegal or unauthorized activity or for reasons set forth in any Department document that is disseminated to inmates.

(2) The facility manager or a designee may read mail sealed in accordance with subsection (c)(1), only upon the written order of the facility manager with the written approval of the Secretary when there is reason to believe that there is a threat to facility security or criminal activity.

(f) *Rejection of correspondence.* An item of correspondence which appears to violate subsection (b) may be rejected by facility mailroom staff. The inmate and the sender, in cases when the inmate is not the sender, will be notified when the letter is rejected. The letter will be held for at least 7 business days after mailing of the notification to permit reasonable opportunity to protest the decision. If the letter is rejected, it will be returned to the sender.

(g) *Incoming publications.*

(1) A publication review committee consisting of staff designated by and reporting to the facility manager or a designee shall determine whether an inmate may receive a publication.

(2) Publications shall be received directly from a publisher, bookstore, book club, distributor or department store. Newspapers shall be mailed directly from the publisher.

(3) Publications may not be received by an inmate if they:

(i) Contain information regarding the manufacture of explosives, incendiaries, weapons, escape devices, poisons, drugs or intoxicating beverages or other contraband.

(ii) Advocate, assist or are evidence of criminal activity, inmate misconduct, violence, insurrection or guerrilla warfare against the government.

(iii) Threaten the security of a facility.

(iv) Contain nudity, obscene material or explicit sexual materials as defined in subsection (i).

(v) Constitute a bulk mailing specifically intended for the purpose of advertising or selling merchandise.

(4) An inmate under 18 years of age may not receive explicit sexual materials as defined in 18 Pa.C.S. § 5903 (relating to obscene and other sexual materials and performances).

(5) A publication will not be prohibited solely on the basis that the publication is critical of penal institutions in general, of a particular facility, staff member, or official of the Department, or of a correctional or penological practice in this or any other jurisdiction.

(6) An inmate may receive only one copy of any publication unless granted permission by the publication review committee.

(7) Small letter sized pamphlets may be received in regular correspondence.

(8) Covers of hardbound publications may be damaged or removed during inspection in the discretion of mailroom staff.

(h) *Exception.* Correspondence and publications containing nudity, explicit sexual material or obscene material as defined in subsection (i), may be permitted if the material has artistic, educational or medical value. The following considerations will guide the Department in determining whether to permit nudity, explicit sexual material or obscene material:

(1) Is the material in question contained in a publication that regularly features sexually explicit content intended to raise levels of sexual arousal or to provide sexual gratification, or both? If so, the publication will be denied for inmate possession.

(2) Is it likely that the content in question was published or provided with the primary intention to raise levels of sexual arousal or to provide sexual gratification, or both? If so, the publication or content will be denied for inmate possession.

(i) *Definitions.* The following words and terms, when used in this section, have the following meanings:

Explicit sexual material—Any book, photograph, pamphlet, magazine, printed matter, sound recording, explicit and detailed verbal description, narrative account or other material of the following:

(i) Sexual conduct, which means acts of masturbation, homosexuality, sexual intercourse, sexual bestiality or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if the person is a female, breast.

(ii) Sadoomasochistic abuse, which means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

(iii) Sexual excitement, which means the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

Nudity—The showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion below the top of the nipple, or the depiction of covered male genitals in a discernible turgid state.

Obscene—Any book, photograph, pamphlet, magazine, printed matter, sound recording, explicit and detailed verbal description, narrative account or other material is considered obscene if one of the following applies:

(i) An average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest.

(ii) The subject matter depicts or describes the following in a patently offensive way:

(A) Ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, anal or oral sodomy and sexual bestiality.

(B) Patently offensive representations or descriptions of masturbation or excretory functions.

(C) In a sexual context, flagellation or torture upon a nude person or one clad only in undergarments, a mask or bizarre costume or fettered, bound or otherwise physically restrained.

(D) Lewd exhibition of the genitals.

(j) *Construction.* This section is not intended and may not be interpreted to create or confer any rights in addition to those created by the United States Constitution, the Pennsylvania Constitution or Federal or State statutes applicable to the Department.

[Pa.B. Doc. No. 10-985. Filed for public inspection May 28, 2010, 9:00 a.m.]

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CHS. 108 AND 187]

Family Violence and TANF and GA; Support from Relatives Not Living With the Client

The Department of Public Welfare (Department), under the authority of sections 402(a)(7) and 408(a)(7)(C) of the Social Security Act (act) (42 U.S.C.A. §§ 602(a)(7) and 608(a)(7)(C)), 45 CFR 264.1(c) (relating to what restrictions apply to the length of time Federal TANF assistance may be provided), sections 201(2) and 403(b) of the Public Welfare Code (62 P.S. §§ 201(2) and 403(b)) and 23 Pa.C.S. §§ 4371—4381, 7312 and 8309, amends §§ 187.22 and 187.27 (relating to definitions; and waiver of cooperation for good cause) and adds Chapter 108

(relating to family violence and TANF and GA) to read as set forth in Annex A. Notice of proposed rulemaking was published at 38 Pa.B. 4514 (August 16, 2008).

Purpose of Final-Form Rulemaking

The purpose of this final-form rulemaking is to add Chapter 108. This final-form rulemaking codifies requirements regarding victims of domestic violence who apply for or receive benefits under the Temporary Assistance for Needy Families (TANF) or General Assistance (GA) cash assistance programs.

The final-form rulemaking also amends §§ 187.22 and 187.27 by deleting language regarding domestic violence that is incorporated into Chapter 108.

The Department will apply the policies in this final-form rulemaking to help identify victims of domestic violence, refer them to appropriate services, waive certain TANF or GA program requirements, when appropriate, and protect the confidentiality of domestic violence victims.

Affected Individuals and Organizations

This final-form rulemaking affects applicants and recipients who are victims of domestic violence. This final-form rulemaking also affects community agencies such as counseling agencies, shelters and other domestic violence service providers.

Accomplishments and Benefits

This final-form rulemaking will benefit TANF and GA applicants and recipients who are victims, have been victims or are at risk of further victimization due to domestic violence.

Individuals who disclose domestic violence will be referred to appropriate voluntary counseling and supportive services. Individuals who request and receive a waiver of TANF or GA program requirements may be temporarily excused from those requirements when compliance could jeopardize their safety, make it more difficult for them to escape domestic violence or place them at risk of further violence. Individuals who receive waivers of the 60-month time limit on receipt of TANF benefits will have more time to avail themselves of programs and supportive services that promote self-sufficiency. Approximately 3,909 individuals currently receiving cash assistance have good cause waivers for child support or work requirements.

According to the study "A Review of the Research on Welfare and Domestic Violence" by Richard Tolman and Jody Raphael in the *Journal of Social Issue* and Sharmila Lawrence's issue brief titled "Domestic Violence and Welfare Policy: Research Findings That Can Inform Policies on Marriage and Child Well-Being" from the Research Forum on Children, Families, and the New Federalism National Center for Children in Poverty, approximately 25% of current welfare recipients have a history of domestic violence. With the current cash assistance population, this final-form rulemaking could benefit approximately 30,000 individuals and families.

Fiscal Impact

There are no costs or savings associated with this final-form rulemaking.

Paperwork Requirements

A new written consent form allows the Department to release information to a third party as provided under § 108.14 (relating to safeguarding information). This form will be developed by the Department.

Public Comment

Written comments, suggestions and objections were solicited within a 30-day comment period. The Department received ten public comments. The commentators expressed enthusiastic support for the adoption of this final-form rulemaking. Commentators included the Community Justice Project, Women's Law Project, Community Legal Services of Philadelphia, the Pennsylvania Coalition against Domestic Violence, the Pennsylvania Welfare Coalition, Pathways Pa, Pennsylvania Hunger Action Center, Pennsylvania Coalition Against Rape, Public Citizens for Children and Youth, JEVS Human Services and Mid Penn Legal Services. The Department also received comments from the Independent Regulatory Review Commission (IRRC).

The Department carefully reviewed and considered each suggestion and comment and thanks the organizations that commented on this final-form rulemaking.

Discussion of Comments and Major Changes

Following is a summary of the comments received during the public comment period following publication of the proposed rulemaking and the Department's response to the comments. A summary of changes from the proposed rulemaking is also included.

Statutory Authority

IRRC noted that the Department cited the following as its authority for promulgating this proposed rulemaking: two sections of the Public Welfare Code (62 P. S. §§ 101—1417), two full titles of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. No. 104-193) and the majority of three full chapters of 23 Pa.C.S. (relating to Domestic Relations Code). IRRC commented that the statutory authority included in the proposed rulemaking was too vague to adequately explain the Department's authority to promulgate this final-form rulemaking. IRRC proposed two solutions. The Department could more specifically identify the Department's statutory authority, as required under section 5.1(a)(1.1) of the Regulatory Review Act (71 P. S. § 745.5a(a)(1.1)) or it could include a brief narrative explaining how the provisions of law, as originally proposed, relate to each other to create the necessary statutory authority.

Response

The Department revised the statutory authority to more specifically identify the Department's authority.

§ 108.2 (relating to definitions)

IRRC commented that the definition of "FVO—Family violence option" should include a cross-reference to the Federal law mentioned in the definition.

Response

The Department agrees that the definition of "FVO—Family violence option" should include a cross-reference to Federal law and revised the definition accordingly.

IRRC also commented that although the Department defined the term "work requirements," the Department use of phrases "work or work-related activities" and "work program or other work activity" appear to mean the same thing. IRRC suggested that the term "work requirements" be used consistently throughout the final-form rulemaking.

Response

To clarify, the Department added the definition of "work and work-related activities" to § 108.2 and revised the definition of "work requirements" to "work and work-

related activity requirements.” A “work or work-related requirement” refers to the requirements in Chapter 165 (relating to Road to Economic Self-Sufficient through Employment and Training (RESET) Program), such as hours an individual must meet; “work and work-related activities” refer to the actual activities in Chapter 165.

§ 108.3 (relating to universal notification)

Commentators and IRRC asserted that § 108.3(3)(iii) should include the phrase “education and training” and have a cross reference to the *Pennsylvania Code* for eligibility for supportive services.

Response

The Department agrees and incorporated the phrase “including education and training” in renumbered paragraph (6) and added a cross reference to Chapter 165 for eligibility for supportive services.

§ 108.5 (relating to individual notification)

Commentators recommended that the Department revise § 108.5(b)(3) by replacing the phrase “reducing benefits” with the phrase “imposing a sanction.” They state that while the Department’s current method of child support sanction is the reduction of benefits, this may not always be the case. Use of the term “imposing a sanction” will ensure the regulation will not become obsolete if the sanction changes in the future.

Response

The Department agrees with this comment and revised § 108.5(b)(3) accordingly.

Commentators suggested that the Department revise § 108.5(c) to clarify that the Department will provide written notification of the right to claim a good cause based on domestic violence to individuals who formerly disclosed domestic violence unless the recipient notifies the Department in writing that written notification may place the recipient at risk of further domestic violence.

Response

The Department agrees with this comment and revised § 108.5(c) accordingly.

Commentators recommended that the Department revise § 108.5(d)(2) by adding the phrase “and procedure for requesting” to ensure that individuals understand not only the availability of good cause waivers but also how to obtain a waiver.

Response

The Department agrees with this comment and revised § 108.5(d)(2) accordingly.

Commentators suggested that the Department revise § 108.5(e) to clarify that the Department will provide oral notification of the right to claim good cause based on domestic violence at application and renewal interviews.

Response

The Department agrees with this comment and revised § 108.5(e) accordingly.

§ 108.10 (relating to verification)

IRRC asked that the final-form rulemaking specify how an individual can obtain the verification form provided by the Department.

Response

The Department provides forms at applicable times—in person, by mail and at the client’s request. The Department revised § 108.10 to include how the individual can obtain a verification form.

IRRC also asked the Department to delete § 108.10(b)(6) since subsection (b) implies that the list that follows is not complete.

Response

The Department agrees and deleted paragraph (6) and renumbered the section accordingly.

§ 108.11 (relating to time frames for good cause waiver determinations based on domestic violence)

IRRC questioned how the Department determined that 15 calendar days is an appropriate time frame to determine whether to grant a good cause waiver.

Response

The Department conferred with the Domestic Violence/TANF Task Force, which includes victims of domestic violence, advocates and Department staff, and jointly agreed that 15 calendar days is a reasonable time frame to decide whether to grant a good cause waiver.

§ 108.12 (relating to notice of good cause determinations based on domestic violence)

IRRC commented that § 108.12(a) is unclear as to when the Department will provide written notice of the determination regarding a good cause request and suggested that the final-form rulemaking state when this notice will be provided.

Response

The Department did not adopt this recommendation. During the Department’s review of a request for a good cause waiver, an individual’s status remains the same. Therefore, individuals are not disadvantaged while the Department reviews good cause claims. No adverse action is taken until the appeal period ends. Because the Department is already held to a 30-day time frame for making decisions in accordance with § 125.24(c) (relating to procedures), it is unnecessary to add an additional time frame to notify the individual about the decision. Further, it is standard policy and procedure to send a notice of eligibility determination as soon as possible after a decision is made.

Commentators noted that § 108.12(b)(2) contains a confusing clause suggesting that the Department may not be certain of the duration of a good cause waiver. They recommended that the Department delete the clause “If the Department is uncertain of the duration” or revise the clause to say “If the Department is uncertain of the duration of the need for the waiver.”

Response

The Department agrees with the commentators and revised the clause in § 108.12(b)(2).

Commentators recommended that the Department add subsection (d) to include cross references to regulations that identify the specific notices that should be used.

Response

The Department revised § 108.12, as requested, by adding subsection (d) with cross references pertaining to notices under §§ 125.1 and 133.4 (relating to policy; and procedures).

§ 108.13 (relating to review of waivers)

IRRC commented that § 108.13(4) refers to an “approval process” and stated it is unclear what this “approval process” is or how it will be administered. IRRC recommended that the Department add the “approval process” to the final-form rulemaking.

Response

The Department agrees that the phrase “approval process” is unclear and, therefore, deleted this language. For clarity, this language was replaced with the “Department’s decision.”

§ 108.14 (relating to safeguarding information)

IRRC asked that the final-form rulemaking specify how an individual can obtain the release of information form provided by the Department.

Response

The Department revised § 108.14 to include instructions on how the form can be obtained.

§ 108.16 (relating to DRS responsibility for the FVI)

Commentators suggested that the Department revise § 108.16(a) to clarify the following: (1) that an individual who is in contact with the Domestic Relations Section (DRS) may personally request a family violence indicator (FVI) be placed on the file; and (2) that the Department will electronically instruct the DRS to place an FVI on a file in those counties where a personal appearance at the DRS is waived.

Response

The Department agrees with the commentators’ suggested revision to § 108.16(a). The Department electronically informs the DRS that a family violence code has been placed in the Client Information System, which automatically places an FVI “behind the scenes” in the case record in the DRS Pennsylvania Automated Child Support Enforcement System.

IRRC commented that § 108.16(b)(2) stated that the DRS and other Department staff will not access a DRS file unless authorized to do so. IRRC asked who has the authority to grant these authorizations and when would they permit authorizations.

Response

The Department and its staff are obligated to obey State laws and procedures regarding safeguarding information. Under section 404 of the Public Welfare Code (62 P. S. § 404), the Department has the authority to make and enforce regulations to protect confidential information that is in its possession. Only employees properly concerned may use the records and files in performing their duties in accordance with Chapter 105 (relating to safeguarding information). In addition, the DRS employees are under the jurisdiction of the courts of common pleas and must adhere to State law regarding safeguarding domestic violence information in accordance with 23 Pa.C.S. §§ 4305 and 6112 (relating to general administration of support matters; and disclosure of addresses) and 23 Pa.C.S. Chapter 67 (relating to domestic and sexual violence victim address confidentiality). The Department revised subsection (b)(2) to clarify that the DRS and other Department staff will not access a DRS file unless access to the file is needed in the performance of their job duties.

§ 108.17 (relating to Agreement of Mutual Responsibility (AMR))

Commentators suggested that this section also include language to ensure that good cause waivers based on domestic violence are Federally recognized waivers. They asked the Department to add subsection (c) to state that the AMR serves as the services plan according to 45 CFR 260.55 (relating to what are the additional requirements for Federal recognition of good cause domestic violence waivers?).

Response

The Department agrees and revised subsection (b) to clarify that the AMR will identify the program requirement that is being waived. Additionally, the Department agreed to add subsection (c) to clarify that the AMR serves as the domestic violence services plan under 45 CFR 260.55.

In addition to the summarized changes and responses to comments, minor editorial changes were made for clarity in §§ 108.3, 108.5, 108.12, 108.13 and 108.15.

Regulatory Review Act

Under section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)), on March 11, 2010, the Department submitted a copy of the final-form rulemaking, to IRRC and to the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare (Committees) for review and comment.

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

Under section 5.1(j.1) and (j.2) of the Regulatory Review Act, on April 21, 2010, the final-form rulemaking was deemed approved by the Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 22, 2010, and approved the final-form rulemaking.

Finding

The Department finds that:

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

(b) The adoption of the final-form rulemaking in the manner provided by this order is necessary and appropriate for the administration and enforcement of the Public Welfare Code.

Order

The Department, acting under the authority of sections 201(2) and 403(b) of the Public Welfare Code, orders that:

(a) The regulations of the Department, 55 Pa. Code Chapters 108 and 187, are amended by amending §§ 187.22 and 187.27 and by adding §§ 108.1—108.18 to read as set forth in Annex A.

(b) The Secretary of the Department shall submit this order and Annex A to the Offices of General Counsel and Attorney General for approval as to legality and form as required by law.

(c) The Secretary of the Department shall certify and deposit this order and Annex A with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon final publication in the *Pennsylvania Bulletin*.

HARRIET DICHTER,
Secretary

(Editor’s Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 40 Pa.B. 2493 (May 8, 2010).)

Fiscal Note: Fiscal Note 14-513 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 55. PUBLIC WELFARE

PART II. PUBLIC ASSISTANCE MANUAL

Subpart A. ASSISTANCE POLICIES AND PROCEDURES

CHAPTER 108. FAMILY VIOLENCE AND TANF AND GA

GENERAL PROVISIONS

Sec.	Purpose.
108.1.	Definitions.
108.2.	Universal notification.
108.3.	Written notification.
108.4.	Individual notification.
108.5.	Policy for applicants or recipients in immediate danger.
108.6.	Requirements subject to waiver.
108.7.	Claiming good cause based on domestic violence.
108.8.	Time limits.
108.9.	Verification.
108.10.	Time frames for good cause waiver determinations based on domestic violence.
108.11.	Notice of good cause waiver determinations based on domestic violence.
108.12.	Review of waivers.
108.13.	Safeguarding information.
108.14.	Alternate address.
108.15.	DRS responsibility for the FVI.
108.16.	Agreement of Mutual Responsibility (AMR).
108.17.	Referral for services.
108.18.	

§ 108.1. Purpose.

This chapter establishes rules and policies that apply to victims of domestic violence who are applicants for or recipients of TANF or GA cash assistance. These policies reflect the Department's commitment to address domestic violence among welfare recipients and are based on the Department's election of the FVO, authorized under Federal law.

§ 108.2. Definitions.

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

DRS—Domestic Relations Section—The section of a court of common pleas responsible for establishing and enforcing support orders.

Domestic violence—One or more of the following:

- (i) Physical acts that resulted in, or threatened to result in, physical injury to the individual.
- (ii) Sexual abuse.
- (iii) Sexual activity involving a dependent child.
- (iv) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities.
- (v) Threats or attempts of physical or sexual abuse.
- (vi) Mental abuse.
- (vii) Neglect or deprivation of medical care.

FVI—Family violence indicator—A marker placed on Department and DRS records to indicate one or more individuals in the file are victims of domestic violence.

FVO—Family violence option—An optional provision in section 402(a)(7) of the Social Security Act (42 U.S.C.A. § 602(a)(7)), regarding eligible states; State plan, under which a state may elect to identify individuals with a history of domestic violence, refer them for counseling

and supportive services and, upon a showing of good cause, waive one or more program requirements for these individuals.

Federal parent locator database—A National computer location system operated by the Federal Office of Child Support Enforcement, to assist states in locating noncustodial parents, putative fathers and custodial parties for the establishment of paternity and child support obligations, as well as the enforcement and modification of orders for child support, custody and visitation.

PACSES—Pennsylvania Automated Child Support Enforcement System—Pennsylvania's single Statewide automated data processing and information retrieval system for child support enforcement under Title IV-D of the Social Security Act (42 U.S.C.A. §§ 651—669b).

Work and work-related activities—Activities set forth in Chapter 165 (relating to Road to Economic Self-Sufficiency through Employment and Training (RESET) Program).

Work and work-related activity requirements—Requirements set forth in Chapter 165.

§ 108.3. Universal notification.

The Department will provide applicants and recipients with information about:

- (1) Policies and procedures relating to domestic violence.
- (2) Referrals to domestic violence services.
- (3) Good cause waivers of certain TANF and GA program requirements.
- (4) Specific information about program requirements if a waiver is not requested.
- (5) Safeguards that may help the individual safely comply with program requirements, including placement of an FVI as defined in § 108.2 (relating to definitions) on Department and DRS files and other confidentiality protections.

(6) Opportunities to participate as a volunteer in work or work-related activities, including education and training, and to receive supportive services, under §§ 165.31 and 165.41 (relating to RESET participation requirements; and eligibility for special allowances for supportive services) if the individual receives a good cause waiver.

§ 108.4. Written notification.

The Department will provide applicants and recipients with written notification of the information described in § 108.3 (relating to universal notification).

§ 108.5. Individual notification.

- (a) The Department will provide applicants with written notification of the right to claim good cause based on domestic violence.
- (b) The Department will provide recipients who have not previously disclosed domestic violence with written notification of the right to claim good cause based on domestic violence as follows:
 - (1) Prior to referral to the DRS.
 - (2) When the Department has reason to believe a family or household member has been subjected to or is at risk of further domestic violence.
 - (3) Prior to imposing a sanction for noncooperation with child support requirements according to § 187.26 (relating to noncooperation).

(4) When compliance with work requirements as defined in § 108.2 (relating to definitions) is discussed according to § 165.51 (relating to compliance review) and prior to imposing a sanction for noncooperation with work requirements according to § 165.61 (relating to sanctions).

(5) Prior to denying, terminating, reducing or suspending benefits due to failure to comply with a TANF or GA program requirement.

(c) The Department will provide a recipient who has previously disclosed domestic violence with written notification of the right to claim good cause based on domestic violence according to subsection (b)(1)—(5), unless the recipient notifies the Department in writing that written notification of this right would place the recipient at risk of further domestic violence.

(d) Written notification must include an explanation of:

(1) The availability of referrals for assistance for victims of domestic violence.

(2) The availability of and procedures for requesting a good cause waiver of certain TANF or GA program requirements based on domestic violence.

(3) The confidentiality protections.

(e) The Department will provide oral notification to applicants and recipients of the right to claim good cause based on domestic violence as follows:

(1) At the application and renewal interviews.

(2) Prior to a referral to the DRS.

(3) When the Department has reason to believe a family or household member has been subjected to or is at risk of further domestic violence.

(4) At a compliance review under § 165.51 in which the recipient participates.

§ 108.6. Policy for applicants or recipients in immediate danger.

If an applicant or recipient is in immediate danger, the Department will:

(1) Provide a private space to allow the applicant or recipient to call a domestic violence hotline, if requested.

(2) Offer the applicant or recipient help in making arrangements for emergency shelter, medical care, transportation, child care and work.

§ 108.7. Requirements subject to waiver.

(a) The policies set forth in §§ 108.8—108.13 apply to good cause waivers of requirements for support cooperation, work, time limits, teen parents, verification and other TANF and GA program requirements, based on domestic violence.

(b) The Department may not waive the following TANF or GA program requirements except as provided in subsection (c):

(1) Minor child under § 145.41 (relating to policy).

(2) Specified relative under § 151.41 (relating to policy).

(3) Income under § 183.5 (relating to income verification).

(4) Resources under § 177.1 (relating to general requirements).

(5) Citizenship under § 149.23 (relating to requirements).

(6) Deprivation under § 153.41 (relating to policy).

(7) Enumeration under § 155.2 (relating to general).

(8) Identity under § 125.1 (relating to policy).

(9) Criminal status under sections 432(9) and 481.1 of the Public Welfare Code (62 P. S. §§ 432(9) and 481.1) regarding eligibility; false statements; investigations; and penalty.

(10) Residency under § 147.23 (relating to requirements).

(11) GA categorical eligibility requirement under § 141.61 (relating to policy).

(12) Signature on required forms, such as the application for benefits and authorization for release of information form under § 125.1.

(13) Permanent sanction under § 165.61 (relating to sanctions).

(14) Application for and cooperation in establishing eligibility for potential income under section 432.21(a) of the Public Welfare Code (62 P. S. § 432.21(a)) regarding requirement that certain Federal benefits be the primary source of assistance.

(c) The Department will determine whether to approve a request to waive one or more requirements in subsection (b)(3)—(14) on a case-by-case basis.

§ 108.8. Claiming good cause based on domestic violence.

(a) An individual may request a good cause waiver of a TANF or GA program requirement based on past, present or risk of further domestic violence, as defined in § 108.2 (relating to definitions).

(b) The Department will grant a good cause waiver of a TANF or GA program requirement if compliance with the program requirement would result in one of the following:

(1) Making it more difficult for the individual or family member to escape domestic violence.

(2) Placing the individual or family member at risk of further domestic violence.

(3) Unfairly penalizing the individual or family member because of domestic violence.

(c) The Department may grant a good cause waiver regardless of whether the alleged abuser is in the household.

§ 108.9. Time limits.

(a) An applicant or recipient may receive up to 12 months of TANF cash assistance that do not count towards the 60-month TANF time limit according to § 141.41(d) (relating to policy) based on past, present or risk of further domestic violence to the individual or family member. The months need not be sequential.

(b) Individuals may receive Extended TANF, as defined in § 141.52 (relating to definitions), if the individual or family member is or has been a victim of domestic violence or is at risk of further domestic violence according to § 141.53 (relating to eligibility based on domestic violence).

(c) Individuals may be eligible for cash assistance under this section regardless of whether the alleged abuser is in the household.

§ 108.10. Verification.

(a) An individual who requests a good cause waiver of a TANF or GA program requirement based on domestic violence shall complete the verification form provided by the Department.

(b) The Department will provide the verification form, in person or by mail, to an individual who requests the form and will instruct the individual to provide verification that may include one of the following:

- (1) Law enforcement records.
 - (2) Court records.
 - (3) Medical or treatment records, or both.
 - (4) Social services records.
 - (5) Child protective services records.
- (6) Third party verification from a public or private organization or an individual with knowledge of the circumstances including:
- (i) A domestic violence service provider.
 - (ii) A medical, psychological or social services provider.
 - (iii) A law enforcement professional.
 - (iv) A legal representative.
 - (v) An acquaintance, friend, relative, or neighbor of the claimant, or other individual.

(c) If the individual cannot safely obtain verification described in subsection (b), the individual may affirm on the verification form provided by the Department that the individual cannot safely comply with a TANF or GA program requirement due to domestic violence.

(d) When an individual claims good cause based on domestic violence, the Department may not:

- (1) Contact the alleged abuser.
- (2) Require the individual to obtain a Protection from Abuse Order.

§ 108.11. Time frames for good cause waiver determinations based on domestic violence.

The Department will make a good cause waiver determination within 15 calendar days from the date the claim was initiated by the applicant or recipient.

§ 108.12. Notice of good cause waiver determinations based on domestic violence.

(a) The Department will provide written notice to the individual of its determination regarding the good cause waiver request.

(b) If the Department grants the waiver request, the notice will:

- (1) State the program requirement being waived.
- (2) Explain the duration of the waiver. If the Department is uncertain of the duration of the need for the waiver, the notice will explain that the waiver will remain in effect as long as necessary, subject to review every 6 months.

(c) If the Department denies the waiver request, the notice will:

- (1) State which program requirements are not waived and the basis for the determination.
- (2) State the legal authority for the denial.
- (3) Explain the right to appeal.

(4) State what additional verification or information is needed to substantiate good cause and the time frame in which the information shall be provided.

(5) Explain that the individual shall comply with the program requirement for which the waiver was requested.

(d) The Department will follow the notice requirements in §§ 125.1 and 133.4 (relating to policy; and procedures).

§ 108.13. Review of waivers.

When the Department determines that a waiver of a TANF or GA program requirement based on domestic violence is appropriate, it will grant the waiver for as long as necessary, subject to review every 6 months as follows:

(1) An individual who verified domestic violence under § 108.10(b) (relating to verification) need not provide new or additional verification at the 6-month review if circumstances have not changed since the waiver was initially granted or since the last 6-month review.

(2) An individual who affirmed domestic violence under § 108.10(c) may provide verification under § 108.10(b) for the waiver to continue.

(3) An individual who affirmed domestic violence but remains unable to provide verification under § 108.10(b) may again affirm domestic violence on the verification form provided by the Department under § 108.10(c). The individual may receive a waiver for an additional 6 months.

(4) An individual who remains unable to provide verification under § 108.10(b) after 12 months may have the waiver continue by affirming domestic violence under § 108.10(c), subject to approval by the Department on a case-by-case basis. The individual's waiver and benefits will continue pending the Department's decision. If the waiver is approved, the individual may, if necessary, continue to affirm at each subsequent 6-month redetermination.

§ 108.14. Safeguarding information.

(a) Unless required by law or pursuant to the individual's written authorization, the Department may not disclose or release the following information about an applicant, recipient or family member who has disclosed domestic violence, has a Protection from Abuse Order or is at risk of further domestic violence by the disclosure of information:

(1) The residential address, the name and address of the individual's employer, education, training, or work program or other work activity, the name and address of the children's school and the identity and location of child care or medical providers.

(2) Whether the individual or family member is living in a domestic violence shelter and location of the shelter.

(3) The amount of benefits received by the individual or family member.

(b) The individual's written authorization must be provided on a form approved by the Department. The form may be provided to the individual in person or by mail. The form must include the name of the requestor, the information requested and the purpose of the request.

(c) The Department will place an FVI, as defined in § 108.2 (relating to definitions), on the electronic and paper files of an individual or family member who has disclosed domestic violence, has a Protection from Abuse Order or is at risk of further physical or emotional harm by the disclosure of confidential information.

§ 108.15. Alternate address.

(a) A victim of domestic violence may use an alternate mailing address if one of the following applies:

- (1) The individual has applied for or received a good cause waiver based on domestic violence.
- (2) The individual is at risk of further domestic violence.
- (3) The individual is a participant in the Address Confidentiality Program administered by the Pennsylvania Office of Victim Advocate, under 37 Pa. Code Chapter 802 (relating to The Domestic and Sexual Violence Address Confidentiality Program).

(b) The Department will ask an individual who discloses domestic violence, has applied for or received a good cause waiver or is at risk of domestic violence, whether it is safe to send mail to the home address or whether it would be safer to send mail to an alternate address.

§ 108.16. DRS responsibility for the FVI.

(a) The Department will instruct the DRS to place an FVI in PACSES, as defined in § 108.2 (relating to definitions), for an individual who receives cash assistance and discloses domestic violence.

(1) For individuals who make a personal appearance at the DRS and request an FVI be placed in their files, the DRS shall place the FVI in PACSES.

(2) For individuals in counties in which a personal appearance at the DRS is waived, the Department will electronically inform the DRS that a FVI was placed on the automated client information system and directs DRS to place the FVI on PACSES.

(b) If the FVI is placed on the file:

- (1) The DRS will not disclose information according to § 108.14 (relating to safeguarding information).
- (2) The DRS and other Department staff will not access a DRS file unless access to the file is needed in the performance of their duties.
- (3) The DRS will transmit the FVI to the Federal parent locator database as defined in § 108.2.

§ 108.17. Agreement of Mutual Responsibility (AMR).

(a) To ensure confidentiality, the Department will not record information about domestic violence on the AMR, as defined in § 123.22 (relating to definitions).

(b) If the Department has waived a TANF or GA program requirement based on domestic violence, the Department will identify the specific requirement that is being waived on the AMR. The AMR will not include the basis for the waiver.

(c) The AMR serves as the domestic violence service plan in accordance with 45 CFR 260.55 (relating to what are the additional requirements for Federal recognition of good cause domestic violence waivers).

§ 108.18. Referral for services.

When an applicant or recipient discloses domestic violence or requests a referral to domestic violence services, the Department will provide the individual with names, phone numbers and information about the services of local domestic violence agencies, which may include shelter, safety planning and counseling.

Subpart D. DETERMINATION OF NEED AND AMOUNT OF ASSISTANCE

CHAPTER 187. SUPPORT FROM RELATIVES NOT LIVING WITH THE CLIENT

SUPPORT PROVISIONS FOR CASH ASSISTANCE

§ 187.22. Definitions.

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

Arrears—Past due and unpaid support.

BCSE—Bureau of Child Support Enforcement—The organizational unit in this Commonwealth responsible for supervising the State Plan for Child Support Enforcement under Title IV-D of the Social Security Act (42 U.S.C.A. §§ 651—669b).

Budget group—One or more related or unrelated individuals who occupy a common residence or would occupy a common residence if they were not homeless and whose needs and eligibility are considered together in determining eligibility for cash assistance under one category of assistance.

CAO—County assistance office—The local office of the Department responsible for the determination of eligibility for cash, Food Stamps and MA Programs.

Cash assistance allowance—The monthly family size allowance, reduced by the net income of the budget group. The family size allowance is described under § 175.23(a) (relating to requirements).

DRS—Domestic Relations Section—The division of a court of common pleas responsible for establishing and enforcing support orders.

Establishing paternity—The process that determines the legal father of a child.

LRR—Legally responsible relative—The spouse, including common-law, of the applicant or recipient of cash assistance, or the biological or adoptive parent of an unemancipated minor child for whom cash assistance is sought or received.

Obtaining support—Establishing, modifying or enforcing a support order.

Support—A judgment, decree or order whether temporary, final or subject to modification, imposed or imposed by a court or an administrative agency of competent jurisdiction for the support and maintenance of a child or spouse, or both, which provides for monetary support, health care, arrears or reimbursement, and which may include other relief.

Unemancipated minor child—An individual who is under 18 years of age, or an individual 18 years of age or older but under 21 years of age, who has not graduated from high school, is not married and is in the care and control of a parent or caretaker.

§ 187.27. Waiver of cooperation for good cause.

(a) *Good cause circumstances.* Cooperation requirements may be waived for good cause. Requirements for granting a good cause waiver based on a claim of domestic violence, as defined in § 108.2 (relating to definitions), may be provided under §§ 108.7 and 108.8 (relating to requirements subject to waiver; and claiming good cause based on domestic violence). Other good cause circumstances include the following:

(1) The child was conceived as a result of incest or rape.

(2) Legal proceedings for the adoption of the child are pending before a court.

(3) The applicant or recipient of cash assistance is currently being assisted by a public or licensed private social agency to resolve the issue of whether to keep the child or relinquish the child for adoption and the discussions have not progressed for more than 3 months.

(b) *Proving the good cause claim.* The applicant or recipient of cash assistance shall provide relevant verification.

(1) A good cause claim may be verified with the following types of evidence:

(i) A birth certificate or medical or law enforcement records which indicate that the child was conceived as the result of incest or rape.

(ii) Court documents or other records which indicate that legal proceedings for adoption are pending.

(iii) A written statement from a public or licensed private social agency that the applicant or recipient is being assisted by the agency to resolve the issue of whether to relinquish the child for adoption.

(iv) Medical records which indicate emotional health history and present emotional health status of the applicant or recipient or the child for whom support would be sought; or, written statements from a mental health professional indicating a diagnosis or prognosis concerning the emotional health of the applicant or recipient or the child for whom support would be sought. Supportive evidence submitted from a mental health professional will be defined as statements written by individuals who have obtained licensure or certification, if applicable, or have received a degree in defined areas of mental health including psychiatry, social work, psychology, nursing, occupational therapy or recreational therapy.

(v) Court, medical, criminal, child protective services, social services, psychological or law enforcement records.

(vi) Statements from individuals other than the applicant or recipient with knowledge of the good cause circumstances, including a domestic violence service provider, a medical, psychological or social service provider, a law enforcement professional, a legal representative, an acquaintance, friend, relative or neighbor of the claimant or other individual.

(2) When the applicant or recipient initiates a claim of good cause, the Department, court or the DRS may provide help with obtaining verification. If requested by the applicant or recipient, the Department, court or DRS will provide help in securing the needed evidence by advising how to obtain specific documents that may be

available and by undertaking to obtain specific documents the applicant or recipient is not able to obtain.

(3) An applicant or recipient shall provide verification of the good cause claim, as specified under paragraph (1)(iv)—(vi), within 30 days from the date the claim is made, except when the applicant or recipient cannot otherwise provide verification of the good cause claim as specified in paragraph (1)(vii)(C).

(i) In the case of an applicant, assistance will be authorized no later than 30 days following application when the applicant is claiming good cause and verification is not readily available or pending from a third party.

(ii) In the case of a recipient, the CAO will continue assistance if verification is not provided within 30 days and the delay is due to a third party.

(c) *Good cause determination.* The court or the DRS will make a determination within 45 days from the day the claim was initiated by the applicant or recipient of cash assistance. The Department will make a determination within 15-calendar days from the date the claim was initiated by the applicant or recipient. The Department, court or the DRS may approve additional days for the determination to be completed.

(1) If the CAO makes a determination on a good cause claim, the CAO will notify the applicant or recipient of cash assistance in writing of the final determination regarding the claim of good cause and the basis therefor and of the right to appeal under Chapter 275 (relating to appeal and fair hearing and administrative disqualification hearings). If the good cause claim is denied, neither the Department nor the Bureau of Child Support Enforcement will attempt to establish paternity or obtain support for at least 30 days after the individual has been informed orally and in writing of the denial of the good cause claim.

(2) If the court of common pleas or DRS makes a determination on a good cause claim, the DRS will notify the applicant or recipient of cash assistance and the CAO of the final determination and the basis therefor and of the right to appeal under Chapter 275.

(3) When the CAO, court of common pleas or the DRS approve a waiver of the cooperation requirement based on a claim of good cause, the DRS will not attempt to establish paternity or obtain support.

(4) When good cause is determined to exist, the Department will review the circumstances upon which the good cause determination is based, at least every 6 months. If the good cause waiver was granted based on verification, no additional verification is required if circumstances have not changed since approval of the initial waiver.

[Pa.B. Doc. No. 10-986. Filed for public inspection May 28, 2010, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On May 17, 2010, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Silver Lake Association, requests the amendment of 25 Pa. Code § 93.9i (relating to drainage list I) to redesignate Silver Creek in Susquehanna County from its current designation of Cold Water Fishes (CWF) to Exceptional Value (EV). Under 25 Pa. Code § 93.4d(a) (relating to processing petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for Silver Creek will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 and is accessible on the Department's web site at http://www.portal.state.pa.us/portal/server.pt/community/environmental_quality_board/14005/eqb_meeting_schedule_2010/661796 (see May 17, 2010, meeting).

JOHN HANGER,
Chairperson

[Pa.B. Doc. No. 10-987. Filed for public inspection May 28, 2010, 9:00 a.m.]

STATEMENTS OF POLICY

Title 12—COMMERCE, TRADE AND LOCAL GOVERNMENT

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

[12 PA. CODE CH. 123]

Community Revitalization Program

The Department of Community and Economic Development (Department) amends Chapter 123 (relating to community revitalization program—statement of policy) to read as set forth in Annex A. The statement of policy is amended under the authority of section 1719-H(a)(1) of The Fiscal Code (code) (72 P. S. § 1719-H(a)(1)), as amended by the act of July 4, 2008 (P. L. 629, No. 53).

Background

Section 1719-H(a)(1) of the code requires the Department to publish Community Revitalization Program (CRP) guidelines in the *Pennsylvania Bulletin* prior to the spending of moneys designated for the CRP. This amended statement of policy updates the existing CRP guidelines amended in 2008 to extend the deadline to file applications for round three funding and to add a fourth round.

The CRP provides grants to eligible organizations consistent with the provisions of Act 38A of 2008, which allocates money for grants for community revitalization and improvement projects which in the judgment of the Department will do the following: improve the stability of the community; promote economic development; improve existing and develop new civic, cultural, recreational, industrial and other facilities; assist in business retention, expansion, stimulation and attraction; promote the creation of jobs and employment opportunities; or enhance the health, welfare and quality of life of citizens in this Commonwealth.

Amendments

Section 123.4 (relating to program requirements and instructions) is amended to update the application submission deadlines.

Section 123.5 (relating to application submission and approval procedure) is amended to extend the deadline to file applications for round three funding, to add a fourth round and to update the proposed award dates.

Fiscal Impact

The amended statement of policy has no fiscal impact on the Commonwealth, political subdivisions or the public.

Paperwork Requirements

Additional paperwork requirements are not imposed as a result of the amended statement of policy.

Contact Person

For further information regarding the amended statement of policy, contact Jill Busch, Deputy Chief Counsel, Office of Chief Counsel, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, Fourth Floor, Harrisburg, PA 17120-0225, (717) 783-8452.

Findings

The Department finds that:

Delay in implementing the statement of policy will have a serious adverse impact on the public interest.

Orders

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

(1) The statement of policy of the Department, 12 Pa. Code Chapter 123, is amended by amending §§ 123.4 and 123.5 to read as set forth in Annex A.

(2) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel for approval as to form and legality as required by law.

(3) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

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

GEORGE E. CORNELIUS,
Secretary

Fiscal Note: 4-94. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 12. COMMERCE, TRADE AND LOCAL GOVERNMENT

PART V. COMMUNITY AFFAIRS AND DEVELOPMENT

Subpart A. STRATEGIC PLANNING AND OPERATION

CHAPTER 123. COMMUNITY REVITALIZATION PROGRAM—STATEMENT OF POLICY

§ 123.4. Program requirements and instructions.

The following requirements apply to CRP:

(1) Project applications shall be submitted using the Department's Electronic Single Application for Assistance by means of www.newpa.com/find-and-apply-for-funding/funding-and-program-finder/index.aspx or www.NewPa.com. Paper applications are no longer acceptable. Electronic applications will be accepted throughout the fiscal year up to the March 21, 2011, submission deadline, subject to § 123.5 (relating to application submission and approval procedure).

(2) The Department reserves the right to request additional information, explanation, clarification or revision of funding requests.

(3) Incomplete applications may be rejected. An applicant shall follow the detailed instructions for completing the Department's Single Application for Assistance. The narrative must include:

(i) A description of the applicant, including a general purpose or mission statement.

(ii) Identification of the need for CRP assistance and the applicant's project goals.

(iii) Identification of the measurable outcomes, including jobs created or retained, number of people trained, land or buildings acquired or renovated, and the like.

(iv) A project schedule with key milestones and dates.

(v) Documentation to support projected budget costs. A detailed scope of services must be submitted with the application for any consulting, legal or accounting fees included in the project budget.

(vi) Documentation of matching dollars, such as commitment letters, receipts, and the like.

(vii) A religious disclaimer assuring that the grant funds will not be used for religious purposes.

§ 123.5. Application submission and approval procedure.

(a) The application is available at the Department's web site www.newpa.com/find-and-apply-for-funding/funding-and-program-finder/index.aspx. Applications will be accepted throughout the fiscal year up to the March 21, 2011, submission deadline. Applications will be subject to § 123.7 (relating to limitations and penalties).

(b) CRP grant awards will be made in four funding rounds.

(c) Grant applications not funded in a particular round will be rolled over to the next round in the same fiscal year.

(d) Application deadlines and tentative announcement dates for each round are as follows:

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
Round 1	September 19, 2008	November 2008
Round 2	December 19, 2008	February 2009

<i>Funding Round</i>	<i>Application Deadline Date</i>	<i>Target Announcement Date</i>
Round 3	May 31, 2010	June 2010
Round 4	March 21, 2011	May 2011

Targeted grant announcement dates are subject to change without notice at the discretion of the Department.

(e) Any CRP funds remaining after the fourth round may be awarded by the Department up to the lapsing date of funds for the 2008-2009 fiscal year appropriation.

(f) Letters will not be sent to applicants after each funding round advising applicants that they have not been funded.

(g) Applicants that do not receive funding during any of the four rounds will be notified to reapply during the following fiscal year. Unsuccessful applicants shall submit a new application to be considered for funding the following fiscal year.

(h) Information on the status of submitted grant applications may be obtained from the Department's Customer Service Center. An "assignment of account manager" letter constitutes confirmation of receipt of the application.

[Pa.B. Doc. No. 10-988. Filed for public inspection May 28, 2010, 9:00 a.m.]

NOTICES

CANINE HEALTH BOARD

Public Meeting

The Canine Health Board (Board), under its authority in Sections 207(i)(3)(iii) and 221(f) of the Dog Law (3 P. S. §§ 459-207(i)(3)(iii) and 459-221(f)), gives notice of its public meeting scheduled for Tuesday, June 8, 2010, at 1:30 p.m. for the purpose of considering additional flooring options that have been submitted by commercial kennel operators.

The meeting will be held in the VIP Room of the Farm Show Complex, 2300 North Cameron Street, Harrisburg, PA 17110.

The Board will consider the flooring options one at a time and will take testimony and comment on each individual flooring option submitted before moving on to the next flooring option. The Board will hear testimony and comment from both proponents and opponents of the flooring options submitted. Proponents of the flooring option submitted will present their comments first and then those opposed to that flooring option will be heard.

Proponents and opponents may submit written testimony to the Board in advance of the public meeting. Written testimony shall be submitted to the Board by June 1, 2010. Written testimony should be submitted to the Department of Agriculture, Canine Health Board, 2301 North Cameron Street, Room 212, Harrisburg, PA 17110-9408.

Those wishing to present oral testimony or comment must be present at the public meeting.

Those presenting written or oral testimony or comment should submit or give the following information to the Board:

1. State their name and address for the record.
2. State their affiliation to any business or person for which they are testifying or offering comment.
3. State their experience or expertise related to canine health or kennel flooring issues or both.

The comment and testimony heard and considered by the Board must relate to whether the flooring option presented meets the standards established by section 207(i)(3)(i) of the Dog Law and whether, based on animal husbandry practices, the flooring option will provide for the welfare of the dogs to be housed on that type of flooring, as required by section 221(f) of the Dog Law.

Given the extent and breadth of testimony and comment expected, the Board reserves the right to:

1. Limit the time period for each person's testimony or comment to five minutes.
2. Limit the amount of or exclude redundant or duplicative testimony or comment.
3. Take no official action on any flooring option presented, take official action at a subsequent meeting regarding any flooring option presented, or vote to decline to take official action on any flooring option presented.

JENNIFER MULLER,
Chairperson

[Pa.B. Doc. No. 10-989. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Order of Quarantine; Emerald Ash Borer

Recitals

A. Emerald Ash Borer (EAB), *Agrilus planipennis* (*Fairemaire*)—a beetle indigenous to Asia—is a serious plant pest that attacks and kills ash trees belonging to the genus *Fraxinus*. EAB has worked its way east from Michigan, where it was first detected in 2002.

B. EAB has killed 40 million ash trees during the short time it has been present in North America. Typically, trees are killed within 3 years of the initial attack by this beetle. EAB presents a clear threat to this Commonwealth's forest and horticultural resources.

C. The Plant Pest Act (act) (3 P. S. §§ 258.1—258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. These powers include the authority to establish quarantines to prevent the spread of plant pests within this Commonwealth.

D. The Department has issued previous EAB-related Orders of Quarantine, establishing a quarantined area that includes all of Allegheny, Armstrong, Beaver, Butler, Indiana, Juniata, Lawrence, Mercer, Mifflin, Washington and Westmoreland Counties, and restricting the movement of designated articles and materials from this quarantined area.

E. EAB has recently been detected in Bedford County—a county outside of the current quarantined area—making it necessary to expand the quarantined area to include that county.

Order

Under authority of section 21 of the act (3 P. S. § 258.21), and with the Recitals previously listed, incorporated into this Order by reference, the Department orders the following:

1. Confirmation of Quarantine; Addition of Bedford County to the Quarantined Area.

a. The quarantine established by previous Orders with respect to Allegheny, Armstrong, Beaver, Butler, Indiana, Juniata, Lawrence, Mercer, Mifflin, Washington and Westmoreland Counties (collectively, the "quarantined area") remains in effect, subject to the conditions set forth in this Order.

b. A quarantine is hereby established with respect to Bedford County, effective immediately. Bedford County is part of the quarantined area, and is subject to the conditions set forth in this Order.

2. *Limitations Imposed.* The following objects or materials may not be moved out of the quarantined area, unless done in accordance with Paragraph No. 3 of this Order:

- a. The Emerald Ash Borer in any living stage of development;
- b. Ash trees of any size;
- c. Ash limbs, branches, stumps, and roots;
- d. Any cut, nonconiferous (hardwood) firewood;

e. Nonconiferous (hardwood) bark and nonconiferous (hardwood) wood chips larger than 1 inch in two dimensions;

f. Ash logs and lumber with either the bark or the outer 1 inch of sapwood, or both, attached;

g. Any item made from or containing the wood of the ash tree that is capable of spreading emerald ash borer; and

h. Any other article, product or means of conveyance determined by the Department to present a risk of spreading the EAB infestation.

3. *Movement of regulated articles from quarantined areas.* An article described in Paragraph No. 2 of this Order may be moved from a quarantined area only under the following circumstances:

a. With a valid certificate or limited permit (as described in Paragraph No. 4) attached;

b. Without a certificate or limited permit (as described in Paragraph No. 4) attached if:

i. The regulated article is moved by the United States Department of Agriculture (USDA) or the Department for experimental or scientific purposes; or

ii. The regulated article originates outside the quarantined area and is moved intrastate through the quarantined area under the following conditions:

A. The points of origin and destination are indicated on a waybill accompanying the regulated article; and

B. The regulated article, if moved through the quarantined area during the period of May 1 through August 31 or when the ambient air temperature is 40° F or higher, is moved in an enclosed vehicle or is completely covered to prevent access by the EAB; and

C. The regulated article is moved directly through the quarantined area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed or handled at locations approved by an inspector as not posing a risk of infestation by emerald ash borer; and

D. The article has not been combined or commingled with other articles so as to lose its individual identity.

c. Without a certificate or limited permit (as described in Paragraph No. 4) attached if a USDA-issued or USDA-authorized (by USDA compliance agreement) certificate or permit is attached.

4. *Obtaining a Certificate or Limited Permit from the Department for Intrastate Movement of Articles.* The Department or a person operating under a compliance agreement will issue a certificate or limited permit authorizing the intrastate movement of articles described in Paragraph No. 2 of this Order if it is satisfied that all of the following are accurate:

a. The article is either of the following:

i. The article is apparently free of EAB, based on inspection; or the article has been grown, produced, manufactured, stored or handled in a manner that, in the judgment of the Department, prevents the article from presenting a risk of spreading EAB; or

ii. The article is to be moved to a specified destination for specific processing, handling or utilization (the destination and other conditions to be listed on the advance written permission), and this movement will not result in the spread of EAB because EAB will be destroyed by the specific processing, handling or utilization; and

b. The article is to be moved in compliance with this Order and any additional emergency conditions that the Department may impose under the act to prevent the artificial spread of EAB; and

c. The article is eligible for intrastate movement under all other Federal domestic plant quarantines and regulations applicable to the regulated articles.

5. *Cancellation of a Certificate or Limited Permit.* Any certificate or limited permit may be canceled orally or in writing by the Department whenever the Department determines that the holder of the certificate or limited permit has not complied with the act or this Order. If the cancellation is oral, the cancellation will become effective immediately, and the cancellation and the reasons for the cancellation will be confirmed in writing as soon as circumstances permit.

6. *Compliance Agreements.* The Department will consider entering into a compliance agreement with any person that demonstrates an understanding of the requirements of this Order and otherwise satisfies the Department it is capable of issuing certificates or limited permits in accordance with the requirements of this Order. The Department shall either provide blank certificates and limited permits to a person operating under a compliance agreement or authorize reproduction of the certificates or limited permits on shipping containers, or both, as requested by the person operating under the compliance agreement. These certificates and limited permits may then be completed and used, as needed, for the intrastate movement of regulated articles that have met all of the requirements of Paragraph No. 4.

7. *Documentation to Accompany Articles in Intrastate Movement from the Quarantined Area.* If an article described in Paragraph No. 2 of this Order is to be moved intrastate from the quarantined area, the article must be plainly marked with the name and address of the consignor and the name and address of the consignee and must have a copy of the applicable Department-issued or Department-authorized (by compliance agreement as described in Paragraph No. 6) certificate or limited permit securely attached at all times during intrastate movement attached to the article itself, or to the container carrying the article, or to the consignee's copy of the accompanying waybill: Provided, that the description of the article on the certificate or limited permit, and on the waybill, are sufficient to identify the regulated article. The carrier must furnish the certificate or limited permit authorizing the intrastate movement of the article to the consignee at the destination of the shipment.

8. *Federal Requirements for Interstate Movement of Articles.* This Order is distinct from, and in addition to, any Federal statute, regulation or quarantine order addressing the interstate movement of articles from the quarantined area or this Commonwealth.

9. *Contacting the Department.* A person seeking information about the requirements of this Order, or a limited permit for intrastate movement of quarantined articles, or a compliance agreement for intrastate movement of quarantined articles, shall contact the Department at the following: Department of Agriculture, Attention: Walt Blosser, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5205, wblosser@state.pa.us.

10. *Criminal and Civil Penalties.* A person who violates this Order will face summary criminal prosecution carrying up to 90 days imprisonment and a fine of up to \$300 with respect to each violation. In addition, a person who violates this Order may be assessed a civil penalty of up to \$20,000 with respect to each violation.

11. *Cooperation with other agencies.* The Department will consult with USDA, other State agencies and the Pennsylvania State University Cooperative Extension with respect to the most efficacious measures to survey

for and detect EAB to slow the spread or eradicate this pest.

12. *Effective Date.* This quarantine is effective as of May 17, 2010, and shall remain in effect until rescinded by subsequent order.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 10-990. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking 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 May 11, 2010.

Under section 503.E of the Department of Banking Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking, 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

Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-10-2010	Bryn Mawr Interim Bank Bryn Mawr Montgomery County The purpose of Bryn Mawr Interim Bank, Bryn Mawr, is to facilitate the proposed merger of First Keystone Bank, Media, with and into The Bryn Mawr Trust Company, Bryn Mawr.	Approved

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-10-2010	Bryn Mawr Bank Corporation Bryn Mawr Montgomery County Application for approval to acquire 100% of First Keystone Financial, Inc., Media, and thereby indirectly acquire 100% of First Keystone Bank, Media.	Approved
5-10-2010	Tower Bancorp, Inc. Harrisburg Dauphin County Application for approval to acquire 100% of First Chester County Corporation, West Chester, and thereby indirectly acquire 100% of First National Bank of Chester County, West Chester.	Approved

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-10-2010	The Bryn Mawr Trust Company Bryn Mawr Montgomery County Application for approval to merge First Keystone Bank, Media, with and into The Bryn Mawr Trust Company, Bryn Mawr.	Approved
5-10-2010	Graystone Tower Bank Lancaster Lancaster County Application for approval to merge First National Bank of Chester County, West Chester, with and into Graystone Tower Bank, Lancaster.	Approved

**Branch Applications
De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-7-2010	New Century Bank Phoenixville Chester County	73 Old Dublin Pike Doylestown Bucks County	Filed
5-7-2010	New Century Bank Phoenixville Chester County	12 Summit Square Center Route 413 and Doublewoods Road Bucks County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

The Department's web site at www.banking.state.pa.us includes public notices for more recently filed applications.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-991. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Availability of Program Year 2010-11 Federal Even Start Grants for Renewal and New Family Literacy Programs

The Federal Even Start Family Literacy Program (program), renamed the William F. Goodling Even Start Family Literacy Programs, is authorized by Title I, Part B, Subpart 3 of the Elementary and Secondary Education Act (ESEA), reauthorized as the No Child Left Behind Act of 2001 (NCLB Act) (Pub. L. No. 107-110, 115 stat. 1425). This program is administered by the Department of Education (Department) for family literacy programs that will:

- 1) Target families living in areas of high concentration of poverty who are receiving welfare benefits and who have educational needs.
- 2) Enable communities to foster cooperative partnerships that build on existing community resources to create a new range of services.
- 3) Provide services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following:
 - a. Interactive literacy activities between parents and their children.
 - b. Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.
 - c. Parent literacy training that leads to economic self-sufficiency.
 - d. An age-appropriate education to prepare children for success in school and life experiences.

Eligible Entity—An eligible entity is a partnership composed of a local educational agency (LEA) and a nonprofit community-based organization, a public agency other than a local educational agency, an institution of higher education or a public or private nonprofit organization other than a local education agency, of demon-

strated quality. A private nonprofit entity, including a faith-based organization, as part of a partnership may serve as the fiscal agent since school-age children who are enrolled in private elementary and secondary schools are eligible for Even Start services under the equitable participation provisions of the NCLB Act. Under these circumstances, a public agency, particularly an LEA, is required to control and administer program funds used to provide equitable services to private school students.

Eligibility—To be eligible to receive a grant, an eligible entity must submit an application that demonstrates it has the qualified personnel needed to develop, administer and implement an Even Start program under Part B, Subpart 3 of Title I of the ESEA; will provide access to the special training necessary to prepare staff for the program, which is offered by the Bureau of Adult Basic and Literacy Education (Bureau); and will address each of the following program elements addressed in Section 1235 of the Even Start statute.

Selection Process—Consideration will be given to applications that meet the following conditions:

- 1) Reflect the family focus of Even Start.
- 2) Effectively implement the program elements in the Even Start statute.
- 3) Demonstrate that the area to be served by the program has a high percentage or a large number of children and families who are in need of those services as indicated by high levels of poverty, illiteracy, unemployment, limited English proficiency or other need-related indicators, such as a high percentage of children to be served by the program who reside in a school attendance area served by a local educational agency eligible for participation in programs under Part A (that is, Title I school attendance area), a high number or percentage of parents who have been victims of domestic violence or a high number or percentage of parents who are receiving assistance under a State program funded under Title IV Part A of the Social Security Act (42 U.S.C.A. §§ 601—619).
- 4) Provide early childhood services for at least a 3-year age range.
- 5) Demonstrate the greatest possible cooperation and coordination between a variety of relevant service provid-

ers in all phases of the program. Relevant service providers include, but are not limited to, adult education and literacy programs; county assistance offices; social service agencies; public libraries; PA CareerLink® One-Stop Centers; Workforce Investment Act programs; elementary schools; family centers; preschool programs such as Head Start; licensed child care centers and other community groups or agencies that provide services and assistance to persons in need of basic literacy skills or support services, or both.

6) Submit a cost-effective total budget which contains a local match beyond the required Even Start statutory percentages.

7) Are representative of urban and rural regions of the State.

8) Show the greatest promise for providing models that may be adopted by other family literacy projects and other local educational agencies.

Priority will be given to applications that target services to families most in need (that is, educationally disadvantaged adults who are receiving public assistance; do not have high school diplomas; are single parents; are victims of domestic violence; have children with developmental delays; reside in a Title I school attendance area and (if in primary grades) are receiving Title I services) or are located in areas designated as empowerment zones or enterprise communities.

State Funding Priorities for Grant Applications—

1) Renewal of grants to currently-funded Even Start Family Literacy Programs, providing sufficient progress is made toward meeting program objectives in relation to the Pennsylvania Family Literacy Program Performance Standards.

2) New Even Start Family Literacy Programs by local educational agencies receiving Title I, Part A, ESEA funds and partnering with local programs currently providing Even Start or State Act 143 Family Literacy services.

3) New Even Start Family Literacy Programs by community-based organizations, in partnership with school districts and/or charter schools receiving Title I, Part A ESEA funds and other agencies currently providing Even Start or State Act 143 Family Literacy services.

4) New Even Start Family Literacy Programs by local educational agencies receiving Title I, Part A ESEA funds in areas of counties not served by a current Even Start or State Act 143 Family Literacy grant.

5) New Even Start Family Literacy Programs by community-based organizations, in partnership with school districts and/or charter schools receiving Title I, Part A ESEA funds in areas of counties not served by a current Even Start or State Act 143 Family Literacy grant.

*Grant Period—*The Grant Period (or duration of an Even Start grant) will be for a term of 4 years provided that sufficient progress is made towards meeting program objectives in relation to the Pennsylvania Family Literacy Program Performance Standards. The Commonwealth will not, however, issue a 4-year grant. Each year, or Grant Year, grantees will be required to apply for continuation funding. At the end of the grant period, grantees will be authorized to reapply and compete with other applicants for another 4-year term. Upon the completion of 8 years, special provisions apply to the continuation of program operations. Refer to the Application Guidelines for details.

Restrictions—

1) The Federal program requires a local contribution/matching funds in addition to the requested grant amount. The total cost of the program is to be supported by grant funds and a "local share." The Even Start statute requires a graduated increase in the local share, which ranges from 10% (in the first year) to 65% depending upon the year of operation (see Application Guidelines for details).

2) Section 1234 of the Even Start statute prohibits a local program from using grant funds for indirect costs. This restriction includes the project's matching funds (local share).

*Application Procedures—*Even Start Renewal and New applications must be completed online and submitted by means of the eGrants web site at <http://egrants.ed.state.pa.us> to the Bureau, on or before June 7, 2010.

Instructions and the Adult Education and Family Literacy Guidelines, along with the appendices for all Family Literacy programs and Even Start programs, are available on the Department's web site at <http://www.education.state.pa.us> and by means of the eGrants web site.

THOMAS E. GLUCK,
Acting Secretary

[Pa.B. Doc. No. 10-992. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to 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 (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<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 a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the 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 an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional 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. Comments 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 a public hearing 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: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0063061 (Industrial Waste)	Ashland Area Municipal Authority 18 South 17th Street Ashland, PA 17921	Schuylkill County Butler Township	Unnamed Tributary to Little Mahanoy Creek 06B	N

Southcentral Region: Water Management 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>
PA0037141 (IW)	Fish and Boat Commission—Huntsdale State Fish Hatchery Benner Spring Fish Research Station 1735 Shiloh Road State College, PA 16801-8495	Cumberland County Penn Township	7E Yellow Breeches Creek	Y
PA0070271 (Sew)	Maidencreek Township Authority 1 Quarry Road Blandon, PA 19510	Berks County Ontelaunee Township	3B Willow Creek	Y

<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>
PA0086525 (Sew)	Centre Township Municipal Authority—Kingsgate Subdivision WWTP 449 Bucks Hill Road Mohrsville, PA 19541	Berks County Centre Township	3B UNT Irish Creek	Y

Northwest Region: Water Management 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>
PA0223000	Mark Wineman, d/b/a Kalyumet Campgrounds 8630 Miola Raod Lucinda, PA 16235	Clarion County Highland Township	Callihan Run 17-B	Y

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

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

PA0020915, Sewage, **Pine Grove Joint Treatment Authority**, 115 Mifflin Street, Pine Grove, PA 17963. This proposed facility is located in Pine Grove Township, **Schuylkill County**.

Description of Proposed Activity: Discharge of treated sewage.

The receiving stream, Swatara Creek, is in the State Water Plan watershed 7D and is classified for: Cold Water Fishes. The nearest downstream public water supply intake for Derry Township located on Swatara Creek is greater than 20 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.5 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
COD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5/1 to 10/31)	9.6	14.4	19.2
(11/1 to 4/30)	29		
Dissolved Oxygen	A minimum of 6.0 mg/l at all times.		
Fecal Coliform	200/100 ml as a Geometric Mean		
(5/1 to 9/30)	2,000/100 ml as a Geometric Mean		
(10/1 to 4/30)	6.0 to 9.0 Standard Units at all times.		
pH			
Total Residual Chlorine	0.5		1.2
Phosphorus	2.0	3.0	4.0

Chesapeake Bay Tributary Strategy Nutrient Requirements

<i>Parameter</i>	<i>Concentration (mg/L)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly Load</i>	<i>Annual Load</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	
Nitrate-Nitrate as N	Report	Report	
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen		Report	27,397*
Net Total Phosphorus		Report	3,653*

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

• The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2012. Since these reporting requirements are annual DMR loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2012.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

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

1. Whole Effluent Toxicity (WETT) requirement.
2. Chesapeake Bay Nutrient Requirements.

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

Application No. PA0026743, Sewage, **Lancaster City**, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17608-1599. This facility is located in Lancaster City, **Lancaster County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Conestoga Creek, is in Watershed 7-J, and classified for warm water fishery, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Holtwood power plant is located on the Susquehanna River, approximately 23 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 32.08 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.5		5
(11-1 to 4-30)	7.5		15
Total Phosphorus	0.13		0.42
Total Residual Chlorine	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

Chesapeake Bay Requirements

	<i>Concentration (mg/L)</i>		<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report	Report
Kjeldahl-N	Report	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	Report	XXX
Total Nitrogen	Report	Report	Report	Report
Total Phosphorus	Report	Report	Report	Report
Net Total Nitrogen	XXX	Report	Report	620,248
Net Total Phosphorus	XXX	Report	Report	77,318*

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

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

PA0215856-A1, Industrial Waste, SIC 4941, **Blairsville Municipal Authority**, 203 East Market Street, Blairsville, PA 15717. This application is for an amendment of an NPDES permit to discharge treated clarifier and filter backwash water from a new Outfall No. 002 in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Trout Run, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Highridge Water Authority, located at Blairsville, ~6 miles below the discharge point.

Outfall 002: existing discharge, average flow of 0.165 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30	60	
Iron (Total)			1.9	3.8	
Aluminum (T)			0.6	1.2	
Manganese (T)			1.0	2.0	
Total Residual Chlorine			0.25	0.5	
pH (S.U.)	not less than 6.0 nor greater than 9.0				

Other Conditions: Control residual solids and floating solids, DMR Submittals, Total Residual Chlorine conditions and chemical additives.

The EPA waiver is in effect.

PA0252701, Industrial Waste, SIC 4922, **Dominion Transmission, Inc., DL Clark Building**, 501 Martindale Street, Suite 400, Pittsburgh, PA 15212-5187. This application is for renewal of an NPDES permit to discharge treated process water from South Bend Compressor Station in South Bend Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Crooked Creek, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority-Freeport, located at Freeport, 37.53 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0025 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Total Suspended Solids			35		70
Iron, Dissolved					7.0
Iron, Total			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is not in effect.

PA0254096, Industrial Waste, SIC 3499, **Evans Machining Service**, 314 State Street, Clairton, PA 15025-1914. This application is for issuance of an NPDES permit to discharge treated process water from a manganese/phosphate metals coating line in Clairton Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is PA American Water Company-Pittsburgh, located at Pittsburgh, 17.1 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.00288 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Cadmium, Total			0.07	0.11	
Chromium, Total			1.71	2.77	
Copper, Total			2.07	3.38	
Lead, Total			0.43	0.69	
Nickel, Total			2.38	3.98	
Silver, Total			0.24	0.43	
Zinc, Total			1.48	2.61	
Cyanide, Total			0.65	1.20	
Total Toxic Organics				2.13	
Oil & Grease			15	30	
Total Suspended Solids			31	60	
Total Dissolved Solids			Monitor and Report		
Sulfate			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is not in effect.

PA0216852, Sewage, **TRC, Inc.**, 441 Route 31, Ruffsdale, PA 15679. This application is for renewal of an NPDES permit to discharge treated sewage from TRC Estates Sewage Treatment Plant in East Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Buffalo Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority.

Outfall 001: existing discharge, design flow of 0.008 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	8.0			16.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. 2209401, Amendment 10-1, Sewerage, **Gratz Brough Municipal Authority**, P. O. Box 305, Gratz, PA 17030-0305. This proposed facility is located in Gratz Borough, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for changes to their sludge processing process.

WQM Permit No. 2208401, Amendment 10-1, Sewerage, **Williamstown Borough Authority**, 217 East Market Street, Williamstown, PA 17098. This proposed facility is located in Williamstown Borough, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for upgrades to their existing sewage treatment plant.

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

WQM Permit No. 467S021-A5, Sewerage, **Masontown Municipal Authority**, 2 Court Street, Masontown, PA 15461-1841. This existing facility is located in Masontown Borough, **Fayette County**.

Description of Proposed Action/Activity: Application for permit amendment.

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

WQM Permit No. 3796401, Sewerage, **Amendment No. 2, New Castle Sanitation Authority**, 110 East Washington Street, New Castle, PA 16101. This proposed facility is located in City of New Castle, **Lawrence County**.

Description of Proposed Action/Activity: The New Castle Sanitation Authority (NCSA) is proposing to install a sludge de-watering Rotary Press. The project activities include the addition of one de-watering unit, associated polymer feed system and sludge and wash water piping.

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

V. Applications for NPDES Wavier Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

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

Luzerne County Conservation District: Smith Pond Road, Route 485, Lehman, PA 18627-0250, 570-674-7991.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024009005	Department of Conservation and Natural Resources Bureau of State Parks Attn: John Norbeck P. O. Box 8551 Harrisburg, PA 17105-8551	Luzerne	White Haven Borough	Linesville Creek CWF, MF Lehigh River HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI035010001	Kenneth Dommel 89 Covered Bridge Road Pequea, PA 17565	Perry	Saville Township	Panther Creek HQ-CWF
PAI033610003	Charter Homes at Grandview 1190 Dillerville Road Lancaster, PA 17601	Lancaster	Manheim Township	Conestoga River WWF

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

McKean County Conservation District, 17137 Route 6, Smethport, PA 16749, 814-887-4001.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI 0642 08 002(2)	Norwich Township 3853 West Valley Road Smethport, PA 16749	McKean	Norwich Township	UNT to Walcott Brook Walcott Brook CWF

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

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under the act of July 6, 2005 (Act 38 of 2005, 3 Pa.C.S. §§ 501—522) (hereinafter referred to as Act 38), and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92. This notice is provided in accordance with 25 Pa. Code Chapter 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

The address for the SCC is Agriculture Building, Room 407, 2301 North Cameron Street, Harrisburg, PA 17110.

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Curvin Martin 322 Hatchery Lane Dalmatia, PA 17017	Northumberland	12.1	59.6	Ducks	None	Amendment

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (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 any related documents are on file at the office listed before the application and are available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability who 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 should 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

Central Office: Bureau Director, Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467.

Permit No. 9996578, Public Water Supply.
 Applicant **Brazos Valley Spring Water**
 Township or Borough Mineral Wells, TX
 Responsible Official Jeff Parker, President
 Type of Facility Out-of-State Bottled Water System
 Application Received Date May 06, 2010
 Description of Action Applicant requesting the Department of Environmental Protection approval to sell bottled water in Pennsylvania under the brand name: Eventide Natural Spring Water.

Permit No. 9996577, Public Water Supply.
 Applicant **DS Waters of America, Inc.**
 Township or Borough Chicago, IL

Responsible Official Lisa Thorn
 Quality Assurance Manager
 Type of Facility Out-of-State Bottled Water System
 Application Received Date April 26, 2010
 Description of Action Applicant requesting the Department of Environmental Protection approval to sell bottled water in Pennsylvania under the brand names: Hinckley Springs Spring Water, Hinckley Springs Distilled Water, Hinckley Springs Spring Water with Fluoride, Hinckley Springs Purified Water, Nursery Springs Purified Water, Baby Basics Purified Baby Water and Smart Sense Purified Water.

Permit No. 9996576, Public Water Supply.
 Applicant **Ice River Springs Water Company, Inc.**
 Township or Borough Pittsfield, MA
 Responsible Official John Fudge
 Director Quality Assurance
 Type of Facility Out-of-State Bottled Water System
 Application Received Date May 3, 2010
 Description of Action Applicant requesting the Department of Environmental Protection approval to sell bottled water in Pennsylvania under the brand name: Member's Mark Spring Water.

Permit No. 9996408, Public Water Supply.
 Applicant **Nestle Waters North America, Inc.**
 Township or Borough Lorton, VA
 Responsible Official Rick McConnell, Plant Manager
 Type of Facility Out-of-State Bottled Water System
 Application Received Date April 14, 2010
 Description of Action Applicant requesting the Department of Environmental Protection approval to sell the Nestle Pure Life Purified Bottled Water product in Pennsylvania. Their public water system permit will be amended to include this product.

Permit No. 9996374, Public Water Supply.
 Applicant **CG Roxane, LLC**
 Township or Borough Salem, SC
 Responsible Official Keith Umberger, Plant Manager
 Type of Facility Out-of-State Bottled Water System

Application Received Date April 12, 2010

Description of Action Applicant requesting major permit amendment to approve use of a new well as source for water bottling. The permit amendment will approve their newly constructed Well No. 16.

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

Application No. 3390073, Public Water Supply.

Applicant **Lehigh County Authority**

Township or Borough Lower Macungie Township
Lehigh County

Responsible Official Aurel M. Arndt
General Manager
Lehigh County Authority
1053 Spruce Street
P. O. Box 3348
Allentown, PA 18106

Type of Facility Community Water System

Consulting Engineer Matthew D. Warfel, P. E.
ARRO Consulting, Inc.
270 Granite Run Drive
Lancaster, PA 17601-6804
717-560-2767

Application Received Date May 10, 2010

Description of Action Application for approval of 4-log treatment of viruses at Entry Point 113.

Application No. 3390073, Public Water Supply.

Applicant **Lehigh County Authority**

Township or Borough Lower Macungie Township
Lehigh County

Responsible Official Aurel M. Arndt
General Manager
Lehigh County Authority
1053 Spruce Street
P. O. Box 3348
Allentown, PA 18106

Type of Facility Community Water System

Consulting Engineer Matthew D. Warfel, P. E.
ARRO Consulting, Inc.
270 Granite Run Drive
Lancaster, PA 17601-6804
717-560-2767

Application Received Date May 10, 2010

Description of Action Application for approval of 4-log treatment of viruses at Entry Point 115.

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Application No. 0810501—Construction, Public Water Supply.

Applicant **Wysox Township Municipal Water Authority**

Township or Borough Wysox Township

County **Bradford**

Responsible Official Robert C. Williams, Chairperson
Wysox Township Municipal Water Authority
724 Main Street
Towanda, PA 18848

Type of Facility Public Water Supply—Construction

Consulting Engineer William A. Sauserman, P. E.
Stiffler, McGraw & Associates, Inc.
1731 North Juniata Street
Hollidaysburg, PA 16648

Application Received May 5, 2010

Description of Action Construction of a water distribution system to serve residents in a portion of Wysox Township. Water will be supplied by the Towanda Municipal Authority.

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

Permit No. 0210513, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
P. O. Box 888
Hershey, PA 17033

Township or Borough City of Pittsburgh
Baldwin Borough

Responsible Official David R. Kaufman, P. E.
Pennsylvania American Water Company
800 West Hersheypark Drive
P. O. Box 888
Hershey, PA 17033

Type of Facility Hays Mine water treatment plant

Consulting Engineer

Application Received Date April 29, 2010

Description of Action Switch from ferric chloride to ferric polymer blend for coagulation at the Hays Mine water treatment plant.

Permit No. 0210514, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
P. O. Box 888
Hershey, PA 17033

Township or Borough Washington and Union Townships

Responsible Official David R. Kaufman, P. E.
Pennsylvania American Water Company
800 West Hersheypark Drive
P. O. Box 888
Hershey, PA 17033

Type of Facility	E. H. Aldrich water treatment plant
Consulting Engineer	
Application Received Date	April 29, 2010
Description of Action	Switch from ferric chloride to ferric polymer blend for coagulation at the E. H. Aldrich water treatment plant.

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—6026.908).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (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. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must 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, a combination of the cleanup standards or who 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 any 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 sites identified, 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. 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 before which the notice appears. 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:

Northeast Region: Ronald S. Brezinski, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Krause Dodge, 4315 Route 309, North Whitehall Township, **Lehigh County**. James Koval, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015 has submitted a Notice of Intent to Remediate (on behalf of his client, Paul Kobal, P. O. Box 192, Schnecksville, PA 18078), concerning the remediation of soil found to have been impacted by lead as a result of historical operations at the site, which included the operation of a former service station. The applicant proposes to remediate the site to meet the Statewide Health Standard. The proposed future use of the property will be nonresidential for commercial use. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

Mayfield Elementary School, 501 Linden Street, Mayfield Borough, **Lackawanna County**. Richard H. Doran and Martha Macklin have submitted a Notice of Intent to Remediate (on behalf of their client, Lakeland School District, 1355 Lakeland Drive, Scott Township, PA 18433), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of an overflow from a delivery of heating oil to a 3,000-gallon underground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. A summary of the Notice of Intent to Remediate was published in *The Scranton Times* on March 12, 2010.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Renewal Applications Received

Healthcare Waste Solutions of PA, LLC, d/b/a Genesis Environmental, Industrial Manor ii, 380 Locust Street, McKeesport, PA 15132. License No. PA-HC 0217. Received on January 28, 2010.

Orchard Hill Memorial Park, Inc., 187 Route 94, Lafayette, NJ 07848. License No. PA-HC 0163. Received on February 8, 2010.

Advant-EDGE Solutions, Inc., 927 Red Toad Road, North East, MD 21901. License No. PA-HC 0239. Received on April 19, 2010.

Environmental Waste Minimization, Inc., 14 Brick Kiln Court, Northampton, PA 18067-9784. License No. PA-HC 0219. Received on April 28, 2010.

**OPERATE WASTE PROCESSING OR DISPOSAL
AREA OR SITE**

Application(s) received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and 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 Application No. 301358. Phoenix Resources, Inc., 782 Antrim Road, Wellsboro, PA 16901, Duncan Township, **Tioga County**. A new permit application for the conversion of an existing municipal c/d site to a residual waste disposal facility was submitted to the Northcentral Regional Office on May 7, 2010. A Local Municipal Involvement Process meeting will be scheduled.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3636. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

Permit ID #100663. Kelly Run Sanitation, Inc., 625 Cherrington Parkway, Moon Township, PA 15108. Kelly Run Landfill, SR 51, 1500 Hayden Boulevard, Elizabeth, PA 15037-0333. An application for the renewal of a municipal waste landfill in Forward Township, **Allegheny County** was received in the Regional Office on May 13, 2010.

Permit ID #101674. McCutcheon Enterprise, Inc., 250 Park Road, Apollo, PA 15613. McCutcheon Biosolids Treatment Facility, 250 Park Road, Apollo, PA 15613. An application for the renewal of a municipal and residual waste transfer/processing facility in Allegheny Township, **Westmoreland County** was received in the Regional Office on May 17, 2010.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, Floor 14, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR124. P.H. Glatfelter Co., 228 South Main Street, Spring Grove, PA 17362. General Permit Numbered WMGR124 is for the recovery/removal of approximately 500,000 cubic yard of bark and wood waste from a Lime/Bark Landfill in Zone 6 of the Glatfelter facility that is located in North Codorus

Township, **York County**. The bark and wood waste will be transported to an off-site facility, after being sampled and tested, for screening, blending and distributing for beneficial use as a mulch material. Central Office received the application on March 19, 2010, and determined it administratively complete on May 19, 2010.

Comments concerning the application should be directed to C. D. Vu, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department of Environmental Protection 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**

NEW SOURCES AND MODIFICATIONS

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

The Department has received applications for plan approvals and/or operating permits from the following facilities.

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is con-

structed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act (act) and regulations adopted under the act.

PLAN APPROVALS

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

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: M. Gorog and B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

65-00981B: Solar Power Industries, Inc. (440 Jonathan Willey Road, Belle Vernon, PA 15012) for installation of silicon ingot processing and wafer cutting for making raw solar cell material at their facility in Rostraver Township, **Westmoreland County**.

04-00108A: Armstrong World Industries (13th Street and 10th Avenue, P. O. Box 441, Beaver Falls, PA 15010) to make a case-by-case Maximum Available Control Technology determination for the Industrial, Commercial, and Institutional (ICI) Boilers located at their Beaver Falls Ceiling Plant in Beaver Falls, **Beaver County**.

04-00044C: Horsehead Corporation (300 Frankfort Road, Monaca, PA 15061) to make a case-by-case Maximum Available Control Technology determination for the Industrial, Commercial, and Institutional (ICI) Boilers located at their Monaca Zinc Smelter facility in Potter Township, **Beaver County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940.

24-166B: National Fuel Gas—Bowen Station (1100 State Street, Erie, PA 16512) for installation of two (2) 1,775 bhp natural gas compressor engines at their facility in Highland Township, **Elk County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920.

46-0054B: Abington Memorial Hospital (1200 Old York Road, Abington, PA 19001) for construction of one unit of natural gas-fired cogeneration system, rated at 39.47 mmBtu/hr (combined power and heat) located in Abington Township, **Montgomery County**. This facility is a non-Title V facility (Synthetic Minor). This construction will not result in an emission increase of total facility-wide limit for nitrogen oxides (NOx) being emitted into the atmosphere. The Plan Approval will contain monitoring requirements, recordkeeping requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

09-0075B: Dunmore Corp. (145 Wharton Road, Bristol, PA 19007) for installation of a regenerative thermal oxidizer at an existing plastic film and coating facility in Bristol Township, **Bucks County**. This thermal oxidizer will replace the currently permitted catalytic oxidizer. Facility-wide VOC and HAP emissions will remain the same as they are controlled through a previously permitted Permanent Total Enclosure and this oxidizer. NOx emissions are estimated to increase by a maximum of 2.15 tons to 6.03 tons per year due to the increased fuel usage in this larger oxidizer. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0172C: Gemalto, Inc. (101 Park Drive, Montgomeryville, PA 18936) for installation of a new Sakurai Screen Press at an existing facility located in Montgomeryville, **Montgomery County**. This press is being installed to replace an existing screen press. The primary pollutant of concern is volatile organic compound (VOC) emissions. Gemalto is categorized as a synthetic minor facility. The Plan Approval will contain 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: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940.

25-920D: Waste Management of Pennsylvania—Lake View Landfill (851 Robison Road East, Erie, PA, 16509) for expansion of their existing landfill at their facility in Summit Township, **Erie County**. This is a Title V facility.

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue Plan Approval 25-920D to Waste Management of Pennsylvania for the expansion of the existing landfill at the company's Lake View Landfill facility located at 851 Robison Road East, Summit Township, Erie County. The facility currently has a Title V permit No. 25-00920. The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 25-920D is for the proposed Southern Expansion of the existing Lake View Landfill (Source ID 101) and resulting modifications to the facility's landfill gas control system. Additionally, it will permit a 26 tons per year increase in the carbon monoxide emission limit for the facility's two (2) landfill gas fired generator engines. Based on the information provided by the applicant and the Department's own analysis, the proposed modifications will result in a potential emissions increase of 42.3 tons of volatile organic compounds (VOC), 26 tons of carbon monoxide and 7.3 tons of total Hazardous Air Pollutants (HAP).

The Plan Approval will contain additional testing, monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. The proposed modifications will additionally be subject to 40 CFR 60 Subpart WWW, 40 CFR 61 Subpart M and 40 CFR 63 Subpart AAAA, the applicable requirements of which are contained in the Plan Approval.

Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays

at the address shown. To make an appointment, contact Records Management at 814-332-6340.

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

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 25-920D.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

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

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter G.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507.

13-00005: Altadis USA, Inc. (1000 Tresckow Road, McAdoo, PA 18237-2504) for operation of a tobacco processing facility in Banks Township, **Carbon County**. This is a renewal of a Title V Operating Permit.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

06-05007: Carpenter Technology Corp. (101 Bern Street, Reading, PA 19601) for operation of a specialty steel alloy foundry controlled by various control devices in the City of Reading and Muhlenberg Township, **Berks County**. The facility is subject to 40 CFR Part 60, Subpart DC and AAA, standards of performance for new stationary sources, 40 CFR Part 61, Subpart E, Nation Emission Standards for Hazardous Air Pollutants and 40 CFR Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants. This action is a renewal of the title v operating permit issued in 2000.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174.

65-00173: Summerill Tube Corporation (P. O. Box 302, Franklin Street, Scottsdale, PA 15683) for stainless and other alloy steel tubing production at their Scottsdale Plant located in Scottsdale Borough, **Westmoreland County**. Primary air emission sources at this facility include nitric and hydrofluoric acid dip tanks, lubricant coating, and a vapor degreaser. Each acid dip tank is controlled by a wet scrubber. Secondary air emission sources include small natural gas-fired boilers, cutting saws, parts washers, storage tanks, drying ovens, a wet abrasive polishing system, wastewater pretreatment and groundwater treatment. This is a renewal of the Title V Operating Permit (TVOP) issued in 2001.

Potential emissions from the vapor degreaser and lubricant coating sources are limited to 47 tons of volatile organic compounds (VOCs), and therefore 47 combined tons of trichloroethylene (TCE) and toluene. With the preceding limitation, facility-wide potential emissions are estimated to be 47.55 tons of TCE and toluene combined, 0.36 ton of hydrofluoric acid, 47.91 tons of total hazardous air pollutants (HAPs), 49.14 tons of VOCs, 0.17 ton of nitric acid, 16.5 tons of nitrogen oxides (NOx) and 1.37 tons of carbon monoxide (CO). Included in the TVOP are applicable work practice, monitoring, recordkeeping and reporting requirements from Federal National Emission Standards for Hazardous Air Pollutants (NESHAPS) for halogenated solvent cleaning (40 CFR Part 63, Subpart T). VOC emission limits on the vapor degreaser and lubricant coating also serve to limit emissions of TCE and toluene. Also included in the permit are general Title V requirements and additional conditions supported by 25 Pa. Code Chapters 123, 127 and 135. Additional emission limits consist of limits on open burning, fugitive dust, malodors and visible emission opacity. Permit emission limits are maintained and verified with monitoring, recordkeeping and reporting requirements.

Copies of the Title V application, proposed operating permit and other relevant information are available for public inspection at the Department of Environmental Protection's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Those who wish to provide the Department of Environmental Protection with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Alan Binder, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the following:

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

Identification of the proposed Plan Approval (specify the Plan Approval number).

Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

For additional information you may contact Alan Binder at 412-442-4168.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

10-00027: Calumet Penreco, LLC (138 Petrolia Street, Karns City, PA 16041) for re-issuance of a Title V Permit to operate a high quality specialty oils and

lubricants manufacturing facility in Karns City Borough, **Butler County**. The facility's major emission sources include three boilers (66 mmBtu/hr, 91 mmBtu/hr and 91 mmBtu/hr), hydrotreater reactor furnace, hydrotreater reformer furnace, hydrotreater stripper furnace, kerosene unit furnaces, emergency diesel generator, two retort process heaters with a cyclone control, an Oleum process controlled by two venturi scrubbers, alcohol storage and handling, plant-wide fugitive emissions, wastewater treatment, small gasoline storage tank, naphtha rerun unit furnace, hydrotreater flare, kerosene/naphtha unit flare, and pumps and compressors. The facility is a major facility due to its potential to emit Volatile Organic Compounds, Sulfur Dioxide Compounds and Oxides of Nitrogen.

43-00182: Wheatland Tube Co. (One Council Avenue, Wheatland, PA 16161) for re-issuance of a Title V Permit to operate a steel pipe and tubes manufacturing facility in Wheatland Borough, **Mercer County**. The facility's major emission sources include three natural gas fired boilers (600 hp, 400 hp and 1,000 hp), continuous weld furnace, galvanizing kettles (2), coating lines (2), conduit metallizers (2), chromate treatments (2), coupling department, blow stations (2), pm threaders (2), outside pipe coating, galvanizing furnaces (2), miscellaneous heaters, miscellaneous parts washers, lime silo, wastewater evaporator and one waste oil space heater. The facility is a major facility due to its potential to emit Volatile Organic Compounds and Oxides of Nitrogen.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428. Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

15-00049: Taylor Industries, Inc. (35 Anderson Road, Parkerford, PA 19457) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in East Coventry Township, **Chester County**. Taylor Industries, Inc. is a manufacturer of quality marble fixtures (that is, lavatory tops, showers, tubs and whirlpools) for the home. The facility's primary emission sources are two (2) Gelcoat Spray Booths, five (5) mixers, a casting (molding) area and two (2) Resin Storage Tanks (cap. 4,500 gallon each). This action is a renewal of the State-only Operating Permit. The initial permit was issued on 7-5-2005. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507.

54-00056: Pine Grove Area School District (103 School Street, Pine Grove, PA 17963) for operation of a boiler at their facility in Pine Grove Borough, **Schuylkill County**. This permit will also incorporate the requirements of Plan Approval No. 54-302-075 for the use of coal or oil as fuel for the boiler. This action is a renewal of the State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

39-00020: Lehigh Valley Hospital—S Cedar Crest (1628 West Chew Street, School of Nursing, 3rd Floor, Allentown, PA 18105-7071) for a General Medical and Surgical Hospitals facility in Salisbury Township, **Lehigh County**. This is a renewal State-only Synthetic Minor operating permit for this facility. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

40-00085: Certech, Inc. (550 Stewart Road, Wilkes-Barre, PA 18706-1455) for operation of a ceramics manufacturing facility in Hanover Township, **Luzerne County**. This is a renewal of a State-only Operating Permit.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

44-03014: Barr Funeral Home, Inc. (120 Logan Street, Lewistown, PA 17044) for operation of a human crematory in Lewistown Borough, **Mifflin County**. This action is a renewal of the State-only operating permit issued in 2006. The permit renewal will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations.

06-05020: Craft-Maid Kitchens, Inc. (501 South 9th Street, Building C, Reading, PA 19602) for their wooden furniture manufacturing facility in the City of Reading, **Berks County**. This is a renewal of the State-only operating permit issued in 2005.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174.

65-00981: Solar Power Industries, Inc. (440 Jonathan Willey Road, Belle Vernon, PA 15012) for operation of cell and panel manufacturing at their facility in Rostraver Township, **Westmoreland County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940.

43-00304: Greenville Veterinary Clinic (409 East Jamestown Road, Greenville, PA 16125) to issue a renewal State-only Operating Permit for their facility in West Salem Township, **Mercer County**. The facility is a Natural Minor. The facility has a pet crematory. The renewal permit also contains emission restrictions, recordkeeping, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00348: American Cap Co., LLC—17 Church Plant (15 Church Street, Wheatland, PA 16161) for issuance of a Natural Minor Operating Permit to operate an activated carbon manufacturing facility, in Wheatland Borough, **Mercer County**. The facility's primary emission sources are the three (3) activated carbon manufacturing furnaces. The emissions of criteria pollutants from this facility are below major source levels.

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 Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). 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 of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated above each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for the certification.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by 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 above 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 related to 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.

Requests 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 a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

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

For noncoal mining activities, the proposed limits are found in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description below specifies the parameters. The limits will be in the ranges specified in Table 1.

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining that may occur, will be incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding Concerning Water Quality Management, NPDES Program Implementation and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads (TMDLs).

Persons wishing to comment on an NPDES permit application should submit a statement to the Department at the address of the district mining office indicated previously each application 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 § 92.61. The request or petition for a public hearing shall be filed within 30 days of this public notice and shall contain the name, address, telephone number and the interest of the party filing the request, and shall 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. In the case where a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal Applications Received

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

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

¹The parameter is applicable at all times.

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

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

30841316 and NPDES Permit # PA0213535, Consol PA Coal Company, LLC, (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Richhill and Morris Townships, **Greene County** to add acreage for development mining. Underground Acres Proposed 2,538.59, Subsidence Control Plan Acres Proposed 2,538.59. No additional discharges. Application received: March 18, 2010.

56961303 and NPDES Permit # PA0214957, Svonavec, Inc., (150 West Union Street, Suite 201, Somerset, PA 15501), to renew the permit for the Milford Mine in Milford Township, **Somerset County** and related NPDES permit. No additional discharges. Application received: February 24, 2010.

30831303, Cumberland Coal Resources, LP, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Whiteley Township, **Greene County**, ACOE Pittsburgh. Garards Fort, PA and Oak Forest, PA Quadrangle, Bound by the following points: N: 8.50 inches; W: 13.60 inches to N: 14.04 inches; W: 0.13 inch to N: 15.08 inches; W: 12/58 inch to N: 12.74 inches; W: 11.75 inches. This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15), and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize the stream restoration for pooling or flow loss due to longwall mining to four areas of Dyers Fork, five areas of UNT (Unnamed Tributary) 41264 to Dyers Fork, four areas of Dutch Run, one area of UNT 41247 to Dutch Run, three areas of UNT 41248 to Dutch Run, three areas of UNT 41392 to Whiteley Creek, two areas of UNT 41283 to Whiteley Creek, and two areas of UNT 41258 to Whiteley Creek. Written comments or objections on the request for Section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit, (Stream Module 15) may be submitted to the Department of Environmental Protection within 30 days of the date of this notice to the District Mining Office identified above. Comments should contain the name, address and telephone number of the person commenting, identification of the request for 401 Water Quality Certification and Chapter 105 permit application, (Stream Module 15) to which the comments or objections are addressed and a concise statement of comments, objections

or suggestions including relevant facts upon which they are based. The Water Obstruction and Encroachment permit application is available for review at the California District Mining Office, by appointment, at the address listed. Application received: August 3, 2009

30841316 and NPDES Permit # PA0213535, Consol PA Coal Company, LLC, (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Morris Township, **Greene County** to add surface acreage for installation of the 1A Airshaft and four associated boreholes. Surface Acres Proposed 10.8. No additional discharges. Application received: December 29, 2009.

30950701 and NPDES Permit # PA0215619, Consolidation Coal Company, (1 Bridge Street, Monongah, WV 26554), to renew the permit for the Hughes Hollow Slurry Impoundment in Wayne and Gilmore Townships, **Greene County** and related NPDES permit. No additional discharges. Application received: December 18, 2009.

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

32050102 and NPDES No. PA0249700, Thomas J. Smith, 2340 Smith Road, Shelocta, PA 15774, permit renewal for reclamation only of a bituminous surface and auger mine in Burrell Township, **Indiana County**, affecting 108.9 acres. Receiving stream(s): unnamed tributaries to Toms Run and Conemaugh River classified for the following use(s): cold water fishery and warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 30, 2010.

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

03070102 and NPDES Permit No. PA0251151, State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Three year renewal application with a status of not started for a bituminous surface mine, located in Washington Township, **Armstrong County**, affecting 413 acres. Receiving streams: unnamed tributaries to Limestone Run, classified for the following use: WWF. The potable water supplies with intakes within 10 miles downstream from the point of discharge: PA American Water Co., Kittanning Municipal Water Authority and Kittanning Joint Suburban Water Authority. Renewal application received: May 13, 2010.

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

10813005 and NPDES Permit No. PA0615218, Lucas Coal Co., Inc. (Three Rivers Management, Inc., d/b/a Lucas Coal Co., Inc., One Oxford Centre, Suite 3000, 301 Grant Street, Pittsburgh, PA 15219) Renewal of an

existing bituminous and tipple refuse disposal operation in Washington Township, **Butler County** affecting 222.5 acres. Receiving streams: Two unnamed tributaries to Slippery Rock Creek, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 6, 2010.

33890122 and NPDES Permit No. PA0207705. Terry Coal Sales, Inc. (P. O. Box 58, Distant, PA 16223) Renewal of an existing bituminous and auger operation in Knox, Oliver and Rose Townships, **Jefferson County** affecting 200.0 acres. Receiving streams: Unnamed tributary to Lick Run to Little Sandy Creek, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: May 10, 2010.

16090102 and NPDES Permit No. PA0258776. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) Revision to an existing bituminous surface strip operation to add 5.5 acres to the surface mining permit and add augering in Porter Township, **Clarion County** affecting 46.0 acres. Receiving streams: Unnamed tributary to Leisure Run, classified for the following: CWF. The first downstream potable water supply intake from the point of discharge is the Redbank Valley Municipal Authority. Application received: May 11, 2010.

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

17990104 and NPDES No. PA0238252. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for reclamation only of an existing bituminous surface mine located in Covington Township, **Clearfield County** affecting 66.1 acres. Receiving

streams: unnamed tributaries to Surveyor Run and Surveyor Run classified for Cold Water Fisheries. Application received: April 26, 2010.

17940116 and NPDES No. PA0219908. AMFIRE Mining Co., LLC (One Energy Place, Suite 2800, Latrobe, PA 15650). Permit renewal for reclamation only of an existing bituminous surface mine located in Penn Township, **Clearfield County** affecting 247.0 acres. Receiving streams: unnamed tributaries to Poplar Run and Poplar Run classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: April 28, 2010.

17930117 and NPDES No. PA0219584. RES Coal Co., LLC (P. O. Box 228, 224 Grange Hall Road, Armagh, PA 15920). Permit renewal of an existing bituminous surface mine located in Goshen Township, **Clearfield County** affecting 329.8 acres. Receiving streams: unnamed tributaries to Surveyor Run and Surveyor Run classified for Cold Water Fisheries. Application received: April 29, 2010.

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

54920201C6. Northeastern Power Company, (P. O. Box 7, McAdoo, PA 18237), correction to an existing anthracite coal refuse reprocessing operation to update the post-mining land use from Woodland to Unmanaged Natural Habitat and Industrial Commercial in Kline and Packer Townships, **Schuylkill and Carbon Counties** affecting 876.0 acres, receiving stream: none. Application received: May 11, 2010.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

20080301. Andrew M. Kosturick (8586 State Highway 285, Conneaut Lake, PA 16316) Revision to an existing large sandstone operation to add blasting in East Fallowfield Township, **Crawford County** affecting 41.6 acres. Receiving streams: Unnamed tributary to Crooked Creek, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 12, 2010.

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

5575SM1A3C8 and NPDES Permit No. PA0119555. Eastern Industries, Inc., (4401 Camp Meeting Road,

Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Clifford Township, **Susquehanna County**, receiving stream: East Branch of Tunkhannock Creek, classified for the following use: cold water fishery. Application received: May 12, 2010.

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 of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of 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 or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of

an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the 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. Individuals 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 each working day at the regional office noted before the application.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users should 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 Floodplain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, Telephone 570-826-2511.

E35-427. Francis Cunion, 2808 Scranton/Carbondale Highway, Blakely, PA 18447-2403, in Clarks Summit Borough, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To fill 0.04 acre of PFO wetland for the construction of a single family dwelling and to construct and maintain a water line and sanitary sewer line through approximately 85-feet of wetlands for the single family dwelling. The project is located approximately 0.20 mile south of the intersection of West Grove Street and SR 307 (Scranton, PA Quadrangle Latitude: 41° 29' 02"; Longitude: -75° 42' 58").

E35-426. Compression Polymers Group International, 801 Corey Street, Scranton, PA 18505, in City of Scranton, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a building addition of which approximately 17,500 square feet is in the floodway of Keyser Creek (CWF, MF). The project is located at 888 Keyser Avenue in the City of Scranton (Scranton, PA Quadrangle Latitude: 41° 25' 43"; Longitude: -75° 41' 25").

E39-506. Hanover Township, 2202 Grove Road, Allentown, PA 18103, in Hanover Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the construction of a roadway crossing of a Tributary to the Lehigh River (TSF, MF):

1. To remove the existing structure.
2. To construct and maintain a roadway crossing consisting of a 6.6-foot high by 20-foot wide concrete arch.
3. To construct and maintain approximately 2,300-feet of stream channel work consisting of the widening, regrading and reshaping of the channel and the planting of native vegetation within the channel.

The project is located approximately 0.12 mile north of the intersection of North Irving and Uoyd Streets (Catasauqua, PA Quadrangle Latitude: 40° 38' 04"; Longitude: -75° 26' 49").

E64-285. Dominick and Iva Profaci, 7 Gibbons Lane, New Paltz, NY 12561, in Paupack Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an 80-foot long by 4-foot wide seasonal dock access ramp constructed on pads within Lake Wallenpaupack (HQ-CWF); and to construct and maintain a 10-foot long by 4-foot wide gangway suspended between the dock access ramp and a 40-foot long by 4-foot wide floating dock adjoining a 10-foot long by 20-foot wide dock within Lake Wallenpaupack. The project is located along the western shoreline of Lake Wallenpaupack, approximately 0.1 mile south of the intersection of SR 590 (Purdytown Pike) and Lake Shore Drive (Hawley, PA Quadrangle Latitude: 41° 26' 45"; Longitude: -75° 12' 43").

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

E01-292: Fairfield Municipal Authority, 108 West Main Street, P. O. Box 263, Fairfield, PA 17320-9126, Hamiltonban Township, **Adams County**, ACOE Baltimore District.

The applicant proposes to remove 5,773.0 square feet of wastewater treatment tanks and structures and install and maintain 14,758.57 square feet of wastewater treatment structures in the 100-year flood plain of Spring Run Creek (CWF, MF) for the purpose of upgrading and expanding an existing sewage treatment plant. The project is located west of Fairfield Borough on Water Street (Fairfield, PA Quadrangle N: 6.5 inches; W: 14.95 inches, Latitude: 39° 47' 03.7"; Longitude: 77° 21' 53.6") in Hamiltonban Township, Adams County.

E36-869: Donegal Chapter of Trout Unlimited, Bob Kutz, P. O. Box 8001, Lancaster, PA 17604, Conowingo Creek Stream Restoration (Project #6), East Drumore Township, **Lancaster County**, ACOE Baltimore District.

To restore and stabilize 3,700.0 linear feet between a combination of three (3) watercourses: Conowingo Creek (HQ-CWF & PAFBC Wild Trout List), UNT Conowingo Creek (HQ-CWF & PAFBC Wild Trout List), and MacFarlands Run (HQ-CWF & PAFBC Wild Trout List), including the construction and maintenance of fifteen (15) rock deflectors, fourteen (14) muddills, one (1) toe riprap location, ten (10) cover logs, six (6) random boulder placements, eight (8) boulder walls, one (1) cattle crossing, one (1) wetland pocket extension in Conowingo Creek (HQ-CWF & PAFBC Wild Trout List); two (2) R-5 rip rap installation locations totaling 80.0 linear feet in UNT Conowingo Creek (HQ-CWF & Wild Trout List); one (1) rock deflector, one (1) boulder wall, and three (3) cattle crossings in MacFarlands Run (HQ-CWF & Wild Trout List); a herbaceous/forested riparian buffer having a varied width of 35.0 feet to 180.0 feet in and along Conowingo Creek (HQ-CWF & PAFBC Wild Trout List),

UNT Conowingo Creek (HQ-CWF & PAFBC Wild Trout List), and MacFarlands Run (HQ-CWF & PAFBC Wild Trout List), for the purpose of the Conowingo Creek TMDL Implementation Plan of 2006. The project is located on the Herb Weaver Farm approximately 0.39 mile east from the intersection of Conowingo and Spring Valley Roads (Wakefield, PA Quadrangle N: 14.5 inches; W: 9.0 inches, Latitude: 39° 49' 45.26"; Longitude: 76° 11' 25.99") in East Drumore Township, Lancaster County. There are no proposed wetland impacts.

E36-870. Suburban Lancaster Sewer Authority, James Witman, Authority Chairperson, P. O. Box 458, Lancaster, PA 17608-0458, West Lampeter Township, Lancaster County, ACOE Baltimore District.

To extend a 17.0-foot long by 2.0-foot wide by 6.75-foot deep concrete wall, stabilize 50.0 linear feet of streambank with geotextile and R-5 riprap, and fill two (2) scour holes with R-5 riprap in Mill Creek (WWF), for the purpose of addressing safety hazards, protecting the existing sewer line, and stabilizing the streambank. The project is located approximately 350 feet east of the Willow Street Pike (SR 222) bridge (Lancaster, PA Quadrangle 0.7 inch N; 6.1 inches W, Latitude: 40° 0' 12"; Longitude: 76° 17' 33") in West Lampeter Township, Lancaster County.

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E55-226. Todd A. Hoot, 200 Old Colony Road, Selinsgrove, PA 1787-9739. Hoot Crossing, in Penn Township, Snyder County, ACOE Baltimore District (Freeburg, PA Quadrangle Latitude: 40° 49' 24"; Longitude: 76° 52' 52").

Todd A. Hoot is applying for a small project permit to install a bridge across an unnamed tributary to Penns Creek, which carries a water quality designation of Cold Water Fishery. The proposed structure will sit on the ground along the right bank and have a concrete abutment on the left bank. The average under clear for the structure measures 6.5 feet to the center of the channel, with a deck width of 8 feet and length of 30 feet. This bridge is designed to be used for access to the remaining lawn across the stream for lawn maintenance vehicles.

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

E30-232. Department of Transportation, District 12, 825 North Gallatin Avenue Extension, Uniontown, PA 15401. To replace a steel truss bridge located within and between Masontown Borough, Fayette County to the east and Monongahela Township, Greene County to the west, Pittsburgh ACOE District (Masontown, PA Quadrangle N: 18.7 inches; W: 7.3 inches, Latitude: 39° 51' 11"; Longitude: 79° 55' 37"). The applicant proposes to remove the existing SR 21, two lane, approximately 43 ft. wide, eleven span, steel truss bridge having a total length of approximately 1,450 ft., and having minimum normal pool underclearance of 67 ft., and to construct and maintain a 72 ft. total width, four lane, seven span, steel truss replacement bridge having a total length of approximately 1,700 ft. and having minimum normal pool underclearance of 64 ft. over the Monongahela River (WWF). In addition, for project construction and demolition install temporary causeways; and construct and maintain associated replacement storm water outfalls to the Monongahela River (WWF). The bridge and road

improvement and project is located within and between Masontown Borough, Fayette County and Monongahela Township, Greene County.

E32-491. Department of Transportation, District 10, 2550 Oakdale Avenue, P. O. Box 429, Indiana, PA 15701. To replace two lane bridge in Fuffington and East Wheatfield Townships, Indiana County, Pittsburgh ACOE District (New Florence, PA Quadrangle N 16.7 inches; W 0.2 inch, Latitude: 40° 46' 19"; Longitude: 79° 8' 33"). The applicant proposes to remove the existing SR 403 two lane, 21 ft wide, two span bridge having a total length of 155 ft, and having a minimum underclearance of 15 ft; construct and maintain adjacent to and downstream a two lane 32 ft wide, two span bridge having a total length of 160 ft with an underclearance of 12.5 ft; for construction and demolition construct and remove temporary causeways; and construct and maintain associated stormwater outfalls over and in Blacklick Creek (TSF) with a drainage area of 139 square miles

E56-356. Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. To construct a bridge over Kimberly Run in Somerset Township, Somerset County, Pittsburgh ACOE District (Murdock, PA Quadrangle N: 20.2"; W: 7.2", Latitude: 39° 59' 12"; Longitude: 79° 3' 3"). The applicant proposes to construct and maintain a single span bridge of steel I beam construction, with a span of 48' and a treated wood deck with a width of 14' and an underclearance of 10' and supported by poured concrete abutments, over Kimberly Run (CWF), for the purpose of replacing an existing ford crossing and providing access to portions of State Game Lands 50.

E63-626. Oakbrooke-Muse Partners, LP, 300 Weyman Plaza, Suite 210, Pittsburgh, PA 15236. To remove existing and construct two 5 foot diameter pipe culverts in Cecil Township, Washington County, Pittsburgh ACOE District (Canonsburg, PA Quadrangle N: 5.9 inches; W: 10.2 inches, Latitude: 40° 16' 57"; Longitude: 80° 11' 54"). The applicant proposes to remove the existing structure and to construct and maintain two 5-foot diameter pipe culverts in Unnamed Tributary to Brush Run (WWF) on Oakbrooke Drive. To construct and maintain two outfall structures in the bank of said stream. The project is located in a proposed 135-lot residential sub-division located off SR 1005 (Muse-Bishop Road).

E65-936. Hempfield Township Supervisors, 1132 Woodward Drive, Greensburg, PA 15601. To replace an existing bridge in Hempfield Township, Westmoreland County, Pittsburgh ACOE District (Latrobe, PA Quadrangle N: 8.9"; W: 16.7", Latitude: 40° 17' 54.06" and Longitude: 79° 28' 45.6") The applicant proposes to onstruct and maintain a twin cell, 13.5' wide, 6.5' high, 151' long box culvert, consisting of a baffled primary cell and an unbaffled secondary cell, conveying an unnamed tributary to Jack's Run (WWF) under Township Road 398, for the purpose of replacing an existing bridge which has deteriorated.

Department of Environmental Protection, Bureau of Waterways Engineering, Water Management Program Manager, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8554, Harrisburg, PA 17105-8554.

Amendment to E4014-148, Swoyersville Borough, 675 Main Street, Swoyersville, PA 18704, Wade Run Stream Improvements Flood Control System, Swoyersville Borough, Luzerne County, USACOE Baltimore District.

This permit amendment is requested for improvements to, and extension of, the existing Wade Run Stream

Improvement Project. Project improvements begin approximately 480 feet upstream of the existing project at the intersection of Main and Brook Streets and ends approximately 350 feet downstream of the same intersection. Reference the USGS "Pittston" Quadrangle (North 10.5 inches and West 16.5 inches). The following activities and approximate quantities are associated with the construction of this project:

- Clear and grub 0.4 acre.
- Remove existing pavements on Main Street. Remove 70 LF of existing 60-inch CMP and 150 LF of existing 36-inch CMP.
- Install 430 LF of 6 by 4 precast concrete box culvert. Restore pavements.
- Construct a cast-in-place reinforced concrete inlet structure (slab and walls). Install a steel trash rack and a debris rack.
- Remove 10 LF of existing 5 by 6 reinforced concrete flood channel. Construct 10 LF of new 6 by 6 cast-in-place reinforced concrete flood channel.
- Raise 76 LF of existing reinforced concrete walls 3 feet.
- Place 40 CY of grouted riprap in existing stilling basin.
- Install 100 feet of 4-foot-tall chain link fence on concrete walls.
- Place topsoil and seed 0.35 acre.

Anticipated construction time is 5 months.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.

EA56-003CO. James Stoy, 166 Stoney Hollow Road, Somerset, PA 15501, Somerset Township, **Somerset County**, ACOE Pittsburgh District.

To construct a nonjurisdictional dam across a tributary to West Branch Coxes Creek (WWF) for agricultural

water supply. The dam is located approximately 1,200 feet southeast of the intersection of Coxes Creek and Sportsman Roads (Bakersville, PA Quadrangle N: 6.0"; E: 14.8", Latitude: 40° 01' 59"; Longitude: -79° 08' 37").

APPLICATIONS RECEIVED UNDER THE LIMITED POWER ACT

The following permit applications have been received by the Department of Environmental Protection (Department) under the Limited Power Act of June 14, 1923, P. L. 704 (as amended by the Act of July 19, 1935, P. L. 1363). Persons objecting to the issuance of a Limited Power Permit must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted previously 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 1-800-654-5984.

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D44-000LP. Minor Limited Power. Jonas D. Peachy, 122 Sunnyside Lane, Belleville, PA 17004. To construct, operate and maintain a micro-hydropower unit on the outlet pipe of an existing pond. Allensville, PA Quadrangle N: 7.5 inches; W: 11.0 inches in Menno Township, **Mifflin County**.

LP03-022. Major Limited Power. Mahoning Creek Hydroelectric Company, LLC, 150 North Miller Road, Suite 450C, Fairlawn, OH 44333. To construct, operate and maintain a new powerhouse with a turbine generating system having an installed capacity of 6.0 MW at the Mahoning Creek Dam owned by the U.S. Army Corps of Engineers. Distant, PA Quadrangle N: 8.5 inches; W: 3.9 inches in Wayne and Redbank Townships, **Armstrong County**.

ACTIONS

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY
MANAGEMENT (WQM) PERMITS**

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 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.

<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 related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is

subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth 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 set forth in the respective permit. 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, 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 the 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, (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 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, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0055328 (IW)	New Morgan Landfill Company, Inc. 420 Quarry Road Morgantown, PA 19543-0128	Berks County New Morgan Borough	Conestoga River 7-J	Y
PA0088641 (Sew)	Carol Rose 238 South Richard Street Bedford, PA 15522	Bedford County Juniata Township	UNT to Keggs Run 11-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0034851 Sewage	Parker Area Authority P. O. Box 342 Parker, PA 16049	Armstrong County Parker City	Allegheny River	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0223051	Connoquenessing Borough P. O. Box 471 Connoquenessing, PA 16027	Connoquenessing Borough Butler County	Unnamed tributary to Connoquenessing Creek 20-C	Y
PA0024511	Redbank Valley Municipal Authority 243 Broad Street New Bethlehem, PA 16242	Mahoning Township Armstrong County	Redbank Creek 17-C	Y

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

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

NPDES Permit No. PA0024058, Sewage, **Kennett Square Borough**, 120 Marshall Street, Kennett Square, PA 19348. This proposed facility is located in Kennett Square Borough, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 1.1 mgd of treated sewage from a facility known as Kennett Square Borough WWTP to the West Branch Red Clay Creek in Watershed 3-I.

NPDES Permit No. PA0244384, Sewage, **Ms. Stephanie Huntzinger**, 3947 Geryville Pike, Pennsburg, PA 18073. This proposed facility is located in Marlborough Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from a facility known as Huntzinger SRSTP to an Unnamed Tributary to Macoby Creek in Watershed 3-E.

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

Final Notice is hereby given that the Department of Environmental Protection (Department), after public notice, has on April 30, 2010 issued a National Pollutant Discharge Elimination System Permit to:

Permit No. PA0055328
New Morgan Landfill Company, Inc.
420 Quarry Road
Morgantown, PA 19543-0128

This notice reflects changes from the notice published in the *Pennsylvania Bulletin*.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Total Phosphorus			64 lbs/year as total annual average

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

NPDES Permit No. PA0261378, Sewage, **Sheetz, Inc. (Clarks Ferry Site)**, 5700 Sixth Avenue, Altoona, PA 16602. This proposed facility is located in Reed Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 12-B.

NPDES Permit No. PA0261394, Sewage, **Randy Macko**, 3315A Black Road, Halifax, PA 17032. This proposed facility is located in Jefferson Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to South Fork Powell Creek in Watershed 6C.

NPDES Permit No. WQG01071010, Sewerage, **Chad Swogger**, 2111 14th Street, Altoona, PA 16601. This proposed facility is located in Antis Township, **Blair County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow sewage treatment system to serve their single family residence located on Grandview and Becker Roads.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. 1309401, Sewerage, **Country Club Estates Condominium Association, Inc.**, 2930 Fairview Street, Allentown, PA 18104. This proposed facility is located in Mahoning Township, **Carbon County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for a new 30,000 gallons/day wastewater treatment plant to replace the existing system at Springdale Estates residential development and a new sewage collection system to serve 20 existing and 60 proposed townhouse units.

WQM Permit No. 4509403, Sewerage, **Tobyhanna Army Depot**, 11 Hap Arnold Boulevard, Tobyhanna, PA 18466-5086. This proposed facility is located in Coolbaugh Township, **Monroe County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the upgrade of the existing processing equipment at the Tobyhanna Army Depot wastewater treatment plant.

WQM Permit No. 4509405, Sewerage, **The Borough of Stroudsburg**, 700 Sarah Street, Stroudsburg, PA 18360. This proposed facility is located in Stroudsburg Borough, **Monroe County**.

Description of Proposed Action: Issuance of Water Quality Management Permit for the expansion and upgrade of the Borough of Stroudsburg's existing Sewage Treatment Plant from 2.5 MGD to 4.5 MGD, including a new outfall to McMichael's Creek.

WQM Permit No. 4010403, Sewerage, **Lower Lackawanna Valley Sanitary Authority**, P. O. Box 2067, 398 Coxton Road, Duryea, PA 18642. This proposed facility is located in Duryea Borough, **Luzerne County**.

Description of Proposed Action/Activity: The project involves headworks improvements at the Lower Lackawanna Valley Sanitary Authority's (LLVSA) existing sewage treatment facility consisting of the installation of two screw pumps, two self-cleaning bar screens and two aerated grit removal units.

WQM Permit No. 4009412, **Butler Township**, 415 West Butler Drive, Drums, PA 18222. This proposed facility is located in Butler Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for sanitary sewer extension to serve the Butler Commons residential development.

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

WQM Permit No. 2210401, Sewerage, **Sheetz, Inc., (Clarks Ferry Site)**, 5700 Sixth Avenue, Altoona, PA 16602. This proposed facility is located in Reed Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewage facilities consisting of: A grinder pump, prepackaged Ashbrook Simon-Hartley Integrated Membrane Activated Sludge (IMAS) system for the Sheetz gas station and convenience store located along 322 in the Clarks Ferry area. The IMAS system consists of an aerobic digester, anoxic compartment, aerobic compartment, high rate clarifier and two membranes with a back flush system.

WQM Permit No. 0609404, Sewerage, **Mr. Jay Vaughn, Director of Public Works**, 2800 Shillington Road, Sinking Spring, PA 19608-1682. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of: screening device, grit classifier, three-channel oxidation ditch, final clarifiers, UV system, effluent pump station with post aeration, alum pump with storage facilities, secondary digester, septage receiving station and buildings at Spring Township Wastewater Treatment Plant.

WQM Permit No. 2209404, Sewerage, **Randy S. Macko**, 3315A Black Road, Halifax, PA 17032. This proposed facility is located in Jefferson Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation sewerage facilities consisting of: A 1,250 gallon septic tank, STB-650 Ecoflo peat filter, tablet chlorinator and a 250-gallon chlorine contact tank to serve their residence.

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

WQM Permit No. 1110401, Sewerage, **Ferndale Borough**, 109 Station Street, Johnstown, PA 15905. This proposed facility is located in Ferndale Borough, **Cambria County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sewer system to replace the existing combined sewer system.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

WQM Permit No. 1009404, Sewerage, **Amendment No. 1, Butler Area Sewer Authority**, 100 Litman Road, Butler, PA 16001. This proposed facility is located in City of Butler, **Butler County**.

Description of Proposed Action/Activity: The Butler Area Sewer Authority has proposed to permit the remaining diversion, pumping and storage facility construction that will alleviate sewer system overflows and limit the peak flows to the Wastewater Treatment Plant.

WQM Permit No. WQG018737, Sewerage, **Larry Heberle**, 26904 Bruce Road, Bay Village, OH 44140. This proposed facility is located in Glade Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of a single Residence Sewage Treatment Plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI033610001	Lancaster County Transportation Authority 129 East Orange Street 3rd Floor Lancaster, PA 17604	Lancaster	Martic Township	UNT to Pequea Creek HQ-CWF
PAI030609004	Forrest Rohrbach DRST Financial Group 130 South 16th Street Emmaus, PA 18049-3302	Berks	Hereford Township	UNT to Perkiomen Creek HQ-CWF

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

Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA 17754, (570) 433-3003.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI044110001	Fisher Mining Company 40 Choate Circle Montoursville, PA 17754-9791	Lycoming	McHenry Township	Right Fork Otter Run HQ-CWF

Potter County Conservation District: 107 Market Street, Coudersport, PA 16915, (814) 274-8411, Ext. 4.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI045306006(1)	Dominion Transmission 445 West Main Street Clarksburg, WV 26301	Potter	Genesee, Oswayo and Sharon Townships	Redwater Creek CWF Orbed Creek CWF Butter Creek CWF Dutton Hollow Run CWF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI 0610 10 001	Mr. Thomas Rockovich Butler Area Sewer Authority 100 Litman Road Butler, PA 16001	Butler	City of Butler	Connoquenessing Creek WWF Sullivan Run WWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-2

Facility Location: Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Richland Township Bucks County	PAG0200 091013	Paws of Upper Bucks, LLC Bucks County SPCA P. O. Box 277 Lahaska, PA 18931-0227	Tohickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Richland Township Bucks County	PAG200 0906162-1	Gorski Engineering 1 Iron Bridge Drive Collegeville, PA 19426	Tohickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
Warwick Township Bucks County	PAG200 0905003-R	Mignatti Companies 2310 Tenwood Drive Huntingdon Valley, PA 19006	Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG200 0904044-R	Peter DiPalma 3546 Highgate Avenue Chalfont, PA 18914	Unnamed Tributary North Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitpain Township Montgomery County	PAG0200 461007	Sepctra Energy—Texas Eastern Transmission Corporation 890 Winter Street Suite 300 Waltham, MA 24510	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hatfield Township Montgomery County	PAG0200 4609099	Advanced Living Management 1290 Allentown Road Lansdale, PA 19451	Unnamed Tributary Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 51109 045	Philadelphia Healthcare Properties, Inc. 1600 Longens Gade St. Thomas, VI 00802	Tacony and Frankford Creeks WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Scott Township Lackawanna County	PAG2003506036(1)	Michael Gianetta 1038 Montdale Road Scott Township, PA 18447	Rush Brook CWF, MF Tributary to South Branch of Tunkhannock Creek CWF, MF	Lackawanna County Conservation District 570-281-9495
East Union Township Schuylkill County	PAG2005403032R(2)	Eagle Rock Resort Co., Inc. Attn: John Grohol 1031 Valley of Lakes Hazleton, PA 18201	Little Tomhicken Creek CWF, MF	Schuylkill County Conservation District 570-622-3742
West Pennsboro Township Cumberland County	PAG2002109018	Big Spring School District Richard Kerr, Jr. 45 Mount Rock Road Newville, PA 17241	Mount Rock Spring Creek WWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 717-240-7812
Cumberland Township Gettysburg Borough Adams County	PAG2000110002	Bob Kirby, Superintendent Gettysburg National Military Park 1195 Baltimore Pike Gettysburg, PA 17325	UNT to Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
Scott Township Columbia County	PAG2001909002	Mark McIntyre GMI Investments, LLC 328 Buttonwood Street Reading, PA 19601	UNT to Kinney Run CWF UNT to Fishing Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310 Ext. 102
Danville Borough Montour County	PAG2004710002(1)	Danville Area School District 600 Walnut Street Danville, PA 17821	Sechlar Run CWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140

*Facility Location:
Municipality &
County*

<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>
Charleston Township Tioga County	PAG2005909006(1)	Gary Butters 54 Railroad Avenue Mansfield, PA 16933	UNT North Elk Run CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801 Ext. 3
Somerset County Garrett Borough	PAG02005610001	Somerset County Commissioners and Department of Transportation 300 North Center Avenue Suite 500 Somerset, PA 15501	Bigby Creek and Casselman River CWF	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4352
Washington County Chartiers Township	PAG2006305018-R	Maronda Homes, Inc. 1383 SR 30 Clinton, PA 15026	UNT to Allison Hollow WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774
Washington County North Strabane Township	PAG2006310002	Brimark Associates—Thomas Shea 122 Cedar Lane McMurray, PA 15317	Chartiers Creek WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774
Butler Township Butler County	PAG02 0010 10 002(1)	Butler Area Sewer Authority 100 Litman Road Butler, PA 16001	Sawmill Run WWF	Butler County Conservation District 724-284-5270
Cranberry Township Butler County Marshall Township Allegheny County	PAG02 0010 10 005	Regional Industrial Development Corporation of Southwestern PA 425 Sixth Avenue Suite 500 Pittsburgh, PA 15219	Brush Creek WWF	Butler County Conservation District 724-284-5270

*General Permit Type—PAG-3**Facility Location:
Municipality &
County*

<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>
Bedford County Bedford Township	PAR203612	Kennametal, Inc.—Bedford Facility 442 Chalybeate Road Bedford, PA 15522-8637	Unt Dunning Creek WWF 11-C	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Adams County Oxford Township	PAR203580	New Oxford Aluminum Company, Inc. 4942 York Road New Oxford, PA 17350	South Branch Conewago Creek WWF 7-F	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Red Lion Borough	PAR123524	ConAgra Foods, Inc. 321 Taylor Avenue Red Lion, PA 17356-2211	Pine Run CWF 7I	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Allegheny Township	PAR603503	Jim Nagle's Rebuilt Truck Parts & Sales, Inc. P. O. Box 275 Duncansville, PA 16635-0275	UNT Gillian's Run CWF 11-A	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Blair County	PAR603554	Tyrone Auto Salvage 5053 East Pleasant Valley Boulevard Tyrone, PA 16686	Little Juniata River TSF 11-A	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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>
City of Saint Marys Elk County	PAR808369	Saint Marys Area Airport Authority P. O. Box 89 Saint Marys, PA 15857	Hellfire Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4**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>
Blair County Antis Township	PAG043900	Chad Swogger 2111 14th Street Altoona, PA 16601	Sugar Run WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Rose Township Jefferson County	PAG049576	David L. Buck PW Hardwood, LLC 11424 Route 36 Brookville, PA 15825	Beaver Run 17-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Glade Township Warren County	PAG049564	Larry Heberle 26904 Bruce Road Bay Village, OH 44140	Allegheny River 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection 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, 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 the 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, (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 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, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro

bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 6088501, Minor Amendment—Operation, Public Water Supply.

Applicant	Pennsylvania American Water
Township or Borough	White Deer Township
County	Union
Responsible Official	David R. Kaufman Vice President, Engineering Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Joel A. Mitchell, P. E. PA American Water 852 Wesley Drive Mechanicsburg, PA 17055
Permit Issued Date	May 12, 2010
Description of Action	Operation of the equipment that has been installed to add potassium permanganate to water in the White Deer Creek Filter Plant on an as-needed basis.

Permit No. 4496574 EP100—Permit-By-Rule, Public Water Supply.

Applicant **Tri-County Water Treatment**
 Township or Borough Point Township
 County **Northumberland**
 Responsible Official Bryan Luden
 Tri-County Water Treatment
 619 Point Township Drive
 Northumberland, PA 17857
 Type of Facility Public Water Supply—Operation
 Consulting Engineer N/A
 Permit Issued Date May 18, 2010
 Description of Action Operation of a water vending machine within the Northcentral Region.

Permit No. Minor Amendment—Operation, Public Water Supply.

Applicant **Driftwood Borough Water System**
 Township or Borough Driftwood Borough
 County **Cameron**
 Responsible Official James McMillan
 Facility Manager
 Driftwood Borough Water System
 P. O. Box 235
 Driftwood, PA 15832
 Type of Facility Public Water Supply—Operation
 Consulting Engineer Andy Johnson, P. E.
 Gwin, Dobson & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602
 Permit Issued Date May 17, 2010
 Description of Action Operation of the water treatment facility upgrades and building addition.

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

Permit No. 3209502, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
 602 Kolter Drive
 Indiana, PA 15701
 Borough or Township Plumville Borough
 County **Indiana**
 Type of Facility New public water supply system
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 P. O. Box 853
 Latrobe, PA 15650
 Permit to Construct Issued May 17, 2010

Permit No. 0210508, Public Water Supply.

Applicant **Municipal Authority of the Borough of Edgeworth**
 313 Beaver Road
 Sewickley, PA 15143

Borough or Township Leetsdale and Ambridge Boroughs
 County **Allegheny and Beaver**
 Type of Facility Leetsdale Industrial Park Service Improvements
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Permit to Construct Issued May 18, 2010

Permit No. 0210507, Public Water Supply.

Applicant **Municipal Authority of the Borough of Edgeworth**
 313 Beaver Road
 Sewickley, PA 15143
 Borough or Township Edgeworth Borough
 County **Allegheny**
 Type of Facility Singer Pump Station and improvements to the Singer Pressure District
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Permit to Construct Issued May 18, 2010

Permit No. 0210506, Public Water Supply.

Applicant **Municipal Authority of the Borough of Edgeworth**
 313 Beaver Road
 Sewickley, PA 15143
 Borough or Township Edgeworth, Leetsdale and Bell Acres Boroughs
 Leet Township
 Ambridge Borough
 County **Allegheny and Beaver**
 Type of Facility SCADA system improvements
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Permit to Construct Issued May 18, 2010

Permit No. 0210505, Public Water Supply.

Applicant **Municipal Authority of the Borough of Edgeworth**
 313 Beaver Road
 Sewickley, PA 15143
 Borough or Township Leetsdale Borough
 County **Allegheny**
 Type of Facility Installation of 3,900 L.F. of 12-inch waterline along SR 65.
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Permit to Construct Issued May 18, 2010

Permit No. 0210501, Public Water Supply.
 Applicant **Municipal Authority of the Borough of Edgeworth**
 313 Beaver Road
 Sewickley, PA 15143
 Borough or Township Leet Township
 County **Allegheny**
 Type of Facility New HealthSouth water storage tank with a mixing system and the replacement of the sodium hypochlorite feed system.
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Permit to Construct May 18, 2010
 Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Cornplanter Township	136 Petroleum Center Road Oil City, PA 16301	Venango

Plan Description: The approved plan provides for extension of sewerage service to McClintockville, Clapp Farm and the Route 8 industrial corridor south in Cornplanter Township. Treatment will be provided by the Oil City Sewage Treatment Plant. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Maidencreek Township	1 Quarry Road P. O. Box 319 Blandon, PA 19510	Berks

Plan Description: The approved plan provides for an onlot disposal system (OLDS) management ordinance to address all OLDS in the municipality. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Snake Spring Township	373 Penn Knoll Road Everett, PA 15537	Bedford

Plan Description: The approved plan provides for construction of a Small Flow Treatment Facility, to repair a malfunctioning onlot sewage system, for the 1.57 acre property owned by Jack and Evelyn Leach. The proposed sewage flows are 400 gallons per day with a discharge to a surface drainage way tributary to Snake Spring Valley Run. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Girard Township	10140 Ridge Road Girard, PA 16417	Erie

Plan Description: The plan has been disapproved due to circumstances that no longer require the connection of the Imperial Point STP to the Girard Borough WWTP at this time. The plan was disapproved in accordance with the April 9, 2010 consent order and agreement between the Department of Environmental Protection and Girard Township.

NOTICE OF PROMPT INTERIM RESPONSE

Punxsutawney Groundwater Contamination Site
 Punxsutawney Borough, Jefferson County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act, 35 P. S. §§ 6020.101—6020.1305 (HSCA), will conduct a response action at the Punxsutawney Groundwater Contamination Site (site). The site, as it is currently understood, is located in a light industrial/residential area in Punxsutawney Borough, Jefferson County, PA. The approximate site boundaries are Walnut Street to the West, Sutton Street to the South, Chestnut Street to the East and Cherry Street to the North. The site is an approximately two city blocks including several small industrial buildings adjacent to residential housing lots.

This response is intended to help mitigate the threats to human health and the environment at the site that are posed by wastes illegally disposed beneath the floor of the former Berlin Metal Polishers manufacturing building (Building), located at 400 Walnut Street. This is the same general area where the United States Environmental Protection Agency conducted a soil removal action in the late 1980's and a Department response in 2007 that removed additional contaminated soils. Hazardous substances are present in illegally disposed wastes and associated impacted soils beneath the Building. These wastes contain hazardous substances that have leached into the surrounding soil, and are believed to be a significant source of groundwater contamination at the site. These wastes have also weakened the concrete floor/walls of the Building and are a contributing factor in compromising its structural integrity. A second building, a home located at 617 Cherry Street (House), has also been

impacted by the migration of site-related hazardous substances. The Department has also determined that its demolition is warranted.

For this prompt interim response, the Department considered two alternatives for the Building and House at the site: 1) no action; and 2) demolish the weakened Building and contaminated House to allow for the post demolition removal of hazardous wastes and associated impacted soils buried beneath the floor of the Building and in the basement of the House. Following excavation, the excavated wastes and soils will be characterized for proper off-site disposal. Building/House demolition wastes/materials will be separated for proper recycling or disposal. The elimination of this source area will help to mitigate the groundwater contamination at the site, and eliminate potential exposure to trespassers to the Building or House.

Each alternative was evaluated with respect to four comparison criteria of: (1) the extent to which each alternative protects the public health and the environment; (2) the extent to which each alternative complies with or otherwise addresses Applicable or Relevant and Appropriate Requirements; (3) the extent to which each alternative is feasible, effective, implementable and permanent; and (4) the relative cost of each alternative.

Furthermore, this comparative analysis evaluated the relative performance of each alternative in relation to each specific comparison criterion. The comparative analysis identified advantages and disadvantages of each alternative, so that tradeoffs between the alternatives could be determined.

Based on the comparative analysis, the Department chose to implement Alternative 2 as the prompt interim response for the site. This alternative was proposed because it would, in a more cost-effective manner, protect the public and environmental receptors from direct contact with site-related hazardous substances and eliminate the ongoing release and threat of release of hazardous substances into the environment.

This notice is being provided under section 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8 a.m. to 4 p.m. Telephone before hand for an appointment (telephone: 814-332-6648). A duplicate administrative record will be maintained at the Punxsutawney Borough Office (Mahoning East Civic Center), 301 East Mahoning Street, Punxsutawney, PA 15767.

The administrative record will be open for comment from May 29, 2010, until August 27, 2010. Persons may submit written comments into the record during this time only, by sending them to Mr. John Morettini, Project Manager, at the Department's Northwest Regional Office or by delivering them to the office in person.

The public will have an opportunity to present oral comments regarding the Department's response at a public hearing. The public hearing has been scheduled for July 7, 2010, at 6:30 p.m. at the Punxsutawney Borough Council Chambers, also located at 301 East Mahoning Street, Punxsutawney, PA. Persons wishing to present formal oral comments at that hearing must register on or

before June 23, 2010, by calling the Department's Community Relations Coordinator, Freda Tarbell at (814) 332-6945. A general question and answer period will follow the formal oral comment period of the public hearing. If no person requests to present oral comments, by the date specified previously, a hearing will not be held. Persons interested in finding out if anyone has registered, and if a hearing will be held, should contact Ms. Tarbell at the telephone number noted above.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Ms. Tarbell at 814-332-6945 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

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—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (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, shall 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 refuse 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 after 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:

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Mayfield Elementary School, 501 Linden Street, Mayfield Borough, **Lackawanna County**. Richard H. Doran and Martha Macklin have submitted a Final Report (on behalf of their client, Lakeland School District, 1355 Lakeland Drive, Scott Township, PA 18433), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of an overflow from a delivery of heating oil to a 3,000-gallon underground storage tank. The Report was submitted to document attainment of the Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Scranton Times* on March 12, 2010.

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

Northgate, City of Lancaster, **Lancaster County**. GCI Environmental Services, Inc., 1250 East King Street, Lancaster, PA 17602-3236, on behalf of Lititz Properties, LLC, 26 North Cedar Street, Lititz, PA 17543 submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Bukovina & Kan I80E MM 118.1 Accident, Lawrence Township, **Clearfield County**. Taylor Geoservices, 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 on behalf of Bukovina & Kan, 5024 Main Street, Tacoma, WA 98409 has submitted within 90 days of the release a Final Report concerning remediation of site soil contaminated with diesel fuel. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

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

The Encore on 7th, The City of Pittsburgh, **Allegheny County**. Chad C. Coy, Cummings Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235, Tina Rider (PNC Realty Investors), BIT Holdings Sixty-Five, Inc., c/o PNC Realty Investors, Inc., 1601 K Street, N.W. Suite 1100, Washington, D.C. 20006 has submitted a Remedial Investigation, Risk Assessment and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with voc's, PAH's and inorganic compounds. The single report was noticed in the *Pittsburgh Post Gazette* on April 28, 2010.

Norwin Towne Center, North Huntingdon, **Westmoreland County**. Bruce Shaw, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of The Soffer Organization, 424 South 27th Street, Pittsburgh, PA 15203 has submitted a Remedial Investigation and Risk Assessment Report concerning the remediation of site soils and groundwater contaminated with chlorinated compounds (PCE, TCE, Vinyl Chloride).

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—6026.908).

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of 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 provisions of 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 refuse 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 provisions of 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 before 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:

Northeast Region: Ronald S. Brezinski, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

R. Hull 2H Well Site, Springville Township, **Susquehanna County**. James Pinta, Jr. and David

Testa, URS Corporation, 501 Holiday Drive, Foster Plaza 4, Suite 300, Pittsburgh, PA 15220 submitted a Final Report (on behalf of their client, Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276-0120), concerning the remediation of soil found to have been impacted by frac fluid as a result of a release from an eroded pipe during fracing activities. The Report documented attainment of the Statewide Health Standard and was approved on May 11, 2010. The Report was originally submitted within 90 days of the release.

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

Lancaster Toyota Truck, formerly Electric Motor Supply, East Hempfield Township, **Lancaster County**, EPSYS Corporation, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103, on behalf of the Estate of Ralph E. Force, c/o Amy Rosensteel, Esq., Evey Black Attorneys, 401 Allegheny Street, Hollidaysburg, PA 16648-0415 and Allen Partnership, 5270 Manheim Pike, East Petersburg, PA 17520, submitted a combined Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with chlorinated volatile organic compounds. The combined Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department of Environmental Protection on May 12, 2010.

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, P. O. Box 8471, Harrisburg, PA 17105-8471.

Hazardous Waste Transporter License Issued

Orgco Company, Inc., 208 Route 109, Farmingdale, NY 11735. License No. PA-AH 0391. Effective January 29, 2010.

Hazardous Waste Transporter License Renewed

Interstate Chemical Company, Inc., 2797 Freeland Road, Hermitage, PA 16148. License No. PA-AH 0689. Effective January 25, 2010.

Freehold Cartage, Inc., P. O. Box 5010, Freehold, NJ 07728-5010. License No. PA-AH 0067. Effective January 29, 2010.

Coal City Cob Company, Inc., P. O. Box 597, Waxahachie, TX 75168. License No. PA-AH 0589. Effective January 29, 2010.

Safety-Kleen Canada, Inc., 300 Woolwich Road, Breslau, ON N0B 1M0. License No. PA-AH 0517. Effective February 4, 2010.

Environmental Specialists, Inc., P. O. Box 337, McDonald, OH 44437. License No. PA-AH 0587. Effective February 8, 2010.

ETC Logistics, LLC, P. O. Box 462, Parkman, OH 44080. License No. PA-AH 0688. Effective February 8, 2010.

Pure Earth Recycling (NJ), Inc., P. O. Box 92, Franklinville, NJ 08322. License No. PA-AH 0307. Effective February 8, 2010.

Elk Transportation, Inc., 1420 Clarion Street, Reading, PA 19061. License No. PA-AH 0413. Effective February 16, 2010.

E.I. Dupont De Nemours and Company, Experimental Station, P. O. Box 80249 RT, Wilmington, DE 19880-0249. License No. PA-AH S227. Effective February 18, 2010.

The Cardinal Group, Inc., 18 Water Street, Reading, PA 19605. License No. PA-AH 0710. Effective February 22, 2010.

Edward Armstrong & Sons, Inc., 205 Greenfield Road, Lancaster, PA 17601. License No. PA-AH 0027. Effective February 22, 2010.

Carlucci Construction Company, Inc., 401 Meadow Street, Cheswick, PA 15024. License No. PA-AH 0297. Effective February 23, 2010.

Moran Environmental Recovery, LLC, 75D York Avenue, Randolph, MA 02368. License No. PA-AH 0744. Effective March 1, 2010.

Summit Transport & Environmental, Inc., 150C John Street, Weston, WV 26452. License No. PA-AH 0737. Effective March 1, 2010.

Sunpro, Inc., 7640 Whipple Avenue N.W., North Canton, OH 44720. License No. PA-AH 0659. Effective March 3, 2010.

Smith Systems Transportation, Inc., P. O. Box 2455, Scottsbluff, NE 69361. License No. PA-AH 0654. Effective March 4, 2010.

United Oil Recovery, Inc., 47 Gracey Avenue, Meriden, CT 06451. License No. PA-AH 0378. Effective March 9, 2010.

Chemical Analytics, Inc., 29959 Beverly Road, Romulus, MI 48174. License No. PA-AH 0584. Effective March 10, 2010.

Ken's Marine Service, Inc., P. O. Box 4001, Bayonne, NJ 07002. License No. PA-AH S154. Effective March 15, 2010.

Baltimore Tank Lines, Inc., P. O. Box 1028, Glen Burnie, MD 21060-1028. License No. PA-AH 0458. Effective March 17, 2010.

Gemchem, Inc., P. O. Box 384, Lititz, PA 17543. License No. PA-AH 0259. Effective March 17, 2010.

S & C Transport, Inc., 12600 Stark Road, Livonia, MI 48150. License No. PA-AH 0446. Effective March 24, 2010.

Advanced Waste Carriers, Inc., 1126 South 70th Street, Suite N408B, West Allis, WI 53214. License No. PA-AH 0742. Effective March 29, 2010.

Univar USA, Inc., 328 Bunola River Road, Bunola, PA 15020. License No. PA-AH 0334. Effective April 6, 2010.

Duquesne Light Company, Const Coord & Underground, 2645 New B, Pittsburgh, PA 15233. License No. PA-AH 0462. Effective April 8, 2010.

Transport TFI, S.E.C., 1950 3rd Street, St-Romuald, PQ G6W 5M6, License No. PA-AH 0720. Effective April 8, 2010.

EAP Industries, Inc., P. O. Box 275, 1575 Smith Township State Road RT, Atlasburg, PA 15004. License No. PA-AH 0660. Effective April 9, 2010.

Rinchem Company, Inc., 6133 Edith Boulevard NE, Albuquerque, NM 87107. License No. PA-AH S205. Effective April 26, 2010.

Aqua-Tex Transport, Inc., P. O. Box 1204, Hamonton, NJ 08037. License No. PA-AH S179. Effective April 27, 2010.

U.S. Industrial Technologies, Inc., 13075 Newburgh Road, Livonia, MI 48150. License No. PA-AH 0747. Effective April 27, 2010.

Earth Technology II, LLC, P. O. Box 338, North Haven, CT 06473. License No. PA-AH 0691. Effective April 28, 2010.

A & D Environmental Services (SC), LLC, 1741 Calks Ferry Road, Lexington, SC 29073. License No. PA-AH 0743. Effective May 4, 2010.

Lewis Environmental, Inc., P. O. Box 639, Royersford, PA 19468. License No. PA-AH 0591. Effective May 6, 2010.

Hazardous Waste Transporter License, actions taken 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, P. O. Box 8471, Harrisburg, PA 17105-8471.

Hazardous Waste Transporter License Voluntarily Terminated

South Jersey Pollution Control, Inc., 209 Harmony Road, P. O. Box 28, Mickleton, NJ 08056. License No. PA-AH 0145. Effective January 28, 2010.

Hydro technology, Inc., P. O. Box 66071, Newport, MI 48166. License No. PA-AH 0708. Effective February 1, 2010.

Pride Transportation, Inc., P. O. Box 2424, Bakersfield, CA 93303. License No. PA-AH 0756. Effective March 26, 2010.

Hazardous Waste Transporter License Expired

N & D Transportation Company, Inc., 100 Industrial Drive, North Smithfield, RI 02896. License No. PA-AH 0741. Effective February 28, 2010.

AgHog, Inc., 773 Patterson Court, Inkster, MI 48141. License No. PA-AH S224. Effective April 30, 2010.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Infectious and Chemotherapeutic Waste Transporter License Renewed

Healthcare Waste Solutions of PA, LLC, d/b/a Genesis Environmental, Industrial Manor ii, 380 Locust Street, McKeesport, PA 15132. License No. PA-HC 0217. Effective February 18, 2010.

Orchard Hill Memorial Park, Inc., 187 Route 94, Lafayette, NJ 07848. License No. PA-HC 0163. Effective February 18, 2010.

Advant-EDGE Solutions, Inc., 927 Red Toad Road, North East, MD 21901. License No. PA-HC 0239. Effective April 26, 2010.

Environmental Waste Minimization, Inc., 14 Brick Kiln Court, Northampton, PA 18067-9784. License No. PA-HC 0219. Effective April 30, 2010.

Infectious and Chemotherapeutic Waste Transporter License, actions taken under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Infectious and Chemotherapeutic Waste Transporter License Expired

Ephrata Community Hospital, P. O. Box 1002, 169 Martin Avenue, Ephrata, PA 17522-1002. License No. PA-HC 0204. Effective March 32, 2010.

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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507.

66-399-008GP5: PVR Marcellus Gas Gathering, LLC (8080 North Central Expressway, Suite 900, Dallas, TX 75206) on April 28, 2010, to construct and operate a Natural Gas Compressor Station at their site in Washington Township, **Wyoming County**.

58-310-024GP3: Powers Stone, Inc. (R. R. 5, Box 124, Montrose, PA 18801) on May 5, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Bridgewater Township, **Susquehanna County**.

58-310-025GP3: Powers Stone, Inc. (R. R. 5, Box 124, Montrose, PA 18801) on May 5, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Middletown Township, **Susquehanna County**.

58-329-013GP9: Powers Stone, Inc. (R. R. 5, Box 124, Montrose, PA 18801) on May 5, 2010, to install and operate a Diesel I/C engine at their site in Bridgewater Township, **Susquehanna County**.

58-329-014GP9: Powers Stone Inc. (R. R. 5, Box 124, Montrose, PA 18801) on May 5, 2010, to install and operate a Diesel I/C engine at their site in Middletown Township, **Susquehanna County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

GP5-63-00954 (MarkWest Liberty Midstream and Resources, LLC, Tower 2, Suite 700, 1515 Arapahoe Street, Denver, CO 80202) GP-5 issued on or about May 6, 2010 to allow the installation of three new Caterpillar, Model 3516LE, 1340-bhp, compressor engines, each equipped with a Miratech Oxidation Catalyst and instal-

lation of one 30 mmscf/day NATCO dehydrator equipped with a 0.75 mmBtu/hr reboiler, 3 condensate tanks and a flare for destruction of organic compounds at a new facility. The facility will be known as the Brigich Compressor Station and is located off of Johnston Hill Road in Chartiers Township, **Washington County**.

GP5-63-00933B (MarkWest Liberty Midstream and Resources, LLC, Tower 2, Suite 700, 1515 Arapahoe Street, Denver, CO 80202) GP-5 issued on or about May 6, 2010, to allow the installation of one new Caterpillar, Model 3516LE, 1,340-bhp, compressor engine, equipped with a Miratech Oxidation Catalyst, four additional Miratech Oxidation Catalysts on four existing compressor engines and one 30 MM cfd dehydration unit equipped with a flare and reboiler. It will also allow operation of the following existing sources: four Caterpillar G3516 LE lean burn engines each rated at 1,340 bhp, located off of Johnston Hill Road in Chartiers Township, **Washington County**.

GP9-63-00954 (MarkWest Liberty Midstream and Resources, LLC, Tower 2, Suite 700, 1515 Arapahoe Street, Denver, CO 80202) GP-9 issued on or about May 11, 2010, to allow the installation of one new John Deere, 197-bhp, Model 6068HF285, diesel electrical generator engine. The permit will also allow the operation of three Caterpillar, Model 3516LE, 1,340-bhp, compressor engines, each equipped with a Miratech Oxidation Catalyst and installation of one 30 mmscf/day NATCO dehydrator equipped with a 0.75 mmBtu/hr reboiler, 3 condensate tanks and a flare for destruction of organic compounds at the facility. The facility is known as the Brigich Compressor Station and is located off of Brigich Road in Chartiers Township, **Washington County**.

GP9-63-00934: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on May 18, 2010, to allow the installation and initial operation of a diesel-fired engine under GP-9 for emergency backup power at the Godwin Compressor Station, located in Canton Township, **Washington County**.

GP9-63-00937A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on May 18, 2010, to allow the installation and initial operation of a diesel-fired engine under GP-9 for emergency backup power at the Fulton Compressor Station, located in Mount Pleasant Township, **Washington County**.

GP9-63-00940: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on May 18, 2010, to allow the installation and initial operation of a diesel-fired engine under GP-9 for emergency backup power at the Shaw Compressor Station, located in Chartiers Township, **Washington County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920.

09-0021C: MRI Flexible Packaging Co., LP (122 Penns Trail, Newtown, PA 18940) on May 12, 2010, to install and operate a new Regenerative Thermal Oxidizer

to replace two (2) existing catalytic oxidizers to control pollutant emissions from their printing operations in Newtown Township, **Bucks County**. The Plan Approval will contain applicable testing, monitoring and recordkeeping requirements to ensure compliance with the emission limits for a State-only facility.

09-0196D: Abington Reldan Metals, LLC (550 Old Bordentown Road, Fairless Hills, PA 19030) on May 18, 2010, to construct the metal recovery acid and strip processes, and three (3) units of scrubbers at a new precious metal recovery facility, in Falls Township, **Bucks County**. This facility is a non-Title V facility. This construction will not result in an emission increase of total facility limit for nitrogen oxides (NOx) and hazardous air pollutants (HAPs) being emitted into the atmosphere. The Plan Approval will contain monitoring requirements, record keeping requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

46-0069D: Highway Materials, Inc.—Plymouth Meeting Quarry (5000 Joshua Road, Plymouth Meeting, PA 19462) on May 18, 2010, to replace the tertiary crusher at their existing stone crushing facility in Whitmarsh Township, **Montgomery County**. Sources at the quarry currently operate under Synthetic Minor Operating Permit No. 46-00069. Facility Nitrogen Oxide (NOx) emissions are restricted to less than 25 tons per year. The new equipment is the same as the equipment to be replaced: crusher maximum capacity is 225 tons per year. Particulate matter emissions from the new tertiary crusher (Source ID No. 1003) will be controlled by wet suppression system only. There will be no increase in emissions. Plan Approval No. 46-0069D will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507.

66-315-055: Procter & Gamble Paper Products (P. O. Box 32, Mehoopnay, PA 18629) on May 10, 2010, to install and operate a settling chamber on paper machine 2M at their facility in Washington Township, **Wyoming County**.

58-329-008: Tennessee Gas Pipeline Co. (1001 Louisiana Street, Houston, TX 77002-5089) on April 28, 2010, to construct and operate three (3) Simple Cycle Gas Turbines at their site in Clifford Township, **Susquehanna County**.

48-399-061: Custom Laminating Corp. (P. O. Box 37, Flanders, NJ 07836-0037) on May 11, 2010, to construct and operate a new laminating process at the facility to be in Upper Mt Betel Township, **Northampton County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

01-05035A: Tucker Industrial Liquid Coatings, Inc. (407 North Avenue, East Berlin, PA 17316) on May 11, 2010, to operate three (3) spray paint booths with dry panel filters for control of particulate matter emissions at their spray painting job shop (North Avenue Facility) in East Berlin Borough, **Adams County**. The facility is

subject to 40 CFR Part 63, Subpart M—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

32-00375B: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201-9642) for modification to authorize an increase in the annual coal throughput of their facility from 500,000 tons per year to 800,000 tons per year at the Lowry Mine Coal Preparation Plant located in White Township, **Indiana County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401. Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920.

46-0112D: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) on May 14, 2010, to operate a new reactor system in Skippack Township, **Montgomery County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: M. Gorog and B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

26-00573A: (Johnson Matthey, Inc., 605 Mountain View Drive, Smithfield, PA 15478) On May 10, 2010, to extend the period of temporary operation of the catalyst production facility covered under plan approval 26-00573A until December 8, 2010 in Smithfield Borough, **Fayette County**. The Plan Approval has been extended.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940.

25-069N: BASF Corp.—Erie Plant (1729 East Avenue Erie, PA 16503) on May 27, 2010, to operate a fluidized bed reactor, loading hopper and two dust collection systems to capture particulate matter at their facility in the City of Erie, **Erie County**. This is a State-only facility.

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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507.

40-00014: Orograin Bakeries Manufacturing, Inc. (325 Kiwanis Boulevard, Valmont Industrial Park, West Hazleton, PA 18202-1163) on May 7, 2010, to operate a bread and cake bakery at their facility in West Hazleton Borough, **Luzerne County**.

39-00075: Stonemor PA, LLC (927 Nathaniel Trail, Warminster, PA 18974) on May 18, 2010, to operate a crematory at the facility in Whitehall Township, **Lehigh County**.

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

J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

06-03146: Troutman Industries, Inc. (2201 Reading Avenue, West Lawn, PA 19609) on May 10, 2010, for their facility in Spring Township, **Berks County**. This is a renewal of the State-only operating permit.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

43-00273: Select Industries, Inc. (242 Reynolds Industrial Park Road, Greenville, PA 16125) on May 11, 2010, to re-issue a Natural Minor Operating Permit to perform metal coating operations, in Pymatuning Township, **Mercer County**. The facility's primary emission sources include coating and lithographic printing lines. The VOC and HAP emissions from this facility are below major source levels.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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.

09-00056: GE Betz, Inc. (4636 Somerton Road, Trevose, PA 19053-6742) on May 12, 2010, to amend an operating permit to identify a change in name of Responsible Official to Operating Permit 09-00056 in Bensalem Township, **Bucks County**. This Administrative Amendment to the State-only Synthetic Minor Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

25-00090: Zurn Industries—Cast Metals Division (1801 Pittsburgh Avenue, Erie, PA 16502) on May 11, 2010, for an administrative amendment to the State Operating Permit to incorporate the change of responsible official for the Cast Metals Division at 1301 Raspberry Street in **Erie County**.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940.

10-00264: Thomas E. Siegel Co.—Bruin Stone (208 Woodland Road, Shippensburg, PA 16254) on May 11, 2010, for revocation of their State-only Operating Permit for the operation of the limestone crushing and screening facility in Parker Township, **Butler County**. This operating permit was revoked because of a permanent shutdown of operations at the facility.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (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—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality 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).

Coal Permits Actions

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

32031301 and NPDES Permit No. PA0235580, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642), to renew the permit for the Lowry Deep Mine in White Township, **Indiana County** and related NPDES permit. No additional discharges. Application received: July 1, 2009. Permit issued: May 17, 2010.

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

56000103 and NPDES No. PA0235245. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 111.4 acres. Receiving stream(s): unnamed tributary to Oven Run to Stony Creek River classified for the following use(s): cold water fishery/warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 15, 2010. Permit issued: May 13, 2010.

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

30080102. Penn Development Services, LP (732 McClellandtown Road, Uniontown, PA 15401). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Cumberland Township, **Greene County**, affecting 84.6 acres. Receiving streams: Monongahela River. Application received: December 11, 2008. Permit issued: May 11, 2010.

03940110 and NPDES Permit No. PA0200999. Britt Energies, Inc. (92450 Philadelphia Street, Indiana, PA 15701). Transfer of permit formerly issued to Seven Sisters Mining Co., Inc. for continued operation and reclamation of a bituminous surface mining site located in Wayne Township, **Armstrong County**, affecting 55.5 acres. Receiving streams: unnamed tributaries A and B to

North Branch of South Fork Pine Creek to Pine Creek to Allegheny River. Application received: May 5, 2008. Transfer permit issued: May 12, 2010.

03030107. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Boggs Township, **Armstrong County**, affecting 151.8 acres. Receiving streams: N/A. Application received: March 15, 2010. Renewal issued: May 13, 2010.

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

17880103 and NPDES No. PA0116246. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Renewal of an existing bituminous surface mine located in Bradford Township, **Clearfield County** affecting 54.8 acres. Receiving streams: unnamed tributaries to Roaring Run to the West Branch of the Susquehanna River to the Susquehanna River classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: March 17, 2010. Permit issued: May 5, 2010.

17000109 and NPDES No. PA0242985. Kenneth K. Rishel & Sons, Inc. (1229 Turnpike Avenue, Clearfield, PA 16830). Permit revision to an existing bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 25.0 acres. This revision is to add five (5.0) acres of mining and support to the existing permit area. Receiving streams: Orr's Run and an unnamed stream to Orr's Run classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: March 22, 2010. Permit issued: May 12, 2010.

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

49860201T2. Rosini Enterprises, Inc., (P. O. Box 568, Shamokin, PA 17872), transfer of an existing anthracite coal refuse reprocessing and preparation plant operation Coal Township, **Northumberland County** affecting 60.0 acres, receiving stream: none. Application received: January 14, 2009. Transfer issued: May 14, 2010.

Noncoal Applications Returned

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

SMP No. 08092811. Lester West (R. R. 2, Box 248A1, Wysox, PA 18854), commencement, operation and restoration of small noncoal (Flagstone) permit located in Standing Stone, Township, **Bradford County**, affecting 5.0 total acres. Receiving stream(s): Unnamed Tributary and King Creek. Application received: September 23, 2009. Application returned: May 07, 2010.

Noncoal Permits Actions

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

43040302. New Castle Lime and Stone Company (P. O. Box 442, Edinburg, PA 16116) Renewal of an existing large sand and gravel operation in Shenango Township, **Mercer County** affecting 48.3 acres. Receiving streams: Unnamed tributary to the Shenango River. Application received: February 22, 2010. Permit Issued: May 13, 2010.

**ACTIONS ON BLASTING ACTIVITY
APPLICATIONS**

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151—161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

05100401. Geokinetics, R. R. 6, Box 6176, Towanda, PA 18848, blasting activity permit issued for seismic exploration project in Southampton Township, **Bedford County**. Blasting activity permit end date is April 10, 2011. Permit issued: May 12, 2010.

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

08104007. Geokinetics, Inc. (R. R. 6, Box 7176, Towanda, PA 18848). Seismic exploration blasting, Phase 4, located in Canton, Leroy, Franklin, Overton, Monroe and Albany Townships, **Bradford County**; Fox, Elkland, Forks and Cherry Townships, **Sullivan County**; and McNett Township, **Lycoming County**. Permit issued: May 12, 2010. Permit expires: June 30, 2011.

08104106. Orica USA, Inc. (5101 Beekmantown Road, Whitehall, PA 18052-2240). Construction blasting for Latona Trucking/Broshart Road Gas Pad located in Overton Township, **Bradford County**. Permit issued: May 12, 2010. Permit expires: July 31, 2010.

08104107. Austin Powder Northeast, LLC (25800 Science Park Drive, Beachwood, OH 44122). Construction blasting for a natural gas well pad located in Overton Township, **Bradford County**. Permit issued: May 12, 2010. Permit expires: May 11, 2011.

08105001. Doug Wathen, LLC (16282 State Highway 13, Suite J, Branson West, MO 65737). Blasting activity permit by rule for excavation around a well pad located in North Towanda Township, **Bradford County**. Permit issued: May 12, 2010. Permit expires: June 12, 2010.

08105101. John H. Brainard (R. R. 1, Box 275, Kingsley, PA 18826-9702). Construction blasting for a gas well pad located in Wilnot Township, **Bradford County**. Permit issued: May 12, 2010. Permit expires: June 30, 2010.

59104004. Doug Wathen, LLC (16282 State Highway 13, Suite J, Branson West, MO 65737). Construction blasting for the Bogacyzk water retention pond located in Covington Township, **Tioga County**. Permit issued: May 10, 2010. Permit expires: April 25, 2011.

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

36104121. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Sunset Ridge in Manheim Township, **Lancaster County** with an expiration date of May 31, 2010. Permit issued: May 11, 2010.

46104103. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blasting for Spring Mill Road and Ginko Lane Waterline in

Lower Merion Township, **Montgomery County** with an expiration date of May 4, 2011. Permit issued: May 11, 2010.

23104102. ME Drilling & Blasting, (P. O. Box 279, Auburn, NH 03032), construction blasting for Sun Center Studios in Chester Township, **Delaware County** with an expiration date of August 30, 2010. Permit issued: May 13, 2010.

45104109. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Skytop Lodge in Barrett Township, **Monroe County** with an expiration date of May 31, 2011. Permit issued: May 13, 2010.

45104110. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Pocono Highland Estates in Pocono Township, **Monroe County** with an expiration date of May 31, 2011. Permit issued: May 13, 2010.

46104104. Schlouch, Inc., (P. O. Box 69, Blandon, PA 19510), construction blasting for The Preserve in New Hanover Township, **Montgomery County** with an expiration date of May 7, 2011. Permit issued: May 13, 2010.

64104101. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Paupacken Lake Estates in Paupack and Lake Townships, **Monroe County** with an expiration date of May 31, 2010. Permit issued: May 13, 2011.

58104017. M & S Blasting, LLC, (943 Gontarski Road, Hallstead, PA 18822), construction blasting for C. Rozell 2 and 3 Well Pad in Jessup Township, **Susquehanna County** with an expiration date of April 26, 2011. Permit issued: May 14, 2010.

58104018. Mike Kipar, (6005 SR 267, Meshoppen, PA 18630) and Brainard Explosives, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Kipar Borrow Pit in Auburn Township, **Susquehanna County** with an expiration date of June 10, 2011. Permit issued: May 14, 2010.

58104019. M & S Blasting, LLC, (943 Gontarski Road, Hallstead, PA 18822), construction blasting for the Carson 1H—3H Well Site in Springville Township, **Susquehanna County** with an expiration date of May 4, 2011. Permit issued: May 14, 2010.

64104002. Northeast Blasting, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for a Cell Tower in Damascus Township, **Wayne County** with an expiration date of May 4, 2011. Permit issued: May 14, 2010.

**FEDERAL WATER POLLUTION
CONTROL ACT SECTION 401**

The Department of Environmental Protection (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 the applicable provisions of 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, 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 the 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, (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 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, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Floodplain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-481. Chester City, 109 Chesley Drive, Media, PA 19063-1782, Chester City, **Delaware County**, ACOE Philadelphia District.

To place and maintain fill in the floodway of the Chester Creek (WWF, MF) associated with the addition of an approximately 59 by 36 SF building extension to the Youth Learning Center within Eyre Park.

The project is located approximately 258 feet east of the intersection South Eyre Drive and Preston Place in the City of Chester, Delaware County (Bridgeport, PA-NJ USGS Quadrangle N: 18.63 inches; W: 15.94 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E08-461. Hawg Hauling & Disposal, LLC, 171 Locust Avenue Extension, P. O. Box 537, Mt. Morris, PA 15349. Contractors yard in Athens Township, **Bradford County**, ACOE Baltimore District (Sayre, PA Quadrangle N: 13.4 inches; W: 2.3 inches).

To place and maintain fill in 0.167 acre of a 0.22 acre palustrine emergent wetland system for the purpose of constructing a contractor's yard for maintaining and parking up to 45 tanker trailers, including personal parking spaces for 45 employees. This 14.26-acre parcel was previously occupied by the 'Perfection Oil' facility and is adjacent to the Barret Water Withdrawal site. Replacement wetlands (0.24 acre) will be built on site. The site is located approximately 1.0 mile north of the SR 0220/SR 0199 intersection, on the southeast side of SR 0199 and the west side of the Chemung River.

E18-451. Western Clinton County Municipal Authority, P. O. Box 363, Renovo, PA 17764-0363. Pump Station No. 4 in Chapman Township, **Clinton County**, ACOE Baltimore District (Renovo East, PA Quadrangle N: 41° 20' 47"; W: -77° 41' 49").

To remove an existing sewer pump station, then to construct and maintain a new sewer pump station consisting of 71 linear feet of 8-inch sanitary sewer gravity main, 105 linear feet of 6-inch sanitary sewer force main by trenching, the installation of pre-cast concrete wet well with two submersible sewage pumps, pre-cast concrete dry valve vault, pre-cast concrete manhole, elevated steel structure to support the emergency generator and electrical equipment, the installation of a chain link fence around the pump station perimeter and a 15-foot by 16-foot gravel driveway located 375 feet south from SR 120 on Reese Road next to the railroad tracks in the 100-year floodway. This permit was issued under Section 105.13(e) "Small Projects."

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

E26-355. Alpha PA Coal Terminal, LLC, P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370. To maintain an existing dock and perform maintenance dredging in Luzerne Township, **Fayette County**, Pittsburgh ACOE District (California, PA Quadrangle N: 1.8 inches; W: 15.95 inches, Latitude: 40° 00' 36"; Longitude: 79° 59' 20"). To operate and maintain an existing barge dock and mooring facility approximately 3,450 feet long by 211 feet wide, starting from Cell No. 4 extending upstream to Cell No. 46 (Upstream Icebreakers) at mile post 63.5 along the right bank of the Monongahela River (WWF), excluding the conveyor bridge at mile post 63.16, which will remain to Matt Canestrone Contracting, Inc. (E26-229). Also, to perform maintenance dredging at said locations. The LaBelle site is an existing coal loading facility located in Luzerne Township, Fayette County.

E63-623. Samuel Minor, 1531 Route 136, Washington, PA 15301. To construct and maintain an intake and outfall structure in North Strabane Township, **Washington County**, Pittsburgh ACOE District (Washington East, PA Quadrangle N: 13.25 inches; W: 4.4 inches, Latitude: 40° 11' 43"; Longitude: 80° 09' 26"). To construct and maintain an intake and outfall structure in an UNT to Little Chartiers Creek (HQ/WWF) for the purpose of collecting and discharging water for a proposed off stream farm pond. The project is located on the west side of Linnwood Road approximately 4,000' south of its intersection with Ridge Road in Washington County.

ENVIRONMENTAL ASSESSMENTS

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

EA26-008 Fayette County Conservation District, 10 Nickman Plaza, Lemont Furnace, PA 15456. To utilize

limestone sand dosing to abate mine drainage in Henry Clay Township, **Fayette County**, Pittsburgh ACOE District (Ohio Pyle, PA Quadrangle N: 12.2 inches; W: 8.0 inches, Latitude: 39 40' 0.5"; Longitude: 79 25' 54"). To utilize limestone sand dosing at a single site to abate abandoned mine drainage (AMD) and chronic acidification stemming from the mixing of acid deposition with acidic springs emanating from acidic geologic formations and soils. Applications of approximately 23 tons of limestone sand are proposed to be placed along Ramcat Run (HQ-CWF) at a location along Sugar Loaf Road where Ramcat Run intersects the road.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

Any person aggrieved by these actions may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. Chapter 5, Subchapter A (relating to practice and procedure of Commonwealth agencies), 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 may contact the Environmental Hearing Board (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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If individuals want to challenge this action, their appeal must reach the Board within 30 days. Individuals do not need a lawyer 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. If individuals cannot afford a lawyer, individuals may qualify for pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

Northcentral Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-1 # ESX10-117-0086
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Brookfield Township
 Receiving Stream(s) and Classification(s) UNT to North Brook
 Secondary—North Brook

ESCGP-1 # ESX10-117-0070
 Applicant Name Seneca Resources Corporation
 Contact Person Doug Kepler
 Address 51 Zents Boulevard
 City, State, Zip Brookville, PA 15825
 County Tioga
 Township(s) Bloss Township and Blossburg Borough
 Receiving Stream(s) and Classification(s) Tioga River

ESCGP-1 # ESG10-115-0009
 Applicant Name Chief Gathering, LLC
 Contact Person Ted Wurfel
 Address 6051 Wallace Road Ext.

City, State, Zip Wexford, PA 15090
 County Susquehanna
 Township(s) Lathrop Township
 Receiving Stream(s) and Classification(s) Horton and Martin's Creeks

ESCGP-1 # ESG10-015-0026
 Applicant Name Chief Gathering, LLC
 Contact Person Ted Wurfel
 Address 6051 Wallace Road Ext.
 City, State, Zip Wexford, PA 15090
 County Bradford
 Township(s) Burlington Township
 Receiving Stream(s) and Classification(s) UNT to Towanda Creek, UNT to Bailey Run

ESCGP-1 # ESX10-079-0003
 Applicant Name EnCana Oil and Gas (USA), Inc.
 Contact Person Brenda Linster
 Address 370 17th Street, Suite 1700
 City, State, Zip Denver, CO 80202
 County Luzerne
 Township(s) Lake Township
 Receiving Stream(s) and Classification(s) UNT to Harvey's Creek
 Secondary—Harvey's Creek

ESCGP-1 # ESX10-081-0021
 Applicant Name XTO Energy, Inc.
 Contact Person Dewey Chalos
 Address 810 Houston Street
 City, State, Zip Fort Worth, TX 76102
 County Lycoming
 Township(s) Penn and Moreland Townships
 Receiving Stream(s) and Classification(s) Broad Run, Jakes Run and Little Sugar Run

ESCGP-1 # ESX10-131-0008
 Applicant Name Citrus Energy Corporation
 Contact Person Jeffrey Searfoss
 Address 36 Hazelton Street
 City, State, Zip Ashley, PA 18706
 County Wyoming
 Township(s) Washington Township
 Receiving Stream(s) and Classification(s) UNT to Susquehanna River

ESCGP-1 # ESX10-027-0003(01)
 Applicant Name EXCO Resources (PA), Inc.
 Contact Person Larry Sanders
 Address 3000 Ericsson Drive, Suite 200
 City, State, Zip Warrendale, PA 15086
 County Centre
 Township(s) Burnside Township
 Receiving Stream(s) and Classification(s) UNT to Sterling Run
 Secondary—Sterling Run

ESCGP-1 # ESG10-117-0013
 Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Tioga
 Township(s) Gaines Township
 Receiving Stream(s) and Classification(s) Lick Run

ESCGP-1 # ESG10-117-0050
 Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Tioga
 Township(s) Gaines Township
 Receiving Stream(s) and Classification(s) Lick Run

ESCGP-1 # ESG10-117-0057

Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Tioga
 Township(s) Gaines Township
 Receiving Stream(s) and Classification(s) Gross Hollow
 and Faglely Hollow
 Secondary—Sliders Branch

ESCGP-1 # ESG10-117-0036

Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Tioga
 Township(s) Elk Township
 Receiving Stream(s) and Classification(s) Elk Run

ESCGP-1 # ESG10-117-0035

Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Potter and Tioga Counties
 Township(s) West Branch Township (Potter); Elk and
 Gaines Townships (Tioga)
 Receiving Stream(s) and Classification(s) South Branch
 Pine Creek and Elk Run
 Secondary—Button/Swope/Big Hollow; Gormanian
 Branch

ESCGP-1 # ESG10-117-0009

Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Tioga
 Township(s) Gaines Township
 Receiving Stream(s) and Classification(s) Wetmore Run
 (tributary to Elk Run)

ESCGP-1 # ESG10-105-0002

Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Potter
 Township(s) West Branch Township
 Receiving Stream(s) and Classification(s) Gross Hollow
 and Sliders Branch

ESCGP-1 # ESX10-015-0106

Applicant Name Talisman Energy, Inc.
 Contact Person Eric Potter
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Columbia and Springfield Twps.
 Receiving Stream(s) and Classification(s) UNT to North
 Branch Sugar Creek

ESCGP-1 # ESX10-015-0104

Applicant Name Talisman Energy, Inc.
 Contact Person Eric Potter
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Troy Township
 Receiving Stream(s) and Classification(s) Tributary to
 North Branch Towanda Creek
 Secondary—North Branch Towanda Creek

ESCGP-1 # ESX10-117-0067

Applicant Name Seneca Resources Corp.
 Contact Person Doug Kepler
 Address 51 Zents Boulevard
 City, State, Zip Brookville, PA 15825
 County Tioga
 Township(s) Bloss and Covington Townships
 Receiving Stream(s) and Classification(s) Tioga River

ESCGP-1 # ESX10-015-0111

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Troy Township
 Receiving Stream(s) and Classification(s) UNT of Sugar
 Creek
 Secondary—Sugar Creek

ESCGP-1 # ESX10-015-0113

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Orwell Township
 Receiving Stream(s) and Classification(s) Johnson Creek
 Secondary—Wysox Creek

ESCGP-1 # ESX10-015-0092

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Herrick Township
 Receiving Stream(s) and Classification(s) Billings Creek

ESCGP-1 # ESX10-015-0094

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Smithfield Township
 Receiving Stream(s) and Classification(s) West Branch
 Tomjack Creek

ESCGP-1 # ESX10-015-0032(01)

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Terry Township
 Receiving Stream(s) and Classification(s) Susquehanna
 River

ESCGP-1 # ESX10-015-0105

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Sheshequin Township
 Receiving Stream(s) and Classification(s) UNT of Deer
 Lick Creek
 Secondary—Deer Lick Creek

ESCGP-1 # ESX10-015-0089
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Orwell Township
 Receiving Stream(s) and Classification(s) UNT of Jerome
 Creek
 Secondary—Jerome Creek

ESCGP-1 # ESX10-015-0096
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Orwell Township
 Receiving Stream(s) and Classification(s) Tributary of
 Wysox Creek
 Secondary—Wysox Creek

ESCGP-1 # ESX10-015-0112
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Towanda Township
 Receiving Stream(s) and Classification(s) UNT to
 Susquehanna River
 Secondary—Tributary to Towanda Creek

ESCGP-1 # ESX10-015-0102
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Wysox Township
 Receiving Stream(s) and Classification(s) UNT of Wysox
 Creek
 Secondary—Wysox Creek

ESCGP-1 # ESX10-131-0006
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Wyoming
 Township(s) Washington Township
 Receiving Stream(s) and Classification(s) UNT to Meshop-
 pen Creek

ESCGP-1 # ESX10-113-0001
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Sullivan
 Township(s) Cherry Township
 Receiving Stream(s) and Classification(s) UNT of the
 Little Loyalsock Creek
 Secondary—Loyalsock Creek/Susquehanna River

ESCGP-1 # ESX10-115-0008
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Susquehanna

Township(s) Silver Lake Township
 Receiving Stream(s) and Classification(s) Silver Lake
 Creek

ESCGP-1 # ESX10-115-0012
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Susquehanna
 Township(s) Auburn Township
 Receiving Stream(s) and Classification(s) Nick Creek
 Secondary—Riley Creek

ESCGP-1 # ESX09-117-0023(02)
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Jackson Township
 Receiving Stream(s) and Classification(s) UNT to Seeley
 Creek/Susquehanna River Basin in PA
 Secondary—Chemung River/West Branch Susquehanna
 River Basin

ESCGP-1 # ESX10-117-0093
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Deerfield Township
 Receiving Stream(s) and Classification(s) East-Boatman
 Branch/West UNT/Susquehanna River
 Secondary—East Conwanseque R/W Jemison Creek

ESCGP-1 # ESX10-117-0091
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Sullivan
 Receiving Stream(s) and Classification(s) Elk Run/
 Susquehanna River Basin in PA—Tioga River
 Secondary—Mill Creek to Tioga River

ESCGP-1 # ESX10-117-0089
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Deerfield Township
 Receiving Stream(s) and Classification(s) Cowanesque
 River (Susquehanna River Basin in PA)
 Secondary—Tioga River (in NY)

ESCGP-1 # ESX10-117-0094
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Liberty Township
 Receiving Stream(s) and Classification(s) Salt Spring
 Run/West Branch Susquehanna River
 Secondary—Roaring Branch

ESCGP-1 # ESX10-117-0090
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Union Township
 Receiving Stream(s) and Classification(s) East Branch
 Sugar Works Run
 Secondary—Susquehanna River in PA (West Branch)

ESCGP-1 # ESX10-117-0087
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Chatham Township
 Receiving Stream(s) and Classification(s) Losey Creek
 and Crooked Creek

ESCGP-1 # ESG10-081-0019
 Applicant Name Chief Gathering, LLC
 Contact Person Ted Wurfel
 Address 6051 Wallace Road Ext.
 City, State, Zip Wexford, PA 15090
 County Lycoming
 Township(s) Franklin Township
 Receiving Stream(s) and Classification(s) Little Muncy
 Creek

ESCGP-1 # ESG10-081-0020
 Applicant Name Chief Gathering, LLC
 Contact Person Ted Wurfel
 Address 6051 Wallace Road Ext.
 City, State, Zip Wexford, PA 15090
 County Lycoming
 Township(s) Franklin and Jordan Township
 Receiving Stream(s) and Classification(s) Little Muncy
 and Little Indian Creeks, Beaver Run

ESCGP-1 # ESX10-015-0023
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Burlington and West Burlington Townships
 Receiving Stream(s) and Classification(s) Tomjack Creek
 and Wallace Run

ESCGP-1 # ESX10-015-0107
 Applicant Name Talisman Energy (USA), Inc.
 Contact Person Tracy Gregory
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Armenia Township
 Receiving Stream(s) and Classification(s) Tributary to
 Fall Brook, South Branch of Sugar Creek

ESCGP-1 # ESG10-105-0003
 Applicant Name Ultra Resources, Inc.
 Contact Person Belinda Salinas
 Address 204 Inverness Way South, Suite 295
 City, State, Zip Englewood, CO 80112-5828
 County Potter
 Township(s) Abbott Township
 Receiving Stream(s) and Classification(s) Straley Hollow
 and Baders Hollow
 Secondary—Germania Branch

ESCGP-1 # ESX10-127-0003
 Applicant Name Hess Corporation
 Contact Person Gene Linscomb
 Address 500 Dallas Street
 City, State, Zip Houston, TX 77002
 County Wayne
 Township(s) Scott Township
 Receiving Stream(s) and Classification(s) UNT to Sher-
 man Creek

ESCGP-1 # ESX10-079-0002(01)
 Applicant Name EnCana Oil & Gas (USA), Inc.
 Contact Person Brenda LinSuiter
 Address 370 17th Street, Suite 1700
 City, State, Zip Denver, CO 80202
 County Luzerne
 Township(s) Fairmount Township
 Receiving Stream(s) and Classification(s) Kitchen Creek
 Secondary—Maple Run

ESCGP-1 # ESX10-105-0005
 Applicant Name Seneca Resources Corporation
 Contact Person Doug Kepler
 Address 51 Zents Boulevard
 City, State, Zip Brookville, PA 15825
 County Potter
 Township(s) Sweden Township
 Receiving Stream(s) and Classification(s) Big Fill Hollow
 and Nine Mile Run
 Secondary—Pine Creek

ESCGP-1 # ESX10-015-0119
 Applicant Name Talisman Energy, Inc.
 Contact Person Eric Potter
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Troy Township
 Receiving Stream(s) and Classification(s) UNT to North
 Branch Sugar Creek

ESCGP-1 # ESX10-015-0118
 Applicant Name Talisman Energy, Inc.
 Contact Person Eric Potter
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Columbia Township
 Receiving Stream(s) and Classification(s) UNT to North
 Branch Sugar Creek

ESCGP-1 # ESX10-117-0096
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Charleston Township
 Receiving Stream(s) and Classification(s) UNT to Crooked
 Creek (Basin, Catlin Hollow to Mouth)
 Secondary—Crooked Creek

ESCGP-1 # ESX10-027-0002(01)
 Applicant Name EXCO Resources (PA), Inc.
 Contact Person Larry Sanders
 Address 3000 Ericsson Drive, Suite 200
 City, State, Zip Warrendale, PA 15086
 County Centre
 Township(s) Burnside Township
 Receiving Stream(s) and Classification(s) Boake Run
 (Sterling Run Basin)
 Secondary—West Branch Susquehanna River

ESCGP-1 # ESX09-015-0021(01)
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Ulster Township
 Receiving Stream(s) and Classification(s) UNT to Hemlock Run

ESCGP-1 # ESX10-015-0120
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Overton Township
 Receiving Stream(s) and Classification(s) Millstone Creek

ESCGP-1 # ESX10-035-0003
 Applicant Name Anadarko Marcellus Midstream, LLC
 Contact Person Bertha Nefe
 Address P. O. Box 1330
 City, State, Zip Houston, TX 77251-1330
 County Clinton
 Township(s) Noyes Township
 Receiving Stream(s) and Classification(s) Mill Run

ESCGP-1 # ESX10-033-0001
 Applicant Name Chief Oil & Gas LLC
 Contact Person Michael Hritz
 Address 6051 Wallace Road, Suite 210
 City, State, Zip Wexford, PA 15090
 County Clearfield
 Township(s) Chest Township
 Receiving Stream(s) and Classification(s) Wilson Run
 Secondary—Chest Creek

Southwest Region: Oil & Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

4/26/10
 ESCGP-1 No.: ESX10-125-0033
 Applicant Name: Range Resources—Appalachia, LLC
 Contact Person: Carla Suszkowski
 Address: 380 Southpointe Boulevard, Suite 300
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): North Strabane
 Receiving Stream(s) and Classifications: UNTs to Little Chartiers Creek, HQ

4/19/10
 ESCGP-1 No.: ESX10-059-0026
 Applicant Name: CNX Gas Company, LLC
 Contact Person: Kenneth Kormendy
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Morris
 Receiving Stream(s) and Classifications: Bates Fork, HQ

4/27/10
 ESCGP-1 No.: ESX10-051-0012
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Fayette Township(s): Franklin
 Receiving Stream(s) and Classifications: Bolden Run, WWF, other

4/26/10
 ESCGP-1 No.: Esx10-051-0011
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Fayette Township(s): North Union
 Receiving Stream(s) and Classifications: Redstone Creek, WWF, other

4/15/10
 ESCGP-1 No.: ESX10-059-0013
 Applicant Name: Energy Corporation of America
 Contact Person: Andy Travis
 Address: 501 56th Street
 City: Charleston State: WV Zip Code: 26304
 County Greene Township(s): Cumberland
 Receiving Stream(s) and Classifications: Muddy Creek/South Branch Muddy Creek, other

4/26/10
 ESCGP-1 No.: ESX10-005-0004
 Applicant Name: Exco Resources (PA), Inc.
 Contact Person: Larry Sanders
 Address: 3000 Ericsson Drive, Suite 200
 City: Warrendale State: PA Zip Code: 15086
 County: Armstrong Township(s): Rayburn
 Receiving Stream(s) and Classifications: UNT to Cowanshannock Creek (WWF)/Cowanshannock Creek watershed (WWF), other

4/21/10
 ESCGP-1 No.: ESX10-125-0030
 Applicant Name: Chesapeake Appalachia, LLC
 Contact Person: Tal Oden
 Address: P. O. Box 18496
 City: Oklahoma City State: OK Zip Code: 73154
 County: Washington Township(s): Robinson
 Receiving Stream(s) and Classifications: UNT (WWF)-Little Raccoon (WWF)-Raccoon Creek(WWF) to Ohio River, other

4/30/10 Major Rev.
 ESCGP-1 No.: ESX09-125-0071
 Applicant Name: Range Resources—Appalachia, LLC
 Contact Person: Carla Suszkowski
 Address: 380 Southpointe Boulevard, Suite 300
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Amwell
 Receiving Stream(s) and Classifications: Montgomery Run, other

4/29/10 Major Rev.
 ESCGP-1 No.: ESX09-125-0002
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Washington Township(s): Deemston
 Receiving Stream(s) and Classifications: UNT to Plum Run, other

4/29/10
 ESCGP-1 No.: ESX10-051-0013
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 ADDRESS: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Fayette Township(s): Bullskin
 Receiving Stream(s) and Classifications: UNT to Youghiogheny River, CWF, other

4/19/10 Major Rev.
 ESCGP-1 No.: ESX09-059-0005
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Greene Township(s): Monongahela
 Receiving Stream(s) and Classifications: UNT to
 Whiteley Creek, other

4/21/10
 ESCGP-1 No.: ESX10-063-0002
 Applicant Name: Atlas Resources, LLC
 Applicant Name: Daniel Grove
 ADDRESS: 101 Mcquiston Drive
 City: Jackson Center State: PA Zip Code: 16133
 County: Indiana Township(s): West Wheatfield
 Receiving Stream(s) and Classifications: UNT
 Conemaugh River, other

4/23/10
 ESCGP-1 No.: ESX10-021-0001
 Applicant Name: Chief Oil & Gas, LLC
 Contact person: Michael Hirtz
 Address: 6051 Wallace Road Ext., Suite 210
 City: Wexford State: PA Zip Code: 15090
 County: Cambria Township(s): Portage
 Receiving Stream(s) and Classifications: Bens Creek,
 other

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

Washington County Conservation District: 100 West Beau Street, Suite 105, Washington, PA 15301-4447. (724-228-6774)

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
63 10 8 001	Mark West Liberty Midstream & Resources, LLC	Washington	Blaine, Buffalo, Canton, Chartiers, Donegal, Hopewell, Mount Pleasant and West Finley Townships	Enlow Fork TSF UNT to Spottedtail Run WWF Robinson Fork and UNTs WWF Beham Run and UNTs WWF Blockhouse Run and UNTs WWF Bonar Creek and UNTs HQ-WWF Dutch Fork and UNTs HQ-WWF UNTs to Buck Run HQ-WWF Buffalo Creek and UNTs HQ-WWF UNTs to Wolf Run HQ-WWF Brush Run and UNTs HQ-WWF UNTs to Georges Run WWF Chartiers Run and UNTs WWF Westland Run WWF

[Pa.B. Doc. No. 10-993. Filed for public inspection May 28, 2010, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keywords: "eLibrary"). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The Technical Guidance Draft Documents heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2010.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Draft Technical Guidance—Substantive Revision

DEP ID: 275-2101-003. Title: Air Quality Permit Exemptions. Description: Under 25 Pa. Code § 127.14 (relating to exemptions), the Department may determine sources or classes of sources which may be exempt from the plan approval and permitting requirements of 25 Pa. Code Chapter 127 (relating to construction, modification, reactivation and operation of sources). In accordance with 25 Pa. Code § 127.14(d), the listing of these determinations is being revised and a draft is now available. The Department is posting this technical guidance document for a supplementary public comment period due to additional changes that were made from the previous proposal published at 38 Pa.B. 6424 (November 22, 2008). The Plan Approval and Operating Permit Exemptions guidance document identifies the following: exemptions under § 127.14(a); exemptions under 25 Pa. Code § 127.14(a)(8), that do not require submission of a Request for Determination (RFD) form and exemption criteria that the Department may use when an owner or operator of a source or a facility is seeking an exemption; further qualifications regarding plan approval exempted sources; exemptions under 25 Pa. Code § 127.14(a)(9) related to physical changes; and exemption criteria for operating permits. This guidance document is applicable to sources, which will be constructed as a new source, or modified after the effective date of this technical guidance document. It does not apply to sources which were constructed or modified prior to the effective date of this guidance document and operating lawfully without a permit. The Department is revising an exemption pertains to oil and gas exploration and production facilities and operations at Category No. 38. The owners and operators of engines not meeting the requirements identified in Category No. 38 are required to submit a request for determination to the Department. If the RFD is not approved by the Department, an application seeking authorization to use a general permit

or plan approval application must be submitted to the Department, as appropriate. Comments: Written comments should be submitted to Virendra Trivedi, Environmental Engineer Manager, New Source Review Section, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Comments must be received by the Department by June 28, 2010. Contact: Questions regarding the draft technical guidance document should be directed to Jeanette Van Skike, at jvanskike@state.pa.us or (717) 787-4325.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-994. Filed for public inspection May 28, 2010, 9:00 a.m.]

Bid Opportunity

BF 522-101.1, Abandoned Mine Land Reclamation Project, B.B.S. Coal Company, Mining Permit No. 3975SNM1 1273-2, 2A, Montgomery Township, Indiana County. The principal items of work and approximate quantities include mobilization and demobilization; clearing and grubbing; 1,218,000 cubic yards of grading; gas line relocation; and 57 acres of seeding. This bid issues May 28, 2010, and bids will be opened on June 24, 2010, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A §§ 1201—1328), and is subject to the act, and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-995. Filed for public inspection May 28, 2010, 9:00 a.m.]

Bureau of Oil and Gas Management Technical Advisory Board; Meeting Cancellation

The June 10, 2010, meeting of the Bureau of Oil and Gas Management Technical Advisory Board (Board) has been cancelled. The next meeting is scheduled for September 16, 2010, at 10 a.m. in the Rachel Carson State Office Building, 10th Floor Conference Room, 400 Market Street, Harrisburg, PA. Questions concerning the next scheduled meeting of the Board can be directed to Carol Daniels at (717) 772-2199 or by e-mail to cardaniels@state.pa.us. The agenda and meeting materials for the September 16, 2010, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keyword: "Participate"). Persons in need of accommodations as provided for

in the Americans With Disabilities Act of 1990 should contact the Department (717) 772-2199 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-996. Filed for public inspection May 28, 2010, 9:00 a.m.]

Nutrient and Sediment Reduction Credit Trading Program; Notice of Actions

The Department of Environmental Protection (Department) provides notice of the following actions under the Nutrient and Sediment Reduction Credit Trading Program (Trading Program). These actions were taken under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Final Trading of Nutrient and Sediment Reduction Credits—Policy and Guidelines (Policy) (DEP ID# 392-0900-001) (see 36 Pa.B. 7999 (December 30, 2006)). The Policy calls for a transparent system of credit reviews and approvals.

Trading is a market-based program that provides incentives for entities to create nutrient reduction credits by going beyond statutory, regulatory or voluntary obligations and goals by removing nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System permittees to meet their effluent limits for nutrients and sediment. Currently, the focus of the program is on the Chesapeake Bay Watershed.

Persons aggrieved by an action may appeal, 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 the 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, (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 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, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

For further information about these certifications or the Trading Program, contact Ann Smith, Water Planning Office, Department of Environmental Protection, P. O.

Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, annsmith@state.pa.us or visit the Department's web site at www.depweb.state.pa.us (DEP Keywords: "Nutrient Trading").

The following proposal has been certified by the Department. This certification is considered final actions of the Department.

Cove Area Regional Digester (Cross Cove Road, North Woodbury Township, Blair County, PA). This certification is applicable to the operation of the Cove Area Regional Digester that, as described, will process dairy manure from contracted participants. The manure, and all other waste streams, will be trucked to the regional digester and will be processed through a two-stage anaerobic digestion process to generate renewable energy, nutrient reductions and a by-product that can be used as a fuel source for cogeneration. This certification includes a verification plan and authorizes the generation of nitrogen and phosphorous credits. Notice of the proposal for this certification was published for comment at 39 Pa.B. 287 (January 10, 2009).

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-997. Filed for public inspection May 28, 2010, 9:00 a.m.]

Remining Financial Guarantee Program; Increase to Financial Guarantee Special Account

The Remining Financial Guarantee Program (program) is a remining incentive authorized by an amendment to the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a). The program provides low-cost bonding for permittees who are willing to reclaim abandoned mine lands immediately adjacent to their active mining operations. The special account established to financially assure bonding obligations under this program was initially funded in 1997 with \$800,000. This amount was increased by \$200,000 to \$1,000,000 in 2006.

In 25 Pa. Code Chapter 86 (relating to surface and underground coal mining: general) establishes an operator limit of 30% of the amount of money in the special account and a permit limit of 10% of the amount of money in the special account. Participants pay 1% of the amount of the Remining Financial Guarantee each year.

Since the inception of the program, this Commonwealth's coal mine operators have reclaimed 2,927 acres of abandoned mine land, saving the Commonwealth approximately \$17,500,000 in reclamation costs and paid more than \$1,000,000 in fees.

On July 1, 2010, the Department of Environmental Protection (Department) will increase the special account by \$200,000 to \$1,200,000. This will increase the Remining Financial Guarantee amount available to each operator as well as the maximum available for each permit. By allocating an additional \$200,000 to the special account the maximum limits for the program will be \$360,000 per operator and \$120,000 per permit effective July 1, 2010. This allocation is possible based on the fee revenue from existing Remining Financial Guarantees. The current limits are \$300,000 per operator and \$100,000 per permit. The incremental increase is intended to keep pace with inflation.

For background information and supporting documentation regarding the program, contact the Bureau of Mining

and Reclamation, Division of Monitoring and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-998. Filed for public inspection May 28, 2010, 9:00 a.m.]

State Board for Certification of Sewage Enforcement Officers; 2010 Examination Announcement

The State Board for Certification of Sewage Enforcement Officers (Board) and the Department of Environmental Protection (Department) have scheduled another 2010 Sewage Enforcement Officers (SEO) Precertification Academy and examination. To qualify to sit for the certification examination, all SEO candidates must complete the Precertification Academy, which consists of 6 days of training over 2 weeks. SEO Certification examination will be administered the Friday following completion of the Precertification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct by close of business on the deadline indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The 2010 Precertification Academy and examination schedule is as follows:

September 28—30 and October 5—7, 2010	Examination Date: Friday, October 8, 2010 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
PSATS Enola	Examination Application Deadline: September 7, 2010

Additional academy and examination dates will be posted as scheduled. To qualify to sit for the certification examination, all SEO candidates must complete the SEO Precertification Academy, which consists of 6 days of training spread over 2 weeks.

For information on SEO training, contact the Pennsylvania State Association of Township Supervisors, 4855 Woodland Drive, Enola, PA 17025, (717) 763-0930 or at www.seotraining.org.

The SEO written examination contains 100 multiple-choice questions covering planning requirements, administration and enforcement of the permit program and technical criteria for soils and disposal systems with a 3.5-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination, however, you are not permitted to bring your own materials. All necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection, Certification and Licensing Section, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 772-5158.

Approximately 2 weeks prior to an examination, applicants will receive an admittance letter from the Board.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at

(717) 772-5158 or through Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss your request. This request must be submitted with the application form.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-999. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Crawford County

The Department of General Services (Department) will accept bids for the purchase of 0.3297-acre ± of land and building formerly known as the Meadville National Guard Armory located at 894 Diamond Park, City of Meadville, Crawford County. Bids are due Tuesday, August 17, 2010. Interested parties wishing to receive a copy of Solicitation No. 94351 should view the Department's web site at www.dgs.state.pa.us or call Lisa Kettering at (717) 787-1321.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 10-1000. Filed for public inspection May 28, 2010, 9:00 a.m.]

Real Estate for Sale Venango County

The Department of General Services (Department) will accept bids for the purchase of 0.23-acre ± of land and building formerly known as the Oil City National Guard Armory located at 101 East Second Street, City of Oil City, Venango County. Bids are due Tuesday, August 17, 2010. Interested parties wishing to receive a copy of Solicitation No. 94350 should view the Department's web site at www.dgs.state.pa.us or call Lisa Kettering at (717) 787-1321.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 10-1001. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF HEALTH

Pennsylvania Colorectal Cancer Advisory Board Meeting

The Pennsylvania Colorectal Cancer Advisory Committee (a subcommittee of the Pennsylvania Cancer Control, Prevention and Research Advisory Board), established under the Pennsylvania Cancer Control, Prevention and Research Act (35 P.S. § 5633), will hold a meeting on Wednesday, June 9, 2010, from 11 a.m. to 11:30 a.m.

The meeting will be a teleconference call held at the Department of Health, Bureau of Health Promotion and

Risk Reduction, Bureau Conference Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information contact April Barry, Public Health Program Administrator, Department of Health, Division of Cancer Prevention and Control, Room 1011, Health and Welfare Building, 625 Forster Street, Harrisburg, PA, (717) 783-1457.

Persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to do so, should contact April Barry at the telephone number listed previously, for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1002. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Guidelines for Military Family Relief Assistance Program

The Department of Military and Veterans Affairs (Department) has updated its guidelines for the administration of the Military Family Relief Assistance Program (program).

Under 51 Pa.C.S. § 7319(c) (relating to military family relief assistance), the Department, in consultation with the chairpersons and minority chairpersons of the House and Senate Appropriations Committees and Veterans' Affairs and Emergency Preparedness Committees (Committees), has developed and is publishing updated guidelines for this program. These revised guidelines take into account the changes to the program under the act of March 16, 2010 (P.L. 138, No. 9) (Act 9), which took effect on May 15, 2010.

The program is designed to provide assistance to military families that have a direct and immediate financial need as a result of the military service of the service member. This program is funded entirely by voluntary donations in the form of Pennsylvania Personal Income Tax Refund check-offs and direct donations.

The guidelines published with this notice set forth eligibility criteria for the program, describe the maximum amount of assistance and maximum number of applicants per event or episode and describe other information necessary for the administration of this program.

Section 7319(c)(4) of 51 Pa.C.S. provides that these guidelines shall be published in the *Pennsylvania Bulletin* but shall not be subject to review under the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1102 and 1201—1208), known as the Commonwealth Documents Law, the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506) or the Regulatory Review Act (71 P.S. §§ 745.1—745.12).

The original guidelines for this program were published at 36 Pa. B. 2232 (May 6, 2006). This is the first time that guidelines have been updated since the inception of

the program. The revised guidelines, set forth in Annex A, contain wording to make them consistent with the changes contained in Act 9. Under Act 9, the program was extended until 2016, eligibility was clarified to cover some financial emergencies that may arise after release from active duty tours or after disabilities incurred in line of duty and residence requirements were clarified. In addition, the guidelines have been revised to better describe the process for review and action on applications for the program grants.

The major substantive change in the guidelines is to increase the maximum grant from \$2,500 to \$3,500. The program grants are awarded based on demonstrated need for assistance. The Department has received few applications where the need exceeded the current maximum grant. In those cases, it would have been desirable to be able to provide additional assistance. These changes should enable the Department to better address the needs of our service members and their families.

The guidelines, which are set forth in Annex A, were sent to the chairpersons and minority chairpersons of the Committees on May 3, 2010. Members of the Committees and their staffs reviewed the draft guidelines and provided some comments. Under 51 Pa.C.S. § 7319(c), the Committees are not required to take formal action when consulted on these guidelines, and the Committees did not take actions.

These guidelines set forth in Annex A to this notice shall be effective upon publication in the *Pennsylvania Bulletin*.

Questions about these guidelines should be addressed to the Department's Office of Chief Counsel at (717) 861-8503.

MAJOR GENERAL JESSICA L. WRIGHT,
Adjutant General

Annex A

PENNSYLVANIA MILITARY FAMILY RELIEF ASSISTANCE PROGRAM

1. *Authority.* These guidelines are promulgated under the authority of 51 Pa.C.S. § 7319(c) to implement the Military Family Relief Assistance Program (MFRAP) as set forth in section 7319 of the Military and Veterans Code, 51 Pa.C.S. § 7319, as amended by the Act of March 16, 2010, P.L. 138, No. 9, effective May 15, 2010.

2. *Purpose:* The Pennsylvania MFRAP provides emergency assistance to eligible service members and eligible relatives of eligible service members. The Program is established to provide emergency assistance grants to families of persons who are residents of Pennsylvania and members of the armed forces.

3. *Fund Committee:* The Adjutant General will appoint an MFRAP Fund Committee, which will assist in administering the Pennsylvania MFRAP. The Fund Committee may make recommendations to the Adjutant General for prioritization of payments if available funds are insufficient to address all the financial needs requested; and recommend changes to these guidelines.

a. *Composition.* The Fund Committee will consist of:

i. A chairperson, who shall be an officer serving in the grade of Colonel (O6) in the Pennsylvania Army or Air National Guard.

ii. A vice chairperson, who shall be a non-commissioned officer servicing in the grade of Command Sergeant Major or Chief Master Sergeant (E9) in the Pennsylvania Army or Air National Guard.

iii. Three additional commissioned officers, all of whom shall be serving in the grade of Major (04) or above (or equivalent) and at least one of whom shall be a member of a reserve component other than the Pennsylvania National Guard.

iv. Two additional noncommissioned officers, all of whom shall be serving in the grade of E7 or above, and one of whom may be a member of reserve component other than the Pennsylvania National Guard.

v. The Deputy Adjutant General for Veterans' Affairs and the Deputy for Administration of the Department of Military and Veterans or their designees.

vi. The Department's Office of Chief Counsel will provide legal advice and assistance to the fund committee (without vote).

b. *Subcommittee on Application Review.* At least three members of the Fund Committee will constitute a subcommittee to review each application for assistance. The membership of the application review subcommittee will rotate based on availability and to ensure that all Fund Committee members have the opportunity to review applications from time to time.

c. *Quorum.* Except for review of applications for assistance, which will be conducted by the subcommittee described in paragraph 3b, five members of the Fund Committee will constitute a quorum for the conduct of business.

d. *Term.* The term of a member of the Fund Committee will extend from the date of appointment until December 31 of the next following year, provided that members will continue to serve until a successor is appointed as long as the member remains eligible. The Adjutant General may extend or adjust the term of service in order to assure that all terms do not end simultaneously.

4. *Eligible Recipients:*

a. *Residence Requirement:* Members of the Armed Forces of the United States are residents of Pennsylvania at the time of the application for assistance. A resident of Pennsylvania is defined as either of the following:

i. An individual who is domiciled in this Commonwealth. The individual must either physically reside in Pennsylvania or be absent from the State pursuant to military orders. An individual's spouse or dependent who is domiciled in this Commonwealth who is stationed in another state or country shall qualify under the program as a resident of Pennsylvania so long as the person does not become domiciled in another state.

ii. An individual who qualifies under the definition of "Resident Individual" in Section 301(P) of the Act of March 4, 1971 (P. L. 6, No. 2), known as the Tax Reform Code of 1971.

b. *Eligible Service Member.* Any of the following:

i. A member of the Armed Forces of the United States or its reserve components, including the Pennsylvania National Guard, who is serving on active duty authorized under Title 10 or Title 32, United States Code, (other than active duty for training) for a period of 30 or more consecutive days.

ii. A member of the Pennsylvania National Guard serving on State active duty, authorized 51 Pa.C.S. § 508, for a period of 30 or more consecutive days.

iii. A member in good standing of any reserve component of the Armed Forces of the United States, including the Pennsylvania National Guard, for a period of one year

after release from a tour of active duty, authorized under Title 10 or Title 32, United States Code, (other than active duty for training) of 30 or more consecutive days duration when the need for assistance is directly related to the member's performance of active duty.

iv. A member in good standing of the Pennsylvania National Guard for a period of one year after release from a tour of state active duty, authorized under 51 Pa.C.S. § 508, of 30 or more consecutive days duration when the need for assistance is directly related to the member's performance of state active duty.

v. A former member of the Armed Forces of the United States or its reserve components, including the Pennsylvania National Guard for a period of 2 years after discharge if:

1. The member was discharged for medical reasons arising out of the member's military service.

2. The medical disability that resulted in the member's discharge was incurred in the line of duty and was not the result of misconduct.

3. The medical condition giving rise to the discharge did not exist prior to the member entering military service.

4. The medical disability was incurred while the member was serving on active duty, other than active duty for training, or State active duty, for a period of 30 or more consecutive days.

5. The former member received an honorable discharge for medical reasons.

6. The need for assistance is directly related to the former member's military service or the disability incurred as a result of the military service.

c. *Eligible Relative of an Eligible Service Member.*

i. The dependent spouse or dependent child of the eligible service member or, in the case of applicants for financial assistance to visit a hospitalized service member, the service member's spouse, parent, sibling or child.

ii. An eligible relative must be a legal resident (domiciliary) of Pennsylvania at the time of application for assistance. An otherwise eligible relative may retain eligibility if absent from the Commonwealth accompanying the eligible service member to military duty in another state or country.

5. *Definitions.* In addition to the terms described in paragraph 4, the following definitions shall apply in these guidelines unless the context clearly indicates otherwise or unless the governing statute, as amended, uses a different definition.

"Qualifying period of military service" means active duty, other than active duty for training, of a duration of 30 or more consecutive days or State active duty ordered under 51 Pa.C.S. § 508 or a duration of 30 or more consecutive days.

6. *Other Assistance.*

a. Except as provided in paragraph 6c, in order to qualify for assistance under this program, applicants are encouraged to seek assistance from other available sources prior to award of MFRAP grants. Other available sources include, but are not limited to:

i. Army Emergency Relief (AER) (www.aerhq.org).

ii. Air Force Aid Society (AFAS) (www.afas.org).

iii. Navy-Marine Corps Relief Society (NMCRS) (www.nmcrs.org).

iv. Coast Guard Mutual Assistance (CMGA) (www.cgmahq.org).

v. Salvation Army (www.salvationarmyusa.org)

vi. American Red Cross (ARC) (www.redcross.org).

vii. Veterans' Emergency Assistance if applicable (www.dmva.state.pa.us).

b. The application for MFRAP assistance should include copies of applications for other forms of assistance filed by the applicant.

c. The approval authorities described in paragraph 11 may waive any requirement to seek assistance from other sources when unusual or exigent circumstances makes such application impractical or unlikely to produce results in a timely manner or when the applicant shows that the circumstances are such that other potential source of funds are inapplicable to the particular circumstances. The Level 1 approval authority may approve the waiver in cases involving applications for assistance in the amount of up to \$1,500 and the Level 2 approval authority may approve the waiver in cases seeking assistance of \$1,500 or more.

7. Application Process:

a. Eligible recipients may apply for funds by submitting a completed application packet containing the following: A completed application for Pennsylvania MFRAP (PA MFRAP Form 01), signed by the applicant.

i. Proof of residency (if applicable).

ii. Proof of military membership and member's active duty status.

iii. Proof of dependency (if applicable).

iv. Military member's most current Leave and Earnings Statement (LES).

v. Supporting documentation (if applicable), such as car repair estimates, rental agreements, utility bills, bank statements, employment records, and the like.

vi. Certification, under penalty of law, that the information is true and correct to the best of the knowledge, information and belief of the application.

vii. Verification, if applicable, from military commander/first sergeant (senior NCO) of information submitted.

b. Applications, with support documents, must be mailed to: Department of Military and Veterans Affairs, ATTN: Military Family Relief Assistance Program, Fort Indiantown Gap, Annville, PA 17003-5002.

c. To expedite the application process, applications and supporting documents may be faxed to MFRAP (Fax: (717) 861-2680) or e-mailed to ra-pa-mfrap@state.pa.us. An application with the applicant's or authorized representative original signature must be submitted, along with the supporting documentation the MFRAP office.

d. If an application is submitted on behalf of an eligible service member or an eligible relative of an eligible service member, a copy of a fully-executed power of attorney authorizing the person submitting the application to act on the applicant's behalf must be submitted.

e. Application forms are available on-line at www.dmva.state.pa.us, from DMVA (Military Family Relief Assistance Program, Building S-0-47, Fort Indiantown

Gap, Annville, PA 17003-5002) or from Pennsylvania National Guard Family Assistance Centers.

8. Grants:

a. Applications for grants will be evaluated according to the criteria set forth in 51 Pa.C.S. § 7319 and in paragraph 9 of these guidelines subject to the availability of funds and the exercise of the approval authority's discretion in evaluating the relative priority of requests if funds are not sufficient to satisfy all eligible requests.

b. As required by 51 Pa.C.S. § 7319, applicants must demonstrate that they have a direct and immediate financial need for assistance as a result of the military service of the applicant. Such circumstances must be beyond the control of, and not the result of misconduct by, the applicant.

c. Grants may be made for purposes such as: food, rent, utilities, emergency transportation and vehicle repair, medical/dental expenses, short term personal needs when pay is delayed or stolen, emergency home repairs necessary to maintain habitability of essential areas, as well as other emergency needs at the discretion of the approval authority.

d. Grants may also be made if it is demonstrated that financial need is caused by:

i. The need for travel, lodging and subsistence for which the applicant lacks financial resources as a result of:

(1) The death or critical illness of an eligible member's parent (or parent-in-law), spouse, sibling (or sibling-in-law) or child.

(2) The wounding of the service member in the line of duty sustained as a result of combat or attack resulting in an immediate need for funds for travel, lodging, subsistence or other activities directly related to the casualty.

ii. No more than two eligible relatives of an eligible service member may receive assistance for travel under paragraph 8d.

e. A natural or manmade disaster resulting in the deprivation of food, shelter or other necessities of life.

f. Emergency need for child care for dependent children.

g. It is recognized that neither 51 Pa.C.S. § 7319 nor these guidelines can describe every possible emergency scenario that might result in eligible service members or their families having an immediate and direct financial need as a result of military service. Applicants may qualify for grants when they demonstrate the existence of financial need related to military service coupled with an emergency situation where the failure to obtain emergency assistance will substantially deter the service member from meeting his/her military obligations. The following situations are examples:

i. Failure to receive pay and allowances in a timely manner because of errors in military pay systems where circumstance exist precluding casual payment or advance payment.

ii. Loss of income as a result of permanent change of station or extended TDY causing member and family to move.

iii. Loss of employment of spouse due to member's service, extended TDY, or deployment.

iv. Unusual medical care costs incurred by the eligible member or dependents which are not covered by TRICARE or other government sources.

v. The eligible member or dependents are victim(s) of crimes that result in loss of income, property or credit (for example, identity theft, and the like).

vi. The special needs of an eligible member or a dependent result in a need for assistance that cannot be met as a result of the eligible member's military service.

vii. The death of a relative of an eligible service member resulting in increased costs or sudden, unexpected loss of income or support.

h. Examples of situations where granting MFRAP assistance would be inappropriate include payments to:

- i. Pay for nonessential items or finance vacations.
- ii. Pay fines or legal expenses in criminal matters.
- iii. Assist with home purchase down payment or financing or home improvements (unless directly related to qualifying military service or disability incurred in qualifying military service).
- iv. Pay bills incurred in purchase of nonessential items.

9. *Evaluation Criteria:* The criteria that will be considered in determining whether to approve applications for financial assistance include:

- a. Nature of assistance requested.
- b. Degree of financial hardship.
- c. Current family income.
- d. Current debts and obligations.
- e. Number of dependents.
- f. Connection between financial hardship and military member's active duty status.
- g. The cause of the financial hardship and its relationship, if any, to the negligence or fault of the applicant in managing income and assets.
- h. Change in income (based on military active duty).
- i. Changes in employment and income status of dependents related to military member's active duty status.
- j. Increased expenses due to military member's active duty.
- k. Military pay problems.
- l. Other issues of financial hardship related to military member's active duty.
- m. Bankruptcy filed or pending.
- n. Pending Disciplinary Action (military member only).
- o. Length of military duty.
- p. Other aid available and/or received.
- q. Amounts and date of any funds previously awarded to the applicant from this fund.

10. *Maximum Grants:*

a. The maximum grant under this program is \$3,500 or such lesser amount determined by The Adjutant General based on the amount of money in the MFRAP special fund.

b. No more than \$3,500 may be paid to an eligible service member and the eligible relatives of an eligible service member in any 12-month period. Eligibility for grants derives from the eligibility of the service member. This limit means that the eligible service member and all

eligible relatives of the eligible service member may not receive (in total for all applicants) more than \$3,500 in any 12-month period.

c. Only one grant will be made to address need arising out of each event or episode to either the eligible service member or the eligible relative of the eligible service member, but not to both.

11. *Approval Authority:* The following shall have authority to act on requests for financial assistance, unless otherwise restricted by The Adjutant General:

a. Level 1. Requests for grants up to \$1,500 may be acted upon by the Pennsylvania MFRAP Coordinator.

b. Requests for grants of \$1,500 or more may be approved by the Fund Committee's Subcommittee for Application Review.

12. *Appeals and Reconsideration:* Any applicant aggrieved by a decision with respect to a grant application may appeal to The Adjutant General in writing within 10 days of receiving the decision. The appeal shall state the reasons for the appeal and describe the requested relief. The Adjutant General shall review the appeal and make a decision concerning it. In accordance with 51 Pa.C.S. § 7319(b)(4), The Adjutant General shall make the final determination concerning any appeal.

13. *Reporting Requirements:*

a. On or before July 30 of every year for the length of the MFRAP, the Department shall submit a report to the Chairperson and Minority Chairperson of the Appropriates Committee of the Senate, the Chairperson and Minority Chairperson of the Appropriations Committee of the House of Representatives, the Chairperson and Minority Chairperson of the Veterans Affairs and Emergency Preparedness Committee of the Senate and the Chairperson and Minority Chairperson of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives detailing the MFRAP guidelines, the number of applicants, the total amount of money raised and distributed and the type of applicant need.

b. The report shall also set forth any participation by a governmental or nongovernmental organization utilized in the furtherance of the MFRAP.

14. *Effective Date.* These guidelines take effect on publication and apply to all grant applications submitted on or after the effective date and all grant applications pending on the effective date.

[Pa.B. Doc. No. 10-1003. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Match 6 Lotto Terminal-Based Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is Pennsylvania Match 6 Lotto. The game will commence

at the discretion of the Secretary and will continue until the Secretary publicly announces a suspension or termination date.

2. *Price:* The price of a Pennsylvania Match 6 Lotto ticket is \$2 per game. Additional games may be purchased at the discretion of the player.

3. *Description of the Pennsylvania Match 6 Lotto lottery game:*

(a) Pennsylvania Match 6 Lotto is designed to give players the opportunity to win up to four prizes in each game.

(b) For a \$2 purchase, the player gets a ticket containing one game. Each game shall consist of three individual plays, the first of which may either be Quick Pick or at the player's option may be numbers selected by the player; the second and third plays are Quick Pick selections. Each play consists of six numbers ranging from 1 to 49. Players can win a prize, identified in Section 6(b) (relating to prizes available to be won and determination of prize winners), by matching, in the same play, six, five, four or three of the winning numbers randomly selected by the Lottery as determined and publicly announced by the Secretary.

(c) The combination of the player's eighteen numbers generated by the single \$2 purchase (arranged in the three plays of six numbers each), offers the player an additional opportunity to win. Players can win a prize, identified in Section 6(c) (relating to prizes available to be won and determination of prize winners), by matching, in the same game, four or more of the winning numbers randomly selected by the Lottery as determined and publicly announced by the Secretary.

4. *Pennsylvania Match 6 Lotto bet slip and ticket characteristics:*

(a) Pennsylvania Match 6 Lotto bet slips shall be available at no cost to the player. Games shall be selected in accordance with the instructions printed on the Pennsylvania Match 6 Lotto bet slip. A Pennsylvania Match 6 Lotto bet slip has no pecuniary or prize value and does not constitute evidence of the purchase of a ticket or the numbers selected. The use of mechanical, electronic, computer generated or any other nonmanual method of marking bet slips is not permitted.

(b) To purchase a ticket, the player shall remit to an authorized retailer the purchase price, submit the completed Pennsylvania Match 6 Lotto bet slip or request the number selection through Quick Pick or manual terminal entry to have a ticket issued. The ticket shall consist of one to five games, each game containing three plays, the first play in each game may either be Quick Pick or at the player's option may be numbers selected by the player, the second and third plays in each game will be Quick Pick selections, the drawing date or range of dates for which the ticket is entered, the total cost of the bet, and validation data. Each game will be identified by a letter: A for the first game printed on the ticket; B for the second game printed on the ticket; C for the third game printed on the ticket; D for the fourth game printed on the ticket; and E for the fifth game printed on the ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize. The ticket shall only be valid for the drawing date or range of dates printed on the ticket.

(c) Through the use of a bet slip the player may select up to six numbers from 1 to 49 for one play of each game purchased and select the number of drawings in which

the games are entered. Additionally, a player may exercise the Quick Pick option by indication on the bet slip. A \$2 wager entitles a player to play game A. A \$4 wager entitles a player to play games A and B. A \$6 wager entitles a player to play games A, B and C. An \$8 wager entitles a player to play games A, B, C and D. A \$10 wager entitles a player to play games A, B, C, D and E.

(d) If Pennsylvania Match 6 Lotto bet slips are unavailable, the designation of the drawing date or dates for which the ticket is entered, number selections or request for the Quick Pick option may be given to an authorized retailer for each game. The retailer shall manually enter the drawing date or dates for which the ticket is entered, number selections or Quick Pick selection into the Lottery terminal.

(e) To purchase a ticket at a Lottery self-service terminal that dispenses terminal-based Lottery tickets, the player shall designate the drawing date or dates for which the ticket is entered and number selections. The player may use a bet slip or the Quick Pick option at a Lottery self-service terminal that dispenses terminal-based Lottery tickets.

5. *Time, place and manner of conducting drawings.*

(a) Time of drawing. A Pennsylvania Match 6 Lotto drawing will be held as determined and publicly announced by the Secretary.

(b) Place of drawing. A Pennsylvania Match 6 Lotto drawing will be conducted in the Harrisburg, Pennsylvania area unless the Secretary directs and publicly announces that a drawing or part of the drawing procedure will be conducted at another location.

(c) Manner of conducting drawings. The Lottery will select, at random, six numbers from 1 through 49, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The six numbers selected will be used in determining winners for a drawing. The validity of a drawing will be determined solely by the Lottery.

6. *Prizes available to be won and determination of prize winners:*

(a) An amount equal to 57.95% of Pennsylvania Match 6 Lotto gross sales for a Pennsylvania Match 6 Lotto game drawing will be reserved for prizes and allocated for payment of prizes as enumerated in section 6(b) and 6(c) (relating to prizes available to be won; and determination of prize winners).

(b) Determinations of the Pennsylvania Match 6 Lotto prize winners for tickets correctly matching, in the same play, the winning numbers selected by the Lottery are:

(1) Holders of tickets upon which six of the player's numbers, in a single play, match six of the winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of the jackpot category prize.

(i) The Lottery will estimate and announce the projected amount of the upcoming jackpot category prize prior to the drawing. Payment will be made in the amount estimated and announced as the projected jackpot category prize, or in the actual amount allocated to the jackpot category prize, whichever is greater, divided equally by the number of plays on tickets determined by the Lottery to be entitled to claim a jackpot category prize.

(ii) Prize money allocated to the jackpot category prize will be paid on a pari-mutuel basis. If more than one

winning jackpot category prize play is determined, each, upon meeting the requirements of 61 Pa. Code §§ 875.10 and 875.11 (relating to terminal-based lottery game ticket validation and requirements; and procedures for claiming and payment of prizes), is entitled to a prorated payment share of the total jackpot category prize.

(iii) Prizes payable to the jackpot category prize winners will be paid by a one-time cash payment. For the purposes of calculation of the prize to be paid the winner of a jackpot category prize, the calculation will be rounded down so that prizes can be paid in multiples of \$.50.

(iv) If, in a Pennsylvania Match 6 Lotto drawing, there are no winning jackpot category prize plays, prize money allocated to that prize category will be carried forward and added to the amount allocated for the jackpot category prize money in the next Pennsylvania Match 6 Lotto drawing.

(2) Holders of tickets upon which five of the player's numbers, in a single play, match five of the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$1,000.

(3) Holders of tickets upon which four of the player's numbers, in a single play, match four of the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$20.

(4) Holders of tickets upon which three of the player's numbers, in a single play, match three of the six winning numbers selected by the Lottery for the drawing in which the ticket is entered shall be the winner of \$2.

(c) Determinations of Pennsylvania Match 6 Lotto prize winners for tickets correctly matching, in the same game, the winning numbers selected by the Lottery are:

(1) Holders of tickets upon which ten or more of the player's numbers, in the same game, match the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$2,500.

(2) Holders of tickets upon which nine of the player's numbers, in the same game, match the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$1,000.

(3) Holders of tickets upon which eight of the player's numbers, in the same game, match the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$50.

(4) Holders of tickets upon which seven of the player's numbers, in the same game, match the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$25.

(5) Holders of tickets upon which six of the player's numbers, in the same game, match the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$10.

(6) Holders of tickets upon which five of the player's numbers, in the same game, match five of the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$5.

(7) Holders of tickets upon which four of the player's numbers, in the same game, match four of the six winning numbers selected by the Lottery for the drawing in which the ticket is entered, shall be the winner of \$2.

(d) All Pennsylvania Match 6 Lotto prize payments will be made as a one-time, lump-sum cash payment.

(e) A winning Pennsylvania Match 6 Lotto game is entitled only to the highest prize won by those numbers in each play plus the highest prize won by the eighteen numbers in that game.

(f) If the total of the set prizes won in a particular Match 6 Lotto drawing exceed sales for that drawing by 100% or more, then those set prize tiers, in which the stated prizes won exceed the percentage of sales anticipated to be paid in prizes per category, will become pari-mutuel.

(g) The number of prize categories and the allocation of prize money among the prize categories may be changed at the discretion of the Secretary and the change will be announced by public notice. Any such changes will apply prospectively to Pennsylvania Match 6 Lotto drawings as of the date specified in the public notice.

7. *Probability of winning.* The following tables set forth all possible ways that a prize can be won in a game, the corresponding prize, the probability of winning each prize and the percent of sales anticipated to be paid in prizes in each prize category:

<i>Tickets Containing The Following, In The Same Play</i>	<i>Prize:</i>	<i>Probability Of Winning Per Play:</i>	<i>Percent (%) Of Sales Anticipated To Be Paid In Prizes</i>
All Six Winning Numbers	Jackpot	1:13,983,816.0	17.79% Actual
Five Winning Numbers	\$1,000	1:54,200.8	2.77%
Four Winning Numbers	\$20	1:1,032.4	2.91%
Three Winning Numbers	\$2	1:56.7	5.30%

<i>Tickets Containing The Following, In The Same Game</i>	<i>Prize:</i>	<i>Probability Of Winning Per Game:</i>	<i>Percent (%) Of Sales Anticipated To Be Paid In Prizes</i>
Ten or More Winning Numbers	\$2,500	1:597,302.6	0.21%
Nine Winning Numbers	\$1,000	1:45,267.4	1.10%
Eight Winning Numbers	\$50	1:4,440.4	0.56%
Seven Winning Numbers	\$25	1:590.9	2.12%
Six Winning Numbers	\$10	1:106.7	4.68%
Five Winning Numbers	\$5	1:26.4	9.48%
Four Winning Numbers	\$2	1:9.1	11.03%

8. Retailer Incentive and Marketing Promotion Programs.

(a) The Lottery may conduct a separate retailer incentive program for retailers who sell Pennsylvania Match 6 Lotto lottery tickets. The conduct of the program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

(b) Retailer incentive and marketing promotion programs, including the use of unfunded free tickets, may be implemented at the discretion of the Secretary. If needed, funds for the programs, including the payment of prizes resulting from the programs, will be drawn from the Lottery Fund.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1004. Filed for public inspection May 28, 2010, 9:00 a.m.]

Pennsylvania Million Dollar Cash Fever Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Million Dollar Cash Fever.

2. *Price:* The price of a Pennsylvania Million Dollar Cash Fever instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania Million Dollar Cash Fever instant lottery game ticket will contain one play area featuring a “CASH NUMBERS” area and a “YOUR HOT NUMBERS” area and a separate “Red Hot \$100s” bonus area. The play symbols and their captions located in the “CASH NUMBERS” area printed in black ink 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 (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 “CASH NUMBERS” area printed in red ink 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 (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 HOT NUMBERS” area printed in black ink 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 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY) and a FEVER symbol (FEVER). The play symbols and their captions located in the “YOUR HOT NUMBERS” area printed in red ink 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 (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 prize play symbol and the play symbols and their captions located in the “Red Hot \$100s” bonus area printed in black ink are: \$100 (ONE HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize play symbol and the play symbols and their captions located in the “Red Hot \$100s” bonus area printed in red ink are: \$100 (DOUBLE), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS).

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR HOT NUMBERS” area are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$2,500, \$10,000, \$100,000 and \$1,000,000. The \$1,000,000 top prize is a lump sum cash payment. The prizes that can be won in the “Red Hot \$100s” bonus area are: \$100 and \$200. A player can win up to 21 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 2,880,000 tickets will be printed for the Pennsylvania Million Dollar Cash Fever instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR HOT NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “CASH NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1MILL (ONE MIL) appears under the matching “YOUR HOT NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which any one of the “YOUR HOT NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “CASH NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching “YOUR HOT 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 HOT NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “CASH NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$10,000 (TEN THO) appears under the matching “YOUR HOT NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(w) Holders of tickets upon which any one of the "YOUR HOT NUMBERS" play symbols, with the symbol and caption printed in red ink, matches any of the "CASH NUMBERS" play symbols, with the symbol and caption printed in red ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR HOT NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(x) Holders of tickets upon which any one of the "YOUR HOT NUMBERS" play symbols, with the symbol

and caption printed in black ink, matches any of the "CASH NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR HOT NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Of Your Hot Numbers Match Any Of The Cash Numbers, Win Prize Shown Under The Matching Number. Win With Prize(s) Of:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,880,000 Tickets</i>	
\$10 × 2	\$20	25	115,200
\$10 w/RED	\$20	13.04	220,800
\$20	\$20	20	144,000
\$10 × 4	\$40	150	19,200
\$20 × 2	\$40	100	28,800
\$20 w/RED	\$40	30	96,000
\$40	\$40	60	48,000
\$10 × 5	\$50	150	19,200
(\$20 w/RED) + \$10	\$50	60	48,000
\$50	\$50	100	28,800
\$10 × 10	\$100	300	9,600
\$50 w/RED	\$100	150	19,200
BONUS w/\$100	\$100	50	57,600
\$100	\$100	150	19,200
\$10 w/FEVER	\$200	3,429	840
\$20 × 10	\$200	6,000	480
\$40 × 5	\$200	6,000	480
\$50 × 4	\$200	4,800	600
(BONUS w/\$100) + (\$10 × 10)	\$200	4,800	600
(BONUS w/\$100) + (\$20 × 5)	\$200	4,800	600
(BONUS w/\$100) + (\$50 × 2)	\$200	4,800	600
(BONUS w/\$100) + \$100	\$200	4,800	600
\$100 w/RED	\$200	4,000	720
BONUS w/RED \$100	\$200	4,000	720
\$200	\$200	4,800	600
(\$20 w/FEVER) + (\$20 × 5)	\$500	8,000	360
(BONUS w/\$100) + (\$10 × 15) + (\$50 × 5)	\$500	8,000	360
(\$40 × 10) + (\$50 × 2)	\$500	8,000	360
\$50 × 10	\$500	8,000	360
\$100 × 5	\$500	8,000	360
(BONUS w/RED \$100) + (\$100 × 3)	\$500	4,000	720
(BONUS w/\$100) + (\$100 × 4)	\$500	4,000	720
(\$200 w/RED) + \$100	\$500	4,000	720
\$500	\$500	8,000	360
(BONUS w/\$100) + (\$40 × 10) + (\$50 × 10)	\$1,000	8,000	360
\$50 w/FEVER	\$1,000	4,800	600
\$100 × 10	\$1,000	8,000	360
(BONUS w/\$100) + (\$100 × 9)	\$1,000	8,000	360
(BONUS w/RED \$100) + (\$100 × 8)	\$1,000	12,000	240
\$500 w/RED	\$1,000	4,000	720
\$1,000	\$1,000	8,000	360
\$500 × 5	\$2,500	60,000	48
\$2,500	\$2,500	60,000	48
\$500 w/FEVER	\$10,000	120,000	24
\$1,000 × 10	\$10,000	120,000	24
\$2,500 × 4	\$10,000	120,000	24
\$10,000	\$10,000	120,000	24
\$100,000	\$100,000	240,000	12
\$1,000,000	\$1,000,000	960,000	3

When both matching numbers are red, win double the prize shown under it automatically.
 Get a "FEVER" (FEVER) symbol, win 20 times the prize shown under it automatically.
 Red Hot \$100s Bonus = Reveal \$100, win that amount. Reveal a red \$100, win double that amount.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Million Dollar Cash Fever instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Million Dollar Cash Fever, prize money from winning Pennsylvania Million Dollar Cash Fever instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Million Dollar Cash Fever instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Million Dollar Cash Fever or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1005. Filed for public inspection May 28, 2010, 9:00 a.m.]

Pennsylvania mix & match Terminal-Based Lottery Game

Under 61 Pa. Code § 875.1 (relating to creation), the Secretary of Revenue hereby provides public notice of the termination of the Pennsylvania mix & match terminal-based lottery game rules, which were published at 37 Pa.B. 73 (January 6, 2007), effective May 31, 2010.

In accordance with section 6(a)(5) of the game rules (relating to prizes available to be won and determination of prize winners), which appeared at 37 Pa.B. 74, the

Secretary of Revenue hereby announces that for the drawing on May 31, 2010, the prize for holders of tickets upon which one of the player's numbers matches only one of the winning numbers selected by the Lottery, with the matching number appearing on the ticket in the same position in which it was selected by the Lottery, shall be entitled to a prize of \$2. The Secretary of Revenue also announces that holders of tickets, issued prior to May 31, 2010 but claimed after the May 31, 2010 drawing, upon which one of the player's numbers matches only one of the winning numbers selected by the Lottery, with the matching number appearing on the ticket in the same position in which it was selected by the Lottery, shall be entitled to a prize of \$2 instead of one Pennsylvania mix & match game play for an upcoming game drawing.

In accordance with section 6(a)(1) of the game rules (relating to prizes available to be won and determination of prize winners), which appeared at 37 Pa.B. 74, the Secretary of Revenue hereby announces that in the event no ticket is sold containing the winning numbers necessary to claim the jackpot category prize for the final Pennsylvania mix & match drawing, to take place on May 31, 2010, the allocation of prize money will be as follows:

Holders of tickets upon which all five of the player's numbers match the five winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in any position, shall be entitled to a prize of \$2,000 and a share of the jackpot category prize equal to 66.7% of the jackpot category prize money divided by the number of tickets, as determined by the Lottery, upon which all five of the player's numbers match the five winning numbers selected by the Lottery with the matching numbers appearing on the ticket in any position.

Holders of tickets upon which four of the player's numbers match four of the winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery, shall be entitled to a prize of \$1,000 and a share of the jackpot category prize equal to 33.3% of the jackpot category prize money divided by the number of tickets, as determined by the Lottery, upon which four of the player's numbers match four of the winning numbers selected by the Lottery with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery.

The following chart indicates the prizes to be paid, for tickets matching the winning numbers in the same position drawn and for tickets matching the winning numbers in any position, if there is a winner of the jackpot category prize for the May 31, 2010 Pennsylvania mix & match drawing:

Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing On The Ticket In The Same Position Drawn

- 5
- 3
- 2
- 1
- 0
- 4
- 3
- 2

Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing In Any Position

- 5
- 5
- 5
- 5
- 5
- 4
- 4
- 4

Prize Or Combination Of Prizes That Can Be Won By Matching Numbers In The Same Position + Matching Numbers In Any Position If There Is A Winner Of The Jackpot Category Prize For The May 31, 2010 Drawing.

- Jackpot category prize + \$2,000
- \$100 + \$2,000
- \$4 + \$2,000
- \$2 + \$2,000
- \$0 + \$2,000
- \$1,000 + \$20
- \$100 + \$20
- \$4 + \$20

Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing On The Ticket In The Same Position Drawn

1
0
3
2
1
0
2
1
1

Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing In Any Position

4
4
3
3
3
3
2
2
1

Prize Or Combination Of Prizes That Can Be Won By Matching Numbers In The Same Position + Matching Numbers In Any Position If There Is A Winner Of The Jackpot Category Prize For The May 31, 2010 Drawing.

\$2 + \$20
\$0 + \$20
\$100 + \$2
\$4 + \$2
\$2 + \$2
\$0 + \$2
\$4 + \$0
\$2 + \$0
\$2 + \$0

The following chart indicates the prizes to be paid for tickets matching the winning numbers in the same position drawn and for tickets matching the winning numbers in any position, if there is not a winner of the jackpot category prize for the May 31, 2010 Pennsylvania mix & match drawing:

Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing On The Ticket In The Same Position Drawn

3
2
1
0
4
3
2
1
0
3
2
1
0
2
1
1

Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing In Any Position

5
5
5
5
4
4
4
4
3
3
3
3
2
2
1

Prize Or Combination Of Prizes That Can Be Won By Matching Numbers In The Same Position + Matching Numbers In Any Position If There Is Not A Winner Of The Jackpot Category Prize For The May 31, 2010 Drawing.

\$100 + \$2,000 and a portion of the Jackpot category prize*
\$4 + \$2,000 and a portion of the Jackpot category prize*
\$2 + \$2,000 and a portion of the Jackpot category prize*
\$0 + \$2,000 and a portion of the Jackpot category prize*
\$1,000 and a portion of the Jackpot category prize** + \$20
\$100 + \$20
\$4 + \$20
\$2 + \$20
\$0 + \$20
\$100 + \$2
\$4 + \$2
\$2 + \$2
\$0 + \$2
\$4 + \$0
\$2 + \$0
\$2 + \$0

*66.7% of the Jackpot category prize money divided by the number of tickets, as determined by the Lottery, upon which all five of the player's numbers match the five winning numbers selected by the Lottery with the matching numbers appearing on the ticket in any position.

**33.3% of the Jackpot category prize money divided by the number of tickets, as determined by the Lottery, upon which four of the player's numbers match four of the winning numbers selected by the Lottery with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery.

For the purposes of calculation of a prize to be paid under this provision the calculation shall be rounded down so that prizes can be paid in multiples of \$.50.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1006. Filed for public inspection May 28, 2010, 9:00 a.m.]

Pennsylvania Solid Gold '10 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Solid Gold '10.

2. *Price:* The price of a Pennsylvania Solid Gold '10 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Solid Gold '10 instant lottery game ticket will contain one play area featuring a "WINNING NUMBER" area and a "GOLD NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBER" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "GOLD NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Gold Bar symbol (GOLDBAR).

4. *Prize Symbols:* The prize symbols and their captions located in the "GOLD NUMBERS" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and \$2,000 (TWO THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100 and \$2,000. A player can win up to 5 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Solid Gold '10 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$2,000 (TWO THO) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$100 (ONE HUN) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$20⁰⁰ (TWENTY) appears in each of the five "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of

\$40⁰⁰ (FORTY) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "prize" areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$4⁰⁰ (FOR DOL) appears in each of the five "prize" areas, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$2⁰⁰ (TWO DOL) appears in each of the five "prize" areas, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols is a Gold Bar symbol (GOLDBAR), and a prize symbol of \$1⁰⁰ (ONE DOL) appears in each of the five "prize" areas, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$4⁰⁰ (FOR DOL) appears under the matching "GOLD 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 "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching "GOLD 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 "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$1⁰⁰ (ONE DOL) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(p) Holders of tickets upon which any one of the "GOLD NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of FREE (TICKET) appears under the matching "GOLD NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Solid Gold '10 instant game ticket or one Pennsylvania Lottery instant

game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Gold Number Matches The Winning Number, Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
FREE	FREE \$1 TICKET	10	1,200,000
\$1 x 2	\$2	33.33	360,000
\$2	\$2	33.33	360,000
\$1 x 4	\$4	150	80,000
\$2 x 2	\$4	150	80,000
\$4	\$4	150	80,000
\$1 x 5	\$5	300	40,000
GOLD BAR w/(\$1 x 5)	\$5	200	60,000
\$5	\$5	200	60,000
\$2 x 5	\$10	600	20,000
GOLD BAR w/(\$2 x 5)	\$10	300	40,000
\$5 x 2	\$10	600	20,000
\$10	\$10	300	40,000
GOLD BAR w/(\$4 x 5)	\$20	1,500	8,000
\$5 x 4	\$20	1,500	8,000
\$10 x 2	\$20	1,500	8,000
\$20	\$20	750	16,000
GOLD BAR w/(\$5 x 4) + \$20	\$40	2,400	5,000
\$20 x 2	\$40	2,400	5,000
\$40	\$40	2,400	5,000
GOLD BAR w/(\$20 x 5)	\$100	8,000	1,500
\$50 x 2	\$100	8,000	1,500
\$100	\$100	8,000	1,500
\$2,000	\$2,000	120,000	100

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Solid Gold '10 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Solid Gold '10, prize money from winning Pennsylvania Solid Gold '10 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Solid Gold '10 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Solid Gold '10 or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1007. Filed for public inspection May 28, 2010, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Berks County

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)), the Director of the Bureau of Design makes the following written finding:

The Federal Highway Administration and the Department of Transportation (Department) are planning to replace the Longswamp Road Bridge which carries SR 1010 over Little Lehigh Creek in Berks County. Therefore, the project will require the use of the Longswamp Road Bridge which is a contributing element to the Lower Longswamp Historic District and, therefore qualifies as a Section 4(f)/Section 2002 resource.

In accordance with Section 2002 The Administrative Code of 1929 establishing the Department, a Level-2 Categorical Exclusion Evaluation (CEE) has been developed for the subject project along with a "Nationwide/Programmatic Section 4(f) Evaluation for Transportation Projects that have Net Beneficial Use (Net Benefit)" document to evaluate the potential environmental impacts caused by the subject project. The document also serves as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System.

Based upon studies, there is no feasible and prudent alternative to the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Level-2 CEE, the "Nationwide/Programmatic Section 4(f) Evaluation for Transportation Projects that have Net Beneficial Use (Net Benefit)" and the associated Memorandum of Agreement.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P. E.,
Director
Bureau of Design

[Pa.B. Doc. No. 10-1008. Filed for public inspection May 28, 2010, 9:00 a.m.]

Finding Crawford County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of the Bureau of Design makes the following written finding:

The Federal Highway Administration and the Department of Transportation (Department) are planning to replace the Smith Road Bridge which carries Township Route 406 over an unnamed tributary to Conneaut Creek in Crawford County. Therefore, the project will require the use of the Smith Road Bridge which is eligible for the National Register of Historic Places and, therefore qualifies as a Section 4(f)/Section 2002 resource.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, a Level-2 Categorical Exclusion Evaluation (CEE) has been developed for the subject project along with a "Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges" document to evaluate the potential environmental impacts caused by the subject project. The document also serves as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System.

Based upon studies, there is no feasible and prudent alternative to the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Level-2 CEE, the "Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges" and the associated Memorandum of Agreement.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent

alternative to the project, and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P. E.,
Director
Bureau of Design

[Pa.B. Doc. No. 10-1009. Filed for public inspection May 28, 2010, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Richard Ryan v. DEP and Department of Transportation, Permittee; EHB Doc. No. 2010-061-K

Richard Ryan has appealed the issuance by the Department of Environmental Protection of an NPDES permit to the Department of Transportation for stormwater discharges associated with construction activities in Plumstead Township, Bucks County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 10-1010. Filed for public inspection May 28, 2010, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, May 13, 2010, and announced the following:

Action Taken—Regulations Approved:

Department of Banking #3-46: General Provisions Hearings and Conferences (deletes 10 Pa. Code Chapter 3)

Department of Banking #3-47: Mortgage License Continuing Education (deletes 10 Pa. Code Chapter 44)

State Board of Examiners of Nursing Home Administrators #16A-6212: Continuing Education (amends 49 Pa. Code § 39.61)

State Board of Examiners of Nursing Home Administrators #16A-629: Temporary Permits (amends 49 Pa. Code §§ 39.1 and 39.4)

Department of Revenue #15-445: Amended Report—Corporation Taxes (amends 61 Pa. Code Chapters 151 and 153)

Department of Corrections #19-12: Inmate Correspondence (amends 37 Pa. Code § 93.2)

Environmental Quality Board #7-419: Control of NOx Emissions from Cement Kilns (amends 25 Pa. Code Chapter 145)

Environmental Quality Board #7-420: Control of NOx Emissions from Glass Melting Furnaces (amends 25 Pa. Code Chapters 121 and 129)

Pennsylvania Public Utility Commission #57-251: Provision of Bundled Service Package Plans at a Single Monthly Rate by Local Exchange Carriers (amends 52 Pa. Code §§ 64.2 to 64.123)

Pennsylvania Liquor Control Board #54-60: Responsible Alcohol Management Program (establishes 40 Pa. Code Chapter 5)

Department of Education #6-319: Pre-K Counts Requirements, Standards and Procedures (establishes 22 Pa. Code Chapter 405)

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-
man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner,
Esq., by Phone

*Department of Banking—General Provisions
Hearings and Conferences;
Regulation No. 3-46 (#2827)*

On March 25, 2010, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Banking (Department). This rulemaking deletes 10 Pa. Code Chapter 3. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking deletes the Department's regulations pertaining to hearings and conferences because the regulations have been preempted by statute and are obsolete.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. § 733-202.C) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-
man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner,
Esq., by Phone

*Department of Banking—Mortgage Licensee Continuing
Education; Regulation No. 3-47 (#2828)*

On March 25, 2010, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Banking (Department). This rulemaking deletes 10 Pa. Code Chapter 44. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking deletes the Department's regulations pertaining to mortgage licensee continuing education because the regulations have been preempted by statute and are obsolete.

We have determined this regulation is consistent with the statutory authority of the Department (7 Pa.C.S.A § 6138(a)(4)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-
man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner,
Esq., by Phone

*State Board of Examiners of Nursing Home
Administrators—Continuing Education;
Regulation No. 16A-6212 (#2747)*

On February 11, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Examiners of Nursing Home Administrators (Board). This rulemaking amends 49 Pa. Code § 39.61. The proposed regulation was published in the February 21, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 5, 2010.

This final-form rulemaking clarifies, updates and expands the Board's continuing education requirements.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. §§ 1104(c) and 1109(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*State Board of Examiners of Nursing Home Administrators—Temporary Permits;
Regulation No. 16A-629 (#2678)*

On February 27, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Examiners of Nursing Home Administrators (Board). This rulemaking amends 49 Pa. Code §§ 39.1 and 39.4. The proposed regulation was published in the March 8, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 5, 2010.

This final-form rulemaking amends the Board's existing regulations pertaining to temporary permits.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. §§ 1104(c) and 1114) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*Department of Revenue—
Amended Report—Corporation Taxes;
Regulation No. 15-445 (#2750)*

On February 20, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Revenue (Department). This rulemaking amends 61 Pa. Code Chapters 151 and 153. The proposed regulation was published in the March 7, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 7, 2010.

This rulemaking helps facilitate the transition from the corporation tax settlement process to the assessment process as required by Act 119 2006.

We have determined this regulation is consistent with the statutory authority of the Department (72 P. S. § 6) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*Department of Corrections—
Inmate Correspondence;
Regulation No. 19-12 (#2830)*

On April 7, 2010, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Corrections (Department). This rulemaking amends 37 Pa. Code § 93.2. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This regulation represents a codification of the Department's policy on what is defined as obscene materials. Delivery of these materials to inmates via incoming correspondence or publications is prohibited.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. § 310-1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*Environmental Quality Board—
Control of NOx Emissions from Cement Kilns;
Regulation No. 7-419 (#2682)*

On April 7, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 145. The proposed regulation was published in the April 19, 2008 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on April 12, 2010.

The regulation updates and revises nitrogen oxides (NOx) emission standards, procedures and requirements for cement kilns. This regulatory program is a component of the air quality strategy recommended by the Ozone Transport Commission.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P. S. § 4005(a)(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

Environmental Quality Board—

*Control of NOx Emissions from Glass Melting Furnaces;
Regulation No. 7-420 (#2683)*

On April 7, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapters 121 and 129. The proposed regulation was published in the April 19, 2008 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on April 12, 2010.

The regulation updates and revises nitrogen oxides (NOx) emission standards, procedures and requirements for glass melting furnaces. This regulatory program is a component of the air quality strategy recommended by the Ozone Transport Commission.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P. S. § 4005(a)(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

Pennsylvania Public Utility Commission—

*Provision of Bundled Service Package Plans at a Single
Monthly Rate by Local Exchange Carriers;
Regulation No. 57-251 (#2591)*

On February 15, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code §§ 64.2 to 64.123. The proposed regulation was published in the March 3, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The PUC reopened the public comment period on June 7, 2008, which then closed on July 31, 2008. The final-form regulation was submitted to the Commission on February 18, 2010. On March 19, 2010, the Commission received a request from the PUC to toll consideration of this final-form regulation to delete a provision that relied on a guidance document. On April 16, 2010, the PUC submitted its revisions to the final-form regulation to the Commission.

This regulation establishes a safeguard for the provision of basic local exchange telephone service within the bundled service pricing plans offered by local telephone companies.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*Pennsylvania Liquor Control Board—
Responsible Alcohol Management Program;
Regulation No. 54-60 (#2660)*

On December 28, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Liquor Control Board (Board). This rulemaking establishes 40 Pa. Code Chapter 5. The proposed regulation was published in the January 26, 2008, *Pennsylvania Bulletin* with a 30-day public comment period. On February 25, 2010, the Board submitted the final-form regulation. On March 31, 2010, the Commission received a request from the Board to toll consideration of this final-form regulation to correct a drafting error. On April 20, 2010, the Board submitted its revisions to the final-form regulation to the Commission.

This regulation codifies the Responsible Alcohol Management Program.

We have determined this regulation is consistent with the statutory authority of the Board (47 P. S. §§ 2-207(i) and 4-471.1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
May 13, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III, Dissenting; John F. Mizner, Esq., by Phone

*Department of Education—
Pennsylvania Pre-K Counts Requirements,
Standards and Procedures;
Regulation No. 6-319 (#2817)*

On January 27, 2010, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Education (Department). This rulemaking establishes 22 Pa. Code Chapter 405. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*. On March 8, 2010, the Commission received a request from the Department to toll consideration of this final-omitted regulation to address

statutory concerns, reliance on guidance documents and drafting errors. On April 7, 2010, the Department submitted its revisions to the final-omitted regulation to the Commission.

This final-omitted regulation establishes minimum standards for the operation of the Pre-K Counts Program

We have determined this regulation is consistent with the statutory authority of the Department (24 P. S. § 15-1513D(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1011. Filed for public inspection May 28, 2010, 9:00 a.m.]

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>
57-267	Pennsylvania Public Utility Commission Streamlining the Rate Increase procedures for Small Motor Carriers 40 Pa.B. 1531 (March 20, 2010)	4/19/10	5/19/10

**Pennsylvania Public Utility Commission
Regulation #57-267 (IRRC #2825)**

**Streamlining the Rate Increase
Procedures for Small Motor Carriers**

May 19, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the March 20, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory

Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

Section 23.69. Stay-out provision.—Statutory authority.

This section states:

A small passenger carrier will not be permitted to request another increase in rates or operating revenues from the Commission for 1 year following a prior Commission approved rate increase. A small passenger carrier with gross intrastate operating revenues of less than \$500,000, but with an operating ratio that is 93% or above, shall be excepted from this 1 year stay-out restriction.

In response to the Regulatory Analysis Form question 11, the PUC cites 66 Pa.C.S. §§ 1301 and 1308 as the statutory authority for this regulation. Section 1301 requires rates to be just and reasonable. Section 1308 addresses voluntary changes in rates. Upon review of these statutory provisions, we did not find direct authority for the PUC to require a small passenger carrier to stay-out for one year. The PUC should explain its statutory authority to enforce this provision. If the PUC is unable to establish direct authority for this section, we recommend deleting it.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1012. Filed for public inspection May 28, 2010, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained on the web site, www.irrc.state.pa.us.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-446	Environmental Quality Board Wastewater Treatment Requirements	5/17/10	6/17/10
7-440	Environmental Quality Board Erosion and Sediment Control and Stormwater Management	5/17/10	6/17/10

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1013. Filed for public inspection May 28, 2010, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by GS Operator, LP

GS Operator, LP has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Glendale Uptown Home in Philadelphia, PA. The initial filing was received on May 14, 2010, and was made under the requirements set forth under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1014. Filed for public inspection May 28, 2010, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Meadville Rehabilitation and Nursing Center, LLC

Meadville Rehabilitation and Nursing Center, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Meadville Rehabilitation and Nursing Center, LLC in Meadville, PA. The initial filing was received on May 14, 2010, and was made under the requirements set forth under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1015. Filed for public inspection May 28, 2010, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Siemon Nursing Home, Inc.

Siemon Nursing Home, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Siemon's Lakeview Manor Estate in Somerset, PA. The initial filing was received on May 7, 2010, and was made under the requirements set forth under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1016. Filed for public inspection May 28, 2010, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Change of Control

A-2010-2176520 and A-2010-2176732. West Penn Power Company, d/b/a Allegheny Power, Trans-Allegheny Interstate Line Company and FirstEnergy Corporation. Joint application of West Penn Power Company, d/b/a Allegheny Power, Trans-Allegheny Interstate Line Company and FirstEnergy Corporation for approval of a change of control of West Penn Power Company and Trans-Allegheny Interstate Line Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 14, 2010. 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, and at the applicant's business address.

Applicant: West Penn Power Company, d/b/a Allegheny Power, Trans-Allegheny Interstate Line Company, FirstEnergy Corporation

Through and By Counsel: Thomas P. Gadsden, Esquire, Kenneth M. Kulak, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

Wendy E. Stark, Esquire, Bradley E. Bingaman, Esquire, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001

W. Edwin Ogden, Esquire, Alan Michael Seltzer, Esquire, Ryan, Russell, Ogden and Seltzer, PC, Suite 210, 1150 Berkshire Boulevard, Wyomissing, PA 19610-1208

Randall B. Palmer, Esquire, Jennifer L. Petisek, Esquire, 800 Cabin Hill Drive, Greensburg, PA 15601

Joint Application of West Penn Power Company, d/b/a Allegheny Power (A-2010-2176520), Trans-Allegheny Interstate Line Company (A-2010-2176732) and FirstEnergy Corporation

For a Certificate of Public Convenience Under Section 1102(A)(3) of the Public Utility Code Approving a Change of Control of West Penn Power Company and Trans-Allegheny Interstate Line company

Notice

This is to inform you that an initial prehearing conference on the previously-captioned case will be held as follows:

Type: Initial Prehearing Conference
Date: Tuesday, June 22, 2010
Time: 10 a.m.
Location: Hearing Room 2
 Plaza Level
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120
Presiding: Administrative Law Judge
 Wayne Weismandel
 P. O. Box 3265
 Harrisburg, PA 17105-3265
 Phone: (717) 783-5452
 Fax: (717) 787-0481
Presiding: Administrative Law Judge Mary D. Long
 Piatt Place
 301 Fifth Avenue
 Room 220
 Pittsburgh, PA 15222
 Telephone: (412) 565-3550
 Fax: (412) 565-5692

The persons with a disability who wish to attend the hearing, Pennsylvania Public Utility Commission (Commission) may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For those who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit the request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1017. Filed for public inspection May 28, 2010, 9:00 a.m.]

Indirect Change of Control

A-2010-2176733. Qwest Communications Company, LLC to CenturyLink, Inc. Joint application for approval under Chapter 11 (relating to certificates of public convenience) of the indirect change of control of Qwest Communications Company, LLC to CenturyLink, Inc. and for all other approvals required under 66 Pa.C.S. (relating to the Public Utility Code).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 14, 2010. 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, and at the applicant's business address.

Applicant: Qwest Communications Company, LLC
 CenturyLink, Inc.

Through and By Counsel: John F. Povilaitis, Esquire, Ryan, Russell, Odgen & Seltzer, PC, 800 North Third Street, Suite 101, Harrisburg, PA 17102

Zsuzsanna E. Benedek, Esquire, CenturyLink, Inc., 240 North Third Street, Suite 201, Harrisburg, PA 17101

Joint Application for approval under Chapter 11 of the PA PUC Code of the Indirect Change of Control of Qwest Communications Company, LLC to CenturyLink.

Notice

This is to inform you that an initial prehearing conference on the previously-captioned case will be held as follows:

Date: Tuesday, June 29, 2010
Time: 10 a.m.
Location: In an available 4th Floor Hearing Room—
 Philadelphia Parties
 (Take one of the last four elevators at the far end of the lobby)
 801 Market Street (enter on 8th Street)
 Philadelphia, PA 19107
Location: Hearing Room 2—Harrisburg Parties
 Plaza Level
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA 17120
Presiding: Administrative Law Judge Angela T. Jones
 Suite 4063
 801 Market Street
 Philadelphia, PA 19107
 Telephone: (215) 560-2105
 Fax: (215) 560-3133

For persons with a disability who wish to attend the hearing, the Pennsylvania Public Utility Commission (Commission) may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For those who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

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- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1018. Filed for public inspection May 28, 2010, 9:00 a.m.]

Opinion and Order

Public Meeting held
May 6, 2010

Commissioners Present: James H. Cawley, Chairperson;
Tyrone J. Christy, Vice Chairperson; Wayne E. Gardner;
Robert F. Powelson

AT&T Communications of Pennsylvania, Inc. v. Verizon North, Inc. and Verizon Pennsylvania, Inc.; C-20027195

Opinion and Order

By the Commission:

Before the Commission for consideration is the Status Report and Motion to Extend the Stay (Motion to Extend Stay) of its Access Charge Investigation, which was jointly filed on August 12, 2009, by Verizon Pennsylvania, Inc. (Verizon PA) and Verizon North, Inc. (Verizon North) (collectively Verizon), in the above captioned proceeding.¹ The Commission previously had stayed the Verizon Access Charge Investigation by Orders entered on January 8, 2007, and September 12, 2008. Each time the stay was granted for a twelve-month period awaiting the outcome of the Federal Communications Commission's (FCC) *Unified Intercarrier Compensation Proceeding* at CC Docket No. 01-92.² Also, in each of those instances, the Parties were required to submit status reports, thirty days prior to the expiration of each of the stays, on the prior year's events that may have an impact on the Verizon Access Charge Investigation.

In addition to Verizon's Status Report and Motion to Extend Stay, we are also considering the Status Reports of the other Parties in this case. Those parties include Sprint Communications Company, L.P., Sprint Spectrum, L.P., Nextel Communication of the Mid-Atlantic, Inc. and NPCR, Inc. (collectively, Sprint) and AT&T Communications of Pennsylvania, Inc. (AT&T), all who filed their Status Reports on August 12, 2009. Also on August 12, 2009, Qwest Communications Company filed a letter in lieu of a Status Report.

On September 1, 2009, Verizon filed an Answer to Sprint's and AT&T's Status Reports, and AT&T and Sprint individually filed their Answers to Verizon's Motion to Extend. On September 2, 2009, a Joint Answer was filed by the Pennsylvania Telephone Association (PTA) and The United Telephone Company of Pennsylvania, d/b/a Embarq Pennsylvania (Embarq)³ (collectively PTA/Embarq) to Verizon's Motion to Extend.

History of the Proceeding

The history of the proceeding is contained substantially on pages 2—9 of our January 8, 2007 Opinion and Order

¹ Verizon indicates that its Motion to Extend Stay is being filed on behalf of Verizon Pennsylvania, Inc., Verizon North, Inc. and MCI Metro Access Transmission Services, LLC, d/b/a Verizon Access Transmission Services (MCI Metro). However, as noted by AT&T Communications of Pennsylvania, Inc. (AT&T) in Footnote No. 1 to its Answer to Verizon's Motion to Extend Stay, the instant access charge investigation involves the review of intrastate access rates of the two Verizon incumbent carriers (Verizon PA and Verizon North). MCI Metro, as a certified competitive local exchange carrier (CLEC) in Pennsylvania merged with Verizon in 2005, and has become part of Verizon by Order entered on January 11, 2006, at Docket No. A-310580F0009, et al. MCI Metro is not an incumbent carrier whose rates are being investigated at this docket. As such, we are considering the Motion to Extend Stay as being filed by the two Verizon incumbents alone.

² See *In the Matter of Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92, FCC 05-33, Further Notice of Proposed Rulemaking (released March 3, 2005) (*Unified Intercarrier Compensation Proceeding*), wherein the FCC is comprehensively considering, *inter alia*, establishing a unified intercarrier compensation rate in lieu of interstate and intrastate access charges and local reciprocal compensation rates.

³ It is noted that Embarq is now known as The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink as a result of its recent merger approval in Pennsylvania earlier this year. See *Joint Application of The United Telephone Company of Pennsylvania, LLC, d/b/a Embarq Pennsylvania and Embarq Communications, Inc. For approval of the Indirect Transfer of Control To CenturyTel, Inc.*, Docket No. A-2008-2076038, (Opinion and Order entered March 10, 2010).

in this case at the above captioned docket. The following is gleaned from that history and also includes updates that have occurred since then.

In the Global Order⁴ entered September 30, 1999, the Commission directed all local incumbent exchange carriers operating in Pennsylvania to reduce their access charges. The Global Order further provided for a subsequent access charge proceeding to begin in January 2001 to determine additional access charge reductions and the possible elimination of the Carrier Charge pool. Subsequently, in January 2002, the Commission initiated a formal generic access charge investigation at Docket No. M-00021596 in order to accommodate the access charge investigation that was required by the Global Order.

On March 22, 2002, AT&T filed a Formal Complaint at Docket No. C-20027195 against Verizon North seeking to have Verizon North's access charges reduced to Verizon PA's levels pursuant to the requirements in the Bell Atlantic-GTE Merger Order at Docket No. A-310200 F0002, et al.⁵ AT&T's Formal Complaint was initially dismissed by then Chief Administrative Law Judge Robert Christianson, but was later reinstated by an Order entered December 24, 2002. The December 24, 2002 Order also bifurcated the access charge investigation so that all Verizon matters (i.e., those pertinent access charge matters pertaining to Verizon PA and Verizon North, including AT&T's Formal Complaint) as well as all matters relating to access charge parity between Verizon North, Inc. and Verizon Pennsylvania, Inc. resulting from the Merger Order at Docket No. A-310200F0002, et al., would be litigated at Docket No. C-20027195; and the Rural ILEC Access Charge Investigation would continue to be litigated at Docket No. M-00021596.⁶

On December 30, 2002, Verizon PA and Verizon North filed a Joint Petition regarding further reductions to their access charges pursuant to the Merger Order, the Global Order and the generic access charge investigation at Docket No. M-00021596 (*Verizon's Joint Petition for Access Charge Reductions*). By Order entered May 5, 2003, at Docket No. M-00021596, et al., the Commission consolidated *Verizon's Joint Petition for Access Charge Reductions* with *In re Joint Application of Bell Atlantic Corporation and GTE Corporation for Approval of Agreement and Plan of Merger* at Docket Nos. A-310200F0002, A-311350F0002, and A-310222F0002, as well as with *AT&T Communications of Pennsylvania, Inc. v. Verizon North, Inc.* at C-20027195 regarding Verizon-North's access charges and assigned the matter to the Office of Administrative Law Judge for an evidentiary hearing and recommended decision within six months from the date of entry of that Order.

⁴ *Re Nextlink Pennsylvania, Inc.*, Docket No. P-00991648; P-00991649, 93 Pa PUC 172 (September 30, 1999) (Global Order); 196 P.U.R. 4th 172, aff'd sub nom. *Bell Atlantic-Pennsylvania, Inc. v. Pennsylvania Public Utility Commission*, 763 A.2d 440 (Pa. Commonwealth 2000), which was vacated in part *MCI WorldCom, Inc. v. Pa. PUC*, 577 Pa. 294, 844 A.2d 1239 (2004).

⁵ See Joint Application of Bell Atlantic Corporation and GTE Corporation for Approval of Agreement and Plan of Merger, Docket No. A-310200F0002, et al., (Opinion and Order entered November 4, 1999) (Merger Order).

⁶ By Order entered July 15, 2003, at Docket No. M-00021596, the Commission granted a Joint Procedural Stipulation filed by the Rural Telephone Company Coalition, The United Telephone Company of Pennsylvania, the Office of Trial Staff, OCA and OSBA with regard to the pertinent unresolved issues in that proceeding. Subsequently, by Order entered on December 20, 2004, at Docket No. I-00040105, the Commission instituted a further investigation for consideration of whether there should be additional intrastate access charge reductions and intraLATA toll rate reductions in the service territories of rural ILECs and all rate issues and rate changes that should or would result in the event that disbursements from the PaUSF are reduced. That Rural ILEC Access Charge Investigation was stayed various times; but after several years of inaction by the FCC in its *Unified Intercarrier Compensation* proceeding, the Commission reopened the Rural ILEC Access Charge Investigation in August 2009. See Order entered on August 5, 2009, at Docket No. I-00040105, et al. (August 5, 2009 Order). Initial evidentiary hearings have concluded in that proceeding and a Recommended Decision is expected in this matter by August 5, 2010.

On November 18, 2003, a Recommended Decision by Administrative Law Judge (ALJ) Cynthia Williams Fordham was issued wherein she recommended the adoption of a Joint Proposal by Verizon and the OCA for further reductions to access charges. Prior to the Commission's disposition on ALJ Fordham's Recommended Decision, Verizon PA, Verizon North, OCA and OSBA filed a Joint Petition for Resolution of Litigation which modified the Verizon/OCA Joint Proposal.⁷

By Opinion and Order entered July 28, 2004 (July 28, 2004 Order), the Commission, inter alia, reversed the ALJ's Recommended Decision and adopted the Joint Petition for Resolution of Litigation. The July 28, 2004 Order permitted Verizon to reduce and restructure its access charges by allowing Verizon to file a revenue neutral, rate rebalancing filing in which the net revenue reductions from access charge increases and decreases would be offset with revenue increases in monthly dial tone line rates for residential and business local exchange customers. In addition, the Commission remanded the case to the Office of Administrative Law Judge for the further development of a record, and issuance of a Recommended Decision on policy issues and other access charge concerns that were raised by the IXCs in their Exceptions, but which were not specifically resolved at that time. The issues on remand included, but were not limited to, the consideration of specific access charge reduction proposals, the removal of implicit subsidies from access charges and the reduction or elimination of the Carrier Charge.

ALJ Fordham's Recommended Decision on Remand was issued on December 7, 2005. By Order entered January 8, 2007, the Commission modified the ALJ's Recommended Decision on Remand and stayed the proceeding pending the outcome of the FCC's Unified Intercarrier Compensation proceeding, or for a period of twelve months from the date of entry of the Order, unless extended by Commission Order, whichever was earlier.

As noted, on August 12, 2009, Verizon filed its Status Report and Motion to Extend the Stay of its Access Charge Investigation in accordance with the January 8, 2007 Order, and Sprint and AT&T filed their Status Reports on August 12, 2009. These matters are now ripe for our consideration.

Discussion

We note that any issue that we do not specifically address herein has been duly considered and will be denied without further discussion. It is well settled that we are not required to consider expressly or at length each contention or argument raised by the parties. *Consolidated Rail Corporation v. Pa. PUC*, 625 A.2d 741 (Pa. Cmwlth. 1993); also see, generally, *University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984).

A. Status Reports and Verizon's Motion for Stay

In its Status Report and Motion to Stay, Verizon submits that the Commission should stay the Verizon Access Charge Investigation for at least another twelve months, or until September 12, 2010, while the Commission develops a record in the newly reopened Rural Access Charge Investigation at Docket No. I-00040105.⁸ In support of this position, Verizon opines that its access charge investigation and the Rural Access Charge Investigation are in a significantly different posture because: (1)

Verizon's access rates have already been reduced and are low compared to other ILECs operating in Pennsylvania; and (2) a record has already been developed in the Verizon investigation and there is no other open litigation relating to Verizon's access charges. Verizon submits that if the Commission grants its request to further stay its investigation for at least another twelve months, it will allow the Rural Access Charge Investigation to progress and allow further monitoring of the FCC activity.⁹ If the FCC does not act in the interim, Verizon avers that the Commission will have made progress in the RLEC matter and may then be in a position to address the important and difficult issues of access pricing policy for all carriers fairly and comprehensively. VZ SR & Motion at 1—5, 8.

Verizon submits that the need to reduce its access charges is not as pressing as RLEC access charge reductions because, unlike Verizon's rates, which have undergone substantial examination and reduction over the years, including through this investigation, the RLEC rates have largely evaded substantive review. As such, Verizon is of the opinion that reducing the gap between the RLECs' access charges and Verizon's access charges should be the primary focus of the Commission. VZ SR & Motion at 6.

Verizon also contends that it is important to recognize that while the Commission has reduced Verizon's access rates, both through the Global Order and in this proceeding, and has generally stated its policy to move access rates closer to costs, the Commission has never confronted and decided many of the most fundamental questions of access pricing law and policy. While the Commission has been operating under a general premise that access rates should move downward toward cost, Verizon notes that the Commission has never specifically decided where or how the line should be drawn. Verizon also notes that the Commission recognized in its January 8, 2007 Order that if it were to restart this Verizon case and address the merits of the Exceptions to the Recommended Decision on Remand, it would be compelled to address the ultimate policy issues relating to the pricing of intrastate access, including "whether access charges should be reduced 'to cost,'" what is "the cost of traffic sensitive rates;" and whether to "eliminate[] . . . the Carrier Charge."¹⁰ VZ SR & Motion at 7 and 8. Verizon suggests that whatever the Commission ultimately determines with regard to these issues, the standards must apply consistently and evenhandedly to all carriers. In this regard, Verizon is of the opinion that it is better to wait until a full record in the RLEC case concerning these issues is completed. Id. at 8.

Verizon also notes that the Commission has not had the opportunity to consider the impact of Verizon's access rate reductions on CLECs in light of Act 183.¹¹ As such, Verizon suggests that the Commission first address the inequity of allowing the RLECs to charge access rates much higher than Verizon and the majority of the CLECs before it considers further reducing Verizon's access rates and thereby lowering the bar for CLECs to comply with the statutory cap and exacerbating the gap between the rates of those carriers and the RLECs' rates. Finally,

⁹The expiration of the last stay occurred on September 12, 2009, pursuant to Ordering Paragraph No. 2 of the September 12, 2008 Order at Docket No. C-20027195, which stayed the investigation "pending the outcome of the FCC's Intercarrier Compensation case at CC Docket No. 01-92 or for a period of twelve (12) months from the date of entry of this Opinion and Order, whichever is earlier, unless extended by Commission Order." If granted, the end of the stay requested by Verizon would be September 12, 2010, which would be thirty-eight days after the August 5, 2010 deadline for a Recommended Decision in the Rural ILEC Access Charge Investigation.

¹⁰See January 8, 2007 Order at 4, 7.

¹¹Act 183 requires that no CLEC "may charge access rates higher than those charged by the [ILEC] in the same service territory, unless such carrier can demonstrate that the higher access rates are cost justified." 66 Pa.C.S. § 3017(c).

⁷The OSBA was not a party to the Joint Proposal of Verizon and the OCA in ALJ Fordham's Recommended Decision but was added as a joint petitioner in the Joint Petition for Resolution.

⁸See August 5, 2009 Order at Docket No. I-00040105.

Verizon submits that extending the stay will delay the need to consider retail rate increases for Verizon's customers in light of the fact that 66 Pa.C.S. § 3017(a) requires that any reduction to Verizon's access rates must be revenue-neutral. VZ SR & Motion at 10.

In its Status Report, Sprint is of the opinion that the stay of Verizon's access charge investigation should be lifted. Sprint notes that there has been considerable activity in the FCC's Intercarrier Compensation proceeding at CC Docket 01-92, but avers that the FCC is no closer to achieving a unified intercarrier compensation regime than it was a year ago. Sprint notes that since the last time that the Commission ordered an extension of the stay of Verizon's access charge investigation, the FCC had issued a Further Notice of Proposed Rulemaking in the Intercarrier Compensation Docket (FNPR),¹² accompanied by two alternative plans for a new intercarrier compensation regime.¹³ Sprint explains that although the two plans differ from each other, one important theme that runs throughout both plans requires each carrier's intrastate access rates to mirror its interstate switched access rates within two years of the effective date of an FCC final Order. Both plans also require that intrastate access rates be reduced by half (50%) of the difference between intrastate and interstate access rates within the first year, and the remainder of the difference in the second year. Additionally, Sprint adds that both plans rely heavily on the state Commissions to achieve a uniform and fair system of intercarrier compensation. Sprint points out that the plan in Appendix A specifically states that state commissions need not wait for the FCC to reform intercarrier compensations rules and that it is clear from the two plans that the FCC recognizes it will require cooperation from the state commissions to accomplish intercarrier reform. Sprint submits that there is no reason to anticipate that the FCC will issue any substantive decision in the Intercarrier compensation proceeding any time in the foreseeable future, and that the Commission should no longer stay the instant proceeding any longer. Sprint SR at 1—7.

Sprint notes that Verizon is one of many companies that filed comments in support of the draft plans in the FCC's FNPR at CC Docket No. 01-02. Sprint avers that Verizon did not contest interstate mirroring as an appropriate first step in the reform process and went much further in suggesting that all carriers should have their rates for exchanging all types of traffic capped at a level no higher than \$0.0007 per minute of use. Sprint is of the opinion that in light of Verizon's support for access rate reductions, it seems logical to implement the rate reforms that were addressed in ALJ Fordham's Recommended Decision. Sprint SR at 4.

Sprint also notes that other state commissions are considering or have begun to again review access charge reform¹⁴ and that this Commission recently opened the Rural ILEC Access Charge Investigation. Sprint opines that by reopening the Verizon access charge investigation, the Commission will ensure that a final decision on the level of Verizon's intrastate access charges are timely reached and access reform will be addressed for all carriers in the state contemporaneously. Sprint SR at 5—7.

In its Status Report, AT&T also notes that the Commission recently lifted its stay of the Rural ILEC Access

Charge Investigation, and asks that the Commission join the many other states by lifting the stay in the instant case for the same reasons the Commission expressed in lifting the Rural ILEC Access Charge Investigation stay. AT&T SR at 1 and 2.

AT&T expresses its frustration that this case was initiated over seven years ago and that, after initially ordering Verizon to reduce its access rates over five years ago, the Commission remanded the case to the ALJ, who subsequently recommended that Verizon's carrier charge be eliminated within six months to a year, and that the Verizon companies' access rates be reduced to their interstate levels within one to two years. Likewise, AT&T states that the Commission, on numerous occasions, has acknowledged the need for the elimination of subsidies from intrastate access charges—when the Rural ILEC Access Charge Investigation was reopened and when this instant case was remanded to the ALJ years ago—and that this still has not been accomplished. AT&T claims that the presence of implicit subsidies in access charges keeps prices too high for telecommunication services and hinders competition because prospective alternative service providers have to compete with heavily subsidized operations. AT&T SR at 2 and 3.

In light of the above, AT&T urges the Commission to resume the Verizon Access Charge Investigation as soon as practicable for the Commission and interested parties to do so. AT&T SR at 4.

In its letter, Qwest requests that it be placed on the record to show that it considers the issue of whether the stay of the Verizon Access Charge Investigation should continue or be ended is a policy decision that is best left to the Commission, based on its judgment and expertise. As such, Qwest submits that it neither supports or opposes continuation of the stay at this time.

In its Answer to the Status Reports of AT&T and Sprint, Verizon submits that the pressing issue currently before the Commission is not the relatively low access rates of Verizon, but the higher access rates of the RLECs. Verizon opines that the Commission must first close the gap between the rates of the RLECs' rates and Verizon before beginning its access rate investigation. Verizon suggests that the Commission should develop the RLEC record first, rather than taking any action in its case that might result in exacerbating the gap between the RLEC and Verizon rates or might result in premature legal or policy decisions that will later affect the RLEC case.

Verizon contends that its request to further stay its investigation is not necessarily inconsistent with the positions advanced by AT&T and Sprint. Verizon notes that AT&T, in its status report, requests that the Commission "reduce Verizon's access rates reasonably soon after it reduces the RLECs' rates."¹⁵ Since the Commission will not be in a position even to begin considering a reduction to the RLEC rates until after the RLECs' twelve-month litigation period elapses and exceptions and reply exceptions are filed, Verizon believes that its Motion is consistent with AT&T's requested timetable to stay the Verizon case and revisit its status in twelve months, when the RLEC case is likely to be closer to a potential resolution.

In response to Sprint's argument that this Commission has "a unique opportunity to implement industry-wide access reform,"¹⁶ Verizon asserts that this Commission

¹² See *In the Matter of Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-02, Further Notice of Proposed Rulemaking (FNPR), 46 Comm. Reg. 431 (rel. November 5, 2009).

¹³ The alternative plans were contained in the form of proposed orders. See FNPR at Appendices A and C.

¹⁴ Sprint SR at 6.

¹⁵ AT&T SR at 2.

¹⁶ Sprint SR at 4.

cannot consider these important policy issues on an “industry-wide” basis until it first develops a record in the RLEC case, so that it can address the important segment of the industry that is still charging access rates far out of proportion to what Verizon and other carriers charge for the same service.

In light of the above, Verizon maintains its opinion that this Commission should at least endeavor to achieve a uniform benchmark intrastate access rate in Pennsylvania by reducing the RLEC rates closer to the rates that Verizon and the CLECs in its territory charge for the same intrastate access service and that it can only do that by allowing itself the time to develop the record in the RLEC case before it considers reopening the Verizon investigation. Accordingly, Verizon requests that the Commission stay its investigation during the twelve-month period while the RLEC case is being litigated.

B. Responses to Verizon’s Motion to Extend Stay

AT&T objects to Verizon’s Motion to Extend Stay, and avers that Verizon’s arguments for delaying the investigation do not warrant a further stay for a third time. Instead, AT&T wants the Commission to take action to bring Verizon’s intrastate access rates to parity with its interstate rates. AT&T notes that Verizon’s intrastate access rates remain well above their interstate rate levels and also contain an unjustified Carrier Charge, making those rates discriminatory and harmful to Pennsylvania consumers. AT&T also argues that interexchange carriers (IXCs), like itself and others, cannot compete against e-mail, instant messaging, social networking web sites, VoIP providers and wireless carriers as long as IXCs incur access charges that other competitors are not required to pay. AT&T also is of the opinion that it is not difficult to bring parity between Verizon’s intrastate and interstate access rates because Act 183 assures that any access charge reductions will be revenue neutral. AT&T Answer at 1 and 2.

AT&T also notes that the Commission, in its Order reopening of the Rural ILEC Access Charge Investigation, has already decided that it will no longer wait for the FCC to address intrastate access reform and has acknowledged that FCC’s Unified Intercarrier Compensation Proceeding will no longer be an excuse to delay access reform in Pennsylvania. As such, AT&T submits that, just as the Commission has decided to re-open the Rural ILEC Access Charge Investigation, the Commission should lift its stay in the instant case and move forward. AT&T Answer at 2—4.

In its Answer to Verizon’s Motion to Extend Stay, Sprint argues that an extension of the Verizon Access Charge Investigation is neither warranted nor necessary. Sprint cites to the Commission’s *August 5, 2009 Order* that reopened the Rural ILEC Access Charge Investigation and agrees with the Commission’s assessment that it is unlikely that any reform initiative at the Federal level may take place any time soon. Sprint contends that the same problems that the Commission began to address in the Global Order continue to be pervasive today in Pennsylvania and that urgent action by the Commission is needed in order to effectuate access charge reform. Sprint opines that continuing the stay, as urged by Verizon, will simply further delaying those access charge reform goals expressed by the Commission in the Global Order. Sprint Answer at 1 and 2.

Sprint asserts that Verizon’s intrastate switched access rates remain grossly over-inflated and that Verizon’s use of percentages to characterize rate reductions as substan-

tial is irrelevant and misleading when the starting point is many multiples above cost for monopoly-controlled bottleneck facilities. Sprint also claims that Verizon’s Carrier Charges and intrastate switched access rates are unreasonable and outdated, and in need of reform. Sprint believes that any reform initiated at the Federal level may, in turn, require the Commission to order all carriers to mirror their interstate access charges. Sprint is of the opinion that reopening the Verizon access reform docket will place Pennsylvania in a position to effectuate industry-wide access reform and that the Commission should not forgo such an opportunity. Sprint Answer at 2 and 3.

Sprint submits that it has been an entire decade since the Commission began addressing access charges and today, many of the same problems exist. Sprint submits that the Commission has already developed a record including a Recommended Decision on Remand that can serve as the basis for a Commission Order to effectuate access charge reform, and that, if a further stay is granted, the Commission would increase the risk of that record becoming stale. Accordingly, Sprint, urges the Commission not to further delay the access charge reform goals that were addressed by the Commission in its Global Order. Sprint Answer at 3 and 4.

Embarq/PTA also oppose Verizon’s requests for extending the stay and is of the opinion that Verizon failed to assert a legitimate basis for further delaying an examination of Verizon’s access rates. Embarq and PTA assert that while Verizon claims that its access rates have already been substantially reduced and are comparatively low; so too have the RLECs rates been substantially reduced. Embarq and PTA explained that both Verizon and the RLECs undertook two rounds of access charge reductions, (Phase I and Phase II) first in the Global Order in 1999 and a second one in the proceeding that commenced in 2002. However, Embarq and PTA state that the second round of reform for Verizon was no more than compliance to the Commission’s Merger Order of 1999 that required access charge parity of the former GTE North, Inc. access rates with those of the former Bell Atlantic Pennsylvania, Inc. rates. For this reason, Embarq/PTA contends that it would be more accurate to state that Verizon never implemented any Phase II access rate reform. Embarq/PTA Answer at 6—9.

Embarq/PTA also take issue with Verizon’s claim that its switched access rate are quite low. Embarq/PTA aver that such claims should be rejected because they are meritless and purely self-serving to the issue of whether Verizon has demonstrated that a further stay is reasonable and in the public interest. In addition, Embarq/PTA avers that it is self serving for Verizon to advocate a State-wide standard for intrastate access rates when it opposes such a standard for local rates. Embarq/PTA contend that there is no statutory or regulatory requirement mandating that intrastate access rates be set at cost, at parity with interstate rates, or at parity with the access rates of Verizon, the largest ILEC in Pennsylvania. Embarq/PTA submit that a meaningful access reform proceeding should not involve a comparative relationship of Verizon’s access rates to any other carrier’s because Verizon’s economies of scale and greater geographic density of population are not available to other carriers such as the RLECs. For these reasons, Embarq/PTA submit that Verizon’s claim that its access rates are low and RLEC rates are extremely high is flawed, misleading and meaningless. Embarq/PTA Answer at 9—12.

Embarq/PTA also disagree with Verizon’s argument that a stay is warranted because “a record in the Verizon

investigation has already been developed.” Contrary to Verizon’s claim, Embarq/PTA maintain that ALJ Fordham’s Recommended Decision on Remand, which was dated November 30, 2005, and the record developed in the Verizon Access Charge Investigation has already become stale and the idea of refreshing those records is largely meaningless. Embarq/PTA asserts that since the record in the Verizon investigation has been developed, Verizon has become much larger and more formidable entity to the RLECs in the telecommunications landscape. Embarq/PTA Answer at 13 and 14.

Embarq/PTA also believe that a stay in this proceeding is not warranted because it allows the Rural ILEC Access Charge Investigation to progress in order to procedurally bring it closer to Verizon’s investigation while Verizon’s investigation is placed on hold while the FCC’s activity is monitored. Embarq/PTA argue that Verizon’s reliance upon the FCC’s activities is misplaced and that Verizon has failed to demonstrate why a further stay is warranted just for Verizon. Embarq/PTA maintain that the risk of moving forward with the proceeding at the state level before any FCC action impacts all ILECs and Verizon should not be accorded a more lenient regulatory treatment than all of the other ILECs in Pennsylvania. Embarq/PTA Answer at 14 and 15.

Embarq/PTA opines that in light of the Commission’s *August 5, 2009 Order*, which lifted the stay on the RLEC investigation, there is no need to have both the Verizon and RLEC case on a consolidated procedural schedule; however, they contend that there is a need to ensure parity in regulatory treatment and it is not in the public interest to undertake an access investigation involving RLECs while staying the same investigation and review for Verizon, especially in light of the fact that Verizon serves 84% of the Pennsylvania telephone subscribers. Embarq/PTA Answer at 16 and 17.

In response to Verizon’s proposal that the Commission address RLECs’ and CLECs’ access charges first before addressing Verizon’s rates in conjunction with Verizon’s claim that any decision to lower Verizon’s access rates will “in effect be a directive to lower the switched access rates of every CLEC that operates in Verizon’s territory,” Embarq/PTA argue that Verizon’s point is meaningless and fails to justify the preferential regulatory treatment sought by Verizon. Embarq/PTA submits that Act 183’s requirement for pricing applies equally to all ILECs, not just the Verizon ILECs, and if the Commission reduces intrastate switched access rates for the RLECs in Pennsylvania, that decision will also impact access rates for those CLECs operating in the RLECs’ service territories. Embarq/PTA Answer at 17.

Finally, with regard to Verizon’s claim that a further stay will delay the need to consider retail rate increases for Verizon’s customers, Embarq/PTA argue that this point is also meaningless in terms of allegedly justifying Verizon’s desire for a carve-out regulatory treatment concerning its intrastate access charges. In this regard, Embarq/PTA note that the revenue-neutrality requirement of Section 3017(a) applies to all ILECs and not just Verizon and any access reduction that may result from the Commission’s decision to lift the stay in the RLEC access investigation will impact rural Pennsylvania through possible retail rate increase as well, unless, of course, additional USF support is provided. Nevertheless, Embarq/PTA opine that Verizon’s assertions are meaningless and disingenuous. Embarq/PTA Answer at 17 and 18.

In light of the above arguments, Embarq/PTA request that, for the same reasons set forth in the August 5, 2009

Order resuming the Rural ILEC Access Charge Investigation, the Commission should deny Verizon’s request for a further stay and resume a generic investigation of Verizon’s intrastate switched access charges. Embarq/PTA Answer at 17 and 18.

Embarq/PTA stated that Verizon’s request that the Commission should first address the impact of rate changes on CLECs before addressing Verizon’s access rates fails to justify the preferential regulatory treatment sought by Verizon. Finally, Embarq/PTA stated that Verizon’s claim that a further stay will delay the need to consider retail rate increases is meaningless. Embarq/PTA add that the revenue neutrality requirement of Section 3017(a) applies to all ILECs, and not just for Verizon and that if the Commission changes pricing policies or reduces intrastate switched access rates, that decision will impact access rates of all CLECs and that Verizon has not provided any credible or reasonable justification as to why a stay should be granted. Embarq/PTA Answer at 16–18.

C. Disposition

Upon our review of the various Status Reports that were submitted to the Commission and Verizon’s Motion to Extend Stay, and the Answers thereto, we shall deny Verizon’s Motion to Extend Stay but we adopt an alternative time frame for the required adjudication of this matter.

As we noted in the August 5, 2009 Order that directed reopening of the Rural ILEC Access Charge Investigation at Docket No. I-00040105, et al., we have not seen any substantial resolution of intercarrier compensation issues by the FCC, and it is unclear whether the FCC will appropriately prioritize the area of intercarrier compensation and federal USF reform for ultimate resolution any time soon. We also noted that the pending proposals before the FCC to impose a \$0.0007 rate for interstate and intrastate access charges alike nationwide do not warrant further stay of the investigation as FCC action does not appear to be imminent. We conclude that the same resolution applies in the instant proceeding as well. See August 5, 2009 Order at 18 and 19.

We note that most of the Parties involved in the Rural ILEC Access Charge Investigation at Docket No. I-00040105 are also involved in the Verizon Access Charge Investigation. We further note that the Parties in the Rural ILEC Access Charge Investigation are in the midst of preparing briefs in that case in order for ALJ Kandace Melillo to meet the August 5, 2010 deadline for the issuance of a Recommended Decision. As such, in order to avoid a potential heavy burden on the Parties, as well as to ease the case load of the Office of the Administrative Law Judge, we shall delay the conduct of evidentiary hearings for this case until after the issuance of a Recommended Decision by the presiding ALJ Melillo in the Rural ILEC Access Charge Investigation at Docket No. I-00040105.

As noted in Footnote No. 9, if we granted Verizon’s request for an additional twelve-month stay, it would extend the stay that expired on September 12, 2009, until September 12, 2010. By our action in this disposition, we will adopt an alternative time frame for the adjudication of this matter which directs that hearings in the instant proceeding shall not begin until a Recommended Decision in the Rural ILEC Access Charge Investigation at Docket No. I-00040105 has been issued, which is currently expected to be on August 5, 2010.

Although we considered Verizon’s request to extend the stay for the entire additional twelve months as a course

of action, we reject that request in order to resolve the outstanding issues with regard to access charges and the way they hampered competition in the telecommunications market that persisted at the time of the Global Order, supplemented by the need for a resolution of access charge issues concurrently with the other ILECs rather than on a piecemeal basis. As Sprint has reminded us, an entire decade has passed since the Commission began reforming access charges in the Global Order and many of the same areas of concern may still persist. This Commission cannot forgo such an opportunity to effectuate industry-wide access reform any longer. By reopening Verizon's access charge investigation we will be in a position to ensure consistency in addressing the outstanding access rate issues. These issues include addressing the access pricing policy based on the mandates of Chapter 30 and § 3017(a) of the Public Utility Code.

Accordingly, we shall direct the Office of Administrative Law Judge to resume evidentiary hearings for this case immediately after a Recommended Decision is issued in the Rural ILEC Access Charge Investigation at Docket No. I-00040105. Consistent with our action in our August 5, 2009 Order in the Rural ILEC Access Charge Investigation, in the event that the FCC makes a final determination in its Unified Intercarrier Compensation Proceeding, or any other proceeding that may have an effect on intrastate switched access charges, during the re-opened investigation, the impact of said determination shall be addressed by all parties as part of the proceeding.

It is also important to note that there remain certain issues that have never been decided upon from the Remand proceeding that took place before ALJ Cynthia Williams Fordham. ALJ Fordham's recommendation, in summarized format, was provided in our January 8, 2007 Opinion and Order in this case when we initially stayed the instant proceeding. That summary is reproduced below for the purpose of demonstrating those issues that remained unresolved just prior to the stay of this investigation:

1. That the Commission should move forward with additional access charge reform for Verizon and deny the requests of those Parties' who argued to stay the instant investigation until after the FCC makes a ruling in the ICR proceeding. (R.D.-R at 58-60);

2. That, with regard to Verizon's Phase I Compliance filing: (a) Verizon has demonstrated that it complied with the Phase I Order and should not be required to true-up on an annual basis using the most recent available data on access volumes and end user line volumes as requested by AT&T. (R.D.-R at 60); and (b) Verizon should be required to use historical access minute volumes, rather than forecasted access minutes, in rebalancing local and access rates because a forecast of such minutes would not insure that the revenue would be closer to the estimated recovery amount. (R.D.-R at 60-61);

3. That the Commission: (a) should not endorse the ICF plan or adopt portions of this plan in resolving this case because the states should continue to have a role in regulating intrastate access charges. (R.D.-R at 61-62); and (b) should not adopt the NASUCA plan because it does not address the IXC's requests, does not allow for neutral rate rebalancing as required by Chapter 30, and would not assist the Commission in deciding the next steps for access reform in Pennsylvania. (R.D.-R at 62);

4. That, within six months to a year after the Commission's Order in this matter is entered, Verizon's Carrier Charge of \$0.58 per minute should be eliminated and the

cost associated with the local loop, which is currently being recovered by the Carrier Charge, should be paid by the local end user customers (equivalent to a maximum of \$0.95 per line per month) rather than by the IXCs. (R.D.-R at 63-64);

5. That the Commission should deny the IXCs' request to price access charges by using the total element long run incremental costing (TELRIC) methodology because the IXCs failed to prove that TELRIC costs represent Verizon's actual expected cost of providing service. (R.D.-R at 65);

6. That the Commission should require Verizon to reduce the remaining intrastate traffic sensitive access charges to interstate levels within one to two years after the final Order in this matter is entered. (R.D.-R at 65 - 66);

7. That the Commission should reject the IXC's proposal that Verizon's remaining access charges be reduced to cost. (R.D.-R at 66);

8. That the Commission should deny requests by AT&T, MCI, the OCA and the OSBA that recovery of access charge reductions through local line increases include non-contractual lines and competitive lines. (R.D.-R at 66-67);

9. That this proceeding be marked closed after the Carrier Charge and the reduction of intrastate rates to interstate rates is completed. If additional access reform would still be required, a separate proceeding should be commenced at that time. (R.D.-R at 66).

As noted, the January 8, 2007 Order stayed the investigation pending the outcome of the FCC's Intercarrier Compensation case at CC Docket No. 01-92 or for a period of twelve months from the date of entry of this Opinion and Order, unless extended by Commission Order, whichever was earlier. Although the twelve-month stay expired on September 12, 2009, the proceeding remains stayed until we make a determination based on the instant Status Reports and Verizon's Motion to Extend.

We note that the stay has rendered some of ALJ Fordham's recommendations moot, while others have since been resolved in subsequent proceedings. Nevertheless, it is apparent that the record in this investigation needs to be updated. As such, in addition to our specific directives, *infra*, we will direct the ALJ and the Parties to consider those issues that still need to be resolved in the reopened investigation and whether any parts of the developed record in the investigation can be used or whether they need to be refreshed.

With regard to our specific directives for matters to be addressed in this investigation, we shall afford the participating parties due process opportunities to supplement the evidentiary record including any issues that were not adjudicated at the time of the Remand before the ALJ. In addition to the supplemental issues that will be raised by the parties, the participating parties shall address and provide record evidence on the legal, ratemaking and regulatory accounting linkages between (a) any FCC ruling that may have an impact on intrastate switched access charges; (b) the intrastate access charge reform for ILECs in view of the new Chapter 30 law and its relevant provision at 66 Pa.C.S. §§ 3015(g), pertaining to "Rate change limitations," and 3017, pertaining to "Access charges;" and (c) the potential effects on rates for Verizon's basic local exchange services. In addition, should the resulting rate changes from this investigation occur within the context of the Verizon Companies' subse-

quent Price Change Opportunity fling, the ALJ shall address the potential implications of the resulting rate changes in the calculations associated with the relevant PCO filing and why those resulting rate changes would be considered lawful, just and reasonable pursuant to the Chapter 30 law.

Finally, it is worth mentioning that our primary reason for staying the instant investigation was to await an FCC ruling in its Unified Intercarrier Compensation Proceeding. While there has been some activity in that proceeding that has been addressed by Parties in their status reports, there has been a major, notable development, which occurred after the due date for the submission of the last round of status reports, that may have a profound effect on intrastate switched access charges. That development is the issuance of the FCC's National Broadband Plan (NBP), which was released on March 16, 2010.

The NBP, formally entitled "Connecting America: The National Broadband Plan," was prepared by the FCC in order to fulfill a mandate by the United States Congress to develop a "national broadband plan" to ensure that every American has "access to broadband capability." The NBP addresses, inter alia, the transition from a circuit-switched network to a platform over which multiple internet protocol-based services converge.¹⁷ NBP at 59. The NBP also includes recommendations on universal service and intercarrier compensation that will affect the path of the transition. *Id.* The Executive Summary of the NBP, on page XIII, addresses a recommendation to "[r]eform intercarrier compensation, which provides implicit subsidies to telephone companies by eliminating per-minute charges over the next 10 years and enabling adequate cost recovery through the CAF" (Connect America Fund).¹⁸ In light of this recent development, if the FCC makes any pertinent rulings directly related to the NBP during the course of this access charge investigation, we shall direct the ALJ to consider and address how those rulings may have an impact on the outcome of this investigation.

Conclusion

In light of the above, and consistent with our reasoning and actions in the Rural Access Charge Investigation at Docket No. I-00040105, et al., we shall deny Verizon's Motion to Extend Stay but allow for a reduced stay until August 5, 2010, or until a Recommended Decision is issued in the Rural ILEC Access Charge Investigation consistent with our disposition above; *Therefore*,

It is Ordered That:

1. The Motion to Extend the Stay filed by Verizon Pennsylvania, Inc. and Verizon North, Inc. is hereby denied.

2. The stay of the access charge investigation at Docket No. C-2007195 for Verizon North, Inc. and Verizon Pennsylvania, Inc. is hereby lifted.

3. This investigation at Docket No. C-20027195 is hereby assigned to the Office of Administrative Law Judge for the development of the appropriate evidentiary record and the issuance of a Recommended Decision.

4. Hearings shall not be held until after the issuance of a Recommended Decision by the Presiding Administrative Law in the Rural ILEC Access Charge Investigation at Docket No. I-00040105.

¹⁷ These IP-based services include voice, data and video.

¹⁸ The CAF will be created to support the provision of affordable broadband and voice with at least 4Mbps actual download speeds. It will shift up to \$15.5 billion from the existing federal Universal Service Fund program to support broadband over the next ten years.

5. The participating parties shall be afforded due process opportunities to supplement the evidentiary record including any issues that were not adjudicated at the time of the Remand before Administrative Law Judge Cynthia Williams Fordham at this docket.

6. In addition to any supplemental issues raised per Ordering Paragraph No. 5, above, the participating parties shall address and provide record evidence on the legal, ratemaking and regulatory accounting linkages between: a) any Federal Communications Commission's ruling in its *Unified Intercarrier Compensation* proceeding; b) the intrastate access charge reform for ILECs in view of the new Chapter 30 law and its relevant provisions at 66 Pa.C.S. §§ 3015 and 3017; and c) the potential effects on rates for Verizon's basic local exchange services.

7. Commission Staff from the Office of Special Assistants and the Law Bureau is hereby directed to continue monitoring the Federal Communications Commission's Unified Intercarrier Compensation proceeding and any other Federal Communications Commission proceeding or activity that may directly impact intrastate switched access charges.

8. A copy of this order be served on all telecommunications carriers operating in Pennsylvania, the Office of Consumer Advocate, and the Office of Small Business Advocate and the Office of Trial Staff.

9. A copy of this order be delivered for publication in the *Pennsylvania Bulletin*.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1019. Filed for public inspection May 28, 2010, 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 June 14, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin* operating as common carriers for transportation of persons as described under each application.

A-2010-2175553. Premier Luxury Rentals, Inc. (319 Westtown Road, Suite V, West Chester, Chester County, PA 19382)—a corporation of the Commonwealth—persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Berks, Bucks, Carbon, Chester, Delaware, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Monroe, Montgomery, Northampton, Northumberland, Philadelphia, Schuylkill and York to points in Pennsylvania, and return; excluding that service which is under the jurisdiction of the Philadelphia Parking Authority.

A-2010-2176097. ACe Transit Management, LLC (1532-A Marcey Place, Philadelphia, Philadelphia County, PA 19115), a limited liability company of the Commonwealth, for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia and the County of Delaware to points in Pennsylvania, and return. *Attorney:* David P. Temple, Esquire, Gallagher Malloy & Georges, Suite 1100, 1760 Market Street, Philadelphia, PA 19103-4104.

A-2010-2176448. Robert Lee Rineer, Jr., (20 West Eby Road, Leola, PA 17540)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2010-2176648. Taylor Made Transportation, LLC (31 Millard Street, Hershey, PA 17033) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Dauphin, Lancaster and Dauphin Counties, to points in Pennsylvania, and return.

A-2010-2176690. Alfred Taylor (248 Peacock Corner, Bloomsburg, Columbia County, PA 17815)—persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Columbia County to points in Pennsylvania, and return.

Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.

A-2010-2176785. Feel Good Limo, Inc. (518 Burke By Pass, Olyphant, PA 18447)—a corporation of the Commonwealth—for amendment to its common carrier certificate, to transport, by motor vehicle, persons, in limousine service, from points in the Counties of Luzerne, Lackawanna and Wyoming, to points in Pennsylvania, and return, excluding service under the jurisdiction of the Philadelphia Parking Authority, subject to the following general conditions: that the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and/or right(s) to be acquired by applicant from the present certificate holder equal to the consideration to be paid thereon, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return there, *SO AS TO PERMIT:* to transport persons, in limousine service, from points in the Counties of Wayne, Pike and Monroe, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all of the right authorized under the certificate issued at A-00122321 to Your Limo, Inc., subject to the same limitations and conditions. *Attorney:* Mark Rudalavage, Esquire, 171 Scranton Carbondale Highway, Eynon, PA 18403.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Howard T. McAllister;
Doc. No. C-2010- 2152050

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 Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Howard T. McAllister (respondent) is under suspension effective January 15, 2010, for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P. O. Box 17036, Pittsburgh, PA 15235.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 4, 2003, at A-00119748.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The penalty 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 and 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 Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which: (1) cancels the Certificate of Public Convenience held by respondent at A-00119748 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,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, 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: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

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 \$500 fine** proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are **Unacceptable** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, 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 receipt of your fine payment**, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. Dallas & Mavis
 Specialized Carrier Co.; Doc. No. C-2010-2172253*

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 Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Dallas & Mavis Specialized Carrier Co., Respondent, maintains its principal place of business at 625 55th Street, Kenosha, WI 53140.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 22, 1995, at Application Docket No. A-00111776.

3. That on August 29, 2008 Respondent received an initial assessment of \$292.00, and on September 9, 2009, Respondent received an initial assessment of \$307.00. Respondent failed to pay these assessments; therefore, a balance was due in the amount of \$599.00.

4. That Respondent has an outstanding assessment of \$599.00.

5. That Respondent failed to file objections to the assessment, pursuant to 66 Pa.C.S. § 510(c).

6. That Respondent, by failing to pay the assessment, violated the Public Utility Code at 66 Pa.C.S. § 510(c).

Wherefore, unless Respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which cancels the Certificate of Public Convenience issued to Respondent, notifies the Pennsylvania Department of Revenue that Respondent's Certificate of Public Convenience has been revoked, notifies Respondent's insurance carrier that Respondent's Certificate of Public Convenience has been revoked, and imposes an additional fine on the Respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
 Motor Carrier Services & Enforcement Division
 Bureau of Transportation and Safety
 P. O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, 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 to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Bureau of Administrative Services
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue an Order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

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 Paragraph B.

F. If you have questions regarding this Complaint, or if you would like an alternative format of this Complaint for persons with disabilities, please contact the Compliance Office at 717-787-1227.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1020. Filed for public inspection May 28, 2010, 9:00 a.m.]

Tentative Order

Public Meeting held
May 6, 2010

Commissioners Present: James H. Cawley, Chairperson;
Tyrone J. Christy, Vice Chairperson; Wayne E. Gardner;
Robert F. Powelson

In re: Pioneer Telecom Inc.; A-310387

Tentative Order

By the Commission:

Pioneer Telecom, Inc. ("Pioneer") is a telecommunications interexchange reseller certificated at A-310387. On September 25, 2009, Pioneer sent a letter to the Commission advising that it was discontinuing all long distance telephone services in Pennsylvania and attached an application it had filed with the Federal Communications Commission to that effect. By Secretarial Letter dated November 2, 2009, we advised that, pursuant to 66 Pa.C.S. § 1102, Pioneer was required to file a separate application with the Commission and pay a filing fee of \$350. A copy of an application that would be acceptable was attached to the letter.

Subsequently, Commission staff attempted to reach Pioneer by phone to discuss the application but the recording indicated that the number was no longer in service and no information was available for any new phone numbers. Staff has also been unable to access Pioneer's web site.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. § 3301. Based on the above facts, we tentatively conclude that it is appropriate to revoke Pioneer's certificate of public convenience without the necessity of a formal complaint as being in the public interest; *Therefore,*

It Is Ordered That:

1. Revocation of Pioneer Telecom, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Secretary of State for the Commonwealth of Pennsylvania, the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. The absence of filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by Pioneer Telecom, Inc. at A-310387 shall be canceled, and Pioneer Telecom, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1021. Filed for public inspection May 28, 2010, 9:00 a.m.]

PENNSYLVANIA STIMULUS OVERSIGHT COMMISSION

Public Meeting

The next public meeting of the Pennsylvania Stimulus Oversight Commission is scheduled for Thursday, June 17, 2010, at 11 a.m. in Conference 1, 6th Floor, Forum Place Building, 555 Walnut Street, Harrisburg, PA 17101.

RONALD NAPLES,
Chairperson

[Pa.B. Doc. No. 10-1022. Filed for public inspection May 28, 2010, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Proposal for Project

The Philadelphia Regional Port Authority (PRPA) will accept proposals for Project No. 10-049.P Development and Operation of 3200 East Tioga Street, until 2 p.m. on Thursday, July 1, 2010. The documents can be obtained on the PRPA web site at www.philaport.com and will be available June 1, 2010. Contact the Procurement Department at (215) 426-2600 to provide your contact information to receive addendums and additional information about this project. PRPA is an equal opportunity employer. Firms must comply with all applicable equal employment opportunity laws and regulations. A site visit is scheduled for 10 a.m. on Thursday, June 10, 2010. Meet at PRPA, 3460 North Delaware Avenue, 2nd Floor large conference room.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 10-1023. Filed for public inspection May 28, 2010, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) will hold a public hearing as part of its regular business meeting on June 11, 2010, at 8:30 a.m., at the Hilton Harrisburg, One North Second Street, Harrisburg, PA 17101. At the public hearing, the Commission will consider: 1) action on certain water resources projects; 2) action on two projects involving a diversion; and 3) amendments to the current Regulatory Program Fee Schedule. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net.

Supplementary Information

In addition to the public hearing and its related action items identified as follows, the business meeting also includes actions or presentations on the following items: 1) presentation by the IMAX production staff at the Harrisburg Whitaker Center for Science and the Arts on development of an educational production on the future of Chesapeake Bay; 2) concluding report on the Paxton Creek Stormwater Management Project; 3) hydrologic conditions in the basin; 4) proposed rulemaking covering 18 CFR Parts 806 and 808 (relating to review and approval of projects; and hearings and enforcement actions); 5) ratification/approval of grants/contracts; 6) consideration of a Fiscal Year 2012 budget and related matters; and 7) election of a new Chairperson and Vice Chairperson to serve in the next fiscal year. The Commission will also hear a Legal Counsel's report.

Public Hearing—Projects Scheduled for Action

1. Project Sponsor and Facility: Carrizo Oil & Gas, Inc. (East Branch Wyalusing Creek—Bonnice), Jessup Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.720 mgd.
2. Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Salisbury and Caernarvon Townships, Lancaster County, PA. Application for groundwater withdrawal of 0.190 mgd (30-day average) from two wells and three collection sumps.
3. Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Salisbury and Caernarvon Townships, Lancaster County, PA. Application for consumptive water use of up to 0.075 mgd.
4. Project Sponsor and Facility: Chief Oil & Gas, LLC (Chest Creek—Kitchen), Chest Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.216 mgd.
5. Project Sponsor and Facility: East Resources, Inc. (Cowanessque River—Egleston), Nelson Township, Tioga County, PA. Application for surface water withdrawal of up to 0.267 mgd.
6. Project Sponsor and Facility: KMI, LLC (West Branch Susquehanna River—Owner), Mahaffey Borough, Clearfield County, PA. Application for surface water withdrawal of up to 5.000 mgd.
7. Project Sponsor and Facility: Linde Corporation (Lackawanna River—Carbondale Industrial Development Authority), Fell Township, Lackawanna County, PA. Application for surface water withdrawal of up to 0.905 mgd.
8. Project Sponsor: New Morgan Landfill Company, Inc. Project Facility: Conestoga Landfill, Bethel Township, Berks County, PA. Modification to increase consumptive water use approval (Docket No. 20061206).
9. Project Sponsor and Facility: Novus Operating, LLC (Tioga River—Mitchell), Covington Township, Tioga County, PA. Application for surface water withdrawal of up to 1.750 mgd.
10. Project Sponsor and Facility: P.H. Glatfelter Company, Spring Grove Borough, York County, PA. Application for consumptive water use of up to 0.460 mgd.
11. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (Loyalsock Creek—Hershberger), Gamble Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.918 mgd.
12. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (Pine Creek—Poust), Watson

Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.918 mgd.

13. Project Sponsor and Facility: Stone Energy Corporation (Wyalusing Creek—Stang), Rush Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.750 mgd.

14. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC, Meshoppen Borough, Wyoming County, PA. Application for groundwater withdrawal of up to 0.216 mgd from the Meshoppen Pizza Well.

15. Project Sponsor and Facility: Talisman Energy USA, Inc. (Susquehanna River—Welles), Terry Township, Bradford County, PA. Application for surface water withdrawal of up to 2.000 mgd.

16. Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, PA. Application for groundwater withdrawal of up to 0.071 mgd from Reeser Well 1.

17. Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, PA. Application for groundwater withdrawal of up to 0.071 mgd from Reeser Well 2.

18. Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, PA. Application for groundwater withdrawal of up to 0.072 mgd from Susquehanna Village Well 1.

19. Project Sponsor: United Water PA. Project Facility: Newberry System, Newberry Township, York County, PA. Application for groundwater withdrawal of up to 0.072 mgd from Susquehanna Village Well 2.

20. Project Sponsor and Facility: Walker Township Water Association, Walker Township, Centre County, PA. Modification to increase the total groundwater system withdrawal limit (30-day average) from 0.523 mgd to 0.962 mgd (Docket No. 20070905).

Public Hearing—Projects Scheduled for Action Involving a Diversion

1. Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Salisbury and

Caernarvon Townships, Lancaster County, PA. Application for an existing into-basin diversion of up to 0.050 mgd from the Delaware River Basin.

2. Project Sponsor: EOG Resources, Inc. Project Facility: Blue Valley AMD Treatment Plant, Horton Township, Elk County, PA. Application for an into-basin diversion of up to 0.322 mgd from the Ohio River Basin.

Public Hearing—Amendments to Regulatory Program Fee Schedule

Staff is proposing certain amendments to the Regulatory Program Fee Schedule intended to clarify the application of fees to certain projects.

Opportunity to Appear and Comment

Interested parties may appear at the previous hearing to offer written or oral comments to the Commission on a matter on the hearing agenda, or at the business meeting to offer written or oral comments on other matters scheduled for consideration at the business meeting. The chair of the Commission reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing and business meeting. Written comments may also be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391, or submitted electronically to Richard A. Cairo, General Counsel, rcairo@srbc.net; or Stephanie L. Richardson, Secretary to the Commission, srichardson@srbc.net. Comments mailed or electronically submitted must be received prior to June 4, 2010, to be considered.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808. Date: May 11, 2010.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 10-1024. Filed for public inspection May 28, 2010, 9:00 a.m.]

NOTICES

STATE ETHICS COMMISSION

Gaming Act List

Pursuant to Sections 1201(h)(14.1), 1512(a.5), and 1512.1(e) of the Pennsylvania Race Horse Development and Gaming Act (“Gaming Act”), 4 Pa.C.S. §§ 1201(h)(14.1), 1512(a.5), and 1512.1(e), the Pennsylvania State Ethics Commission (“Commission”) is required to biennially publish lists of the following:

- *All employment positions of the Pennsylvania Gaming Control Board with duties that would subject the individuals in those positions to the provisions of Section 1201(h)(13) of the Gaming Act (pertaining to post-employment restrictions);*

- *All employment positions of independent contractors of the Pennsylvania Gaming Control Board with duties that would subject the individuals in those positions to the provisions of Section 1201(h)(13.1) of the Gaming Act (pertaining to restrictions following contract termination);*

- *All State, county, municipal and other government positions that meet the definition of “executive-level public employee” as set forth in Section 1103 of the Gaming Act or the definition of “public official” as set forth in Section 1512(b) of the Gaming Act (pertaining to restrictions, requirements and penalties set forth in Sections 1512(a), (a.1), (a.2), (a.3), and (a.4) of the Gaming Act); and*

- *All positions within the Pennsylvania State Police, the Office of Attorney General and the Pennsylvania Department of Revenue with duties that would subject the individuals in those positions to the provisions of Section 1512.1(a) of the Gaming Act (pertaining to post-employment restrictions).*

In accordance with the requirements of the Gaming Act, the lists are being published herewith in the *PA Bulletin* and on the website of the State Ethics Commission in the e-Library at <http://www.ethics.state.pa.us>.

The aforesaid lists are based in part upon information provided to the Commission. The lists are subject to change and will be continually updated on the Commission’s website.

Status as an executive-level public employee or public official has significance under various provisions of the Gaming Act, including but not limited to Section 1512.

A person who is an executive-level public employee or public official as defined by the Gaming Act, or who is a member of such a person’s immediate family (spouse, minor child, or unemancipated child), is subject to significant restrictions and may be subject to penalties as set forth in Sections 1512(a), (a.1), (a.2), (a.3), and (a.4) of the Gaming Act.

Positions identified on the list within the Gaming Control Board, the Office of Attorney General, the Pennsylvania State Police, and the Pennsylvania Department of Revenue may be subject to specific post employment restrictions as set forth in the Gaming Act.

Employees of Independent Contractors serving in identified positions are subject to certain employment restrictions following termination of a contract with the PA Gaming Control Board.

JOHN J. CONTINO, Esq.,
Executive Director

THE GAMING ACT, AS MOST RECENTLY AMENDED BY ACT 1 OF 2010 DEFINES EXECUTIVE LEVEL PUBLIC EMPLOYEE AND PUBLIC OFFICIAL AS FOLLOWS:

“**Executive-level public employee.**” The term shall include the following:

(1) Deputy Secretaries of the Commonwealth and the Governor’s Office executive staff.

(2) An employee of the executive branch whose duties substantially involve licensing or enforcement under this part, who has discretionary power which may affect or influence the outcome of a Commonwealth agency’s action or decision or who is involved in the development of regulations or policies relating to a licensed entity. The term shall include an employee with law enforcement authority.

(3) An employee of a county or municipality with discretionary powers which may affect or influence the outcome of the county’s or municipality’s action or decision related to this part or who is involved in the development of law, regulation or policy relating to matters regulated under this part. The term shall include an employee with law enforcement authority.

(4) An employee of a department, agency, board, commission, authority or other governmental body not included in paragraph (1), (2), or (3) with discretionary power which may affect or influence the outcome of the governmental body’s action or decision related to this part or who is involved in the development of regulation or policy relating to matters regulated under this part. The term shall include an employee with law enforcement authority.

“**Law enforcement authority.**” The power to conduct investigations of or to make arrests for criminal offenses. 4 Pa.C.S. § 1103.

“**Public official.**” The term shall include the following:

(1) The Governor, Lieutenant Governor, a member of the Governor’s cabinet, Treasurer, Auditor General and Attorney General of the Commonwealth.

(2) A member of the Senate or House of Representatives of the Commonwealth.

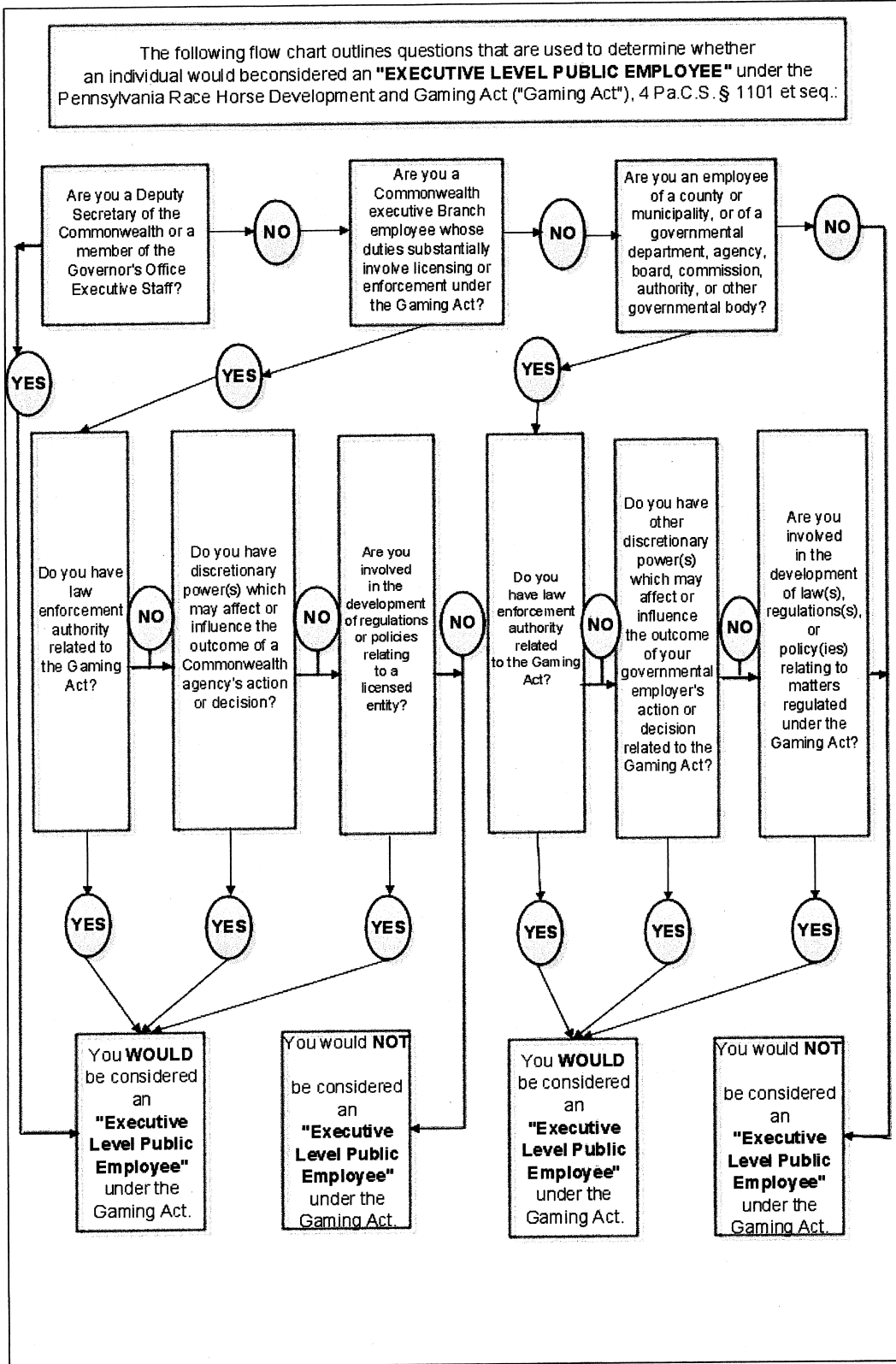
(3) An individual elected or appointed to any office of a county or municipality that directly receives a distribution of revenue under this part.

(4) An individual elected or appointed to a department, agency, board, commission, authority or other governmental body not included in paragraph (1), (2) or (3) that directly receives a distribution of revenue under this part.

(5) An individual elected or appointed to a department, agency, board, commission, authority, county, municipality or other governmental body not included in paragraph (1), (2) or (3) with discretionary power which may influence or affect the outcome of an action or decision and who is involved in the development of regulation or policy relating to a licensed entity or who is involved in other matters under this part.

The term does not include a member of a school board or an individual who held an uncompensated office with a governmental body prior to January 1, 2006, and who no longer holds the office as of January 1, 2006. The term includes a member of an advisory board or commission which makes recommendations relating to a licensed facility.

4 Pa.C.S. § 1512(b).



STATE GOVERNMENT TABLE OF CONTENTS

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Environmental Protection (DEP)
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Executive Offices
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Game Commission
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Governor's Office of the Budget
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PA Emergency Management Agency
PA Gaming Control Board
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GENERAL ASSEMBLY

Public Officials:**MEMBERS OF THE PA HOUSE OF REPRESENTATIVES****MEMBERS OF THE PA SENATE****Executive Level Public Employees:**

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

House of Representatives:	Executive Director, Majority Gaming Oversight Committee Research Analyst, Majority Gaming Oversight Committee Legislative Assistant, Majority Gaming Oversight Committee Counsel, Republican Legal Department Research Analyst, Republican Gaming Oversight Committee
PA Senate:	Counsel (Majority) for Senate Community, Economic Development and Recreation Committee Executive Director (Majority) of Senate Community, Economic Development and Recreation Committee Executive Director (Minority) of Senate Community, Economic Development and Recreation Committee Counsel (Minority) for Senate Community, Economic Development and Recreation Committee

PA JUDICIARY

Public Officials:

An individual elected or appointed to a Dept., Agency, Bd., Commission, Auth., or other governmental body that directly receives a distribution of revenue under the Gaming Law, an individual elected or appointed to a Dept., Agency, Bd., Comm., Auth., County Municipality, or other governmental body with discretionary power which may influence or affect the outcome of an action or decision AND who is involved in the development of regulation or policy relating to a licensed entity OR is involved in other matters under the Gaming Law.

<ul style="list-style-type: none"> • Justices of the Supreme Court of Pennsylvania • Judges of the Superior Court of Pennsylvania • Judges of the Courts of Common Pleas for the following Pennsylvania counties: <ul style="list-style-type: none"> Allegheny Bucks Carbon Dauphin Delaware Erie Lackawanna Lebanon Lehigh Luzerne Monroe Northampton Philadelphia Pike 	<ul style="list-style-type: none"> Washington Wayne • All Judges of the Philadelphia Municipal Court • District Justices of the Pittsburgh Municipal Court • Magisterial District Judges that serve the following Magisterial Districts: <table style="width: 100%; margin-left: 20px;"> <tr> <td style="width: 30%;">3-2-04</td> <td style="width: 30%;">11-3-08</td> </tr> <tr> <td>3-2-10</td> <td>12-3-05</td> </tr> <tr> <td>3-2-11</td> <td>22-3-01</td> </tr> <tr> <td>06-3-05</td> <td>27-3-05</td> </tr> <tr> <td>07-2-12</td> <td>32-1-21</td> </tr> <tr> <td>11-1-04</td> <td>43-3-01</td> </tr> <tr> <td>11-2-01</td> <td>43-4-02</td> </tr> <tr> <td>52-3-04</td> <td></td> </tr> </table> 	3-2-04	11-3-08	3-2-10	12-3-05	3-2-11	22-3-01	06-3-05	27-3-05	07-2-12	32-1-21	11-1-04	43-3-01	11-2-01	43-4-02	52-3-04	
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11-2-01	43-4-02																
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STATE ETHICS COMMISSION

Biennially publish lists of: (1) all positions of employment with the Gaming Control Board or with independent contractors to the Board that are subject to certain “revolving door/post-termination” provisions within the Gaming Act; (2) all state, county, municipal and other government positions meeting the definitions of the terms “public official” or “executive-level public employee” set forth in the Gaming Act; and (3) all positions within the Pennsylvania State Police, the Office of Attorney General, and the Department of Revenue that are subject to certain “revolving door/post-termination” provisions within the Gaming Act; make a determination, upon request, as to whether a particular individual/person would be subject to various “revolving door/post-termination” provisions within the Gaming Act; determine whether to extend deadlines by which executive-level employees, public officials, party officers, or their immediate family members would be required to divest themselves of financial interests that they would be prohibited from holding under the Gaming Act; be available to consult with the Gaming Control Board upon request regarding the post-employment restrictions of the Gaming Act.

Public Officials:

COMMISSION MEMBERS

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Executive Director

Deputy Executive Director/Director of Investigations

Chief Counsel

Assistant Counsels

Director for Administration

PA GAMING CONTROL BOARD

Public Officials:

§ 1512 (b): “Public Official” (5) - An individual elected or appointed to a department, agency, board, commission, authority or other governmental body not included in paragraphs (1), (2), or (3) with discretionary power which may affect/influence the outcome of a governmental body’s action or decision related to the Gaming Act AND who are involved in the development of regulation or policy relating to a licensed entity OR who are involved in other matters under the Gaming Act; and (6) members of any advisory board or commission that makes recommendations relating to a licensed facility.

GAMING CONTROL BOARD CHAIRPERSON

GAMING CONTROL BOARD MEMBERS

Executive Level Public Employees:

§ 1512 (b): “Executive Level Public Employee” (4) - An employee of a department agency, board, commission, authority or other governmental body not included in paragraphs (1), (2), or (3) with discretionary power which may affect or influence the outcome of the governmental body’s action or decision and who is involved in the development of regulation or policy relating to a licensed entity or who is involved in other matters under this part.

Assistant Chief Counsel 1

Assistant Chief Counsel 2

Assistant Chief Counsel 3

Assistant Enforcement Counsel

Assistant Enforcement Counsel 2

Audit Manager

Auditor

Auditor/Financial Examiner

Casino Compliance Representative

Casino Compliance Senior Supervisor

Casino Compliance Supervisor

Chief Counsel

Chief Enforcement Counsel

Compliance Examiner

Compliance Manager

Deputy Chief Counsel

Deputy Chief Enforcement Counsel

Deputy Director Investigations and Enforcement

Deputy Director Regulatory Review
 Director, Bureau of Gaming Laboratory
 Director, Bureau of Licensing
 Director, Casino Compliance
 Director, Communications
 Director, Compulsive and Problem Gambling
 Director, Gaming Operations
 Director, Office of Hearings and Appeals
 Director, Racetrack Gaming
 Director, Regulatory Review
 Electronics Engineer
 Executive Director
 Financial Investigations Supervisor
 Forensic Accountant
 Gaming Operations Liaison

Hearing Officer
 Interim Deputy Executive Director
 Investigative Intake Manager
 Investigator
 Investigator Supervisor
 Legislative Liaison
 Licensing Manager
 Manager, Gaming Laboratory
 Regional Director, Investigations and Enforcement
 Senior Auditor
 Senior Counsel
 Senior Hearing Officer
 Statistician
 Technical Field Representative

PA GAMING CONTROL BOARD

Executive Level Public Employees:

§ **1201 (h)(13):** Employee(s) whose duties substantially involve licensing, enforcement, development of law, promulgation of regulations, or development of policy, relating to gaming under this part or who has other discretionary authority which may affect or influence the outcome of an action, proceeding or decision under this part.

Assistant Chief Counsel 1
 Assistant Chief Counsel 2
 Assistant Chief Counsel 3
 Assistant Enforcement Counsel
 Assistant Enforcement Counsel 2
 Audit Manager
 Auditor
 Auditor/Financial Examiner
 Casino Compliance Representative
 Casino Compliance Senior Supervisor
 Casino Compliance Supervisor
 Chief Counsel
 Chief Enforcement Counsel
 Compliance Examiner
 Compliance Manager
 Deputy Chief Counsel
 Deputy Chief Enforcement Counsel
 Deputy Director Investigations and Enforcement
 Deputy Director Regulatory Review
 Director, Bureau of Gaming Laboratory
 Director, Bureau of Licensing
 Director, Casino Compliance
 Director, Communications
 Director, Compulsive and Problem Gambling
 Director, Gaming Operations
 Director, Office of Hearings and Appeals
 Director, Racetrack Gaming
 Director, Regulatory Review
 Electronics Engineer
 Executive Director
 Financial Investigations Supervisor
 Forensic Accountant
 Gaming Control Board Chairperson
 Gaming Control Board Member

Gaming Operations Liaison
 Hearing Officer
 Interim Deputy Executive Director
 Investigative Intake Manager
 Investigator
 Investigator Supervisor
 Legislative Liaison
 Licensing Analyst - Enterprise Unit
 Licensing Manager
 Manager, Gaming Laboratory
 Regional Director, Investigations and Enforcement
 Senior Auditor
 Senior Counsel
 Senior Hearing Officer
 Statistician
 Technical Field Representative

PA GAMING CONTROL BOARD
INDEPENDENT CONTRACTORS

The duties of the following independent contractor(s) doing business with the Pennsylvania Gaming Control Board, and the following employment positions with such independent contractor(s), substantially involve consultation relating to licensing, enforcement, development of law, promulgation of regulations or development of policy, relating to gaming under the Gaming Act. Inclusion on this list does not represent a disposition of all possible issues as to whether the restrictions of Section 13.1 of the Gaming Act would apply in a given instance:

1A. Independent Contractor

KPMG, LLP
One Mellon Center
500 Grant Street
Pittsburgh, PA 15219

1B. Employee Positions:

The identification of the positions will be determined per the terms and conditions of the contract, as required by the PA Gaming Control Board as said services are provided. To date, no services have been provided.

OFFICE OF ATTORNEY GENERAL
**Establish gaming unit within Attorney General's Office to investigate
and prosecute violations of the Gaming Act**

Public Officials:

Position	Organizational Unit	Position Number	ID of Related Obj	Job ID	Job Code
Attorney General	AT Ex Off	237618	141000	3092500	392500

Executive Level Public Employees:

Position	Organizational Unit	Position Number	Job ID	Job Code
Chief Dep. Atty. Gen.	144200 AT Legal Review	1346	00993500	99350
Chief Dep. Atty. Gen.	147613 AT Org. Crime Sect. Norristown	197624	00993500	99350
First Dep. Atty. Gen.	141000 AT Exec. Offices	237934	03092600	U9260
Spec. Agent 6 Oag	146050 AT Criminal Invest.	50263707	00997302	99732
Spec. Agent 5	146100 AT Bur. of Crim. Inv.	50273550	00997301	99731
Spec. Agent 3 Oag	147934 AT Gaming Enf. N. Huntingdon	50331745	00997200	99720
Spec. Agent 2 Oag	147934 AT Gaming Enf. N. Huntingdon	50331746	00997100	99710
Spec. Agent 2 Oag	147913 AT Gaming Enf. Norristown	50331747	00997100	99710
Spec. Agent 2 Oag	147913 AT Gaming Enf. Norristown	50331748	00997100	99710
Exec. Dep. Atty. Gen.	14600 AT Criminal Law Div.	50939	03092900	U9290
Dep. Atty. Gen. 4	144200 AT Legal Rev. Section	91713	00993300	99330

**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
COMMONWEALTH FINANCING AUTHORITY**

Receive gross revenue and/or local share assessments from licensed gaming entities, to be distributed to the Commonwealth Financing Agency or counties and municipalities containing licensed facilities for certain projects; administer PA Gaming Economic Development and Tourism Fund; receive information and submit reports to various individuals regarding distributions of local share assessments to counties and municipalities.

Public Officials:

SECRETARY OF DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Executive Level Public Employees:

**The following positions are covered insofar as they have duties and responsibilities
relating to gaming issues or licensing:**

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00002478	00249400 CE Bus Fncng	03008603	U0863	Deputy Secretary Business Assistance
00004941	00247100 CE Chf Cnsl	03010207	U1027	Chief Counsel Ogc
00011960	00247321 CE Tourism Film and Ecnmc Dvpt Mrktg	03009009	U0909	Deputy Secretary Tourism Film and Economic Development Marketing
00017736	00249400 CE Bus Fncng	00159800	15980	Economic Development Analyst 2
00019096	00249400 CE Bus Fncng	00159800	15980	Economic Development Analyst 2
00033337	00249400 CE Bus Fncng	00159800	15980	Economic Development Analyst 2
00035288	00249421 CE Small Bus Fncng	00086400	08640	Administrative Officer 2
00037174	00249400 CE Bus Fncng	00086600	08660	Administrative Officer 4
00075035	00247100 CE Chf Cnsl	00071301	07131	Attorney 3 Non Supervisory Office of General Counsel
00083003	00249400 CE Bus Fncng	00160000	16000	Economic Development Analyst 1
00095249	00249400 CE Bus Fncng	00159800	15980	Economic Development Analyst 2
00108892	00249400 CE Bus Fncng	00160000	16000	Economic Development Analyst 1
00109491	00249400 CE Bus Fncng	00167700	16770	Director Center For Business Financing
00128972	00247100 CE Chf Cnsl	00071502	07152	Attorney 4 Supervisory Office of General Counsel
00216261	00246000 CE Dep Sec Ad	03008600	U0860	Deputy Secretary Administration Dced
00221859	00249400 CE Bus Fncng	00082600	08260	Executive Assistant
00232187	00247000 CE Ex Off	03008605	U0865	Executive Deputy Secretary Dced
00232191	00240050 CE Ctr for Lcl Govt	00168601	16861	Local Government Policy Manager
00232199	00246000 CE Dep Sec Ad	03000401	U0041	Acting Deputy Secretary
00232203	00240200 CE Cmy Rgnl Off Scrantn	00159800	15980	Economic Development Analyst 2

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00232205	00240150 CE Ctr Loc Govt Phila	00168600	16860	Local Government Policy Specialist
00232206	00240500 CE Cmy Dvpt Rgnl Off Pgh	00163100	16310	Community Development Regional Director
00232209	00240250 CE Ctr Lcl Govt Scranton	00168600	16860	Local Government Policy Specialist
00232214	00240550 CE Ct Loc Govt Pgh	00168600	16860	Local Government Policy Specialist
00232228	00247004 CE Leg Aff	00072403	07243	Legislative Liaison 3
00232239	00240050 CE Ctr for Lcl Govt	00165407	16547	Deputy Director Local Government Center
00232259	00240050 CE Ctr for Lcl Govt	00168601	16861	Local Government Policy Manager
00232262	00240050 CE Ctr for Lcl Govt	00165406	16546	Ex Dir Governors Center Local Government Services
00238762	00247002 CE Pcly and Tchlgly	00168200	16820	Executive Policy Specialist 2
00241542	00247000 CE Ex Off	03000300	U0030	Department Head

DEPARTMENT OF AGRICULTURE

State Horse Racing Commission and/or State Harness Racing Commission: Oversees the use of funds set aside by licensees for the improvement and maintenance of racetrack structures

Public Officials:

SECRETARY OF AGRICULTURE

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00008580	00044220 AG Phila Prk	00701901	70191	Manager Race Track Commission Office
00014111	00044200 AG Horse and Harn Comm	00709202	70922	Chief Operations Officer Racing Commissions
00014120	00041500 AG Lgl Off	00071501	07151	Attorney 4 Non Supervisory Office of General Counsel
00020894	00044200 AG Horse and Harn Comm	00709400	70940	Director Horse or Harness Racing
00022853	00041000 AG Off of Sec	03000300	U0030	Department Head
00027234	00043000 AG Dep Sec Ag Consr Pro	03007200	U0720	Deputy Secretary Agriculture and Consumer Protection
00033700	00044000 AG Dep Sec for Mktg Ecnmc Dvpt	03007201	U0721	Deputy Secretary for Marketing and Economic Development
00038605	00042000 AG Ex Dep Sec	03008700	U0870	Executive Deputy Secretary Agriculture
00054508	00044200 AG Horse and Harn Comm	03002600	U0260	Chairman Board Or Commission

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00055630	00044300 AG Horse and Harn Comm	03002700	U0270	Member Board Or Commission
00061984	00044330 AG Pocono	00701901	70191	Manager Race Track Commission Office
00077295	00044300 AG Horse and Harn Comm	03002600	U0260	Chairman Board Or Commission
00096623	00044320 AG Meadows	00701901	70191	Manager Race Track Commission Office
00100026	00044300 AG Horse and Harn Comm	00086500	08650	Administrative Officer 3
00112790	00041500 AG Lgl Off	03010207	U1027	Chief Counsel Ogc
00116091	00044200 AG Horse and Harn Comm	03002700	U0270	Member Board Or Commission
00127951	00044200 AG Horse and Harn Comm	00086600	08660	Administrative Officer 4
00144065	00044210 AG Penn Nat	00701901	70191	Manager Race Track Commission Office
00228772	00044300 AG Horse and Harn Comm	03002700	U0270	Member Board Or Commission
50266101	00041500 AG Lgl Off	00071501	07151	Attorney 4 Non Supervisory Office of General Counsel
50266900	00044300 AG Horse and Harn Comm	00709100	70910	Director Racing Enforcement
50271483	00044300 AG Horse and Harn Comm	00086500	08650	Administrative Officer 3
50285511	00044360 AG Chester	00701901	70191	Manager Race Track Commission Office
50299038	00045000 AG Spc Dep Sec for Dog Lw Enf	03007202	U0722	Special Deputy Secretary for Dog Law Enforcement
50305418	00044230 AG Presque Isle Downs	00701901	70191	Manager Race Track Commission Office
50326790	00044300 AG Horse and Harn Comm	00709400	70940	Director Horse or Harness Racing

DEPARTMENT OF EDUCATION

In consultation with the Department of Labor and Industry and the Gaming Control Board, develop curriculum guidelines for gaming school instruction.

Public Officials:

SECRETARY OF THE DEPARTMENT OF EDUCATION

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00005521	00166000 ED Off of Ad	03006000	U0600	Deputy Secretary Administration Education
00022615	00165000 Ed Postscdry Hghr Ed	03005800	U0580	Deputy Secretary Comr Postsecondary Higher Ed

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00048588	00163000 ED Elemy Secdry Ed	03005700	U0570	Deputy Secretary Comr For Elementary Second Ed
00117467	00162400 ED CmwL Lbry	03005900	U0590	Commissioner For Libraries
00125403	00161000 ED Secs Off	03000300	U0030	Department Head
00218944	00161000 ED Secs Off	03006100	U0610	Executive Deputy Secretary Education
00005521	00166000 ED Off of Ad	03006000	U0600	Deputy Secretary Administration Education

EXECUTIVE BOARD

Establish compensation of Gaming Control Board members

Public Officials:

EXECUTIVE BOARD MEMBERS

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

EXECUTIVE DIRECTOR

EXECUTIVE OFFICES

The Governor's Office of Administration shall assist the State Ethics Commission in the development of a listing of government positions that meet the definitions of "public official" or "executive-level public employee".

Public Officials:

SECRETARY OF ADMINISTRATION
BUDGET SECRETARY
GENERAL COUNSEL
INSPECTOR GENERAL

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
13273	00811000 EX Sec OA	03000600	U0060	Secretary Administration
18946	00813000 EX Dep Sec HR Mgmt	03000800	U0080	Deputy Secretary Human Resources Management
215496	00814000 EX Sec Bdgt	03000500	U0050	Secretary of Budget
266372	00818300 EX Ofc of Gen Cnsl	03010200	U1020	General Counsel
38756	00812000 EX Dep Sec Info Tehlgy	03004900	U0490	Deputy Secretary Information Technology
50256658	00814000 EX Sec Bdgt	03001005	U0105	Executive Deputy Secretary of the Budget

Position Number	Organizational Unit	Job ID	Job Code	Position Name
56210	00816000 EX Ofc of Inspector Gen	03002400	U0240	Inspector General
58303	00815000 EX Ofc of Compt Ops	03081202	U8122	Chief Accounting Officer
63217	00814000 EX Sec Bdgt	03001006	U0106	Deputy Secretary for Performance Imprvement

GOVERNOR'S OFFICE

The Governor's Office of Administration shall assist the State Ethics Commission in the development of a listing of government positions that meet the definitions of "public official" or "executive-level public employee."

Public Officials: GOVERNOR

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00215831	00011023 GV Southeastern Off	03011802	U1182	Director Governor's Philadelphia Office
00215870	00011000 GV Gov Off	03010800	U1080	Deputy Chief Of Staff
00215873	00011027 GV Gov Erie Off	03011804	U1184	Director Governor's Erie Office
00216339	00011028 GV Gov Pgh Off	03011803	U1183	Director Governor's Pittsburgh Office
00216363	00011000 GV Gov Off	03010800	U1080	Deputy Chief Of Staff
00279178	00011031 GV Leg Aff	03010605	U1065	Deputy Secretary Legislative Affairs
00279986	00011031 GV Leg Aff	03010605	U1065	Deputy Secretary Legislative Affairs
00280423	00011033 GV Plcy Off	03001902	U0192	Senior Policy Manager
00280424	00011000 GV Gov Off	03010800	U1080	Deputy Chief Of Staff
00285855	00011000 GV Gov Off	03011709	U1179	Governors Senior Advisor
00287401	00011000 GV Gov Off	03000100	U0010	Governor
00287996	00011033 GV Plcy Off	03001902	U0192	Senior Policy Manager
00290240	00011031 GV Leg Aff	03010700	U1070	Secretary Legislative Affairs
00292009	00011000 GV Gov Off	03010800	U1080	Deputy Chief Of Staff
00296718	00011033 GV Plcy Off	03001902	U0192	Senior Policy Manager
00302058	00011000 GV Gov Off	03012100	U1210	Chief Of Staff
00302060	00011023 GV Southeastern Off	03000105	U0015	Special Assistant To The Governor
00302065	00011002 GV Schdling	03001108	U0118	Director Governor's Scheduling Office
00302066	00011000 GV Gov Off	03000105	U0015	Special Assistant To The Governor

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00302075	00011033 GV Plcy Off	03001900	U0190	Secretary of Policy and Planning
00302167	00011010 GV Pub Lias	03012006	U1206	Director Off Public Liaison
00302168	00011040 GV Cmncs	03011500	U1150	Governor's Press Secretary
00302196	00011031 GV Leg Aff	03010605	U1065	Deputy Secretary Legislative Affairs
00302494	00011040 GV Cmncs	03011400	U1140	Director Communications Governors Office
00302582	00011026 GV Gov Northeast Off	03011805	U1185	Director Governor's North East Office
00302648	00011023 GV Southeastern Off	03000105	U0015	Special Assistant To The Governor
00302749	00011010 GV Pub Lias	03011100	U1110	Deputy Director Office Of Public Liaison
00302767	00011033 GV Plcy Off	03001902	U0192	Senior Policy Manager
00303095	00011023 GV Southeastern Off	03000105	U0015	Special Assistant To The Governor
00215831	00011023 GV Southeastern Off	03011802	U1182	Director Governor's Philadelphia Office
00215870	00011000 GV Gov Off	03010800	U1080	Deputy Chief Of Staff
00215873	00011027 GV Gov Erie Off	03011804	U1184	Director Governor's Erie Office
00216339	00011028 GV Gov Pgh Off	03011803	U1183	Director Governor's Pittsburgh Office
00216363	00011000 GV Gov Off	03010800	U1080	Deputy Chief Of Staff
00279178	00011031 GV Leg Aff	03010605	U1065	Deputy Secretary Legislative Affairs

GOVERNOR'S OFFICE OF THE BUDGET

Receive information and distribute reports to various individuals regarding distribution of funds from the PA Gaming Economic Development and Tourism Fund.

Public Officials:

SECRETARY OF THE BUDGET

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
50256658	00814000 EX Sec Bdgt	03001005	U0105	Executive Deputy Secretary of the Budget
58303	00815000 EX Ofc of Compt Ops	03081202	U8122	Chief Accounting Officer

DEPARTMENT OF HEALTH

Develop program guidelines for public education and training regarding compulsive/problem gambling; make grants for the purpose of providing treatment and prevention programs; maintain a toll-free telephone number to assist problem gamblers; conduct studies to identify problem or compulsive gamblers; collaborate with other entities to implement a strategic plan for the prevention and treatment of compulsive gambling.

Public Officials:

SECRETARY OF THE DEPARTMENT OF HEALTH

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00040893	00076000 HL Dep Sec for Ad	03003100	U0310	Deputy Secretary Administration Health
00094434	00071002 HL Pcly Off	00168400	16840	Executive Policy Manager 2
00100118	00079000 HL Dep Sec Hlth Pr and Dse Prvntn	03003000	U0300	Deputy Secretary Health Promotion Dse Prvntn
00100298	00077000 HL Dep Sec Hlth Plan	03003200	U0320	Deputy Secretary Health Planning & Assessment
00102509	00079100 HL Bur of Drg Alchl Prgms	00381600	38160	Director Bur Drug Alcohol Programs
00112674	00078000 HL Dep Sec for Qlty Assur	03003300	U0330	Deputy Secretary Quality Assurance
00202352	00071001 HL Off of the Sec	03000300	U0030	Department Head

PA HIGHER EDUCATION ASSISTANCE AGENCY (PHEAA)

Receive funds for deposit into a restricted receipts account to be used exclusively for grants to a particular school of medicine.

PUBLIC OFFICIALS:

MEMBERS, BOARD OF DIRECTORS

EXECUTIVE LEVEL PUBLIC EMPLOYEES:

Position	Department
Assistant Vice Presidents	State Grant & Special Programs
Attorneys	Legal & Compliance Services
Chief Financial Officer	Financial Management, HQ
Chief Information Officer	IT - Headquarters
Director, Program Review	Guaranty Compliance Services
Executive Director of Public Services	Public Service & Marketing, HQ
General Counsel	Legal & Compliance Services
Investigators	Guaranty Compliance Services
Manager	Legislative & Board Affairs
Manager	Guaranty Compliance Services

Position	Department
President and CEO	Executive Office
Senior Vice President, Educ. Serv. Group	ESG School Relations
Vice President, Chief Product Officer	IT - Headquarters
Vice President, Loan Asset Mgt.	Loan Ops - Asset Management
Vice President, Loan Servicing	AES Loan Origination
Vice President of Financial Operations	Supply Management
Vice President, Public Information	Legislative & Board Affairs
Vice President, Public & Media Relations	Public Relations
Vice President, State Grant & Spec. Programs	State Grant & Special Programs
Vice President, Student Loan Acct. & Budget	Servicing & Secondary Market
Vice President, Treasury Management	Treasury Management

INDEPENDENT REGULATORY REVIEW COMMISSION
Reviews and approves all regulations relating to Gaming

Public Officials:
COMMISSION MEMBERS

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

- Executive Director**
- Chief Counsel**
- Director of Regulatory Review**
- Director of Administration/Comptroller**
- Director of Outreach**
- Regulatory Analysts**

LABOR AND INDUSTRY
 In consultation with the Department of Education and the Gaming Control Board, develop curriculum guidelines for gaming school instruction.

Public Officials:
SECRETARY OF LABOR AND INDUSTRY

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00004520	00129000 LI Dept Head Sec L and I	03000300	U0030	Department Head
00008763	00121600 LI SWIF Mgr Off	00704900	70490	State Workers' Insurance Fund Director

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00008815	00121620 LI SWIF Underwriting Div	00703808	70388	State Workers Insurance Fund Underwriting Manager
00010268	00121630 LI SWIF Clms	00703807	70387	State Workers Insurance Fund Claims Division Chf
00014659	00124545 LI BOIS Elvtr Div	00717109	71719	UCC Elevator Inspector Director
00021654	00129050 LI Press Off	00058300	05830	Information Specialist Supervisor
00021730	00123000 LI Dep Sec Ad Spt	03000401	U0041	Acting Deputy Secretary
00022622	00127000 LI Dep Sec Sf and Lbr Mgmt	03003603	U0363	Deputy Secretary for Safety and Labor Management Relations
00023273	00122000 LI OUCTS Dir Of	00068600	06860	Director Office of Unemployment Compensation Tax Services
00023487	00125500 LI Bur Wrkfc Dvpt Ptnrshp	00068700	06870	Director Bureau of Workforce Development Partnership
00031184	00129400 LI In dl Bd Mbr	03002700	U0270	Member Board Or Commission
00040640	00121600 LI SWIF Mgr Off	00703906	70396	SWIF Operations Director
00047021	00129050 LI Press Off	00059200	05920	Press Secretary 3
00058548	00124000 LI Dep Sec Wrkfc Dvpt	03000401	U0041	Acting Deputy Secretary
00061964	00129400 LI In dl Bd Mbr	03002700	U0270	Member Board Or Commission
00073990	00129400 LI In dl Bd Mbr	03002700	U0270	Member Board Or Commission
00088540	00129400 LI In dl Bd Mbr	03002700	U0270	Member Board Or Commission
00092490	00124500 LI BOIS Dirs Off	00714800	71480	Director Occupational Industrial Safety
00096143	00129400 LI In dl Bd Mbr	03002700	U0270	Member Board Or Commission
00110848	00121000 LI Dep Sec Comp and Ins	03003409	U0349	Deputy Secretary Compensation & Insurance L&I
00112670	00126000 LI OVR Ex Dir	00454600	45460	Vocational Rehab Executive Director
00114465	00125000 LI Dep Sec for UC Prgms	03003500	U0350	Deputy Secretary Unem Compensation Programs, L&I
00116220	00124535 LI BOIS Blr Div	00711103	71113	Commissioned Boiler Inspector Director
00120372	00124505 LI BOIS Ad Div	00086500	08650	Administrative Officer 3
00120381	00124580 LI BOIS UCC Inspn Div	00710801	71081	Ucc Building Field Operations Manager
00213624	00121300 LI BWC Dirs Off	00701600	70160	Workers Compensation Director
00273873	00129500 LI Pa Wkfc Invstmnt Bd	03012205	U1225	Executive Director Human Resources Investment Cncl
00307741	00124520 LI BOIS UCC Div	00714700	71470	Uniform Construction Code Administrator

LIEUTENANT GOVERNOR’S OFFICE

The Governor’s Office of Administration shall assist the State Ethics Commission in the development of a listing of government positions that meet the definitions of “public official” or “executive-level public employee.”

Public Officials:

LIEUTENANT GOVERNOR

Executive Level Public Employees:

- Administrative Officer and Spec. Assist.
- Chief Administrative Officer
- Chief of Staff
- Deputy Chief of Staff
- Director of Correspondence

PA LIQUOR CONTROL BOARD

Approve applications from slot machine licensees except for good cause shown; promulgate regulations with respect to sale and service of alcoholic beverages by licensees.

Public Officials:

BOARD MEMBERS

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00000107	00268111 LC External Affairs Off	00168400	16840	Executive Policy Manager 2
00000392	00268264 LC Lensng Pgh	00705100	70510	Lcb Licensing Analyst 1
00002756	00268230 LC Lensng Eval Div	00022905	02295	Lcb Licensing Supervisor
00003834	00268320 LC Chf Cnsl	00072304	07234	Chief Counsel 4
00006177	00268320 LC Chf Cnsl	00071300	07130	Attorney 3 Non Supervisory
00007848	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00011299	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00012681	00268210 LC Dir Bur of Lensng LC	00022700	02270	Director Bureau Licensing Plcb
00013232	00268220 LC Admv and Divergent Licensee Aff Div	00022905	02295	Lcb Licensing Supervisor
00015860	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00017577	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00019443	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00019661	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00020845	00268110 LC Bd and Sec	03002800	U0280	Member Liquor Control Board
00024609	00268220 LC Admv and Divergent Licensee Aff Div	00022900	02290	Lcb Licensing Manager
00026622	00268111 LC External Affairs Off	00071300	07130	Attorney 3 Non Supervisory
00027971	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00028825	00268210 LC Dir Bur of Lcnsng LC	00022800	02280	Assistant Director Bureau of Licensing
00029684	00268534 LC Admv Lw Jdg Pgh	00071700	07170	Administrative Law Judge Plcb
00031338	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00031939	00268321 LC Lgl Phila	00071300	07130	Attorney 3 Non Supervisory
00032096	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00033294	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00033523	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00035535	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00037055	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00039134	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00039282	00268533 LC Admv Lw Jdg Hbg	00071700	07170	Administrative Law Judge Plcb
00041006	00268230 LC Lcnsng Eval Div	00022900	02290	Lcb Licensing Manager
00041986	00268654 LC Real Est Reg 3	00023100	02310	Liquor Control Board Facilities Analyst 2
00043108	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00044188	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00044897	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00045330	00268230 LC Lcnsng Eval Div	00022905	02295	Lcb Licensing Supervisor
00046073	00268260 LC Lcnsng Invstgns Div	00022900	02290	Lcb Licensing Manager
00046968	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00047099	00268320 LC Chf Cnsl	00071300	07130	Attorney 3 Non Supervisory
00047107	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00047495	00268240 LC Lcnsng Sys and Prgm Mgmt Div	00022905	02295	Lcb Licensing Supervisor
00047503	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00050258	00268110 LC Bd and Sec	03002709	U0279	Chairman Liquor Control Board
00050549	00268263 LC Lensng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00052365	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00053725	00268261 LC Lensng Phila	00705210	7052A	Lcb Licensing Analyst 2A-Act 1987-14 Eligible
00054108	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00058837	00268261 LC Lensng Phila	00705205	70525	Lcb Licensing Analyst Supervisor
00059499	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00060485	00268263 LC Lensng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00061059	00268534 LC Admv Lw Jdg Pgh	00071700	07170	Administrative Law Judge Plcb
00061596	00268264 LC Lensng Pgh	00705210	7052A	Lcb Licensing Analyst 2A-Act 1987-14 Eligible
00062072	00268531 LC Off Chf Admv Lw Jdg	00071800	07180	Chief Administrative Law Judge Plcb
00063911	00268532 LC Admv Lw Jdg Phila	00071700	07170	Administrative Law Judge Plcb
00064448	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00066282	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00066288	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00068262	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00068418	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00070659	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00071732	00268320 LC Chf Cnsl	00071300	07130	Attorney 3 Non Supervisory
00074416	00268263 LC Lensng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00074659	00268533 LC Admv Lw Jdg Hbg	00071700	07170	Administrative Law Judge Plcb
00074700	00268230 LC Lensng Eval Div	00022905	02295	Lcb Licensing Supervisor
00077378	00268240 LC Lensng Sys and Prgm Mgmt Div	00022900	02290	Lcb Licensing Manager
00080565	00268263 LC Lensng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00082974	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00084013	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00084698	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00085176	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00085384	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00086043	00268220 LC Admv and Divergent Licensee Aff Div	00022905	02295	Lcb Licensing Supervisor
00090609	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00090741	00268264 LC Lcnsng Pgh	00705401	70541	Lcb Licensing Analyst Manager
00092679	00268230 LC Lcnsng Eval Div	00022905	02295	Lcb Licensing Supervisor
00092710	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00099364	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00100650	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00102616	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00104132	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00104425	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00107843	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00109160	00268320 LC Chf Cnsl	00071600	07160	Attorney 5
00111888	00268261 LC Lcnsng Phila	00705401	70541	Lcb Licensing Analyst Manager
00111983	00268532 LC Admv Lw Jdg Phila	00071700	07170	Administrative Law Judge Plcb
00117150	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00118655	00268263 LC Lcnsng Hbg	00705401	70541	Lcb Licensing Analyst Manager
00122434	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00122443	00268115 Chief Executive Officer	00024000	02400	Chief Executive Officer Plcb
50286611	00268351 LC Dir of Regulatory Affairs	00023902	02392	Director of Regulatory Affairs Plcb
50365813	00268110 LC Bd and Sec	03089707	U8977	Special Assistant PLCB
00000107	00268111 LC External Affairs Off	00168400	16840	Executive Policy Manager 2
00000392	00268264 LC Lcnsng Pgh	00705100	70510	Lcb Licensing Analyst 1
00002756	00268230 LC Lcnsng Eval Div	00022905	02295	Lcb Licensing Supervisor
00003834	00268320 LC Chf Cnsl	00072304	07234	Chief Counsel 4
00006177	00268320 LC Chf Cnsl	00071300	07130	Attorney 3 Non Supervisory
00007848	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00011299	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00012681	00268210 LC Dir Bur of Lcnsng LC	00022700	02270	Director Bureau Licensing Plcb

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00013232	00268220 LC Admv and Divergent Licensee Aff Div	00022905	02295	Lcb Licensing Supervisor
00015860	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00017577	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00019443	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00019661	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00020845	00268110 LC Bd and Sec	03002800	U0280	Member Liquor Control Board
00024609	00268220 LC Admv and Divergent Licensee Aff Div	00022900	02290	Lcb Licensing Manager
00026622	00268111 LC External Affairs Off	00071300	07130	Attorney 3 Non Supervisory
00027971	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00028825	00268210 LC Dir Bur of Lcnsng LC	00022800	02280	Assistant Director Bureau of Licensing
00029684	00268534 LC Admv Lw Jdg Pgh	00071700	07170	Administrative Law Judge Plcb
00031338	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00031939	00268321 LC Lgl Phila	00071300	07130	Attorney 3 Non Supervisory
00032096	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00033294	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00033523	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00035535	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00037055	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00039134	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00039282	00268533 LC Admv Lw Jdg Hbg	00071700	07170	Administrative Law Judge Plcb
00041006	00268230 LC Lcnsng Eval Div	00022900	02290	Lcb Licensing Manager
00041986	00268654 LC Real Est Reg 3	00023100	02310	Liquor Control Board Facilities Analyst 2
00043108	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00044188	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00044897	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00045330	00268230 LC Lcnsng Eval Div	00022905	02295	Lcb Licensing Supervisor
00046073	00268260 LC Lcnsng Invstgns Div	00022900	02290	Lcb Licensing Manager

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00046968	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00047099	00268320 LC Chf Cnsl	00071300	07130	Attorney 3 Non Supervisory
00047107	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00047495	00268240 LC Lcnsng Sys and Prgm Mgmt Div	00022905	02295	Lcb Licensing Supervisor
00047503	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00050258	00268110 LC Bd and Sec	03002709	U0279	Chairman Liquor Control Board
00050549	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00052365	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00053725	00268261 LC Lcnsng Phila	00705210	7052A	Lcb Licensing Analyst 2A-Act 1987-14 Eligible
00054108	00268264 LC Lcnsng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00058837	00268261 LC Lcnsng Phila	00705205	70525	Lcb Licensing Analyst Supervisor
00059499	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00060485	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00061059	00268534 LC Admv Lw Jdg Pgh	00071700	07170	Administrative Law Judge Plcb
00061596	00268264 LC Lcnsng Pgh	00705210	7052A	Lcb Licensing Analyst 2A-Act 1987-14 Eligible
00062072	00268531 LC Off Chf Admv Lw Jdg	00071800	07180	Chief Administrative Law Judge Plcb
00063911	00268532 LC Admv Lw Jdg Phila	00071700	07170	Administrative Law Judge Plcb
00064448	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00066282	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00066288	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00068262	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00068418	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00070659	00268261 LC Lcnsng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00071732	00268320 LC Chf Cnsl	00071300	07130	Attorney 3 Non Supervisory
00074416	00268263 LC Lcnsng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00074659	00268533 LC Admv Lw Jdg Hbg	00071700	07170	Administrative Law Judge Plcb
00074700	00268230 LC Lcnsng Eval Div	00022905	02295	Lcb Licensing Supervisor

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00077378	00268240 LC Lensng Sys and Prgm Mgmt Div	00022900	02290	Lcb Licensing Manager
00080565	00268263 LC Lensng Hbg	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00082974	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00084013	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00084698	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00085176	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00085384	00268320 LC Chf Cnsl	00071500	07150	Attorney 4 Supervisory
00086043	00268220 LC Admv and Divergent Licensee Aff Div	00022905	02295	Lcb Licensing Supervisor
00090609	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00090741	00268264 LC Lensng Pgh	00705401	70541	Lcb Licensing Analyst Manager
00092679	00268230 LC Lensng Eval Div	00022905	02295	Lcb Licensing Supervisor
00092710	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00099364	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00100650	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00102616	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00104132	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00104425	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00107843	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00109160	00268320 LC Chf Cnsl	00071600	07160	Attorney 5
00111888	00268261 LC Lensng Phila	00705401	70541	Lcb Licensing Analyst Manager
00111983	00268532 LC Admv Lw Jdg Phila	00071700	07170	Administrative Law Judge Plcb
00117150	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00118655	00268263 LC Lensng Hbg	00705401	70541	Lcb Licensing Analyst Manager
00122434	00268320 LC Chf Cnsl	00071200	07120	Attorney 2
00122443	00268115 Chief Executive Officer	00024000	02400	Chief Executive Officer Plcb
50286611	00268351 LC Dir of Regulatory Affairs	00023902	02392	Director of Regulatory Affairs Plcb
50365813	00268110 LC Bd and Sec	03089707	U8977	Special Assistant PLCB
00000107	00268111 LC External Affairs Off	00168400	16840	Executive Policy Manager 2
00000392	00268264 LC Lensng Pgh	00705100	70510	Lcb Licensing Analyst 1

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00002756	00268230 LC Lensng Eval Div	00022905	02295	Lcb Licensing Supervisor
00003834	00268320 LC Chf Cnsl	00072304	07234	Chief Counsel 4
00006177	00268320 LC Chf Cnsl	00071300	07130	Attorney 3 Non Supervisory
00007848	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00011299	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00012681	00268210 LC Dir Bur of Lensng LC	00022700	02270	Director Bureau Licensing Plcb
00013232	00268220 LC Admv and Divergent Licensee Aff Div	00022905	02295	Lcb Licensing Supervisor
00015860	00268264 LC Lensng Pgh	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible
00017577	00268261 LC Lensng Phila	00705211	7052B	Lcb Licensing Analyst 2B-Act 1987-14 Ineligible

DEPARTMENT OF REVENUE

Facilitate auditing of gaming by selecting and employing a central control computer system to which all slot machines shall be linked; determine amounts due from licensees for slot machine taxes and local share assessments on gross revenue; make quarterly distributions of local share assessments to counties and municipalities hosting licensed facilities; administer and collect taxes imposed under the Gaming Act

Public Officials:

SECRETARY OF REVENUE

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00000789	00180500 RV Dep Sec Tax Policy	03007900	U0790	Deputy Secretary for Tax Policy Revenue
00002592	00181230 RV FscL Mgmt Gmg Div	00030500	03050	Accountant 4
00003361	00180700 RV Chf Info Ofr	00015503	01553	Chief Information Officer 3
00011734	00180120 RV Leg Lias Off	00072403	07243	Legislative Liaison 3
00022582	00180150 RV Off of Chf Cnsl	00071601	07161	Attorney 5 Office of General Counsel
00024671	00180150 RV Off of Chf Cnsl	00071301	07131	Attorney 3 Non Supervisory Office of General Counsel
00027362	00180310 RV Bd of Appl	00075800	07580	Tax Appeals Board Member
00031515	00180100 RV Sec Off	03000300	U0030	Department Head
00032066	00184000 RV Btft Dir Stf	00086600	08660	Administrative Officer 4
00035549	00188810 RV Auds Pgh Rgnl	00039100	03910	Senior Revenue Tax Auditor
00035566	00180200 RV Dep Sec for Ad	03008400	U0840	Deputy Secretary Administration Revenue
00037340	00181200 RV FscL Mgmt Dir Stf	00081805	08185	Director Bureau of Fiscal Management Revenue

NOTICES

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00044751	00181500 RV Info Sys Dir Stf	00015408	01548	Information Technology Manager 3
00045394	00188000 RV Auds Dir Stf	00732100	73210	Director Audits Revenue
00047199	00188810 RV Auds Pgh Rgnl	00039200	03920	Revenue Tax Audit Supervisor
00048232	00180160 RV Ex Dep Sec	03007600	U0760	Executive Deputy Secretary Revenue
00051402	00180400 RV Dep Sec for Cmplnc and Clctns	03007800	U0780	Deputy Secretary for Compliance and Collections Revenue
00057546	00189200 RV PA St Ltry Dep Ex Dir Rtlr Op	00099405	09945	Deputy Executive Director for Retailer Operations Revenue
00059809	00180310 RV Bd of Appl	00075800	07580	Tax Appeals Board Member
00063181	00180310 RV Bd of Appl	00075800	07580	Tax Appeals Board Member
00064344	00181500 RV Info Sys Dir Stf	00015407	01547	Information Technology Manager 2
00065371	00188130 RV Auds Phila Rgnl	00039100	03910	Senior Revenue Tax Auditor
00065710	00180420 RV Rsch Dir Stf	00012600	01260	Director Bureau Research Revenue
00066446	00188810 RV Auds Pgh Rgnl	00039100	03910	Senior Revenue Tax Auditor
00067032	00188310 RV Auds Scranton Rgnl	00039900	03990	Revenue Regional Manager
00068897	00189100 RV PA St Ltry Dep Ex Dir Mktg Prdt Dvpt	00099105	09915	Deputy Executive Director Marketing and Product Development Revenue
00070299	00180130 RV Plyc Off	00168300	16830	Executive Policy Manager 1
00071201	00180150 RV Off of Chf Cnsl	03010207	U1027	Chief Counsel Ogc
00073685	00181300 RV Cmplnc Dir Stf	00733400	73340	Director Compliance Revenue
00075268	00180310 RV Bd of Appl	00075900	07590	Tax Appeals Board Chairman
00085530	00181220 RV FscL Mgmt Plng Div	00013000	01300	Revenue Fiscal Analyst Supervisor
00088776	00181210 RV FscL Mgmt Bdgt Div	00081400	08140	Budget Analyst 4
00089269	00188130 RV Auds Phila Rgnl	00039900	03990	Revenue Regional Manager
00091712	00181510 RV Info Sys Infra & Ops Div	00015406	01546	Information Technology Manager 1
00092784	00181540 RV Info Sys Plng Sec and Ad Div	00015404	01544	Information Technology Generalist Administrator 1
00096214	00184000 RV Btft Dir Stf	00732200	73220	Director Business Trust Fund Taxes Revenue
00100505	00180310 RV Bd of Appl	00075800	07580	Tax Appeals Board Member
00100511	00180430 RV Pass Through Bus Off	00732505	73255	Director of Pass Through Business Revenue
00101157	00181560 RV Info Sys Ltry Csno Gmg Tchlgly Spt Div	00015104	01514	Network Administrator 1
00104462	00188310 RV Auds Scranton Rgnl	00039100	03910	Senior Revenue Tax Auditor

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00104999	00188030 RV Auds LF C&B Tx Aud Pr	00039805	03985	Revenue Tax Audit Program Administrator
00108235	00180310 RV Bd of Appl	00075800	07580	Tax Appeals Board Member
00108686	00189300 RV PA St Ltry Dep Ex Dir for Ad Fnce	00099005	09905	Deputy Executive Director for Administration and Finance Revenue
00109767	00188210 RV Auds Allentown Rgnl	00039100	03910	Senior Revenue Tax Auditor
00110821	00180150 RV Off of Chf Cnsl	00071502	07152	Attorney 4 Supervisory Office of General Counsel
00112092	00181540 RV Info Sys Plng Sec and Ad Div	00015405	01545	Information Technology Generalist Administrator 2
00112118	00181560 RV Info Sys Ltry Csno Gmg Tehlgy Spt Div	00015105	01515	Network Administrator 2
00115779	00189000 RV Pa St Ltry Dir Stf	00099300	09930	Executive Director Lottery Revenue
00121344	00181350 RV Cmplnc Lic Clrc Div	00086500	08650	Administrative Officer 3
00124776	00180110 RV Cmncs Off	00059200	05920	Press Secretary 3
00129255	00180300 RV Dep Sec for Txtn	03007700	U0770	Deputy Secretary Taxation Revenue
00161242	00188810 RV Auds Pgh Rgnl	00039100	03910	Senior Revenue Tax Auditor
00161260	00188430 RV Auds Hbg Rgnl Off	00039100	03910	Senior Revenue Tax Auditor
00275841	00180120 RV Leg Lias Off	00072503	07253	Legislative Specialist 2
50240347	00181300 RV Cmplnc Dir Stf	00015000	01500	Revenue Research Analyst Manager
50258395	00188130 RV Auds Phila Rgnl	00039200	03920	Revenue Tax Audit Supervisor

PENNSYLVANIA STATE POLICE

Conduct background investigations of appointees to the Gaming Control Board and applicants for licenses, permits, or employment; conduct administrative inspections of licensed facilities; enforce rules and regulations promulgated under the Gaming Act; conduct audits of accounting and financial records of licensed entities.

Public Officials:

STATE POLICE COMMISSIONER

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00006008	00208525 SP Chester Downs Gaming Off	00740200	74020	State Police Corporal
00023507	00208521 SP Meadows Gaming Off	00740200	74020	State Police Corporal

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00025999	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
00028267	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
00032704	00208510 SP Gaming Admv Sectn	00740200	74020	State Police Corporal
00035065	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
00040289	00208510 SP Gaming Admv Sectn	00080400	08040	Management Technician
00042709	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00043333	00208524 SP Pocono Downs Gaming Off	00740200	74020	State Police Corporal
00043919	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00044895	00208524 SP Pocono Downs Gaming Off	00740200	74020	State Police Corporal
00045230	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00052291	00208530 SP Mount Airy Gaming Off	00740300	74030	State Police Sergeant
00054399	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
00061405	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00065016	00208500 SP Gaming Enf Off	00740600	74060	State Police Captain
00077109	00208522 SP Presque Isle Downs Gaming Off	00740300	74030	State Police Sergeant
00080021	00208520 SP Gaming Op Sectn	00740500	74050	State Police Lieutenant
00082042	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper
00083419	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
00091763	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
00094237	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
00096400	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
00100462	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00102424	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
00105539	00208520 SP Gaming Op Sectn	00740500	74050	State Police Lieutenant
00121483	00205100 SP Dep Comr Op	03005400	U0540	Deputy State Police Commissioner
00147780	00205200 SP Dep Comr of Stf	03005400	U0540	Deputy State Police Commissioner

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00149591	00205007 SP Ply Off	00168500	16850	Executive Policy Manager 3
00152985	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00199110	00208510 SP Gaming Admv Sectn	00080400	08040	Management Technician
00199201	00208500 SP Gaming Enf Off	00082100	08210	Administrative Assistant 1
00299141	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00302063	00205000 SP Comr	03005403	U0543	State Police Commissioner
50243146	00205500 SP Dep Comr of Ad and Pfsnl Rspblty	03005400	U0540	Deputy State Police Commissioner
50262061	00208510 SP Gaming Admv Sectn	00740100	74010	State Police Trooper
50262138	00208510 SP Gaming Admv Sectn	00740300	74030	State Police Sergeant
50264630	00208530 SP Mount Airy Gaming Off	00740200	74020	State Police Corporal
50264677	00208510 SP Gaming Admv Sectn	00740100	74010	State Police Trooper
50264680	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
50264683	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
50264684	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
50264685	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50264686	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
50264688	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper
50264690	00208526 SP Philadelphia Prk Gaming Off	00740300	74030	State Police Sergeant
50264692	00208523 SP Penn National Gaming Off	00740300	74030	State Police Sergeant
50264694	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50264695	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
50264696	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50264697	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
50264699	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
50264700	00208531 SP Pittsburgh Gaming Off	00740200	74020	State Police Corporal
50264701	00208523 SP Penn National Gaming Off	00740200	74020	State Police Corporal

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
50264703	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
50264704	00208524 SP Pocono Downs Gaming Off	00740300	74030	State Police Sergeant
50264705	00208531 SP Pittsburgh Gaming Off	00740300	74030	State Police Sergeant
50264706	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
50264707	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
50264708	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
50264709	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
50264710	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50264712	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
50264713	00208521 SP Meadows Gaming Off	00740300	74030	State Police Sergeant
50264714	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50264722	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
50281343	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
50299259	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
50299264	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50299265	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50299267	00208522 SP Presque Isle Downs Gaming Off	00740200	74020	State Police Corporal
50299272	00208525 SP Chester Downs Gaming Off	00740300	74030	State Police Sergeant
50299306	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50299310	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper
50299311	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
50299315	00208521 SP Meadows Gaming Off	00740200	74020	State Police Corporal
50299323	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
50299329	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
50299334	00208522 SP Presque Isle Downs Gaming Off	00740200	74020	State Police Corporal
50299360	00208530 SP Mount Airy Gaming Off	00740200	74020	State Police Corporal
50299364	00208531 SP Pittsburgh Gaming Off	00740200	74020	State Police Corporal
50299384	00208529 SP Bethlehem Gaming Off	00740200	74020	State Police Corporal
50299499	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
50299508	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
50299544	00208526 SP Philadelphia Prk Gaming Off	00740200	74020	State Police Corporal
50299656	00208525 SP Chester Downs Gaming Off	00740200	74020	State Police Corporal
50299702	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50299789	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
50299791	00208522 SP Presque Isle Downs Gaming Off	00740200	74020	State Police Corporal
50299793	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50299806	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
50299811	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
50299815	00208526 SP Philadelphia Prk Gaming Off	00740200	74020	State Police Corporal
50299816	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
50299820	00208526 SP Philadelphia Prk Gaming Off	00740100	74010	State Police Trooper
50299821	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50299824	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50299825	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50299826	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
50299832	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50299899	00208525 SP Chester Downs Gaming Off	00740100	74010	State Police Trooper
50300049	00208500 SP Gaming Enf Off	00002200	00220	Clerk Typist 2
50349450	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
50349451	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
50349452	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
50349453	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper
50349454	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
50349455	00208523 SP Penn National Gaming Off	00740100	74010	State Police Trooper
50349457	00208529 SP Bethlehem Gaming Off	00740300	74030	State Police Sergeant
50349458	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper
50349459	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper
50349460	00208529 SP Bethlehem Gaming Off	00740100	74010	State Police Trooper
50349461	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
50349462	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
50349463	00208531 SP Pittsburgh Gaming Off	00740100	74010	State Police Trooper
00006008	00208525 SP Chester Downs Gaming Off	00740200	74020	State Police Corporal
00023507	00208521 SP Meadows Gaming Off	00740200	74020	State Police Corporal
00025999	00208522 SP Presque Isle Downs Gaming Off	00740100	74010	State Police Trooper
00028267	00208524 SP Pocono Downs Gaming Off	00740100	74010	State Police Trooper
00032704	00208510 SP Gaming Admv Sectn	00740200	74020	State Police Corporal
00035065	00208521 SP Meadows Gaming Off	00740100	74010	State Police Trooper
00040289	00208510 SP Gaming Admv Sectn	00080400	08040	Management Technician
00042709	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00043333	00208524 SP Pocono Downs Gaming Off	00740200	74020	State Police Corporal

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00043919	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00044895	00208524 SP Pocono Downs Gaming Off	00740200	74020	State Police Corporal
00045230	00208530 SP Mount Airy Gaming Off	00740100	74010	State Police Trooper
00052291	00208530 SP Mount Airy Gaming Off	00740300	74030	State Police Sergeant

TREASURY DEPARTMENT

Enter into agreements with the PA Gaming Control Board to effectuate the sale of State gaming receipts to a Commonwealth of PA authority; transfer gaming funds to other funds as directed by the Gaming Act

Public Officials:

STATE TREASURER

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Assistant Counsel
 Chief Economist
 Chief of Staff
 Comptroller
 Deputy Chief Counsels
 Deputy Chief Counsel/Presiding Officer
 Deputy State Treasurer for Administration
 Deputy State Treasurer for Audits and Investigations
 Deputy State Treasurer/Chief Counsel
 Deputy State Treasurer for External Affairs
 Deputy State Treasurer for Investments and Banking
 Director of Banking
 Director of the Bureau of Audits
 Director of Communications
 Acting Director of the Bureau of Fiscal Review
 Director of the Bureau of Human Resources
 Director of the Bureau of Information Technology
 Director of the Bureau of Unclaimed Property
 Director of the Office of Legislative Affairs
 Director of the Office of Internal Audits
 Director of TABS
 Portfolio Manager
 Senior Portfolio Manager Bureau of Trading
 Secretary of the Board of Finance and Revenue

STATE AGENCIES

Public Officials:

- AUDITOR GENERAL
- SECRETARY OF AGING
- SECRETARY OF BANKING
- SECRETARY OF CORRECTIONS
- SECRETARY OF THE DEPT. OF CONSERVATION & NATURAL RESOURCES
- SECRETARY PA EMERGENCY MANAGEMENT AGENCY
- SECRETARY DEPARTMENT OF ENVIRONMENTAL PROTECTION
- MEMBERS OF THE FISH AND BOAT COMMISSION
- MEMBERS OF THE GAME COMMISSION
- SECRETARY DEPARTMENT OF GENERAL SERVICES
- SECRETARY INSURANCE DEPARTMENT
- SECRETARY DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
- SECRETARY DEPARTMENT OF PUBLIC WELFARE
- SECRETARY DEPARTMENT OF STATE
- STATE EMPLOYEES RETIREMENT SYSTEM
- SECRETARY DEPARTMENT OF TRANSPORTATION

Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities
relating to gaming issues or licensing:

Position Number	Organizational Unit	Job ID	Job Code	Position Name
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Dept. of Aging:

108692	00100100	AN Off of the Sec of Aging	03000300	U0030	Department Head
216137	00103001	AN Dep Sec of Aging	03004300	U0430	Deputy Secretary Aging

Dept. of Banking:

113084	00051000	Banking Off of the Sec	03000300	U0030	Department Head
1333	00051200	Banking Dep Sec Dpry Insts	03006200	U0620	Deputy Secretary for Depository Institutions
48163	00051300	Banking Dep Sec Nn Dpry Insts Consr Srvs	03006201	U0621	Deputy Secretary for Non Depository Institutions and Consumer Services
50278501	00051000	Banking Off of the Sec	03004305	U0435	Executive Deputy Secretary Banking

Dept. of Corrections:

116618	00111000	CR Corr Insts Ad	03009601	U0961	Executive Deputy Secretary Corrections
118924	00111000	CR Corr Insts Ad	03009605	U0965	Deputy Secretary for Reentry and Specialized Programs

Position Number	Organizational Unit	Job ID	Job Code	Position Name
135619	00111000 CR Corr Insts Ad	03009604	U0964	Regional Deputy Secretary Corrections
151820	00111000 CR Corr Insts Ad	03009604	U0964	Regional Deputy Secretary Corrections
20980	00111000 CR Corr Insts Ad	03000300	U0030	Department Head
226372	00111000 CR Corr Insts Ad	03008002	U0802	Deputy Secretary Administrative Services Corr
35123	00111000 CR Corr Insts Ad	03009604	U0964	Regional Deputy Secretary Corrections

Dept. of Conserv. & Natural Resources:

222477	00382000 CN Dep Sec Cnsvn and Tech Srvs	03004409	U0449	Deputy Secretary for Conservation and Technical Services
225437	00380100 CN Off of The Sec	03000400	U0040	Deputy Secretary Acting Secretary
233926	00381000 CN Dep Sec for Ad	03004408	U0448	Deputy Secretary Administration Dcnr
247750	00380120 CN Dep Sec for Parks and Forestry	03004407	U0447	Deputy Secretary for Parks and Forestry

Dept. of General Services:

00001085	00153100 GS Bur Spls and Srpls Op	00026000	02600	Supplies Surplus Operations Director Dgs
00001407	00154800 GS Bur Risk and Ins Mgmt	00026800	02680	Commonwealth Risk And Insurance Manager
00005728	00154700 GS Cmwl Mda Srvs	00960600	96060	Director Commonwealth Media Services Dgs
00015564	00154400 GS Bur of Pubctns	00090600	09060	Publications Paperwork Management Director Dgs
00030531	00153600 GS Bur Vhcl Mgmt	00932000	93200	Fleet Maintenance Manager
00037931	00154000 GS Dep Sen Ad and Premnt	03008100	U0810	Deputy Secretary for Administration and Procurement Dgs
00039641	00153401 GS Bur Felts Mgmt	00110001	11001	Director Bur Facilities Management, Dgs
00057119	00151000 GS Sec	03000300	U0030	Department Head
00060122	00156100 GS Prf Seletns and Admv Srvs	00107503	10753	Director Bur Professional Selections Adm Svcs Dgs
00062662	00154200 GS Bur of Fin and Mgmt Srvs	00086700	08670	Administrative Officer 5
00069776	00156400 GS Bur Cnstr	00111800	11180	Director Construction Dgs
00077682	00153320 GS Capitol Plc Div	00748605	74865	Capitol Police Force Deputy Superintendent
00079460	00153300 GS Bur Plc and Sf	00748600	74860	Capitol Police Force Superintendent
00088058	00156300 GS Bur Engrg And Archr	00138901	13891	Assistant Dir Engineering Architecture Dgs
00093904	00153000 GS Dep Sec Prop and Asset Mgmt	03007500	U0750	Deputy Secretary for Property and Asset Management Dgs

Position Number	Organizational Unit	Job ID	Job Code	Position Name	
00098195	00156000	GS Dep Sec Pub Wks	03007400	U0740	Deputy Secretary Public Works General Services
00111487	00153700	GS Bur Real Est	00094300	09430	Real Estate Director
00112890	00154000	GS Dep Sen Ad and Prcmnt	03007300	U0730	Deputy Secretary Procurement General Services
00117667	00155100	GS Bur of Mnrtly & Wmen Bus Optnty	00055705	05575	Director Minority and Women Business Opportunities Dgs
00118419	00156300	GS Bur Engrg And Archr	00138900	13890	Director Engineering And Architecture Dgs
00307050	00154500	GS Bur of Prcmt	00028700	02870	Chief Procurement Officer
50279336	00151000	GS Sec	03081700	U8170	Special Assistant to the Secretary of Dgs
50285675	00155000	GS Dep Sec & Spc Advr to Gov MWDBD	03008800	U0880	Deputy Secretary and Special Advisor to the Governor for Minority Wome
50358521	00151000	GS Sec	03081700	U8170	Special Assistant to the Secretary of Dgs
50364410	00151000	GS Sec	03011505	U1155	Communications and Transparency Director Stimulus Funding

Dept. of Military & Vet. Affairs:

00026829	00131000	MV Adj Gen	03005600	U0560	Deputy Adjutant General Army
00032490	00131000	MV Adj Gen	03000300	U0030	Department Head
00034011	00137000	MV Fclts and Engrg	03005601	U0561	Deputy for Facilities and Engineering Dmva
00054093	00133000	MV Air Ntl Grd	03005500	U0550	Deputy Adjutant General Air

Dept. of Public Welfare:

00027320	00211000	PW Sec of Pub Wlfare	03000400	U0040	Deputy Secretary Acting Secretary
00030060	00211000	PW Sec of Pub Wlfare	00499001	49901	Special Assistant Secretary Of Public Welfare
00041566	00211080	PW Lgl Cnsl	03010207	U1027	Chief Counsel Ogc
00092514	00211600	PW Dep Sec for C Y and F	03004100	U0410	Deputy Secretary Children Youth & Family Services
00111269	00211300	PW Dep Sec Dvpt Prgms	03003800	U0380	Deputy Secretary Developmental Programs
00133965	00211200	PW Dep Sec Med Astnc Prgms	03003900	U0390	Deputy Secretary Medical Assistance Programs
00150357	00211800	PW Dep Sec Chld Dvpt & Erly Lrng	03000401	U0041	Acting Deputy Secretary
00166954	00211090	PW Off Pcly Dvpt	00168500	16850	Executive Policy Manager 3
00213369	00211700	PW Dep Sec for Ad	03008300	U0830	Deputy Secretary Administration Dpw
00217278	00211100	PW Dep Sec Inc Mntnc	03004000	U0400	Deputy Secretary Income Maintenance
00217540	00211900	PW Dep Sec Lng Trm Lvng	03004202	U0422	Deputy Secretary for Long Term Living

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00221979	00211500 PW Dep Sec MH and Subs Abs	03003700	U0370	Deputy Secretary Mental Health and Substance Abuse Services
00222515	00211750 PW Off of Bdgt	00089500	08950	Fiscal Management Director Dpw
00236920	00211000 PW Sec of Pub Wlfare	00499000	49900	Chief Of Staff Secretary Of Public Welfare
00238886	00211010 PW Dvptl Dsblts Plng Cncl	00087300	08730	Executive Dir Developmental Disabilities
00264555	00211090 PW Off Ply Dvpt	00168500	16850	Executive Policy Manager 3
00298109	00211000 PW Sec of Pub Wlfare	03080900	U8090	Special Advisor Secretary of Public Welfare
00298208	00211000 PW Sec of Pub Wlfare	00499001	49901	Special Assistant Secretary Of Public Welfare
50285570	00211000 PW Sec of Pub Wlfare	03000401	U0041	Acting Deputy Secretary
50308528	00211070 PW Off of Leg Aff	00072403	07243	Legislative Liaison 3
00027320	00211000 PW Sec of Pub Wlfare	03000400	U0040	Deputy Secretary Acting Secretary

Dept. of Environ. Protection:

139	00350100 EP Off Sec	03000300	U0030	Department Head
19634	00357000 EP Off Enrgy Tchlgly Dplymt	03004700	U0470	Deputy Secretary for Energy and Technology Deployment
216176	00358000 EP Off Cmty Rvrtlzn Lcl Govt Spt	03004402	U0442	Special Deputy Secretary Community Revitalization and Local Government
221907	00350100 EP Off Sec	03000401	U0041	Acting Deputy Secretary
41960	00352000 EP Off Wste Air Rdtn Mgmt	03000401	U0041	Acting Deputy Secretary
61114	00354000 EP Off Fl Op	03004401	U0441	Deputy Secretary Field Operations Dep
72855	00355000 EP Off Mnrl Res Mgmt	03004405	U0445	Deputy Secretary Mineral Resources Management Dep
90735	00351000 EP Off Ad	03008000	U0800	Deputy Secretary for Administration Dep
90792	00353000 EP Off Wtr Mgmt	03004403	U0443	Deputy Secretary Water Management Dep

Fish & Boat Commission:

115878	00221300 FB Chf Cnsl	00071200	07120	Attorney 2
11764	00225300 FB Bur of Law Enf	00600200	60020	Waterways Conservation Officer Manager
50330936	00227100 FB Cmncnts	00086600	08660	Administrative Officer 4
60075	00221000 FB Ex Off	00647900	64790	Executive Director Pa Fish Boat Commission
8957	00221300 FB Chf Cnsl	00072301	07231	Chief Counsel 1
96401	00227000 FB Ply Plng Cmncs	00147000	14700	Director of Policy Planning and Communications Pfbc

Position Number	Organizational Unit	Job ID	Job Code	Position Name
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Game Commission:

122280	00231100	GC Dep Ex	00648700	64870	Deputy Executive Dir Game Commission
32956	00231120	GC Leg Off	00072401	07241	Legislative Liaison 1
33400	00231000	GC Ex Off	00648900	64890	Executive Director Game Commission
76953	00233600	GC Pub Info & Mda Srvs Div	00059100	05910	Press Secretary 2

Insurance Dept:

151156	00095000	IN Spc Fnds	03006500	U0650	Deputy Insurance Comr Lqdns Rehab Spec Fund
19609	00094000	IN Mkt Reg	03006700	U0670	Deputy Insurance Commissioner Market Regulation
221276	00097000	IN MCre	03006300	U0630	Deputy Insurance Commissioner Office Of Mcare
398	00096000	IN Prdt Reg Ad	03006600	U0660	Deputy Insurance Commissioner Insurance Product Regulation and
45378	00093000	IN Corp and Fin Reg	03006400	U0640	Deputy Insurance Commissioner Corporate and Financial Regulation

PA Emerg. Mgt. Agency:

100292	00312000	EM Op	00761802	76182	Deputy Director for Operations Pema
116317	00310100	EM Ex Off	03001200	U0120	Director Emergency Management Agency
216096	00314000	EM Off St Fr Comr	00760900	76090	State Fire Commissioner
50278306	00311000	EM Ad	00761800	76180	Deputy Director for Administration Pema
50358362	00313000	EM Plng Prpdns	00761805	76185	Deputy Director for Planning and Preparedness Pema

SERS:

100246	00701000	SR Ex Dir Off	00095605	09565	Executive Director Sers
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STATE DEPT:

00044799	00191150	ST Dep Sec Regltry Prgms	03004802	U0482	Deputy Secretary Regulatory Programs State
00052671	00195000	ST Corp Bur	00069500	06950	Director Corporation Bureau State
00069498	00191000	ST Sec of the CmwI	03000300	U0030	Department Head

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00074056	00198300 ST St Athltc Comm Scrntn Rgnl Off	03002801	U0281	Chairman Athletic Commission
00078100	00192000 ST Dep Sec for Plng and Serv Del	03004709	U0479	Deputy Secretary for Planning and Service Delivery State
00083075	00196000 ST Bur of Comms Elect and Legn	00035500	03550	Commissioner Bureau Comms Elect Legislation State
00100459	00196000 ST Bur of Comms Elect and Legn	00086600	08660	Administrative Officer 4
00111692	00198000 ST St Athltc Comm	00035600	03560	Executive Dir State Athletic Commission
00118976	00198200 ST St Athltc Comm Pgh Rgnl Off	03002802	U0282	Member Athletic Commission

DEPT. OF TRANSP. PENNDOT

00001304	00088000 TR Dep Sec for Avtn	03005001	U0501	Deputy Secretary Aviation
00001559	00080800 TR Dstr Off 800	00117300	11730	Transportation District Executive
00010643	00081200 TR Dstr Off 1200	00117100	11710	Assistant Highway District Engineer
00011335	00080400 TR Dstr Off 400	00117100	11710	Assistant Highway District Engineer
00013836	00080100 TR Dstr Off 100	00111601	11161	Senior Civil Engineer Manager
00014818	00080600 TR Dstr Off 600	00117100	11710	Assistant Highway District Engineer
00015731	00080600 TR Dstr Off 600	00106500	10650	Transportation Construction Manager 2
00017489	00080800 TR Dstr Off 800	00111601	11161	Senior Civil Engineer Manager
00017661	00080500 TR Dstr Off 500	00117100	11710	Assistant Highway District Engineer
00018990	00080100 TR Dstr Off 100	00117100	11710	Assistant Highway District Engineer
00027391	00080500 TR Dstr Off 500	00111601	11161	Senior Civil Engineer Manager
00029080	00080600 TR Dstr Off 600	00117101	11711	Assistant District Maintenance Administrator
00031126	00080600 TR Dstr Off 600	00117100	11710	Assistant Highway District Engineer
00035082	00080500 TR Dstr Off 500	00117100	11710	Assistant Highway District Engineer
00037167	00080100 TR Dstr Off 100	00111529	1115T	Civil Engineer Manager Transportation
00037270	00080600 TR Dstr Off 600	00111601	11161	Senior Civil Engineer Manager
00039048	00081100 TR Dstr Off 1100	00111601	11161	Senior Civil Engineer Manager
00045033	00081100 TR Dstr Off 1100	00106500	10650	Transportation Construction Manager 2

NOTICES

Position Number	Organizational Unit	Job ID	Job Code	Position Name
00045172	00080600 TR Dstr Off 600	00111601	11161	Senior Civil Engineer Manager
00048573	00082010 TR Plcy Off	03001902	U0192	Senior Policy Manager
00048636	00080600 TR Dstr Off 600	00117100	11710	Assistant Highway District Engineer
00048697	00080400 TR Dstr Off 400	00117101	11711	Assistant District Maintenance Administrator
00050727	00081100 TR Dstr Off 1100	00117100	11710	Assistant Highway District Engineer
00051246	00081200 TR Dstr Off 1200	00172600	17260	Right Of Way Administrator 2
00052687	00081100 TR Dstr Off 1100	00172700	17270	Right Of Way Administrator 3
00053105	00081200 TR Dstr Off 1200	00111529	1115T	Civil Engineer Manager Transportation
00058246	00080400 TR Dstr Off 400	00111601	11161	Senior Civil Engineer Manager
00060168	00084000 TR Dep Sec for Hwy Ad	03005000	U0500	Deputy Secretary Highway Administration
00072354	00087000 TR Dep Sec for Sf Ad	03005300	U0530	Deputy Secretary Safety Administration
00072808	00080400 TR Dstr Off 400	00111601	11161	Senior Civil Engineer Manager
00074814	00081100 TR Dstr Off 1100	00117300	11730	Transportation District Executive
00081052	00080400 TR Dstr Off 400	00117100	11710	Assistant Highway District Engineer
00084746	00080400 TR Dstr Off 400	00117300	11730	Transportation District Executive
00094570	00080800 TR Dstr Off 800	00117100	11710	Assistant Highway District Engineer
00095830	00080800 TR Dstr Off 800	00172600	17260	Right Of Way Administrator 2
00096521	00081200 TR Dstr Off 1200	00111601	11161	Senior Civil Engineer Manager
00100096	00081100 TR Dstr Off 1100	00117100	11710	Assistant Highway District Engineer
00102400	00080400 TR Dstr Off 400	00111529	1115T	Civil Engineer Manager Transportation
00104316	00080100 TR Dstr Off 100	00117300	11730	Transportation District Executive
00106065	00080800 TR Dstr Off 800	00106500	10650	Transportation Construction Manager 2
00106501	00081200 TR Dstr Off 1200	00117100	11710	Assistant Highway District Engineer
00108120	00082000 TR Ex Stf	03000300	U0030	Department Head
00112069	00085000 TR Dep Sec Plng	03005100	U0510	Deputy Secretary Transportation Planning
00116753	00081100 TR Dstr Off 1100	00117100	11710	Assistant Highway District Engineer
00162389	00080100 TR Dstr Off 100	00117100	11710	Assistant Highway District Engineer
00164466	00081100 TR Dstr Off 1100	00111601	11161	Senior Civil Engineer Manager
00164571	00080800 TR Dstr Off 800	00117100	11710	Assistant Highway District Engineer

NOTICES

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Position Number	Organizational Unit	Job ID	Job Code	Position Name
00165084	00080400 TR Dstr Off 400	00172600	17260	Right Of Way Administrator 2
00165779	00081200 TR Dstr Off 1200	00111529	1115T	Civil Engineer Manager Transportation
00166750	00080500 TR Dstr Off 500	00117300	11730	Transportation District Executive
00167933	00080500 TR Dstr Off 500	00172600	17260	Right Of Way Administrator 2
00168224	00080800 TR Dstr Off 800	00117100	11710	Assistant Highway District Engineer
00170165	00080100 TR Dstr Off 100	00172600	17260	Right Of Way Administrator 2
00172845	00080800 TR Dstr Off 800	00111601	11161	Senior Civil Engineer Manager
00173817	00080100 TR Dstr Off 100	00117100	11710	Assistant Highway District Engineer
00173897	00080600 TR Dstr Off 600	00172700	17270	Right Of Way Administrator 3
00177624	00080500 TR Dstr Off 500	00111429	1114T	Senior Civil Engineer Supervisor Transportation
00178221	00080500 TR Dstr Off 500	00111601	11161	Senior Civil Engineer Manager
00183040	00080500 TR Dstr Off 500	00117101	11711	Assistant District Maintenance Administrator
00190555	00081200 TR Dstr Off 1200	00117300	11730	Transportation District Executive
00216972	00080600 TR Dstr Off 600	00117300	11730	Transportation District Executive
00217170	00083000 TR Dep Sec for Ad	03008500	U0850	Deputy Secretary Administration Transportation
00261637	00081200 TR Dstr Off 1200	00117100	11710	Assistant Highway District Engineer
00301873	00086000 TR Dep Sec Lcl and Area	03005200	U0520	Deputy Secretary Local And Area Transportation
50255010	00080100 TR Dstr Off 100	00111429	1114T	Senior Civil Engineer Supervisor Transportation

LOCAL GOVERNMENT TABLE OF CONTENTS

<p>Allegheny County Allenport Borough Amwell Township Armstrong County Barrett Township Beallsville Borough Bensalem Township Bentleyville Borough Blaine Township Bloomsburg Borough of Charleroi Borough of Delaware Water Gap Borough of Dickson City Borough of Homestead Borough of Hummelstown Bucks County Buffalo Township Burgettstown Borough California Borough Canonsburg Borough Canton Township Carbon County Carroll Township Cecil Township Center West Joint Sewer Authority Chartiers Township City of Allentown City of Bethlehem City of Chester City of Hazelton City of Monongahela City of Nanticoke City of Philadelphia City of Pittsburgh City of Pittston City of Scranton City of Wilkes-Barre Clarks Green Borough Claysville Borough Coal Center Borough Cokesburg Borough Coolbaugh Township Covington Township Cross Creek Township Dallas Borough Dauphin Borough Dauphin County Deemston Borough Delaware County Derry Township Dingman Township Donegal Township Donora Borough Dunleavy Borough</p>	<p>Duryea Borough East Bethlehem Township East Finley Township East Hanover Township (Dauphin County) East Hanover Township (Lebanon County) East Washington Borough Edwardsville Borough Elco Borough Ellsworth Borough Erie County Fallowfield Township Finleyville Borough Forty Fort Borough Freeland Borough Green Hills Borough Hanover Township Hanover Township, Northampton County Harrison Township Hawley Borough Hazle Township Hellertown Hopewell Township Houston Borough Independence Township Jefferson Township Jenkins Township Jim Thorpe Borough Kidder Township, Carbon County Kingston Borough Lackawanna County Laflin Borough Lebanon County Lehigh County Lehman Township, Pike County Long Branch Borough Lower Paxton Township Lower Saucon Township Lower Swatara Township Luzerne Borough Luzerne County Marianna Borough McDonald Borough Middle Paxton Township Midway Borough Millersburg Monongahela City Monroe County Montgomery County Morris Township Mount Pocono Borough Mt. Pleasant Township Municipality of Penn Hills New Eagle Borough Newport Township</p>
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North Bethlehem Township
 North Charleroi Borough
 North Franklin Township
 North Strabane Township
 Northampton County
 Nottingham Township
 Palmerton Borough, Carbon County
 Palmyra Township
 Paradise Township
 Peters Township
 Pike County
 Plains Township
 Plymouth Borough
 Robinson Township
 Roscoe Borough
 Rush Township
 Scott Township
 Smith Township
 Somerset Township
 South Fayette Township
 South Franklin Township
 South Hanover Township
 South Strabane Township
 Speers Borough
 Stockdale Borough
 Summit Township

Susquehanna County
 Susquehanna Township
 Swatara Township
 Swoyersville Borough
 Taylor Borough, Lackawanna County
 Township of Tobyhanna
 Tunkhannock Township
 Twilight Borough
 Union Township
 Upper Mount Bethel Township
 Upper St. Clair Township
 Walnutport Borough
 Washington City
 Washington County
 Washington Township
 Wayne County
 West Bethlehem Township
 West Brownsville Borough
 West Finley Township
 West Hanover Township
 West Middletown Borough
 West Pike Run Township
 White Haven Borough
 Wilkes-Barre Township
 Wyoming Borough

BOROUGHES

Boroughs Public Officials:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Homestead, Allegheny County:

Chief of Police

Municipality of Penn Hills, Allegheny County

Chief of Police

Palmerton Borough, Carbon County:

Elected Council Members
 Borough Manager
 Secretary Treasurer
 Solicitor
 Planning Commission Members
 Municipal Authority Members
 Zoning Hearing Board Members
 Civil Service Commission Members
 Shade Tree Commission Members
 Board of Health Members
 Hospital Authority Members
 BOCA Board of Appeals Members
 Borough Engineers

Borough of Dauphin, Dauphin County:

Borough Secretary
 Borough Treasurer
 Elected Auditors
 Elected Council Members
 Elected Mayor
 Elected Tax Collector

Borough of Hummelstown, Dauphin County:

Borough Manager/Secretary/Treasurer
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Police Chief/Assistant Mgr.
 Solicitor
 Civil Service Commission
 General Authority
 Planning Commission
 Recreation Board
 Sewer Authority
 Shade Tree Commission
 Zoning Hearing Board

Borough of Millersburg, Dauphin County:

Elected Mayor
 Elected Council Members
 Borough Manager
 Borough Secretary/Treasurer
 Appointed Solicitor
 Appointed Engineer
 Fire Chief
 Emergency Management Coordinator
 Civil Service Commission Members
 Planning Commission Members
 Shade Tree Commission Members
 Millersburg Area Authority Members

Borough of Dickson City, Lackawanna County:

Elected Council Members
 Elected Mayor
 Borough Secretary
 Chief Clerk
 Controller
 Engineer
 Emergency Management Director
 Planning Consultant
 Fire Chief
 Solicitor
 Treasurer
 Zoning Officer

Taylor Borough, Lackawanna County:

Elected Mayor
 Elected Council Members
 Borough Manager
 Borough Secretary
 Public Works Supervisor
 Tax Collector
 Treasurer
 Code Enforcement Officer
 Zoning Officer
 Solicitor
 Chief of Police
 Emergency Management Director
 Fire Chief
 Borough Engineer
 Civil Service Commission Members
 Planning Commission Members
 Recreation Commission Members
 Development Authority Members
 Vacancy Board Members
 Zoning Hearing Board Members

Dallas Borough, Luzerne County:

Emergency Management Coordinator
 Engineer
 Mayor
 Members Dallas Area Municipal Authority
 Members of Borough Council
 Members of Zoning Hearing Board
 Members of Planning Commission
 Police Chief
 Secretary/Manager/Zoning Officer
 Solicitors
 Tax collector
 Treasurer

Duryea Borough, Luzerne County:

Borough Manager/Secretary/Treasurer
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Engineer
 Fire Chief
 Police Chief
 Solicitor
 Members Board of Auditors
 Members Parks and Recreation Board

Edwardsville Borough, Luzerne County:

Assistant Borough Secretary
 Assistant Solicitor
 Borough Attorney
 Borough Manager
 Borough Secretary
 Building Inspector
 Code Enforcement Officer

Elected Assessor
 Elected Auditors or Controller
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Employee Safety Committee Members
 Engineer
 Fire Chief
 Fire Pension Board Members
 Junior Council Person
 Members Civil Service Commission
 Members of the Planning Commission
 Non Uniformed Pension Board Members
 Police Chief
 Police Pension Board Members
 Sewer Fee Appeals Board Members
 Shade Tree Commission Members
 Solicitor
 Treasurer
 Vacancy Board Members
 Zoning Hearing Board Members

Freeland Borough, Luzerne County:

Borough Council Members
 Business Development Authority members
 Code Enforcement Officers
 Emergency Management Coordinator
 Fire Chief
 Mayor
 Municipal Authority Members
 Planning Commission Members
 Police Sergeant
 Recreation Board Members
 Secretary/Treasurer
 Shade Tree Commission Members
 Solicitors
 Street Department Foreman
 Tax Collector
 Zoning Hearing Board Members
 Zoning Officer

Forty Fort Borough, Luzerne County:

Assistant Borough Secretary
 Assistant Solicitor
 Borough Manager
 Borough Secretary
 Chief Engineer (Fire Department)
 Code Enforcement/Zoning Officer
 Elected Assessor
 Elected Auditors or Controller
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Members Civil Service Commission
 Members of the Planning Commission
 Members of the Shade Tree Commission
 Members of the Zoning Hearing Board
 Most-Senior Full Time Police Patrolman
 Road Foreman
 Solicitor
 Treasurer

Kingston Borough, Luzerne County:

Assistant Borough Secretary
 Assistant Chief of Police
 Assistant Fire Chiefs
 Assistant Solicitor
 Assistant to the Finance Secretary
 Borough Manager
 Building/Zoning Inspector

Chief of Police - appointed
 Code Enforcement Officer
 Elected Assessors
 Elected Auditors or Controller
 Elected Council Members
 Elected Mayor
 Emergency Mgt. Director
 Engineer
 Finance Secretary
 Fire Chief
 Health Officer
 Members Civil Service Commission (3)
 Members Hoyt Library Board of Directors
 Members of the Planning Commission
 Members Zoning Hearing Board
 Members, Citizens Advisory Board
 Members, Fire Prevention/UCC Appeals Board
 Municipal Administrator - appointed
 Municipal Secretary
 Park & Recreation Director
 Public Works Director
 Shade Tree Commission Members
 Solicitor - appointed
 Tax Collector

Lafin Borough, Luzerne County:

Auditors-elected
 Chief Admin. Officer-appointed by Council
 Chief of Police
 Code Enforcement Officer
 Elected Council Members (7)
 Elected Mayor
 Fire Chief
 Members Civil Service Commission
 Members of Planning Commission
 Members of Recreation Board
 Members of Vacancy Board
 Members of Zoning Hearing Board
 Members UCC Board of Appeals
 Secretary/Treasurer
 Sewage Enforcement Officer
 Solicitor
 Tax Collector-elected
 Zoning Officer

Luzerne Borough, Luzerne County:

Assistant Borough Secretary
 Assistant Solicitor
 Borough Attorney
 Borough Manager
 Borough Secretary
 Code Enforcement Officer
 Elected Assessor
 Elected Auditors or Controller
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Engineer
 Members Civil Service Commission
 Members of the Planning Commission
 Police Chief
 Solicitor
 Treasurer

Plymouth Borough, Luzerne County:

Elected Mayor
 Elected Council Members
 Elected Assessor
 Elected Auditors or Controller
 Elected Tax Collector

Borough Secretary
 Assistant Borough Secretary
 Treasurer
 Solicitor
 Assistant Solicitor
 Police Chief
 Borough Manager
 Engineer
 Members Civil Service Commission
 Members of the Planning Commission

Swoyersville Borough, Luzerne County:

Borough Coordinator/Secretary/Treasurer
 Chief of Police
 Elected Council Members
 Elected Mayor
 Members of Planning Commission
 Members of Zoning Board
 Solicitor(s)
 Tax Collector
 Zoning Officer

Wyoming Borough, Luzerne County:

Borough Coordinator/Secretary/Treasurer
 Chief of Police
 Elected Council Members
 Elected Mayor
 Fire Chief
 Members Civil Service Commission
 Members of Recreation Board
 Members of Zoning Board
 Members Shade Tree Commission
 Solicitor(s)
 Tax Collector
 Zoning Officer

Clarks Green Borough, Monroe County:

Borough Manager/Secretary/Treasurer
 Chief of Police
 DPW Foreman
 Council Members
 Mayor
 Members of the Abington Area Joint Recreation Board
 Tax Collector
 Planning Commission Members
 Sewage Enforcement Officer
 Shade Tree Committee Members
 Solicitor
 Zoning Hearing Board Members
 Zoning Officer

Delaware Water Gap Borough, Monroe County:

Borough Secretary/Treasurer
 Chief of Police & Constable
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Solicitor(s)
 Superintendent
 Zoning Officer
 Municipal Sewer Authority Members
 Planning Commission Members
 Zoning Hearing Board Members

Jim Thorpe Borough, Monroe County:

Borough Manager/Secretary/Treasurer
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Health Agent
 Plumbing Inspector

Sewage Enforcement Officer
 Solicitor
 County Community Commission Members
 Civil Service Commission Members
 Jim Thorpe Municipal Authority Members
 Jim Thorpe Planning Commission Members
 Library Board Members
 Shade Tree Commission Members
 Vacancy Board Members
 Zoning Hearing Board Members

Mount Pocono Borough, Monroe County:

Borough Secretary/Treasurer
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Fire Chief
 Members of Parks and Recreation Board
 Members of the Municipal Authority
 Members of the Planning Commission
 Members of the Zoning Hearing Board
 Solicitor(s)
 Zoning Officer

Walnutport Borough, Monroe County:

Borough Manager/Secretary/Treasurer
 Building Code Official
 Code Enforcement Officer
 Elected Council Members
 Elected Mayor
 Fire Inspector
 Civil Service Commission
 Planning Commission
 UCC Appeals Board
 Vacancy Board
 Walnutport Municipal Authority
 Zoning Hearing Board

White Haven Borough, Monroe County:

Borough Council Members
 Code Enforcement Officer
 Fire Chief
 Solicitor
 Zoning Officer
 Planning Commission Members
 Recreation Board Members
 Zoning Hearing Board Members

Hellertown Borough, Northampton County:

Chief of Police

Allenport Borough, Washington County:

Auditors
 Borough Council Members
 Borough Secretary/Treasurer
 Code Enforcement Officer
 Elected Mayor
 Elected Tax Collector
 Engineer
 Fire Chief
 Members Regional Police Board
 Members Regional Zoning Board
 Sewer Authority Members
 Solicitor

Beallsville Borough, Washington County:

Borough Council Members
 Mayor
 Borough Secretary
 Solicitor

Bentleyville Borough, Washington County:

Appointed Engineer
 Appointed members of Bentleyville Municipal Authority
 Appointed members of Pigeon Creek Sanitary Authority
 Appointed members of Public Library Board
 Appointed Zoning Officer
 Borough Secretary
 Elected Council Members
 Elected Tax Collector
 Elected Mayor
 Planning Commission Members
 Recreation Board Members
 Solicitor
 Zoning Hearing Board Members

Burgettstown Borough, Washington County:

Auditors
 Borough Council Members
 Burgettstown/Smith Township Sewerage Authority Representatives
 Engineer
 Solicitor
 Zoning Appeals Board Members

California Borough, Washington County:

Assistant Secretary/Treasurer
 Borough Council Members
 Borough Secretary/Treasurer
 Chief of Police
 Civil Service Commission Members
 Elected Mayor
 Engineer
 Recreation Authority Members
 Solicitor
 Tax Collector
 Zoning Hearing Board Members

Borough of Canonsburg, Washington County:

Assistant Borough Manager
 Borough Manager/Secretary/Treasurer
 Elected Council Members
 Elected Mayor
 Elected Tax Collector
 Fire Chief
 Members of the Parks and Recreation Board
 Members of the Planning Commission
 Members of the Zoning Hearing Board
 Police Chief
 Solicitor

Centerville Borough, Washington County:

Center West Joint Sewer Authority Members

Borough of Charleroi, Washington County:

Borough Council Members
 Borough Engineer
 Borough Manager
 Borough of Charleroi Water & Sewage Authority
 Members
 Borough Solicitor
 Civil Service Commission Members
 Mayor
 Members, Board of Adjustment
 Planning Commission Members
 Treasurer

Claysville Borough, Washington County:

Borough Council Members
 Mayor
 Borough Secretary

Coal Center Borough, Washington County:

Borough Council Members
Mayor
Borough Secretary

Cokesburg Borough, Washington County:

Borough Council Members
Mayor
Borough Secretary
Borough Treasurer
Appointed Solicitor
Appointed Engineer

Deemston Borough, Washington County:

Borough Manager/Secretary/Treasurer
Elected Council Members
Elected Mayor
Elected Tax Collector
Solicitor

Donora Borough, Washington County:

Borough Administrator/Secretary/Treasurer
Borough Council Members
Chief of Police
Fire Chief
Members of Civic Center Authority
Members of Code Enforcement Board of Appeals
Members of Donora Mon Valley Sewage Authority
Board of Directors
Members of Parks and Recreation Board
Members of Planning Commission
Members of Police Civil Service Commission
Members of Zoning Board of Appeals
Municipal Building Supervisor
Solicitor
Superintendent of Streets
Tax Collector

Dunleavy Borough, Washington County:

Borough Manager/Secretary/Treasurer
Elected Council Members
Elected Mayor & Emergency Management Director
Elected Tax Collector
Members of the Planning and Zoning Board

East Washington Borough, Washington County:

Board of Code Enforcement Appeals Members
Citizens Library Members
Civil Service Commission Members
Constable
Council Members
Council Vacancy Board Members
Mayor
Park and Shade Tree Commission Members
Planning Commission Members
Real Estate Tax Collector
Washington-East Washington Joint Auth. Members
Zoning Hearing Board Members

Elco Borough, Washington County:

Borough Council Members
Mayor
Borough Secretary
Building Inspector
Emergency Mgt. Coordinator
Fire Chief
Solicitor
Zoning Rep.

Ellsworth Borough, Washington County:

Mayor
Members of Borough Council
Members of Planning Commission
Members of Zoning Board
Representative to Pigeon Creek Sanitary Authority
Board
Secretary/Treasurer
Solicitor
Zoning Enforcement Officers

Finleyville Borough, Washington County:

Appointed Members Peters Creek Sanitary Auth.
Borough Council Members
Borough Secretary/Treasurer
Mayor
Solicitor

Green Hills Borough, Washington County:

Elected Mayor
Appointed Solicitor

Borough of Houston, Washington County:

Mayor
Borough Council Members
Secretary/Treasurer
Tax Collector
Solicitor
Engineer
Building Inspector
Chief of Police
Fire Chief
Emergency Mgt. Coordinator

Long Branch Borough, Washington County:

Borough Council Members
Borough Secretary
Mayor
Solicitor

Marianna Borough, Washington County:

Elected Mayor
Elected Borough Council Members
Solicitor

McDonald Borough, Washington County:

Borough Council Members
Borough Secretary
Mayor
Parks and Recreation Board Members
Planning Commission Members
Police Chief
Sewage Authority Board Members
Tax Collector
Zoning Board Members

Midway Borough, Washington County:

Board of Supervisors
Chief of Police
Engineer and Acting Zoning Officer
Municipal Authority Members
Parks & Recreation Board Members
Planning Commission Members
Solicitor
Tax Collector
Township Manager
Zoning Hearing Board Members

New Eagle Borough, Washington County:

Auditors
Borough Council Members

Borough Secretary/Treasurer
 County Tax Collection Committee Member
 Elected Mayor
 Engineer
 Library Board Member
 Planning Commission Members
 Solicitor
 Tax Collector
 Tri-Community Ambulance Board Members
 Transit Authority Representative
 UCC Appeals Board Members
 Zoning Appeals Board Members

North Charleroi Borough, Washington County:

Borough Council Members
 Mayor
 Borough Secretary
 Solicitor
 Tax Collector

Roscoe Borough, Washington County:

Borough Council Members
 Mayor
 Borough Secretary/Treasurer
 Solicitor
 Tax Collector
 Planning Commission Members
 Zoning Hearing Board Members

Speers Borough, Washington County:

Borough Council Members
 Mayor
 Borough Secretary
 Solicitor
 Tax Collector

Stockdale Borough, Washington County:

Auditors
 Borough Council Members
 Borough Secretary/Treasurer
 Elected Mayor
 Solicitor
 Tax Collector

Twilight Borough, Washington County:

Mayor
 Borough Council Members
 Tax Collector
 Judge of Elections

West Middletown Borough, Washington County:

Borough Council Members
 Borough Secretary
 Mayor
 Solicitor
 Tax Collector
 Auditors
 Engineer

Hawley Borough, Wayne County:

Appeals Board Members
 Borough Secretary
 Borough Treasurer
 Hawley Area Authority Members
 Mayor
 Members of Borough Council
 Park and Recreation Board Members
 Planning Commission Members
 Shade Tree Commission Members
 Tax Collector
 Zoning Hearing Board Members

Boroughs Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Municipality of Penn Hills, Allegheny County

Police Lieutenants
 Police Sergeants

Borough of Hummelstown, Dauphin County:

Building Codes Officer
 Assistant Secretary

Assistant Treasurer
 Police Corporal
 Police Sergeant

Borough of Millersburg, Dauphin County:

Police Corporal
 Sewage Enforcement Officer
 Building Code Officers

CITIES

Cities Public Officials:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Bethlehem City:

Appointed Department Directors and Heads
 Business Administrator
 City Clerk
 City Council Members
 Community and Economic Development, Director
 Contoller
 Fire Commissioner
 Health Bureau Director
 Mayor
 Police Commissioner
 Solicitor

Treasurer
 Members, Board of Appeals
 Members, Board of Health
 Members, Board of Historical and Architectural Review
 Members, City Planning Agency
 Members, City Planning Commission
 Members, Civil Service Board - Engineers' and Electricians
 Members, Civil Service Board - Fire
 Members, Civil Service Board - Police
 Members, Codes Board of Appeals
 Members, Electricians Exam Board

Industrial Waste Hearing Board and Members
 Members, Library Board of Directors
 Plumbers Examining Board Members
 Members, Public Library Board
 Members, Recreation Commission Board
 Members, Redevelopment Authority of the City of
 Bethlehem
 Members, Residential Permit Parking Board of Appeals
 Members, Sister City Commission Board
 Members, Zoning Hearing Board Members

Bloomsburg:

Chief of Police

City of Allentown:

Business Administrator
 Chief of Police
 City Clerk
 City Council Members
 Communications Coordinator
 Controller
 Deputy Director, Human Resources
 Director, Economic Development
 Director, Public Works
 Fire Chief
 Health Bureau Director
 Manager, Finance
 Manager, Information Systems
 Managing Director
 Mayor
 Police Chief
 Solicitor
 Special Asst. to the Mayor
 Superintendent, Parks and Recreation
 Members, Allentown Area Hospital Authority
 Members, Allentown Arts Commission
 Members, Allentown City Planning Commission
 Members, Allentown Commercial and Industrial Dev.
 Authority
 Members, Allentown Council of Youth
 Members, Allentown Downtown Improvement District
 Authority
 Members, Allentown Housing Authority
 Members, Allentown Parking Authority
 Members, Allentown Redevelopment Authority
 Members, Animal Control Hearing Board
 Members, Board of Ethics
 Members, Board of Health
 Members, Building Code Board of Appeals
 Members, Center City-Hamilton Mall Review Board
 Members, Disruptive Conduct Appeals Board
 Members, Electricians Examining Board
 Members, Environmental Advisory Council
 Members, Firemen and Environmental Protection
 Specialists Civil Service Board
 Members, Historical Architectural Review Board
 Members, Human Relations Commission
 Members, Investment Advisory Committee
 Members, Noise Control Hearing Board
 Plumbers Examining Board
 Police Civil Service Board
 Members, Property Rehabilitation and Maintenance
 Code Board of Appeals
 Members, Sewage and Industrial Wastes Ordinance
 Hearing Board
 Members, Shade Tree Commission
 Members, Vacant Property Review Board Blighted
 Property Review Committee
 Members, Zoning Hearing Board

City of Chester:

Appointed Department Directors and Heads
 City Accountant
 City Administrative Assistant
 City Assessor
 City Clerk
 City Controller
 City Council Members
 City Director of Personnel
 City Director of Public Affairs
 City Director, Planning
 City Engineer
 City Mayor
 City Solicitor/Assistant Solicitors and Special Counsel
 City Treasurer
 City, Chief of Staff
 Deputy Finance Director
 Director Streets and Public Improvements
 Director, Accounts and Finance
 Director, Human Resources
 Director, Parks, Recreation and Public Property
 Director, Public Safety
 Director, Purchasing
 Fire Commissioner
 Health Commissioner
 License and Permit Official
 Police Chief
 Members, City Civil Service Commission
 Members, Chester City Economic Development
 Authority
 Members, City Planning Commission
 Zoning Hearing Board Members

City of Hazelton:

Chief of Police

City of Monongahela:

City Clerk
 City Controller
 City Council Members
 Mayor
 Planning Commission Members
 Police Chief
 Solicitor
 Treasurer/Tax Collector
 Zoning Hearing Board Members

City of Nanticoke:

Bldg. Inspector/Code Enforcement
 City Administrator/City Clerk
 City Clerk
 City Controller
 City Solicitor
 City Assistant Solicitor
 City Treasurer/Tax Collector
 Elected City Council
 Elected Mayor
 Finance Director
 Members of the Zoning Hearing Board
 Planning Commission Members
 Police Chief
 Recreation Board Members
 Zoning Officer
 Members Building Code Appeals Board

City of Philadelphia:

Appointed Department Directors and Heads
 Assistant Deputy Mayor, Mayor's Commission on
 People with Disabilities and Accessibility Compliance
 Budget Director

Chair Corporate & Tax Group
 Chair Social Services
 Chair, Litigation Group
 Chief Clerk/Council Secretary
 Chief Information Officer
 Chief of Staff/Deputy Chief of Staff
 City Auditors
 City Commissioners/Deputy Commissioners
 City Controller/First Deputy/Deputy Controller
 City Council
 City Representative/Commerce Director/Deputy
 Commerce Director
 City Solicitor/First Deputy/Deputy City Solicitor
 Commissioner of Licenses and Inspections
 Commissioner of Records
 Commissioners of Public Property
 District Attorney/First Assistant/Deputy District
 Attorney
 Executive Director, Mayor's Commission on Aging
 Executive Director, MBEC
 Executive Director, Office Administrative Review
 Fire Commissioner
 Health Commissioner/Deputy Health Commissioners
 Inspector General
 Law Department Chief of Staff
 Managing Director/Deputy Managing Director
 Mayor/Chief Executive Officer
 Police Commissioner
 Deputy Police Commissioner
 Secretary of Public Safety
 Procurement Commissioner
 Records Commissioners
 Recreation Commissioners
 Register of Wills/Asst Deputy of Register of Wills
 Revenue Commissioner/Deputy Revenue Commission-
 ers
 Secretary of Education
 Secretary of Housing and Neighborhood Preservation
 Sheriff/Deputy Sheriff, Captain
 Street Commissioners
 Water Commissioner
 Welfare Commissioner
 Members, Air Pollution Control Board
 Members, Airport Advisory Board
 Members, Art Commission
 Assistant Chief Engineer
 Members, Board of Building Standards
 Members, Board of Health
 Members, Board of Labor and Standards
 Members, Board of License and Inspection Review
 Members, Board of Pensions & Retirement
 Members, Board of Revision of Taxes
 Members, Board of Safety and Fire Protection
 Members, Board of Surveyors
 Members, Board of Trade and Conventions
 Members, Board of Trustees Home for the Indigent
 Members, Board of Trustees House of Corrections
 Members, Board of Trustees of American Flag House
 and Betsy Ross Memorial
 Members, Board of Trustees of Atwater Kent Museum
 Members, Board of Trustees of Camp Happy
 Members, Board of Trustees of Free Library
 Members, Board of Trustees of Philadelphia General
 Hospital
 Members, Board of Trustees of Philadelphia Hospital
 for Contagious Diseases
 Members, Board of Viewers
 Members, Boards of Trustees of City Institutions
 Chief Engineer
 Members, Child Welfare Advisory Board

Members, City Planning Commission
 Members, Civil Service Commission
 Members, Commission on Human Relations
 Members, Convention Center Authority
 Members, Criminal Justice Coordinating Commission
 Members, Electrical code Advisory Board
 Members, Empowerment Zone Community Trust
 Boards
 Members, Fair Housing Commission
 Members, Fairmount Park Commission
 Members, Gas Commission
 Members, Historical Commission
 Members, Housing Trust Fund Oversight Panel
 Members, Mayor's Commission for Women
 Members, Mayor's Commission on Gambling
 Members, Mayor's Commission on People With
 Disabilities
 Members, Mayor's Commission on Puerto Rican/Latino
 Affairs
 Members, Mayor's Commission on Services to the
 Aging
 Members, Mayor's Commission on Sexual Minorities
 Members, Mayor's Cultural Advisory Council
 Members, Mayor's Drug and Alcohol Executive
 Commission
 Members, Mayor's Housing Policy Board
 Members, Mayor's Office of Community Services
 Advisory Council
 Members, Mayor's Scholarship Committee
 Members, Minority Business Enterprise Council
 Members
 Members, Non-Profit Contribution Advisory Board
 Members, Office of Behavioral Health and Mental
 Retardation Services Advisory Board
 Members, Parking Adjudication Advisory Panel
 Members, Philadelphia Children's Commission
 Members, Philadelphia City Scholarship Committee
 Members, Philadelphia Commission on Asian-American
 Affairs
 Philadelphia Gas Works
 Philadelphia Facilities Mgt. Corporation
 Members, Plumbing Advisory Board
 Members, Police Advisory Board
 Members, Recreation Coordination Board
 Members, Recycling Advisory Commission
 Regulators
 Members, Sinking Fund Commission
 Surveyor
 Members, Tax Review Board
 Members, Vendor Advisory Board
 Members, Veterans Advisory Board
 Members, Youth Services Coordinating Commission
 Members, Zoning Board of Adjustment

City of Pittsburgh:

Appointed Directors of Departments & Department
 Heads
 City Clerk
 City Controller
 City Council
 City Solicitor
 Deputy Chief of Police
 Deputy Controller
 Deputy Mayor
 Director of Public Safety
 Fire Chief
 District Justices of the Pittsburgh Municipal Court
 Magistrates
 Mayor
 Chief of Police

Treasurer
 Members, Art Commission
 Members, Board of Appeals
 Members, Citizens Police Review Board
 Members, City-County Task Force on Disabilities
 Members, Civil Service Commission
 Members, Clean Pittsburgh Commission
 Members, Commission on Human Relations
 Members, Equal Opportunity Review Commission
 Members, Ethics Hearing Board
 Members, Historic Review Commission
 Members, Human Relations Commission
 Members, Independent Citizen Review Board
 Members, Municipal Pension Board
 Members, Pittsburgh Cable Communications Advisory Committee
 Planning Commission Members
 Members, Propel Pittsburgh Commission
 Members, Shade Tree Commission
 Members, Southwestern Pennsylvania Commission
 Members, Water Exoneration Board
 Members, Youth Commission
 Members, Zoning Board of Adjustments

City of Pittston:

Elected Controller
 Elected Mayor
 Elected Members of City Council
 Elected Treasurer/Tax Collector
 City Clerk
 City Solicitors
 Deputy Fire Chief
 Deputy Police Chief
 Director, Office of Community Development
 Engineer
 Fire Chief
 Health Officer
 Police Chief
 Recycling Coordinator/Sanitation Dept. Mgr.
 Sanitation Supervisor
 Superintendent of Streets
 Veterinary Health Officer
 Zoning & Code Enforcement Officer
 Members and CEO of the Firemen's Pension Board
 Members and CEO of the Non-Uniform Pension Board
 Members and CEO of the Police Pension Board
 Members of the City of Pittston Act 45 Board of Appeals
 Members of the Civil Service Commission
 Members of the Pittston Memorial Library Board
 Members of the Redevelopment Authority
 Members of the Shade Tree Commission
 Members of the Zoning Board

City of Scranton:

Assistant Solicitors
 Business Administrator
 Cable Consumer Advisory Panel Members
 City Clerk
 City Planner
 City Planning Commission Members
 City Solicitor
 City Treasurer
 Civil Service Commission Members
 Commission on Disabilities Members
 Deputy Director of Licensing, Inspections and Permits
 Director of Human Resources/PEL Coordinator
 Director of Information Technology
 Director of Licensing, Inspections and Permits
 Director of parks and Recreation
 Director of the Department of Public Works

Elected City Controller
 Elected Mayor
 Elected Members of City Council
 Elected Tax Collector
 Ethics Commission Members
 Executive Director Office of Economic & Community Development (OECD)
 Fire Chief
 Fire Pension Commission Members
 First Assistant Solicitor
 Historical Architecture Review Board Members
 Housing Appeals Board Members
 Human Relations Commission Members
 Mayor's 504 Task Force Members
 Mayor's Task Force on Mental Health Members
 Police Officers
 Shade Tree Commission Members
 Solicitor for City Controller
 Solicitor for City Council
 Solicitor for Civil Service Commission
 Solicitor for Tax Collector
 Solicitor for the Fire Pension Commission
 Solicitor for the Zoning Appeals Board
 Superintendent of Police
 Vacant Property Review Committee Members
 Zoning Appeals Board Members
 Zoning Officer

City of Wilkes-Barre:

Appointed City Administrator
 Appointed City Clerk
 Appointed Finance Officer
 Appointed Police Chief
 Appointed Solicitor
 Assistant City Attorney
 Assistant to the Mayor
 Board of Appeals Members
 Board of Health Members
 Building Code Official
 City Assessor
 City Attorney
 Contractors Examining Board Members
 Deputy City Administrator
 Dir. of Community Development
 Director of Human Resources
 Director of Operations/Public Works Director
 Downtown Task Force Members
 Elected Controller
 Elected Mayor
 Elected Members of City Council
 Electrical Examining Board Members
 Enterprise Zone Committee Members
 Fire Chief
 Fire Civil Service Board Members
 Fire Inspector
 Grant Coordinator
 Planning Commission Members
 Plumbing Examining Board Members
 Police Civil Service Commission Members
 Police Officers
 Shade Tree Commission Members
 Traffic Committee Members
 Zoning Hearing Board Members

Washington City:

Appeals Board Members
 Business District Authority Board Members
 City Clerk
 City Council Members
 Civil Service Board Members
 Code Enforcement Officer

Controller
Deputy Finance Officer
Deputy Treasurer
Economic Development Council Members
Fire Chief
Manager, Business District Authority
Mayor

Planning Commission Members
Police Chief
Solicitors
Treasurer
Website Coordinator/Computer Systems
Zoning Hearing Board Members

Cities Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

City of Bethlehem:

Fire Inspector
Industrial Waste Pretreatment Coordinator
Plumbing Inspector
Sanitarian
Water Maintenance Supervisor

Bloomsburg:

Police Lieutenant
Police Sergeants

City of Hazelton:

Police Captain
Police Corporals
Police Sergeants

City of Philadelphia:

Administrative Services Director, Register of Wills
Administrator, Pre-Audit Unit
Assistant to the Director of Finance
Chief Inspector
Chief of Staff, Sheriff
Chief Probate Clerk
Chief, Civil Litigation Unit
Chief, of Inheritance Tax
City Planners/Zoning Planners
Director of Community Affairs
Director of Finance and Administration

Director of Legal Policy
Director, Bureau Of Administrative Adjudication
Director, Division of Social Services
Executive Assistant
Executive Assistant Revenue Department
Executive Officer/Police Department Executive Officer
First Deputy of Litigation, Register of Wills
Inspector
Manager, Engineering Water Department
Manager, Human Resources
Manager, Public Affairs Water Department
Manager, Water Information Center
Personnel Officer, Register of Wills
Police Captains
Police Corporals
Police Lieutenants
Police Sergeants
Revenue Collection Officer II
Revenue Compliance Program Director
Risk Manager
Sheriff Director of Legal Affairs
Solicitor to Register of Wills
Staff Engineer

City of Pittsburgh:

Assistant Chiefs of Police
Police Commanders
Police Lieutenants
Police Sergeants

COUNTIES

Counties Public Officials:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Allegheny County:

Appointed Department Directors and Heads
Assistant District Attorneys
Chief Assessment Officer
Chief Executive
Chief Trial Deputy District Attorney
Chief of Police (Northern Regional Police Department)
Constable/Deputy Constable
County Controller
County Council Members
County Manager
County Treasurer
Court of Common Pleas, Administration
Director of Court Records
Deputy District Attorneys
District Attorney
Elected Treasurer
First Assistant District Attorney
Police Superintendent

Public Defender
Real Estate Manager - replaces Recorder of Deeds
Sheriff
Solicitor
Accountability, Conduct and Ethics Commission
Members
Agricultural Land Preservation Board Members
Air Pollution Control Advisory Board Members
Air Pollution Hearing Board Members
Allegheny County Board of Health Members
Allegheny County Industrial Development Authority
Members
Allegheny County Jail Oversight Board Members
Allegheny County Prison Board Members
Allegheny County Sanitary Authority Members
Allegheny County Vacant Property Review Committee
Members
Allegheny HealthChoices Inc.
Allegheny League of Municipalities Board Members

Allegheny Regional Asset District Board Members
 Area Agency on Aging Advisory Council Members
 Authority for Improvements in Municipalities Members
 County Board of Elections
 Carnegie Library Board Members
 Children, Youth & Families Advisory Board Members
 Community College of Allegheny County
 Community Services Advisory Council Members
 Conservation District Board Members
 Cooperative Extension Board Members
 County Government Review Commission Members
 Drug & Alcohol Planning Council Members
 Emergency Medical Service Institute
 Enterprise Community Governance Committee
 Members
 Finance and Development Commission Members
 HDCAC 202 Corporations
 Head Start Parents Advisory Council Members
 Juvenile Detention Board of Advisors
 Kane Foundation Board Members
 Local Emergency Planning Committee Members
 Local Government Academy
 Long Term Care Adv. Bd. Members
 Mental Health/Mental Retardation Advisory Board
 Members
 Minority Business Enterprise Adv. Committee Members
 Minority Business Enterprise Certification Appeals
 Mon Valley Commission Members
 Parks & Recreation Commission of Allegheny County
 Members
 Pittsburgh Allegheny County Thermal
 Plumbing Advisory Board Members
 Private Industry Council Members
 Professional Services Review Committee Members
 Property Assessment Appeals & Review Board
 Members
 Regional Trail Corporation Board Members
 Retirement Board Members
 Self-Insurance Board Members
 Senior Companion Program Advisory Council Members
 Solid Waste Adv. Committee Members
 Southwestern PA Commission Members
 Southwestern PA Conv. Center Design Committee
 Members
 Southwestern PA Regional Development Council
 Members
 Three Rivers Workforce Inv. Bd. Members
 World Trade Center of Pittsburgh

Armstrong County:

District Attorney
 First Assistant District Attorney
 Deputy District Attorneys
 Assistant District Attorneys
 Chief County Detective
 Constables/Deputy Constables
 County Detectives
 Special County Detectives

Bucks County:

Appointed Directors of Departments & Department
 Heads
 Chief Assessor
 Chief Clerk
 Clerk of Courts
 Commissioner, Chair
 Constable/Deputy Constable
 Coroner
 County Controller
 Court Reporters
 District Attorney

Jury Commissioner
 Prothonotary
 Recorder of Deeds
 Register of Wills
 Sheriff
 Treasurer
 Board of Assessment Members
 County Board of Elections
 Bucks County Community College Authority Members
 Drug and Alcohol Commission Members
 Planning Commission Members
 Redevelopment Authority Members
 Water and Sewer Authority Members

Carbon County:

Appointed Directors of Departments & Department
 Heads
 County Commissioners
 County Controller
 County Coroner
 District Attorney
 Recorder of Deeds
 Sheriff
 Treasurer
 Court of Common Pleas
 District Judges
 Jury Commissioners
 Chief Assessor
 Solicitor
 Public Defender
 Director Tax Claim Bureau
 Constables/Deputy Constables
 Court Administrator
 Directors of Departments Department Heads
 Board of Assessment and Tax Revisions Members
 C-M-P Drug and Alcohol Commission, Inc.
 County Board of Elections
 County Planning Commission Members

Dauphin County:

1st & 2nd Deputies
 Appointed Department Directors and Heads
 Assistant Directors and Managers
 Assistant Solicitors
 Auditors
 Chief Assessor
 Chief Clerk
 Chief County Detective
 Chief Court Reporter
 Chief Deputy Controller
 Chief Deputy Coroner
 Chief Deputy District Attorneys
 Chief Deputy Sheriff
 Chief Engineer
 Chief Public Defender
 Clerk of Courts
 Conservation District Manager
 Constables/Deputy Constables
 Coroner
 County Commissioners
 County Detectives
 County Controller
 County Treasurer
 Court of Common Pleas Judges
 Deputy District Attorney
 Deputies
 Derry Township Supervisor
 District Attorney
 District Court Administrator
 Emergency Management Coordinator
 Executive Directors

First Assistant District Attorney
 First Deputy Recorder of Deeds
 First Deputy Register of Wills
 General Authority Administrator & Exec. Dir.
 Magisterial District Judges
 Manager Solid Waste Management
 Program Director, Shaffner Youth Center
 Prothonotary
 Public Defender
 Recorder of Deeds
 Recorder of Deeds/Assistant Secy/Treasurer
 Register of Wills
 Risk Manager
 Second Deputy Clerk of Courts
 Senior Deputy District Attorney
 Sergeants
 Sheriff
 Special Detectives
 Solicitor
 Tax Collector
 Warden Dauphin County Prison
 Board of Assessment and Appeals Members
 Conservation District Board Members
 County Board of Elections
 Dauphin County Department of Community And
 Economic Development Members
 Dauphin County Industrial Development Authority
 Members
 Gaming Authority Members
 Planning Commission Members

Delaware County:

Appointed Department Directors and Heads
 Constable/Deputy Constable
 County Clerk
 County Controller/Deputy Controller
 County Council Members
 Court Clerk
 Court Reporter
 Deputy Sheriffs
 Detectives
 District Attorney
 Executive Director
 Jury Commissioner
 Medical Examiner/Coroner
 Prothonotary
 Public Defender
 Recorder of Deeds
 Register of Wills/Clerk of Courts/Deputies
 Sheriff
 Solicitor/Assistant Solicitor
 Superintendent, Delaware County Prison/Correction
 Facility
 Treasurer
 Board of Institution Management
 Board of Judges
 Board of Personnel Grievances and Performance
 Review Members
 Board of Tax Assessment and Appeals Members
 Children & Youth Services of Delaware County
 Advisory Committee Members
 Community Action Agency of Delaware County
 Members
 Community Transit of Delaware County Board of
 Directors Members
 COSA Advisory Council Members
 County Board of Elections
 County Planning Commission Members
 Delaware County Board of Fire and Life Safety
 Delaware County Conservation District

Delaware County Drought Management Task Force
 Members
 Delaware County Drug and Alcohol Executive
 Commission Members
 Delaware County Emergency Health Services Council
 (EHS)
 Delaware County Hazardous Material Advisory Council
 Chermical Advisory Team
 (CAT Team) Members
 Delaware County Hero Scholarship Fund Board
 Members
 Delaware County Library Board Members
 Delaware County Mental Health/Mental Retardation
 Advisory Board Members
 Delaware County Parks & Recreation Board Members
 Delaware County Registration Commission Members
 Delaware County Women's Commission Members
 Economic Development Oversight Board Members
 Health Advisory Board of Delaware County Members
 Heritage Commission of Delaware County Members
 Jury Board
 Office of Judicial Support
 Retirement Board Members
 SEPTA
 Tax Claim Bureau
 Uniform Construction Code Appeal Board Members
 Voters Registration Commission Members

Erie County:

Appointed Department Directors and Heads
 Assistant District Attorneys
 Chairman, Board of Tax Assessment Appeals
 Chairman, County Retirement Board
 Chief County Detective
 Chief Deputy District Attorneys
 Clerk of Courts
 Clerk of Records
 Constable/Deputy Constable
 County Clerk
 County Controller
 County Coroner
 County Council Members
 County Detectives
 County Executive
 County Solicitor
 Court Reporter
 District Attorney
 First Assistant District Attorney
 Public Defender
 Sheriff
 Board of Elections and Registration Commission
 Members
 Board of Tax Assessment Appeals Members
 Conservation District Board Members
 County Retirement Board Members
 Earl L. Thomas Hall Board of Managers
 Erie County Board of Health
 Erie County Executive Commission on Drug and
 Alcohol Abuse
 Erie County Library System Advisory Board Members
 Erie County Planning Commission Members
 Human Relations Commission of Erie County
 Jury Board
 Mental Health and Mental Retardation Board Members
 Office of Children and Youth Advisory Board Members
 Erie County Airport Authority Members
 Erie County Parking Authority Members
 Erie County Gaming Revenue Authority Members

Lackawanna County:

Appointed Directors of Departments & Department Heads
 Administrative Director
 Clerk of Courts (Abolished)
 Clerk of Judicial Records
 Constables/Deputy Constables
 County Commissioners
 County Controller
 County Coroner
 County Treasurer
 Court Administrator
 Court of Common Pleas
 Court Reporters
 District Attorney
 Jury Commissioner (Abolished)
 Magisterial District Judges
 Prothonotary (Abolished)
 Public Defender
 Recorder of Deeds
 Register of Wills
 Sheriff
 County Board of Elections
 Board of Viewers
 Board of Assessment Appeals
 City of Carbondale Redevelopment Authority Members

Lebanon County:

Administrative Assistant
 Appointed Department Directors and Heads
 Appointed Engineer
 Assistant District Attorneys
 Chief Clerk(s)
 Chief County Detective
 Constables/Deputy Constables
 Controller
 Coroner
 County Commissioners
 County Detectives
 Court Administrator
 Detective Sergeant
 Director of Human Services
 Director of Tax Claim Bureau
 Director of Veteran Affairs
 District Attorney
 First Assistant District Attorney
 Jury Commissioners
 Prothonotary/Clerk of Courts
 Public Defender
 Recorder of Deeds
 Register of Wills
 Sheriff
 Solicitor
 Treasurer
 Warden, County Correctional Facility
 County Board of Elections
 Drug & Alcohol Exec. Commission Members
 Planning Commission Members
 Zoning Hearing Board Members

Lehigh County:

1st Assistant District Attorney
 Appointed Department Heads and Directors
 Chief Deputies
 Chief of Staff
 Clerk of Judicial Records
 Constables/Deputy Constables
 Controller
 Coroner
 County Commissioners

County Executive
 Court of Common Pleas Judges
 District Attorney
 Fiscal Officer
 Magisterial District Judges
 Public Defender
 Recorder of Deeds
 Registers of Wills
 Senior Counsel, Solicitor's Office
 Sheriff
 Tax Collectors
 Advisory Board to the Office of Children and Youth Services Members
 Area Agency for the Aging/Adult Services Advisory Board Members
 Board of Assessment Appeals Members
 County Board of Elections
 Drug and Alcohol Commission Members
 Industrial Development Authority Members
 Lehigh and Northampton Transportation Authority Members
 Lehigh County Agricultural Land Preservation Board Members
 Lehigh County Authority Members
 Lehigh County General Purpose Authority Members
 Lehigh County Housing Authority Members
 Lehigh County Velodrome Commission Members
 Lehigh Valley Planning Commission Members
 Lehigh-Northampton Airport Authority Members
 Mental Health/Mental Retardation Advisory Board Members
 Office of Adult and Residential Services Advisory Board Members
 Office of Youth Systems Development Advisory Board Members
 Trexler-Lehigh County Game Preserve Advisory Board Members

Luzerne County:

Appointed Directors of Departments & Department Heads
 Chief of Budget & Finance
 Chief of Economic Growth & Planning
 Chief of Environment & Recreation
 Chief of Human Services
 Chief of Operations & Engineering
 Chief of Public Safety Services
 Clerk of Courts
 Commissioners
 Constable/Deputy Constable
 County Controller
 County Coroner
 County Engineer
 County Manager for Administrative Services/Deputy Chief Clerk
 County Manager for Legislation/Chief Clerk
 County Solicitor
 Court Administrator
 Court Reporter/Stenographers
 Deputy Treasurer/Operations Manager
 Director of Elections
 Directors of Departments Department Heads
 District Attorney
 Elected Treasurer
 Jury Commissioners (2)
 Prothonotary
 Public Defender
 Recorder of Deeds
 Register of Wills
 Sheriff

Aging Bureau
 Agriculture/Preservation Board Members
 Board of Assessment Appeals Members
 County Board of Elections Members
 Drug and Alcohol Advisory Board Members
 Drug and Alcohol Study Commission Members
 Election Board Members
 Flood Protection Authority Members
 Levee Raising Mitigation Board Members
 Mental Health and Retardation Advisory Board
 Members
 Mitigation Board Members
 Municipal Cooperation Commission Members
 Planning Commission Members
 Prison Board Members
 Redevelopment Authority Members
 Retirement Board Members
 Salary Board Members
 Solid Waste Advisory Commission Members
 Women's Commission Members
 Workforce Investment Board Members
 Zoning Hearing Board Members

Monroe County:

Appointed Department Directors and Heads
 Chairperson
 Chief Assessor
 Chief Clerk/Admin.
 Chief Dep. Treasurer
 Clerk of Courts
 Constable/Deputy Constable
 Coroner
 County Commissioners
 County Controller
 County Tax Collector
 District Attorney
 Elected Treasurer
 Emergency Management Coordinator
 Engineer
 Jury Commissioner
 Planning Commission Members
 Prothonotary
 Public Defender
 Recorder of Deeds
 Register of Wills
 Secretary
 Sheriff/Deputy Sheriff
 Treasurer
 Affordable Housing Bd. Members
 Agricultural Land Preservation Bd. Members
 C-M-P Drug and Alcohol Commission, Inc.
 C-M-P Mental Health/Mental Retardation Program
 County Board of Elections
 Eastern Monroe Library Members
 Litter Control and Beautification Program of Monroe
 Cty.
 Monroe County Economic Development Authority
 Members
 Monroe County Redevelopment Authority Members
 Monroe Cty. Affordable Housing Members
 Monroe Cty. Area Agency on Aging Adv. Bd. Members
 Monroe Cty. Conserv. District Members
 Monroe Cty. Historical Assn. Members
 Monroe Cty. Open Space Adv. Bd. Members
 Monroe Cty. Planning Commission Members
 Monroe Cty. Recreation & Park Commission Members
 Monroe Cty. Retired and Sr. Volunteer Program
 Members
 Pleasant Valley Manor Bd. Members
 Pocono Mtn. Municipal Airport Authority Members

Montgomery County:

Assistant District Attorneys
 Chief County Detective
 Constables/Deputy Constables
 County Detectives
 Deputy Chief County Detective
 Deputy District Attorneys
 District Attorney
 First Assistant District Attorney
 Lieutenants
 Special Assistant District Attorneys
 Special County Detectives

Northampton County:

Appointed Department Directors and Heads
 Constable/Deputy Constable
 Coroner
 County Council Members
 County Executive
 County Solicitor
 District Attorney
 Advisory Board to the Division of Children and Youth
 Members
 Committee to Study the Effects of Gambling in
 Northampton County
 Election Commission Members
 General Purpose Authority Members
 Joint Planning Commission of Lehigh and
 Northampton Counties Members
 Lehigh and Northampton Transportation Authority
 Members
 Northampton County Area Agency on Aging Advisory
 Board Members
 Northampton County Conservation District Members
 Northampton County Coordinating Committee of the
 Lehigh Valley Transportation Study
 Northampton County Drug and Alcohol Commission
 Members
 Northampton County Mental Health/Mental Retarda-
 tion Advisory Board Members
 Northampton County Overall Economic Development
 Committee Members
 Northampton County Park Board Members
 Northampton County Prison Advisory Board Members
 Northampton County Re-development Authority
 Members
 Personnel Appeals Board Members
 Personnel Commission Members
 Revenue Appeals Board Members

Pike County:

Assistant District Attorneys
 Chief County Detective
 Constables/Deputy Constables
 County Detectives
 District Attorney
 First Assistant District Attorney
 Special County Detectives

Susquehanna County:

District Attorney
 First Assistant District Attorney
 Chief County Detective
 Constables/Deputy Constables
 Task Force (Special) County Detectives

Washington County:

Appointed Directors of Departments & Department
 Heads
 Assistant District Attorneys

Chief Clerk
 Chief County Detective
 County Detectives
 Clerk of Courts
 Constable/Deputy Constable
 Coroner
 County Commissioners
 County Controller
 District Attorney
 Elected Treasurer
 Engineer
 First Assistant District Attorney
 Jury Commissioners
 Prothonotary
 Public Defender
 Recorder of Deeds
 Register of Wills
 Sheriff
 Treasurer
 County Board of Elections
 County Planning Commission Members
 Election Board Members
 North Franklin Twp. Bus. & Rec. Improve.
 Salary Board Members
 Sinking Fund Commission Members
 SRC Public Participation Panel
 SW Corner Work Investment
 SW PA Commission Members
 Washington County Redevelopment Authority
 Washington County Veterans Advisory Council
 Members
 Washington Cty. Children & Youth Services Members
 Washington Cty. Farmland Preservation Members
 Washington Cty. Planning Commission Members
 Washington County Tourism Promotion Agency

Chief Deputy Register of Wills/Recorder of Deeds
 Chief Juvenile Probation Officer
 Chief Public Defender
 Clerk of Courts
 Conservation Director
 Constables/Deputy Constables
 Coroner
 County Auditors
 County Detectives
 County Engineer
 County Solicitor
 County Treasurer
 Court Administrator
 Deputy Sheriff
 Deputy Treasurer
 Director of Human Services
 District Attorney
 Domestic Relations Director
 Elected Officials
 Elections Director
 Emergency Management Coordinator
 GIS Specialist
 Job Training Coordinator
 Jury Commissioners
 Magisterial District Judge
 Maintenance Director
 Planning Director
 President Judge
 Prothonotary
 Register of Wills/Recorder of Deeds
 Sheriff
 Tax Claim Director
 Warden
 Agricultural Preservation Board Members
 Conservation District Board Members
 Housing Authority Members
 Planning Commission Members
 Redevelopment Authority Members
 South Wayne Water & Sewer Authority Members
 Wallenpaupack Watershed Management District
 Wayne Library Authority Board Members
 Wayne Health & Hospital Authority Members
 Wayne Industrial Development Authority Members

Wayne County:

Business Manager/Assistant Chief Clerk
 911 Communications Director
 Chief Adult Probation Officer
 Chief Assessor
 Chief Clerk
 Chief Deputy Sheriff
 Chief Deputy Prothonotary/Clerk of Courts

Counties Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Allegheny County:

County Police Department Assistant Superintendent
 Police Inspectors

Police Lieutenant
 Police Sergeants

TOWNSHIPS

Township Public Officials:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Harrison Township, Allegheny County:

Chief of Police

Scott Township, Allegheny County:

Chief of Police

South Fayette Township, Allegheny County:

Chief of Police

Upper St. Claire Township, Allegheny County:

Chief of Police

Bensalem Township, Bucks County:

Appointed Directors of Departments & Department Heads
 Board of Auditors
 Code Appeals Board Members

Community Development Advisory Board Members
 Disabled Persons Advisory Board Members
 Drug & Alcohol Advisory Board Members
 Emergency Management Advisory Board Members
 Engineer
 Environmental Advisory Board Members
 Fire Marshal
 Gaming Advisory Board Members
 Impact Fee Advisory Committee Members
 Parks & Recreation Board Members
 Planning Commission Members
 Police Chief
 Senior Citizens Advisory Board Members
 Shade Tree Commissioners Members
 Solid Waste Advisory Board Members
 Tax Collector
 Township Council Members
 Township Mayor
 Township Secretary
 Township Solicitor
 Township Supervisors
 Township Treasurer
 Vacant Property Review Committee Members
 Zoning Hearing Board Members

Lower Saucon Township, Bucks County:

Chief of Police

Franklin Township, Carbon County:

Alternate Sewage Enforcement Officer
 Assistant BOCA Property Maint. Code Enf. Officer
 Assistant Secretary Treasurer
 Auditors
 Board of Supervisors
 BOCA Property Maintenance Code Enforcement Officer
 Carbon County Solid Waste Authority Member
 Central Carbon Regional Comprehensive Plan
 Committee Representative
 Chief of Police
 Code Enforcement Officers
 Emergency Management Coordinator
 Engineers
 Lehigh Canal Commission Member
 Municipal Authority Member
 Planning Commission Members
 Property Maintenance Code Appeals Board Members
 Recreation and Parks Board Members
 Road Foreman
 Sewage Enforcement Officer
 Solicitor
 Tax Collectors
 Township Secretary/Treasurer
 Uniform Construction Code Bldg. Code Official
 Vacancy Board Members
 Zoning Hearing Board Members
 Zoning Hearing Board Solicitor
 Zoning Officer

Kidder Township, Carbon County:

Board of Supervisors
 Code Enforcement Officer
 Township Manager
 Zoning Officer
 Planning Commission Members
 Zoning Hearing Board Members
 Sewage Enforcement Officer
 Tax Collector
 Assistant Secretary/Treasurer
 Secretary/Treasurer

Solicitor
 Road Master
 Police Chief

East Hanover Township, Dauphin County:

Appointed Directors of Departments & Department
 Heads
 Assessor
 Board of Health
 Police Officers
 Road Master
 Tax Collector
 Township Engineer
 Township Health Officer
 Township Manager
 Township Secretary
 Township Solicitor
 Township Treasurer/Asst. Treasurer
 Township Supervisors
 Board of Auditors
 Building and Housing Authority Members
 Joint Water Board Members
 Township Planning Commission Members
 Zoning Hearing Board Members

Lower Paxton Township, Dauphin County:

Agricultural Security Area Advisory Committee
 Members
 Arts Council Members
 Authority Engineer
 Board of Auditors Members
 Board of Supervisors Members
 Codes Enforcement Officer
 Engineer
 FCC Operating Board Members
 Finance Director
 Fire Marshal
 Greenway Committee Members
 Health Officer
 Parks & Recreation Board Members
 Planning & Zoning Officer
 Planning Commission Members
 Police Chief
 Police Lieutenants
 Public Safety Committee Members
 Public Safety Director
 Public Works Director
 Recycling Committee Members
 Shade Tree Commission Members
 Solicitor
 Tax Collector
 Township Authority Board Members
 Township Manager
 Vacancy Board Members
 Village of Linglestown Committee Members
 Zoning Hearing Board Members

Middle Paxton Township, Dauphin County:

Supervisors
 Secretary/Treasurer
 Tax Collector
 Auditors
 Solicitor

Rush Township, Dauphin County:

Supervisors
 Secretary/Treasurer
 Tax Collector
 Auditors
 Solicitor

South Hanover Township, Dauphin County:

Appointed Directors of Departments & Department Heads
 Assistant Township Treasurer
 Board of Auditors
 Board of Supervisors
 Fire Marshal
 Road Master
 Tax Collector
 Township Engineer
 Township Manager
 Township Secretary
 Township Solicitor
 Township Treasurer
 Building Codes Appeals Board Members
 Joint Water Board Members
 Park and Recreation Board Members
 Public Safety Advisory Board Members
 South Hanover Twp. Water and Sewer Auth. Members
 Township Planning Commission Members
 Vacancy Board Members
 Zoning Hearing Board Members

Susquehanna Township, Dauphin County:

Administrative Secretary
 Civil Service Commission Members
 Emergency Management Coordinator
 Fire Marshal
 Health Board Members
 Industrial & Commercial Development Authority Members
 Pension Committee Members
 Plumbing Board Members
 Police Chief
 Recreation Advisory Committee Members
 Sewer Authority Members
 Shade Tree Commission Members
 Solicitor
 Susquehanna Township Authority Members
 Tax Collector
 Township Auditors
 Township Commissioners
 Township Engineer
 Township Planning and Zoning Officer
 Township Planning Commission
 Township Secretary/Manager/Chief Admin. Officer
 Township Treasurer
 Vacancy Board Members
 Zoning Hearing Board Members & Attorney

Lower Swatara Township, Dauphin County:

Township Commissioners
 Township Manager
 Financial Administrator
 Police Chief
 Code Enforcement Administrator
 Solicitor
 Tax Collector
 Treasurer
 Secretary

Swatara Township, Dauphin County:

Township Commissioners
 Tax Collector/Treasurer
 Business Privilege Tax Collector
 Township Recording Secretary
 Engineer
 Township Administrator
 Chief of Police
 Code Enforcement Director

Code Enforcement Officers
 Planning/Zoning Coordinator
 Health Officer
 Fire Marshal
 Solicitor
 Planning Commission Members
 Zoning Hearing Board Members
 Civil Service Commission Members
 Vacancy Board Members
 Sewer Authority Members
 Solicitors

Washington Township, Dauphin County:

Auditors
 Secretary/Treasurer
 Solicitor
 Supervisors
 Tax Collector
 Township Manager
 Road Master
 Township Engineer
 Planning Commission Members
 Recreation Board Members
 Zoning Hearing Board Members
 Vacancy Board Members
 Washington Township Authority Members

West Hanover Township, Dauphin County:

Accountant
 Appointed Directors of Departments & Department Heads
 Assistant Township Secretary/Treasurer
 Auditors
 Fire Marshal
 Tax Collector
 Township Engineer
 Township Manager
 Township Secretary/Treasurer
 Township Solicitor
 Twp. Supervisors
 Building Codes Appeals Board Members
 Environment Advisory Council Members
 Joint Water Board Members
 Park and Recreation Board Members
 Public Safety Advisory Board Members
 Township Planning Commission Members
 Vacancy Board Members
 West Hanover Twp. Water and Sewer Auth. Members
 Zoning Hearing Board Members

Summit Township, Erie County:

Appointed Directors of Departments & Department Heads
 Board of Supervisors
 Chairman/Vice Chairman, Board of Supervisors
 Code Enforcement Officer
 Director of Land Development, Zoning and Public Relations
 Director/Chairman of Parks and Recreation
 Tax Collector
 Township Engineer
 Township Secretary
 Township Solicitor
 Township Treasurer/Assistant Treasurer
 Treasurer of the Township Board of Supervisors
 Zoning Officer
 Board of Auditors
 Industrial and Economic Development Authority
 Parks and Recreation Board
 Sewer Authority Board

Township Planning Commission
Water Authority Board
Zoning Hearing Board

East Hanover Township, Lebanon County:

Appointed Directors of Departments & Department Heads
Administrative Assistant
Auditors
Constable
Engineer
Solicitor
Township Secretary/Treasurer
Township Supervisors
Planning Commission Members
Zoning Hearing Board Members

Hazle Township, Luzerne County:

Code Enforcement Officers
Building Inspectors
CanDo Board Members
Electrical Inspector
Emergency Management Coordinators
Fire Inspectors
Members Township Board of Supervisors
Members, Building Code Appeals Board
Members, Hazle Township Health Alliance
Members, Property Maintenance Appeals Board
Municipal Authority Members
Planning Commission Members
Recreation Board Members
Recycling Coordinator
Road Master
Sewage Enforcement Officers
Tax Collector
Township Auditors
Township Solicitor(s)
Zoning Hearing Board Members
Zoning Officer

Jenkins Township, Luzerne County:

Building Inspector
Members Board of Supervisors
Planning Commission Members
Recreation Board Members
Sewage Enforcement Officer
Township Manager
Zoning Hearing Board Members
Zoning Officer

Kingston Township, Luzerne County:

Assistant Township Manager
Chief of Police
Code/Zoning Officer
Members Township Board of Supervisors
Planning Commission Members
Public Works Manager
Road Superintendent
Tax Collector
Township Engineer
Township Manager
Township Solicitor(s)
Uniform Construction Code Committee Members
Zoning Hearing Board Members

Newport Township, Luzerne County:

Constable
Newport Municipal Authority Members
Newport Sanitary Authority Members
Tax Collector
Township Commissioners
Township Manager

Plains Township, Luzerne County:

Appointed Dir. of Dept. & Dept. Heads
Engineer
Tax Collector
Township Commissioners
Township Secretary
Township Solicitor
Township Treasurer
Board of Auditors
Plains Township Sewer Authority
Plains Township Water Authority
Township Board of Commissioners
Township Planning Commission
Zoning Hearing Board

Wilkes Barre Township, Luzerne County:

Business Administrator
Chief of Police
Council Members
Council Secretary
Department Officers/Heads
Mayor
Members, Planning Commission
Members, Zoning Appeals Board
Members, Zoning Board
Secretary
Solicitor
Tax Collector
Township Attorney
Zoning Code Officer

Barrett Township, Monroe County:

Board of Auditors
Code Enforcement Officer
Township Supervisors
Secretary/Treasurer
Sewage Enforcement Officer
Solicitor(s)
Tax Collector
Township Engineer
Township Secretary
Zoning Codes Officer
Architectural Review Committee Members
Code Appeals Board Members
Environmental Advisory Committee Members
Open Space Committee Members
Park Committee/Regional PARC Members
Planning Commission Members
Regional Open Space Committee Members
Vacancy Board Members
Vacant Property Review Board Members

Coolbaugh Township, Monroe County:

Board of Auditors
Chief of Police
Code Enforcement Officer
Constable
Controller/Business Manager
Members, Board of Supervisors
Municipal Authority Board Members
Planning Commission Members
Road Master
Solicitor
Tax Collector
Township Secretary
Treasurer/Sewage Enforcement Officer/Receptionist/
Zoning Hearing Board Secretary
Zoning Hearing Board Members
Coolbaugh Twp. Community Partnership Commission Members

Environmental Advisory Council Members
Municipal Authority Members
Parks & Recreation Commission Members
Planning Commission Members
Vacancy Board Members

Covington Township, Monroe County:

Alternate Sewage Enforcement Officer
BOCA Code Enforcement Officer
Building Inspector
Code Enforcement Officer
Director of Public Works
Emergency Management Coordinator
Engineer
Members, Board of Supervisors
Police Officer in Charge
Secretary/Treasurer
Sewage Enforcement Officer
Solicitors
Tax Collectors
Zoning/Code Enforcement Officer
Board of Auditors
Planning Commission Members
Sewer Authority Members
Vacancy Board Members
Zoning Hearing Board Members

Dingman Township, Monroe County:

Building & Well Code Official
Chief of Police
Code Enforcement Officer
Constable
CPA
Emergency Management Coordinator
Engineer
Members, Board of Auditors
Members, Board of Supervisors
Municipal Authority Board Members
Planning Commission Members
Road Master
Sewage Enforcement Officer
Tax collector
Township Secretary/Treasurer
Township Solicitor
Zoning Officer
Building Hearing Board Members
Planning Commission Members
Recreation & Parks Commission Members
Zoning Hearing Board Members

Palmyra Township, Monroe County:

Board of Auditors
Building Inspector
Constable
Emergency Management Coordinator
Members, Board of Supervisors
Sewage Enforcement Officer
Solicitor
Tax Collector
Township Administrator
Township Engineer
Zoning Officer
Municipal Authority Board Members
Planning Commission Members
Zoning Hearing Board Members

Paradise Township, Monroe County:

Appointed Directors of Departments & Department
Heads
Engineer
Environmental Advisory Council

Tax Collector
Township Secretary/Assistant Secretary
Township Solicitor
Township Supervisors
Township Treasurer/Assistant Treasurer
Board of Auditors
Township Planning Commission
Zoning Hearing Board

Tobyhanna Township, Monroe County:

Township Secretary
Assistant Township Secretary
Assistant Township Treasurer
Sewage Enforcement Officer
Solicitor(s)
Tax Collector
Township Engineer
Township Supervisors
Township Treasurer
Zoning Officer
Board of Auditors
Open Space Advisory Committee Members
Planning Commission Members
Zoning Hearing Board Members

Tunkhannock Township, Monroe County:

Board of Supervisors
Engineer
Planning & Grants Administrator
Secretary/Treasurer
Alternate Sewage Enforcement Officer
Sewage Enforcement Officers
Solicitor
Tax Collectors
Assistant Zoning Officer
Zoning Enforcement Officer
Agricultural Security Advisory Committee
Environmental Advisory Council Members
Planning Commission Members
Vacancy Board Members
Zoning Hearing Board Members

Upper Mount Bethel Township, Monroe County:

Alternate Sewage Enforcement Officer
Board of Supervisors Members
Building Codes Inspector
Environmental Advisory Council Members
Planning Commission Members
Recreation Board Members
Road Master
Sewage Enforcement Officer
Solicitors
Tax Collector
Township Engineer
Township Manager
Zoning/Building Codes Official
Zoning/Building/Sewage Liaison

Hanover Township, Northampton County:

BOCA Appeal Board Members
Engineer
Fire Company Captain
Fire Company Chief
Fire Company President
Impact Fee Advisory Committee Members
Members, Board of Auditors
Planning Commission Members
Police Chief
Recreation Advisory Board Members
Shade Tree Advisory Board Members
Solicitor

Special Events Committee Members
 Tax Collector
 Township Asst. Secretary/Treasurer
 Township Manager
 Township Secretary/Treasurer
 Township Supervisors
 Zoning Hearing Board Members

Lehman Township, Pike County:

Alternate Township Engineer
 Alternate Zoning Enforcement Officer
 Board of Auditors
 Board of Supervisors Members
 Building Code Appeal Board Members
 Building Code Enforcement Officer
 Deputy Building Code Enforcement Officer
 Planning Commission Members
 Secretary/Treasurer
 Sewage Enforcement Officer
 Solicitors (Township, Zoning Hearing Board, Water &
 Sewer Authority)
 Township Engineers (Township & Water & Sewer
 Authority)
 Water and Sewer Authority Members

Amwell Township, Washington County:

City Clerk
 City Controller
 City Council Members
 Mayor
 Planning Commission Members
 Police Chief
 Solicitor
 Treasurer/Tax Collector
 Zoning Hearing Board Members

Blaine Township, Washington County:

Mayor
 Township Supervisors
 Tax Assessor
 Tax Collector
 Auditors/Controller
 Township Secretary
 Township Manager
 Chief of Police
 Fire Chief
 Engineer
 Solicitor
 Zoning Officer
 Building Inspector
 Emergency Management Coordinator

Buffalo Township, Washington County:

Auditors
 Building Code Official
 Code/Zoning/Sewage Enforcement Officer
 Emergency Management Coordinator
 Engineer
 Planning Commission Members
 Secretary
 Solicitor
 Tax Collector - Real Estate
 Tax Collectors - EIT & LST
 Township Supervisor
 Township Supervisor/Road Master
 Township Supervisor/Secretary-Treasurer
 Zoning Hearing Board Members

Canton Township, Washington County:

Code Enforcement/Zoning Officer
 Members, Park and Recreation Board

Members, Planning Commission
 Members, Zoning Hearing Board
 Secretary/Treasurer
 Solicitor
 Tax Collector
 Township Auditors
 Township Supervisors

Carroll Township, Washington County:

Chief of Police
 Elected Auditors
 Elected Tax Collector
 Secretary - Treasurer
 Solicitor
 Supervisors
 Zoning Officer

Chartiers Township, Washington County:

Chief of Police
 Director of Public Works
 Members, Board of Township Supervisors
 Members, Parks and Recreation Board
 Members, Planning Commission
 Members, Zoning Hearing Board
 Real Estate Tax Collector
 Solicitor
 Township Manager
 Township Treasurer
 Zoning Officer/Building Inspector

Cecil Township, Washington County:

Board of Supervisors
 Chief of Police
 Engineer and Acting Zoning Officer
 Municipal Authority Members
 Parks & Recreation Board Members
 Planning Commission Members
 Solicitor
 Tax Collector
 Township Manager
 Zoning Hearing Board Members

Cross Creek Township, Washington County:

Board of Supervisors
 Secretary/Treasurer/R.E. Tax Collector
 Solicitor
 Township Engineer
 Independent Auditors
 Road Master
 Code Enforcement & Zoning Officer
 Zoning Hearing Board Members
 Park & Recreation Committee Members
 Joint Sewer Authority Members
 Auditors

Donegal Township, Washington County:

Board of Supervisors Members
 Building Code Official/Inspector
 Chief Road Master
 Community Center Committee Members
 Emergency Management Coordinator
 Planning Commission Members
 Road Masters
 Secretary/Treasurer
 Tax Collectors

East Bethlehem Township, Washington County:

Board of Commissioners
 Members of Sewage Authority
 Members of Water Authority
 Members of Zoning Office

Police Captain
Township Secretary
Township Treasurer
Zoning Officer

East Finley Township, Washington County:

Appointed Auditors
Planning Commission Members
Secretary/Treasurer
Solicitor
Appointed Tax Collector
Elected Tax Collector
Township Supervisors
Zoning Hearing Board Members

Fallowfield Township, Washington County:

Members, Board of Supervisors
Members, Fallowfield Township Municipal Authority
Road Foreman
Solicitor
Township Secretary/Treasurer
Zoning Officer

Hanover Township, Washington County:

Auditors
Chief of Police
Planning Commission Members
Secretary/Treasurer
Sewer Authority Members
Solicitor
Tax Collector
Township Supervisors
Vacancy Board Members
Zoning Hearing Board Members
Zoning Officer

Hopewell Township, Washington County:

Board of Supervisors
Planning Commission Members
Secretary/Treasurer
Solicitor
Tax Collector
Zoning Hearing Board Members

Independence Township, Washington County:

Appeals Board Members
Auditors
Code Enforcement Officer
Elected Tax Collector
Emergency Mgt. Coordinator
Planning Commission Members
Solicitor
Supervisors
Township Secretary/Treasurer
Vacancy Board Members
Wage Tax Collector
Zoning & Building Inspector

Jefferson Township, Washington County:

Agricultural Area Advisory Committee Members
Architectural, Agricultural & Historical Preservation
Commission Members
Board of Auditors Members
Board of Supervisors
Countywide Tax Collection Committee Members
Cross Creek Valley Regional Planning Commission
Members
Emergency Management Officer
Open Records Officer
Ordinance Enforcement Officer
Parks and Recreation Board Members

Planning Commission Members
Police Chief
Real Estate Tax Collector
Road Master
Secretary/Treasurer
Solicitor
Vacancy Board Members
Wage Tax Collector
Water Authority Members
Zoning Hearing Board Members

Morris Township, Washington County:

Board of Auditors
Constable
Planning Commission Members
Secretary/Treasurer
Tax Collector
Township Board of Elections Members
Township Board of Supervisors
Zoning Hearing Board Members

Mount Pleasant Township, Washington County:

Animal Control Officer
Emergency Management Officer
Fire Chief
Members, Board of Auditors
Members, Board of Supervisors
Members, Park and Recreation Board
Members, Planning Commission
Members, Zoning Hearing Board
Municipal Authority Members
Real Estate Tax Collector
Road Master
Secretary-Treasurer
Solicitor
Tax Collector(s)
UCC Appeals Board Members
Vacancy Board Members
Zoning Officer & Building Code Official

North Bethlehem Township, Washington County:

Township Supervisors
Tax Collector
Auditors/Controller
Township Secretary
Township Manager
Chief of Police
Fire Chief
Engineer
Solicitor

North Franklin Township, Washington County:

Board of Supervisors
Planning Commission Members
Recreation and Business Improvement Authority
Members
Secretary/Treasurer
Solicitor
Tax Collector
Township Engineer
Vacancy Board Members
Zoning Hearing Board Members

North Strabane Township, Washington County:

Appointed Directors of Departments & Department
Heads
Engineer
Fire Chief
Tax Collector
Township Manager
Township Solicitor

Township Tax Collector/Assessor
 Township Supervisors
 Township Treasurer
 Board of Auditors
 Library Board Members
 Municipal Authority Board Members
 Parks and Recreation Board Members
 Township Planning Commission Members
 Vacancy Board Members
 Zoning Hearing Board Members

Nottingham Township, Washington County:

Animal Control Officer
 Assistant Zoning Officer/DMO
 Board of Auditors Members
 Board of Supervisors
 Constable
 EIT/LST/Delinquent Per Capita Tax Collector
 Emergency Management Coordinator
 Peters Creek Sanitary Auth. Representatives
 Planning Commission Members
 Recreation Board Members
 Solicitors
 Tax Collector
 Township Planning Consultant
 Township Engineer
 Township Secretary
 Township Treasurer
 UCC Board of Appeals Members
 Zoning Hearing Board Members
 Zoning Officer

Peters Township, Washington County:

Assistant Planner/Zoning Officer
 Assistant Township Manager/Treasurer/Tax Collector
 Building Code Appeals Board Members
 Building Inspectors
 Cable Television Board Members
 Council Members
 Environmental Quality Board Members
 Fire Chief
 Library Director
 Members Park and Recreation Board
 Members Peters Creek Sanitary Authority
 Members Peters Township Library
 Members Peters Township Sanitary Authority
 Park and Recreation Director
 Peters Creek Sanitary Authority Manager
 Planning Commission Members
 Planning Director
 Police Chief
 Public Works Director
 Township Engineer
 Township Manager/Secretary
 Township Solicitor
 Youth Commission Members
 Zoning Hearing Board Members

Robinson Township, Washington County:

Auditors
 Citizens Advisory Panel Members
 Code Enforcement Officer
 Emergency Mgt. Coordinator
 Planning Commission Members
 Secretary - Zoning Administrator
 Solicitor
 Supervisors
 Tax Collector
 Zoning Hearing Board Members

Smith Township, Washington County:

Burgettstown Smith Township Joint Sewerage
 Authority
 Planning Commission Members
 Tax Collector
 Township Auditors
 Township Secretary
 Township Supervisors
 Treasurer
 UCC Appeals Board Members
 Zoning Hearing Board Members

Somerset Township, Washington County:

Auditors
 Code Enforcement/Zoning Officer
 Constable
 Members Board of Supervisors
 Planning Commission Board Members
 Secretary/Treasurer
 Tax Assessor
 Tax Collector
 Vacancy Board Members
 Zoning Hearing Board Members

South Franklin Township, Washington County:

Auditors
 EIT Tax Collector
 Park Board Members
 Planning Commission Members
 Real Estate Tax Collector
 Solicitor
 Supervisors
 Township Engineer
 Township Manager
 Township Secretary/Treasurer

South Strabane Township, Washington County:

Auditors
 Building Code Appeals Board Members
 Citizens Library Board Representative
 Emergency Mgt. Coordinator
 Engineers
 Fire Chief
 Manager/Zoning Officer/Treasurer
 Park-Recreation Council Members
 Planning Commission Members
 Police Chief
 Road Master
 Sanitary Authority Members
 Solicitor
 Tax Collector
 Township Supervisors
 Vacancy Board Members
 Zoning Hearing Board Members

Union Township, Washington County:

Board of Supervisors
 Peters Creek Sanitary Auth. Board Members
 Planning Commission Members
 Solicitors
 Tax Collector
 Township Engineer
 Township Secretary-Treasurer
 West Elizabeth Sanitary Auth. Board Members
 Zoning Hearing Board Members

West Bethlehem, Washington County:

Township Supervisors
 Tax Collector
 Auditors/Controller

Township Secretary
Township Manager
Chief of Police
Fire Chief
Engineer
Solicitor

Tax Collector
Township Engineer
Township Supervisors

West Finely Township, Washington County:

Auditors
Planning Commission Members
Secretary/Treasurer
Solicitor

West Pike Run Township, Washington County:

Chief of Police
Code Enforcement Officer
Members, Board of Supervisors
Municipal Authority Board Members
Planning Commission Members
Tax Collector
Township Secretary

Township Executive Level Public Employees:

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Harrison Township, Allegheny County:

Police Sergeants
Detective

Scott Township, Allegheny County:

Police Corporals
Police Sergeants

South Fayette Township, Allegheny County:

Police Captains
Police Lieutenants
Police Sergeants

Upper St. Claire Township, Allegheny County:

Police Corporals
Police Lieutenants
Police Sergeants

Lower Saucon Township, Bucks County:

Police Corporals
Police Sergeants

Derry Township, Dauphin County:

Code Enforcement Officer
Director of Community Development
Director Public Works/Road Master
Library Director
Parks and Recreation Director

East Hanover Township, Dauphin County:

Admin. Asst.
Codes & Zoning, SEO, Bldg. Inspections (apptd. firm)
Director Parks and Recreation
Director Public Works/Road Master
Park and Recreation Leader
Sewage Enforcement Officer

Lower Paxton Township, Dauphin County:

Police Corporals
Police Sergeants
Police Lieutenants

South Hanover Township, Dauphin County:

Assistant Public Works Foreman
Building Code Enforcement Officer
Director Parks and Recreation
Emergency Mgt. Coordinator
Park and Recreation Leader
Planning and Zoning Officer
Public Works Foreman
Sewage Enforcement Officer

Susquehanna Township, Dauphin County:

Assistant Highway Superintendent
Authority Maintenance Superintendent
Authority Manager
Building/Plumbing Inspector
Codes Enforcement Officer
Emergency Mgt. Coordinator
Health Officer
Highway Superintendent
Sewage Enforcement Officer
Sewer Authority Engineer
Zoning Officer

Washington Township, Dauphin County:

Zoning/Codes Enforcement Officer
Sewage Enforcement Officer
Emergency Mgt. Coordinator
State Building Codes Administrator

West Hanover Township, Dauphin County:

Admin. Asst.
Building Code Official
Director Parks and Recreation
Director Public Works/Road Master
Emergency Mgt. Coordinator
Park and Recreation Leader
Planning and Zoning Officer
Sewage Enforcement Officer

East Hanover Township, Lebanon County:

Sewage Enforcement Officer
Zoning Officer/Building Code Officer

Coolbaugh Township, Monroe County:

Facilities Manager
Road Foreman

Palmyra Township, Monroe County:

Facilities Manager
Building Inspector
Emergency Management Coordinator
Sewage Enforcement Officer
Zoning Officer

Hanover Township, Northampton County:

Assistant Recreation Director
Asst. Recreation Director(s)
BAPL Library Representative
Office Support Associate
Public Works Director
Receptionist Clerk

Recreation Director
Township Manager's Secretary
Zoning Officer
Zoning-Code Enforcement Officer

North Strabane Township, Washington County:

Code Enforcement Officer
Chief of Police
Deputy Fire Chief
Road Superintendent
Township Certified Sewage Enforcement Officer
Township Secretary
Township Planning and Zoning Officer
Township Code Enforcement Officer

REDEVELOPMENT AUTHORITY OF EASTON, PA

PUBLIC OFFICIALS

EXECUTIVE LEVEL PUBLIC EMPLOYEES

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing

Redevelopment Authority Board Members

Executive Director

[Pa.B. Doc. No. 10-1025. Filed for public inspection May 28, 2010, 9:00 a.m.]
