

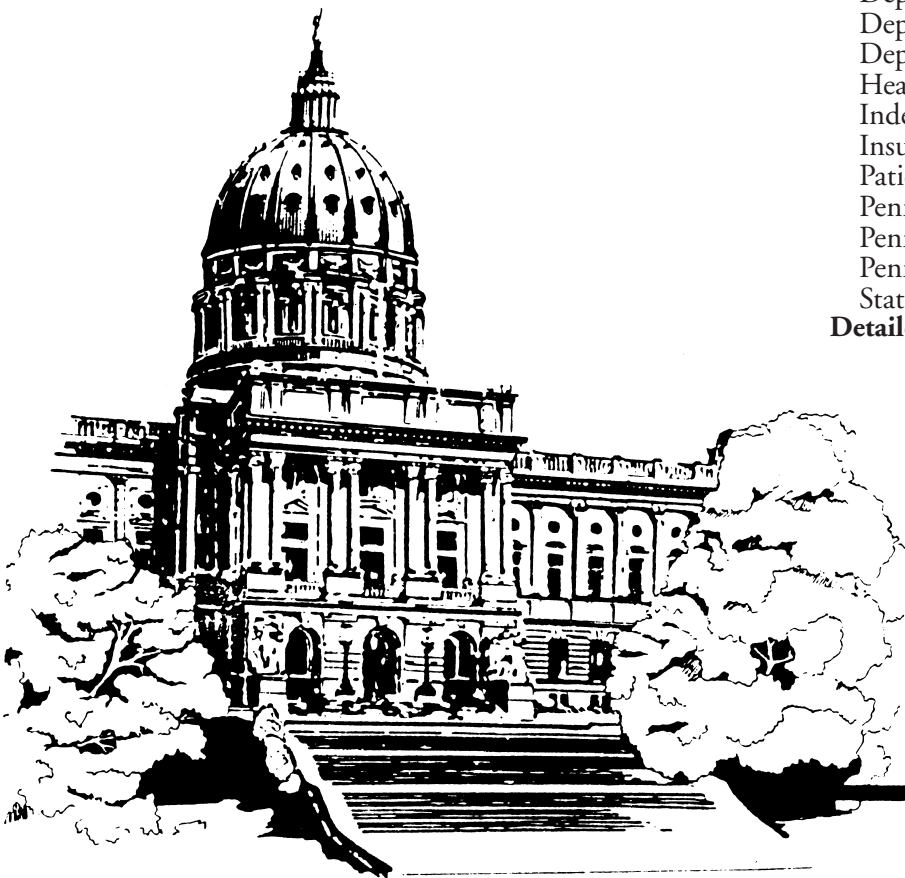
# PENNSYLVANIA BULLETIN

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The Courts  
Delaware River Basin Commission  
Department of Agriculture  
Department of Banking  
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Pennsylvania Public Utility Commission  
State Board of Medicine

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**Latest Pennsylvania Code Reporters  
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**No. 435, February 2011**

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## *Pennsylvania Bulletin*

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

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

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the 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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Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE GOVERNOR

## GOVERNOR'S OFFICE

[Correction]

### Amendment to Proclamation

An error occurred in the document published at 34 Pa.B. 5346 (October 2, 2004). The amendment to the Proclamation of September 17, 2004, signed on September 18, 2004, added the following counties to the previously designated disaster emergency area: Beaver, Bedford, Bradford, Centre, Clarion, Clinton, Clearfield, Columbia, Cumberland, Dauphin, Fulton, Indiana, Jefferson, Juniata, Lackawanna, Luzerne, Lycoming, Mifflin, Monroe, Northampton, Northumberland, Perry, Pike, Schuylkill, Snyder, Susquehanna, Union, Wayne, Westmoreland and Wyoming.

[Pa.B. Doc. No. 04-1810. Filed for public inspection October 1, 2004, 9:00 a.m.]

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# THE COURTS

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 1 ]

### Proposed Amendments to Pa.R.Crim.P. 113

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rule 113 to clarify that the criminal case records in both the magisterial district courts and the courts of common pleas are generally available to the public with certain specified exceptions. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

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

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

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

Anne T. Panfil, Chief Staff Counsel  
Supreme Court of Pennsylvania  
Criminal Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
Harrisburg, PA 17106-2635

fax: (717) 231-9521  
e-mail: criminalrules@pacourts.us

no later than Friday, April 1, 2011.

*By the Criminal Procedural Rules Committee*

RISA VETRI FERMAN,  
*Chair*

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

#### PART A. Business of the Courts

Rule 113. Criminal Case File and Docket Entries. **Public Access to Criminal Case File.**

\* \* \* \* \*

(B) The magisterial district judge shall maintain the criminal case file for the magisterial district court for all summary and court case proceedings before the magisterial district judge. The criminal case file shall contain all original records, papers, orders filed in the case, and copies of all court notices.

(C) All criminal case files in court cases or summary cases are open to the public, except that any of the following information contained in the criminal file shall not be available to the public:

- (1) information sealed pursuant to a court order;
- (2) information to which access is restricted by federal law, state law, or state court rules or policies;
- (3) information containing the complete social security numbers or financial information such as financial institution account numbers, credit card account numbers, or debit card numbers;
- (4) notes, drafts, e-mails, deliberative materials, and work product of judges, court staff, and judicial agencies contained in the criminal case file, unless otherwise required by law to be accessible to the public; and
- (5) the address, telephone numbers, and other contact information of victims, witnesses, and jurors.

(D) The clerk of courts shall maintain a list of docket entries: a chronological list, in electronic or written form, of documents and entries in the criminal case file and of all proceedings in the case.

[ (C) ] (E) The docket entries shall include at a minimum the following information:

\* \* \* \* \*

#### Comment

This rule defines the obligation for the preparation and maintenance of the criminal case file in both magisterial district courts and courts of common pleas.

Paragraph (C) codifies the long-standing presumption, based in constitutional and common law, of the openness of criminal case records. Additionally, paragraph (C) restricts public access to certain specified information.

Parties to a criminal case should be aware that any documents filed in a magisterial district court or court of common pleas are considered public documents and accessible by the public from the time of filing, unless sealed by court order or otherwise restricted by statute, rule, or policy.

For limitations on public access to proceedings and records of investigating Grand Juries, see Rules 228, 229, and 230.

For limitations on public access to preserved testimony, see Rule 500.

For limitations on public access to the records of a bail agency, see Rule 530.

For limitations on public access to mental health examinations of the defendant, see Rule 569.

For limitations on public access to records associated with the juries, see Rules 630, Rule 632, and 644.

For limitations on public access to pre-sentencing and related reports, see Rule 703.

For limitations on public access to unexecuted search warrants, see Rule 212.

For limitation on public access to the identify of a child victim of sexual or physical abuse, see 42 Pa.C.S. § 5988.

For the procedures for obtaining access by the public to the criminal case records of the magisterial district judges, see also the *Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts*, 204 Pa. Code § 213.1 *et seq.*

For the procedures for obtaining access by the public to the electronic case records of the Unified Judicial System, including additional restrictions on access to certain forms of electronic records, see also the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania*, 204 Pa. Code § 213.71.

The Administrative Office of the Pennsylvania Courts has available a Confidential Information form in which confidential information, such as social security numbers or financial information, may be maintained and which is used primarily for purposes of data entry into the various court computer systems. The Confidential Information form is maintained as a separate sheet that is not part of the court case record and is not available to the public. See the *Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts*, 204 Pa. Code §§ 213.1 *et seq.*

[ This rule ] Paragraph (E) sets forth the mandatory contents of the list of docket entries in proceedings before the court of common pleas and the criminal case files. This is not intended to be an exhaustive list of what is required to be recorded in the docket entries. The judicial districts may require additional information be recorded in a case or in all cases.

The list of docket entries is a running record of all information related to any action in a criminal case in the court of common pleas of the clerk's county, such as dates of filings, of orders, and of court proceedings. The clerk of courts is required to make docket entries at the time the information is made known to the clerk, and the practice in some counties of creating the list of docket entries only if an appeal is taken is inconsistent with this rule.

Nothing in this rule is intended to preclude the use of automated or other electronic means for time stamping or making docket entries.

[ This rule applies to all proceedings in the court of common pleas at any stage of a criminal case. ]

For the obligation of the magisterial district judge to prepare and forward to the court of common pleas a transcript of the proceedings before the magisterial district judge, see Rule 135.

The requirement for the magisterial district judge to maintain docket entries was abolished in 1985. However see the Comment to Rule 135 for the expectation that a docket will be maintained to assist in the preparation of the transcript.

The requirement in paragraph [ (C)(2) ] (E)(2) that all attorneys and their addresses be recorded makes certain there is a record of all attorneys who have appeared for any litigant in the case. The requirement also ensures that attorneys are served as required in Rules 114 and 576. See also Rule 576(B)(4) concerning certificates of service.

In those cases in which the attorney has authorized receiving service by facsimile transmission or electronic means, the docket entry required in paragraph [ (C)(2) ] (E)(2) must include the facsimile number or electronic address.

Paragraph [ (C)(4) ] (E)(4) recognizes that occasionally disposition of oral motions presented in open court should be reflected in the docket, such as motions and orders related to omnibus pretrial motions (Rule 578), motions for a mistrial (Rule 605), motions for changes in bail (Rule 529), and oral motions for extraordinary relief (Rule 704(B)).

**Official Note:** Former Rule 9024 adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; renumbered Rule 9025 June 2, 1994, effective September 1, 1994. New Rule 9024 adopted June 2, 1994, effective September 1, 1994; renumbered Rule 113 and amended March 1, 2000, effective April 1, 2001; rescinded March 3, 2004 and replaced by Rule 114(C), effective July 1, 2004. New Rule 113 adopted March 2, 2004, effective July 1, 2004; amended , 2011, effective , 2011.

*Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 34 Pa.B. 1561 (March 20, 2004).

**Report explaining the proposed amendment regarding public access criminal case records published at 41 Pa.B. 1009 (February 26, 2011).**

## REPORT

### *Proposed Amendments to Pa.R.Crim.P. 113*

#### **Public Access to Criminal Case Records**

The Supreme Court of Pennsylvania approved a policy on public access to paper records in the magisterial district courts on January 23, 2010. This policy was intended to complement the Court's policy on public access to electronic records that was adopted in 2007.<sup>1</sup> On January 27, 2010, the Chief Justice wrote to the Chairs of the Criminal Procedural Rules Committee and Minor Court Rules Committee asking that the Committees review the new policy and recommend any appropriate rule changes. The Chief Justice, in particular, drew the Committees' attention to Section 213.7 of the policy that provides that parties and their attorneys refrain from including certain confidential information in all documents and exhibits filed with the court.

The Committee reviewed the rules implications of the new policy at length. First, we noted that the only Rules of Criminal Procedure that requires any of the information listed in Section 213.7 are Rules 490 and 790 regarding the contents of expungement orders. The Committee concluded that no rule change was needed to address this particular question since expungement orders effectively are confidential and the use of this information in identifying cases for expungement still is needed.

The Committee also debated whether the general policy was sufficient and ultimately concluded that the bench and bar would benefit if the Criminal Rules specifically described the general parameters of public access to criminal case records. The Committee's belief in the necessity of such a rule is based on a recognition that

<sup>1</sup> There is currently no policy statement regarding the paper records of the court of common pleas.

there are a greater number of constitutionally-based issues that arise in criminal cases thus necessitating greater clarity in public accessibility. The Committee observed that criminal case records also have a greater potential for harm coming from disclosure, such as potential violence against witnesses or the invasion of the privacy of accused. Additionally, while the Administrative Office of the Pennsylvania Courts has gone to great efforts to publicize the Court's public access policies, the Criminal Procedural Rules are more familiar and accessible to members of the bench and bar and others working within the criminal justice system.

The first question was the placement of such a general rule. The Committee intends that the rule have a broader application than the Court's public access policies and be applicable to criminal records in both magisterial district courts and the common pleas courts and that it should be applicable to records regardless of whether they are in electronic form or traditional paper form. The Committee concluded that Rule 113 (Criminal Case File and Docket Entries) was the most logical placement for this amendment. Incorporating the new provisions into Rule 113 requires considerable modification because currently Rule 113 addresses only the record-keeping responsibilities of the clerk of courts and does not address that function in the magisterial district court.

The proposed amendments would add a new paragraph (B) to Rule 113 that would provide a statement of the duties of the magisterial district court judges to maintain the criminal case records in their courts along with cross-references in the Comment to the transcript rules. The language mirrors that contained in paragraph (A) regarding the duties of the clerks of courts. These amendments are not intended to impose any new duty upon the magisterial district judges.

Proposed new paragraph (C) would address the issue of public access. The approach the Committee decided upon was to have a broad statement of the general public accessibility of criminal case records but include what portions of the record would be excluded from this general provision. The Committee believes that the rule language itself should be relatively general and the exclusions not exhaustively listed where other provisions, in either rule or statute, provide for confidentiality.

The Committee had a lengthy discussion of what to include in the rule itself regarding exclusions. The Committee noted that the underlying concept of the Criminal Procedures Rules has been that the rules were designed to apply to the traditional view of the case record as the paper record. The Committee also noted that the exclusions from public access in the Court's MDJ Paper Records Policy are more limited than those contained in the Electronic Records Policy. Furthermore, the Committee did not intend for the rule to conflict with either of the Court's Public Access Policies but rather should compliment the policies while providing "criminal case-specific" guidance. Accordingly, the exclusions from public access contained in proposed paragraph (C) are based on, and compatible with, the exclusions contained in the Court's MDJ Paper Records Policy and are applicable to the courts of common pleas records as well. Although the focus of the language in the text of the rule is on the exclusions in the Paper Records Policy, a cross-reference to both public access policies would be added to the Comment. The cross-reference to the Electronic Records Policy would be included to alert the public that addi-

tional administrative restrictions are placed on access to court records when they are sought in an electronic format.

The exclusions listed in paragraph (C)(1) through (C)(4) are based on the exclusions set forth in Section 213.7 of the MDJ Paper Records Policy. These include any information sealed pursuant to a court order and any work product of judges or court staff contained in the criminal case file, unless otherwise required by law to be accessible to the public. Also is the provision that excludes social security numbers and financial information, such as financial institution account numbers, credit card account numbers, or debit card numbers, from any documents or exhibits filed with the issuing authority.

Paragraph (C) would also contain the exclusion from public access of any information to which access is restricted by federal law, state law, or state court rules or policies. This would permit the provisions existing currently within the Criminal Rules that limit public access to certain records to remain in force without the need to be listed exhaustively in Rule 113(C). For example, paragraph (C) of Rule 530 (Duties and Powers of A Bail Agency) provides that information obtained from or concerning the defendant by a bail agency shall not be disclosed except to the parties to the criminal case and may be used only for purposes relating to the defendant's bail or a presentence report about the defendant, or in a prosecution based on the falsity of the information, or for impeachment purposes to the extent permitted by law. Similarly, paragraphs (A)(5) and (B)(5) of Rule 500 (Preservation of Testimony After Institution of Criminal Proceedings) state that preserved testimony shall not be filed of record until it is offered into evidence at trial or other proceeding. Rule 703 (Disclosure of Pre-Sentence Reports) provides for the confidentiality of all pre-sentencing and related reports. Rule 212 provides limitations on access to pre-execution search warrants, and the Committee continues to work on the question of public access to arrest warrants. Cross-references to these exclusions as well as to other exclusions set forth in the Criminal Rules would be added to the Comment.

Proposed paragraph (C)(5) is based on the Electronic Records Policy and precludes personal contact information for victims, witnesses, and jurors from public access. This exclusion is not contained in the Paper Records Policy. The Committee believes the potential danger of harassment, intimidation, or worse, justifies the additional restriction on public access to the paper records in criminal cases.

The Committee also discussed the prospect that information contained in motions the results of which would be confidential might be considered publicly accessible. For example, a request for a mental health examination might contain information that should not be public. Although the proposal does not include a provision in the rule extending confidentiality to such filings, the Comment includes cautionary language reiterating that anything contained in a filed document would be accessible to the public and the filing party should seek a sealing order to maintain the confidentiality of the motion. Additionally, language would be added to the Comment referencing the practice of using the AOPC's Confidential Information Form that would be prepared when information necessary for case entry in the courts' computer systems should not be released to the public. If there is a requirement for



this information to be provided to the courts, such as a defendant's complete social security number, then it must be contained in a separate form that is not to be disclosed to the public.

[Pa.B. Doc. No. 11-322. Filed for public inspection February 25, 2011, 9:00 a.m.]

[ 234 PA. CODE CH. 7 ]

**Proposed Amendments to Pa.R.Crim.P. 708 and Revision of the Comment to Pa.R.Crim.P. 701**

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rule of Criminal Procedure 708 and approve the revision of the Comment to Rule of Criminal Procedure 701 to make clear that a defendant at the time of sentencing in probation, intermediate punishment, or parole violation cases also may plead guilty to other offenses the defendant has committed within the jurisdiction of the sentencing court. The Committee also is proposing the revision of the Comments to Rules 701 and 708 to alert the bench and bar to the requirements of the Crime Victims Act in the context of guilty pleas to multiple offenses. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

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

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

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

Anne T. Panfil, Counsel  
 Supreme Court of Pennsylvania  
 Criminal Procedural Rules Committee  
 Pennsylvania Judicial Center  
 601 Commonwealth Ave., Suite 6200  
 P. O. Box 62635  
 Harrisburg, PA 17106-2635  
 fax: (717) 231-9521  
 e-mail: criminalrules@pacourts.us

no later than Friday, April 1, 2011.

*By the Criminal Procedural Rules Committee*

RISA VETRI FERMAN,  
*Chair*

**Annex A**

**TITLE 234. RULES OF CRIMINAL PROCEDURE  
 CHAPTER 7. POST-TRIAL PROCEDURES IN  
 COURT CASES**

**PART A. Sentencing Procedures**

**Rule 701. Pleas of Guilty to Multiple Offenses.**

\* \* \* \* \*

**Comment**

The objective of this rule is to enable consolidation of all outstanding charges within the jurisdiction of the sentencing court for sentencing at one time.

**This rule applies when a defendant is to be sentenced following a finding that the defendant violated his or her probation, intermediate punishment, or parole. See Rule 708(D) for the sentencing procedures in probation, intermediate punishment, or parole violation cases.**

**When a defendant is permitted to plead guilty to multiple offenses as provided in paragraph (A), if any of the other offenses involves a victim, the sentencing proceeding must be delayed to afford the Commonwealth adequate time to contact the victim(s), and to give the victim(s) an opportunity to offer prior comment on the sentencing or to submit a written and oral victim impact statement. See the Crime Victims Act, 18 P. S. 11.201(5).**

**Official Note:** Rule 1402 adopted July 23, 1973, effective 90 days hence; renumbered Rule 701 and amended March 1, 2000, effective April 1, 2001; **Comment revised , 2011, effective , 2011.**

*Committee Explanatory Reports:*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

**Report explaining the proposed revision of the Comment concerning probation violation cases and the Crime Victims Act published at 41 Pa.B. 1012 (February 26, 2011).**

**Rule 708. Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition.**

\* \* \* \* \*

**(C) Before the imposition of sentence,**

**(1) the defendant may plead guilty to other offenses that the defendant committed within the jurisdiction of the sentencing court.**

**(2) When such pleas are accepted, the court shall sentence the defendant for all the offenses.**

**(D) Sentencing Procedures**

\* \* \* \* \*

**[ (D) ] (E) Motion to Modify Sentence**

A motion to modify a sentence imposed after a revocation shall be filed within 10 days of the date of imposition. The filing of a motion to modify sentence will not toll the 30-day appeal period.

**Comment**

\* \* \* \* \*

The judge may not revoke probation or parole on arrest alone, but only upon a finding of a violation thereof after a hearing, as provided in this rule. However, the judge need not wait for disposition of new criminal charges to hold such hearing. See *Commonwealth v. Kates*, 452 Pa. 102, 305 A.2d 701 ([ Pa. ] 1973).

This rule does not govern parole cases under the jurisdiction of the Pennsylvania Board of Probation and Parole, but applies only to the defendants who can be paroled by a judge. See 61 P.S. § 314. See also *Georgevich v. Court of Common Pleas of Allegheny County*, 510 Pa. 285, 507 A.2d 812 ([ Pa. ] 1986).

This rule was amended in 1996 to include sentences of intermediate punishment. See 42 Pa.C.S. §§ 763 and 9773. Rules 704, 720, and 721 do not apply to revocation cases.

The objective of the procedures enumerated in paragraph (C) is to enable consolidation of all outstanding charges within the jurisdiction of the sentencing court for sentencing at one time. See Rule 701.

When a defendant is permitted to plead guilty to multiple offenses as provided in paragraph (C), if any of the other offenses involves a victim, the sentencing proceeding must be delayed to afford the Commonwealth adequate time to contact the victim(s), and to give the victim(s) an opportunity to offer prior comment on the sentencing or to submit a written and oral victim impact statement. See the Crime Victims Act, 18 P. S. 11.201(5).

Issues properly preserved at the sentencing proceeding need not, but may, be raised again in a motion to modify sentence in order to preserve them for appeal. In deciding whether to move to modify sentence, counsel must carefully consider whether the record created at the sentencing proceeding is adequate for appellate review of the issues, or the issues may be waived. See *Commonwealth v. Jarvis*, 444 Pa. Super. 295, 663 A.2d 790, 791-2, n. 1 ([ Pa. Super. ] 1995). As a general rule, the motion to modify sentence under paragraph [ (D) ] (E) gives the sentencing judge the earliest opportunity to modify the sentence. This procedure does not affect the court's inherent powers to correct an illegal sentence or obvious and patent mistakes in its orders at any time before appeal or upon remand by the appellate court. See, e.g., *Commonwealth v. Jones*, 520 Pa. 385, 554 A.2d 50 ([ Pa. ] 1989) (sentencing court can, *sua sponte*, correct an illegal sentence even after the defendant has begun serving the original sentence) and *Commonwealth v. Cole*, 437 Pa. 288, 263 A.2d 339 ([ Pa. ] 1970) (inherent power of the court to correct obvious and patent mistakes).

Under this rule, the mere filing of a motion to modify sentence does not affect the running of the 30-day period for filing a timely notice of appeal. Any appeal must be filed within the 30-day appeal period unless the sentencing judge within 30 days of the imposition of sentence expressly grants reconsideration or vacates the sentence. See *Commonwealth v. Coleman*, 721 A.2d 798, 799, fn. 2 (Pa. Super. 1998). See also Pa.R.A.P. 1701(b)(3).

Once a sentence has been modified or reimposed pursuant to a motion to modify sentence under paragraph [ (D) ] (E), a party wishing to challenge the decision on the motion does not have to file an additional motion to modify sentence in order to preserve an issue for appeal, as long as the issue was properly preserved at the time sentence was modified or [ reimposed ] re-imposed.

**Official Note:** Rule 1409 adopted July 23, 1973, effective 90 days hence; amended May 22, 1978, effective as to cases in which sentence is imposed on or after July 1, 1978; Comment revised November 1, 1991, effective January 1, 1992; amended September 26, 1996, effective January 1, 1997; Comment revised August 22, 1997, effective January 1, 1998; renumbered Rule 708 and amended March 1, 2000, effective April 1, 2001; amended February 26, 2002, effective July 1, 2002; amended , 2011, effective , 2011.

*Committee Explanatory Reports:*

\* \* \* \* \*

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [ 1477 ] 1478 (March 18, 2000).

Final Report explaining the February 26, 2002 amendments concerning the 30-day appeal period published with the Court's Order at 32 Pa.B. 1394 (March 16, 2002).

Report explaining the proposed amendments to paragraph (C) concerning multiple guilty pleas and the Comment concerning the Crime Victims Act published at 41 Pa.B. 1012 (February 26, 2011).

#### REPORT

#### *Proposed Amendments to Pa.R.Crim.P. 708 and Revision of the Comment to Pa.R.Crim.P. 701*

#### **Pleas of Guilty to Multiple Offenses; Crime Victims Act**

The Committee undertook a review of Rules 701 (Pleas of Guilty to Multiple Offenses) and 708 (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition) after receiving inquiries asking whether a defendant who is being sentenced for a probation, intermediate punishment, or parole violation would be able to plead guilty to other offenses pursuant to Rule 701.

Rule 701 permits a defendant, before the imposition of sentence, to plead guilty to other offenses the defendant has committed that are within the jurisdiction of the sentencing court. The Rule 701 Comment explains the objective of this rule is "to enable consolidation of all outstanding charges within the jurisdiction of the sentencing court for sentencing at one time."

When Rule 701 was adopted in 1973,<sup>1</sup> the Committee observed that the rule reflects sound sentencing policy, noting that this is consistent with the positions of the American Bar Association, the Pennsylvania Bar Association, and the Task Force on Corrections of the National Advisory Commission on Criminal Justice Standards and Goals.

The benefits of this policy are stated in the *ABA Standards for Criminal Justice*, Chapter 14—Pleas of Guilty, Standard 14.1.2 (1999) Commentary

Allowing for consolidated guilty pleas enables a defendant to be sentenced simultaneously on all charges that he or she is facing in that government's courts. This reduces the governmental resources that must be devoted to the cases, while also allowing the defendant to take full advantage of any concurrent sentencing options that may be available. By pleading to all offenses simultaneously, the defendant can complete his or her sentence without facing these additional charges, and can avoid the risk of having a detainer filed against the defendant on these other charges while serving his or her sentence.

Rule 708(C) (Violation of Probation, Intermediate Punishment, or Parole: Hearing and Disposition) provides sentencing procedures comparable to paragraph (C) of Rule 704 (Procedure at Time of Sentencing). The Committee reasoned that the provisions of Rule 701 should apply to sentencing proceedings following trials and probation, intermediate punishment, or parole violations since the sentencing proceeding in a probation violation case is comparable to a sentencing proceeding following a trial. They also believe the same reasons articulated in support of permitting pleas to multiple offenses after trial apply equally well to sentencing in probation, intermediate punishment, and parole violation cases. Furthermore, the members noted that this practice already is occurring in a

<sup>1</sup> Rule 701, originally numbered Rule 1402, was renumbered Rule 701 in 2000 as part of comprehensive renumbering and reorganization of the Rules.

number of judicial districts. However, because there appears to be confusion among some members of the bench and bar, the members agreed it makes sense to add some clarifying language to the Rule 701 Comment and to Rule 708. Accordingly, the Rule 701 Comment would be revised by the addition of a new paragraph that states that Rule 701 applies in sentencing proceedings under Rule 708. Rule 708 would be amended by adding a new paragraph (C) that incorporates the procedures in Rule 701 for a defendant to plead guilty to other offenses the defendant has committed within the jurisdiction of the sentencing court.

During the Committee's consideration of Rules 701 and 708, some members observed that neither rule specifically recognizes the provisions of the Crime Victims Act, 18 P. S. § 11.201(5), which requires, *inter alia*, that victims be given an opportunity to offer comment about the defendant's sentence prior to the sentencing. Without some accommodation for delay in sentencing in Rules 701 and 708, the case could run afoul of the Crime Victims Act. The Committee concluded adding a reference to the Crime Victims Act in the Comments to both Rules 701 and 708 would ensure that the bench and bar is aware of their responsibilities under the Crime Victims Act. The proposed new Comment provisions would make it clear that the sentencing proceeding must be delayed when there is a victim for any of the other offenses to which the defendant is pleading guilty. The Comment explains the delay is necessary to afford the Commonwealth adequate time to contact the victim and give the victim an opportunity to offer input as required by the Crime Victims Act, and includes a citation to the Act.

[Pa.B. Doc. No. 11-323. Filed for public inspection February 25, 2011, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

#### [ 237 PA. CODE CH. 1 ]

#### Proposed Amendments to Rule 152

The Juvenile Court Procedural Rules Committee is planning to recommend modifications to Rule 152 to the Supreme Court of Pennsylvania.

The Committee has debated the issue of waiver of counsel since its inception as a committee in 2001. The unfortunate circumstances that came to light in Luzerne County brought this subject to the forefront more recently. The Committee then re-opened its debate on the important issue of waiver of counsel, which is complex in nature and has potential implications on the juvenile's constitutional rights.

The Committee is soliciting public input on the following proposal. The Committee is reserving its Report until after public comment has been received.

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

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

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

All comments shall be received no later than April 27, 2011. No deadline extensions will be granted.

By the Juvenile Court  
Procedural Rules Committee

CYNTHIA K. STOLTZ, Esq.,  
Chair

### Annex A

#### TITLE 237. JUVENILE RULES

#### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

#### CHAPTER 1. GENERAL PROVISIONS

#### PART B. COUNSEL

#### Rule 152. Waiver of Counsel.

A. *Waiver requirements.* A juvenile may [ **not** ] waive the right to counsel [ **unless**:

1) **the waiver is knowingly, intelligently, and voluntarily made; and ] if:**

1) **the attorney for the Commonwealth or the juvenile probation officer is not seeking overnight placement outside of the home as a case disposition;**

2) **the petitioned offense(s) is not murder, any other felony, or enumerated first-degree misdemeanor that affects a future prior record score; and**

3) **the court conducts [ a ] an on the record colloquy with the juvenile [ on the record ] and determines that the waiver is knowingly, intelligently, and voluntarily made.**

B. *Colloquy of the juvenile.* In determining whether the waiver of counsel is knowingly, intelligently, and voluntarily made pursuant to paragraph (A)(3), the court, on the record, shall ask the juvenile questions to elicit:

1) **the reasons why the juvenile wants to waive counsel;**

2) **information regarding the juvenile's:**

a) **age;**

b) **maturity;**

c) **education;**

d) **mental health issues, if any; and**

e) **any current alcohol or drug issues that may impair the juvenile's decision-making skills;**

3) **the juvenile's understanding of the:**

a) **right to an attorney, including the provisions of Rule 151;**

b) **juvenile's role when proceeding *pro se*;**

c) **allegations in the petition against the juvenile;**



d) possible consequences if the juvenile is found delinquent; and

4) the juvenile's opportunity to consult with the juvenile's guardian and an attorney.

C. *Stand-by counsel.* The court may assign stand-by counsel if the juvenile waives counsel at any proceeding or stage of a proceeding.

[ C. *Notice and* ] D. *Applicability, revocation, and notice of waiver.* [ If a juvenile waives counsel for any proceeding, the waiver only applies to that proceeding, and the juvenile may revoke the waiver of counsel at any time. ]

1) At any subsequent proceeding, the juvenile shall be informed of the right to counsel.

2) **Revocation of waiver.** The juvenile may revoke the waiver of counsel at any time.

3) Where the juvenile has waived counsel and the case has proceeded to adjudication and disposition, and the court at the dispositional hearing declines to accept the Commonwealth's and/or juvenile probation officer's recommendation that disposition not include overnight placement outside of the home, or the Commonwealth or juvenile probation officer seeks overnight placement outside of the home, upon the juvenile's written or on the record oral request, the juvenile shall be awarded new adjudicatory and dispositional hearings before a different judge and with counsel. The court should notify the juvenile of the availability of this relief prior to entering the dispositional order.

4) If at a modification or revocation proceeding, or whenever the Commonwealth, juvenile probation officer, or the court seeks a change in the dispositional order that could result in overnight placement outside of the home, in accord with paragraph (A)(1), the juvenile may not waive counsel.

#### Comment

[ It is recommended that, at a minimum, the court ask questions to elicit the following information in determining a knowing, intelligent, and voluntary waiver of counsel:

1) Whether the juvenile understands the right to be represented by counsel;

2) Whether the juvenile understands the nature of the allegations and the elements of each of those allegations;

3) Whether the juvenile is aware of the dispositions, community service, or fines that may be imposed by the court;

4) Whether the juvenile understands that if he or she waives the right to counsel, he or she will still be bound by all the normal rules of procedure and that counsel would be familiar with these rules;

5) Whether the juvenile understands that there are possible defenses to these allegations that counsel might be aware of, and if these defenses are not raised at the adjudicatory hearing, they may be lost permanently;

6) Whether the juvenile understands that, in addition to defenses, the juvenile has many rights that, if not timely asserted, may be lost permanently; and if errors occur and are not timely

objected to, or otherwise timely raised by the juvenile, these errors may be lost permanently;

7) Whether the juvenile knows the whereabouts of absent guardians and if they understand they should be present; and

8) Whether the juvenile has had the opportunity to consult with his or her guardian about this decision. ]

Because of the ramifications of a juvenile record, it is important that every safeguard is taken to ensure that all constitutional and procedural guarantees and rights are preserved. Juveniles should not feel pressured to waive counsel or be the subject of any proactive pursuit for obtaining a waiver.

Therefore, the court may not allow the juvenile to waive counsel when: 1) the attorney for the Commonwealth or the juvenile probation officer is seeking overnight placement outside of the home as a case disposition; or 2) the offense(s) petitioned is a felony or one of the enumerated first-degree misdemeanors, including, as enumerated in 204 Pa. Code § 303.7, the following: a) Possessing Instruments of Crime; b) Prohibited Offensive Weapons; c) Use or Possession of Electric or Electronic Incapacitation Device; d) Possession of a Weapon on School Property; e) Possession of a Firearm or other Dangerous Weapon in Court Facility; f) Violations of the Pennsylvania Uniform Firearm Act; g) Involuntary Manslaughter (child victim); h) Luring a Child into a Vehicle; i) Indecent Assault (Complainant less than 13 years of age); j) Indecent Exposure (persons present are less than age 16); k) Endangering the Welfare of Children; l) Dealing in Infant Children; m) Corruption of Minors (of a sexual nature); n) Unlawful Contact or Communication with a Minor; and o) Driving Under the Influence (2nd and subsequent offense); and p) Operating a Watercraft Under the Influence of Alcohol or a Controlled Substance (except for a first lifetime conviction or adjudication).

In other cases, the court may allow waiver of counsel if it is knowingly, intelligently, and voluntarily made. However, there are an overwhelming number of articles, research, and statistics that conclude most juveniles, especially those under the age of fourteen, may not have the capacity to understand fully the waiver of a constitutional right. For these reasons, the court is to explore thoroughly the capacity of the juvenile to make a knowing, intelligent, and voluntary waiver to ensure the juvenile does understand the implications of giving up the right to an attorney and is competent to proceed *pro se*.

As provided in paragraph (B), the court is to conduct a colloquy with the juvenile. The court is encouraged to use plain and developmentally appropriate language that the juvenile can understand. There is to be a dialogue between the court and the juvenile. This dialogue should not be limited to questions from the court that can be answered "yes" or "no," but should attempt to elicit responses from the juvenile to help the court ascertain the competency and maturity of the juvenile in determining if the waiver is knowingly, intelligently, and voluntarily made. A juvenile's knowledge of the law should not be confused with competency or the ability to make an informed decision.

Pursuant to paragraph (B), the first question that the court is to ask the juvenile is why the juvenile wants to waive counsel. Juveniles have many misperceptions about their right to counsel, the role of counsel, and the consequences and future ramifications of a delinquency adjudication. The judge can dispel those misperceptions. For example, if the juvenile states that he did not obtain an attorney because his parents will not pay for or cannot afford an attorney, the court can inform the juvenile that the court will provide an attorney. Another example could be that if the juvenile states that she does not need an attorney because it is only a juvenile offense, the court can explain the complexity of the proceedings, the consequences and future ramifications of a delinquency adjudication, and that it might be helpful to the juvenile to have an attorney. If, at any time, the juvenile requests an attorney or the court believes the waiver is not knowingly, intelligently, and voluntarily made, the court shall appoint counsel pursuant to Rule 151.

After the court has determined why the juvenile wants to waive counsel, the following types of questions should be asked: 1) Did you have the opportunity to talk with a lawyer about your desire to waive your right to a lawyer and what was the outcome of that consultation? 2) What do you understand about your right to have a lawyer? 3) What would you be required to do when acting as your own lawyer? 4) What is the nature of the allegations petitioned against you and what are the elements of each of those allegations? 5) What are the possible dispositions or fines that the court may impose if you are found delinquent? 6) What ramifications will a delinquency adjudication have in your future? 7) Are your guardians present with you, have you had the opportunity to consult with them about your decision to waive the right to counsel, and what are their concerns?

When discussing a question about acting as your own lawyer, the court is to address the following: 1) the requirements to know when to make motions, make objections, enter evidence, and raise possible defenses; 2) understanding the Rules of Juvenile Court Procedure, statutory authority, and case law; 3) knowing the burden of proof and upon whom it is imposed; and 4) knowing how to preserve issues for appeal.

When discussing a question concerning possible dispositions or fines, the court is to address the following: 1) depending upon subsequent conduct, the juvenile may be detained in a placement facility even if the juvenile is originally placed on probation or in a day treatment program; 2) the court has jurisdiction over the juvenile until the juvenile is twenty-one years of age; 3) the juvenile's driving privileges may be suspended or will be suspended in the future; and 4) the juvenile may be expelled from school.

When discussing a question concerning the possible ramifications of a delinquency adjudication, the court is to address the following: 1) the juvenile may have difficulty in obtaining a job, enlisting in military service, or getting accepted into college; 2) juvenile records are not automatically expunged when the juvenile becomes an adult; and 3) that the juvenile's eligibility for public benefits and housing

may be affected; 4) the juvenile may not be able to carry a firearm in the future; and 5) the juvenile may not be able to serve as a juror.

From the totality of all the information received, the court is to determine if the waiver is knowingly, intelligently, and voluntarily made pursuant to paragraph (A)(3). The court, on the record, is to state its findings and conclusion that formed the basis of its determination.

If it is determined that the juvenile has not knowingly, intelligently, and voluntarily waived counsel, the court immediately is to appoint counsel for the juvenile. If it is determined that the juvenile has made a knowing, intelligent and voluntary waiver, the court may appoint stand-by counsel for all proceedings provided in paragraph (C).

The role of stand-by counsel is to: 1) offer legal advice on all issues; 2) step in to represent the juvenile for any issue that the juvenile requests assistance; and 3) take over representation if the court determines at any point that the juvenile is unable to adequately continue representation.

Paragraph (D)(3) of this rule recognizes that a juvenile may waive counsel in reliance upon the Commonwealth's and/or juvenile probation officer's assertion that neither is seeking overnight placement outside of the home as a case disposition, but the court at a dispositional hearing may reject such recommendations and order that the juvenile be removed to overnight placement outside of the home. Under such circumstances, the juvenile is to be permitted to revoke the waiver of counsel and to proceed to a new adjudicatory and dispositional hearing before a different judge and with counsel. However, there are potential double jeopardy implications to awarding the juvenile a new proceeding after completion of the adjudication of delinquency. For this reason, the rule explicitly requires that the juvenile request such relief on the record through oral or written motion. The rule's intent is to ensure that when the juvenile affirmatively requests a new adjudicatory and dispositional hearing, the juvenile waives any right to assert double jeopardy.

This rule is not meant to preclude the guardian's presence at any hearing. **Indeed, the presence and active participation of a guardian should be welcomed. During the colloquy which is the subject of this rule, the court should feel free to elicit information from the guardian.** As provided in Rule 131 and the Juvenile Act, 42 Pa.C.S. §§ 6310, 6335(b), and 6336.1, the court can order the guardian's presence if the court determines that it is in the best [interests] interest of the juvenile. When conducting the colloquy, the court should also keep in mind the age, maturity, intelligence, and mental condition of the juvenile, as well as, the experience of the juvenile, the juvenile's ability to comprehend, the guardian's presence and consent, and the juvenile's prior record.

This rule requires the juvenile to waive the right to counsel. A guardian may not waive the juvenile's right to counsel. To implement this rule, Rule 800 suspends 42 Pa.C.S. § 6337 only to the extent that the right to waiver of counsel belongs to the juvenile and the guardian may not waive the right for the juvenile.

**Official Note:** Rule 152 adopted April 1, 2005, effective October 1, 2005.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 152 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

[Pa.B. Doc. No. 11-324. Filed for public inspection February 25, 2011, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### CARBON COUNTY

#### Preliminary Arraignment—Policy and Procedures; No. CP-13-AD-000002-2011

##### Administrative Order No. 6-2011

*And Now*, this 14th day of February, 2011, in order to create systematic procedures for preliminary arraignments during normal business hours and outside normal business hours utilizing video conferencing as indicated, it is hereby

*Ordered and Decreed*, that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas *Adopts* the following policy and procedures for Preliminary Arraignment for every adult person arrested.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies, one (1) computer diskette and a copy of the written notification received from the Criminal Procedural Rules Committee with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of this Administrative Order on the Unified Judicial System's website at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Order in the Clerk of Courts' Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

#### Carbon County Arrest and Central Booking Policy and Procedures

1. Preliminary Arraignment Procedures
  - A. During Normal Office Hours

1. If the criminal complaint is completed so that the defendant may be arraigned by the Magisterial District Judge (MDJ) during their normal operating hours of 8:30 A.M. to 12:00 noon and 1:00 PM to 4:30 PM Monday through Friday, exclusive of holidays, the arresting officer shall proceed to the office of the MDJ who issued the warrant or within whose jurisdiction the offense occurred for preliminary arraignment.

#### B. Outside Normal Business Hours

1. If the defendant cannot be arraigned during the MDJ's normal operating hours, the police officer shall contact the on-call MDJ through the Communications Center (Comm. Center) to conduct a preliminary arraignment. The arresting officer shall contact the Comm. Center by telephone to request an arraignment as follows:

- a. Upon the arrest of a defendant pursuant to a warrant, and
- b. After the completion of the criminal complaint when an "on-view" arrest occurs which requires an immediate preliminary arraignment.

2. An information sheet for a public defender should be given to the defendant. The MDJ will go over this form with the defendant.

3. The arresting officer shall conduct a video after-hours arraignment from their police station unless the Magisterial District Judge requests an in court arraignment or the arrest occurs within the same municipality as the Magisterial District Court. Prior to the arraignment the arresting officer shall fax the following paperwork to the MDJ location:

- a. Criminal complaint and probable cause affidavit;
- b. Victim Notification form;
- c. Police information for MDJ to set bail form;
- d. Detainers; and
- e. CLEAN rap sheet.

4. When the MDJ is ready for the arraignment to begin, he will notify the police officer and fax any necessary paperwork back.

5. The police officer will then utilize the on-screen video arraignment connection from the police department and the MDJ will announce the beginning of the proceedings before the court and to the defendant.

6. It is the duty and obligation of the police officer to assure that the defendant being arraigned can clearly see and hear the actions of the Magisterial District court before him/her and be sure that all background noises are to a minimum. The MDJ will also confirm same.

7. Upon completion of the arraignment, the police officer shall speak to the MDJ and be notified of the disposition of the defendant. (Bail, ROR or incarceration) The MDJ will also notify the defendant of his/her disposition.

8. The MDJ will fax back the necessary paperwork as follows:

- a. In the event of incarceration:
  1. Signed criminal complaint;
  2. Signed probable cause affidavit;
  3. Notice of preliminary hearing;
  4. Commitment;
  5. Release of Prisoner;
  6. Bail conditions;
  7. Bail bond;
  8. Surety; and
  9. Related Forms.
- b. In the event of bail release:
  1. Signed criminal complaint;



2. Signed probable cause affidavit;
3. Notice of preliminary hearing;
4. Bail bond;
5. Surety; and
6. Related Forms

9. Bail bond must be signed by the defendant. The form must be faxed back to the arraignment MDJ. A copy is made for the arraignment folder.

10. Surety information page will be signed by the defendant in the event of unsecured bail. This form must be faxed back to the arraignment MDJ. A copy is made for the arraignment folder.

11. The defendant shall receive a copy of all paperwork.

12. A copy of all paperwork shall be placed in the arraignment folder and given to the Magisterial District Court for distribution.

13. All original documents are to be placed in the arraignment folder and delivered by the police officer.

14. In the event of incarceration, a copy of the commitment, bail information, surety information, police criminal complaint and probable cause affidavit as well as victim notification form and any other detainers received from CLEAN shall be made for the commitment folder.

15. The arresting police department shall receive a copy of the arrest warrant, criminal complaint, probable cause affidavit, notice of preliminary arraignment, notice of preliminary hearing, clean rap sheet, victim notification form, commitment, detainer, release of prisoner, bail conditions, bail bond, and surety information page.

16. The arraignment folder will have an "arraignment folder checklist" stapled to the inside of the folder and shall include a copy of the following paperwork: criminal complaint, probable cause affidavit, notice of preliminary arraignment, notice of preliminary hearing, detainers, victim notification form, clean rap sheet original, commitment, release of prisoner, bail conditions, bail bond, and surety information page.

17. The police officer will be responsible to fax all pertinent paperwork back to the MDJ. The MDJ's office will be responsible for making copies and distributing the paperwork to the proper persons. Booking center files will be kept and maintained by the Carbon County Correctional Facility.

18. Once the preliminary arraignment is completed by the MDJ, the defendant shall be provided with the opportunity to post bail with the office of the MDJ or the Carbon County Correctional Facility. The defendant's opportunity to post bail prior to being incarcerated shall be a reasonable time determined by the MDJ.

19. If the defendant posts bail, he/she shall be released immediately and provided with the following information:

a. If the defendant posts bail, the MDJ shall verbally advise the defendant of the requirement to appear at the Carbon County Correctional Facility or Pennsylvania State Police Barracks prior to his/her preliminary hearing for fingerprinting.

b. The MDJ shall also issue a fingerprint order, AOPC Form 405-05, which shall order the defendant to call the Carbon County Correctional Facility or appear at the Pennsylvania State Police Barracks for electronic fingerprinting and photos.

c. A receipt for bail shall be issued to the defendant or bail poster.

d. Arresting officer shall remain with the defendant until the bail is posted at the MDJ office.

20. If the defendant was arraigned at the MDJ's office or by video-arraignment procedures and fails to post bail, the arresting officer shall transport the defendant to the Carbon County Correctional Facility for booking.

#### Preliminary Hearings

A. Prior to the commencement of the preliminary hearing, the defendant must be processed through Livescan/CPIN.

B. If the defendant appears at the preliminary hearing after having failed to be processed through Livescan/CPIN as he/she was advised to do at the preliminary arraignment, the MDJ shall have the following options:

1. Require that the defendant submit to Livescan/CPIN processing prior to the commencement of the preliminary hearing at the Magisterial District Court; or

2. Continue the preliminary hearing and order the defendant to be processed through Livescan/CPIN at a specific time and date prior to the continued preliminary hearing.

3. Conduct the preliminary hearing and set bail conditions to ensure compliance with Livescan/CPIN processing prior to the next scheduled Common Pleas Court event.

C. Each defendant shall be assessed a fee of \$100.00 for Livescan/CPIN processing as required by 42 Pa.C.S.A. 1725.5 unless the defendant prepaes the Livescan/CPIN processing fee of \$75.00.

[Pa.B. Doc. No. 11-325. Filed for public inspection February 25, 2011, 9:00 a.m.]

## MONTGOMERY COUNTY

### Administrative Order 2011—Mediator Compensation Pursuant to Local Rule of Civil Procedure \*1940.8; AD 41-2011

#### Order

*And Now*, this 27th day of January, 2011, pursuant to Montgomery County Local Rule of Civil Procedure \*1940.8, the Court hereby establishes the rate of mediator compensation for the Court's custody mediation orientation session at two hundred dollars (\$200.00). This rate shall be effective March 1, 2011, and shall remain in effect until further Order of this Court.

*By the Court*

RICHARD J. HODGSON,  
*President Judge*

[Pa.B. Doc. No. 11-326. Filed for public inspection February 25, 2011, 9:00 a.m.]

# PROPOSED RULEMAKING

## PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 401a AND 405a ]

### Preliminary Provisions; Bureau of Investigations and Enforcement

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(25) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. §§ 1202.1 and 1516.1 (relating to code of conduct; and prosecutorial and adjudicatory functions) proposes to amend Chapters 401a and 405a (relating to preliminary provisions; and Bureau of Investigations and Enforcement) to read as set forth in Annex A.

#### *Purpose of the Proposed Rulemaking*

In accordance with revisions made to 4 Pa.C.S. Part II (relating to gaming) as part of the act of January 7, 2010 (P. L. 1, No. 1), the Board is proposing to amend Chapters 401a and 405a regarding ex parte communications and the separation of the adjudicatory functions of the Board or a presiding officer of the Board from the investigatory and prosecutorial functions of the Office of Enforcement Counsel (OEC) and the Bureau of Investigations and Enforcement (Bureau).

#### *Explanation of Chapter 401a*

Section 401a.3 (relating to definitions) amends the definition of “ex parte communication” for consistency with 4 Pa.C.S. Part II.

Section 401a.5 (relating to adjudicatory function of the Board; ex parte communications) is proposed to specify that the adjudicatory capacity of the Board or presiding officer will not be commingled with the prosecutorial or investigatory functions of the Bureau or OEC.

This section also addresses the prohibition on a Board member, presiding officer or an attorney from the Office of Chief Counsel who is advising the Board from engaging in ex parte communications with any person including an applicant, licensee, the Bureau or an attorney for the OEC. If a Board member, presiding officer or attorney from the Office of Chief Counsel does engage in an ex parte communication, the communication will be documented and notification of the communication and an opportunity to respond will be given to all parties. In addition to documenting the ex parte communication in a log, a member or presiding officer may be required to recuse himself. Section 401a.5(e) addresses the procedure for recusal of a presiding officer or Board member who engages in an ex parte communication that creates substantial reasonable doubt as to the individual’s ability to act objectively, independently or impartially.

#### *Explanation of Chapter 405a*

Section 405a.1 (relating to general duties and powers) is amended to reiterate that the Bureau is independent of the Board, the Office of Hearings and Appeals and the Office of Chief Counsel and that the Bureau alone will dictate the scope and course of a background investigation without direction or limitation by the Executive Director or the Chief Counsel of the Board.

Section 405a.3(a)(7) (relating to Office of Enforcement Counsel) is proposed to reflect the additional authority given to OEC to petition the Board for the appointment of a trustee in accordance with section 1332 of the act (relating to appointment of trustee).

Section 405a.4 (relating to conduct) is amended for clarity.

#### *Affected Parties*

This proposed rulemaking affects presiding officers and members of the Board, the Office of Chief Counsel advising the Board as well as employees of the Bureau or OEC.

#### *Fiscal Impact*

*Commonwealth*—It is not anticipated that this proposed rulemaking will have a fiscal impact on the Board.

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

*Private sector*—This proposed rulemaking will not have fiscal impact on the private sector.

*General public*—This proposed rulemaking will have no fiscal impact on the general public.

#### *Paperwork Requirements*

There are no paperwork requirements associated with this proposed rulemaking.

#### *Effective Date*

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

#### *Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking, within 30 days after the date of publication in the *Pennsylvania Bulletin*, to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention; Public Comment on Table Game Equipment, Regulation # 125-141.

#### *Contact Person*

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

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 14, 2011, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees. A copy of this material is available to the public upon request and is available on the Board’s web site at [www.pgcb.state.pa.us](http://www.pgcb.state.pa.us).

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory

review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

GREGORY C. FAJT,  
*Chairperson*

**Fiscal Note:** 125-141. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART VII. GAMING CONTROL BOARD**

**Subpart A. GENERAL PROVISIONS**

**CHAPTER 401a. PRELIMINARY PROVISIONS**

**§ 401a.3. Definitions.**

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

\* \* \* \* \*

*Ex parte communication*—

(i) Any off-the-record [ **communications regarding communication engaged in or received by a member or presiding officer of the Board regarding the merits of or any fact in issue relating to** a pending matter before the Board **or presiding officer** or which may reasonably be expected to come before the [ **board Board or presiding officer** in a contested on-the record proceeding.

(ii) The term does not include [ **off** ] the following:

(A) Off-the-record communications by [ **and between members, staff and employees of the Board** ] or between a member or presiding officer of the Board, the Department, the Pennsylvania State Police, the Attorney General or other law enforcement [ **officials necessary for their official duties under this part** ] official prior to the beginning of the proceeding solely for the purpose of seeking clarification or correction to evidentiary materials intended for use in the proceedings.

(B) Communications between the Board or a member and the Office of Chief Counsel.

\* \* \* \* \*

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

**§ 401a.5. Adjudicatory function of the Board; ex parte communications.**

(a) The Board or a presiding officer acts in an adjudicatory capacity when considering any matter presented for a decision by the Board or presiding officer in a contested on-the-record proceeding. To ensure the integrity and impartiality of the Board or presiding officer acting in an adjudicatory capacity, there will not be commingling of the adjudicatory functions of the Board or presiding officer and the investigatory or prosecutorial functions of the Bureau of Investigations and Enforcement or Office of Enforcement Counsel.

(b) When acting in an adjudicatory capacity regarding the facts at issue or merits of a matter pending before the Board or presiding officer, or which may reasonably be

expected to come before the Board or presiding officer in a contested on-the-record proceeding, a member or presiding officer of the Board or an attorney from the Office of Chief Counsel who is advising the Board on the matter may not engage in an ex parte communication with any person including the Bureau of Investigations and Enforcement or the Office of Enforcement Counsel.

(c) An ex parte communication received or engaged in by a member or presiding officer of the Board will be recorded in a log which will be available for public inspection at the Board's office during normal business hours and will be posted on the Board's web site. The log must include:

- (1) The name of the individual documenting the ex parte communication.
- (2) The date and time of the ex parte communication.
- (3) The names of all individuals involved in the ex parte communication.
- (4) The subject discussed.

(d) In addition to documenting an ex parte communication in accordance with subsection (c), notification of the substance of the communication and an opportunity to respond will be provided to all parties to a hearing or other proceeding directly affected by the anticipated vote or action of the Board or presiding officer related to the ex parte communication.

(e) A member or presiding officer of the Board may be required to recuse himself if substantial reasonable doubt exists as to the individual's ability to act objectively, independently or impartially in a hearing or proceeding as follows:

(1) A member or presiding officer of the Board who engaged in or received an ex parte communication will recuse himself from any hearing or other proceeding related to the ex parte communication if the context and substance of the ex parte communication creates substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially.

(2) A member or presiding officer of the Board who engaged in or received an ex parte communication who elects not to recuse himself from a hearing or other proceeding will state the reasons for not recusing himself on the record prior to the commencement of the hearing or proceeding.

(3) A member or presiding officer of the Board who has identified any other reason which creates substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially will recuse himself from any hearing or other proceeding related thereto.

(4) If a legislative appointee recuses himself from any hearing or other proceeding under this section, any qualified majority vote required under this part will consist of all of the remaining legislative appointees and at least two gubernatorial appointees.

(5) Failure of a presiding officer, for whom substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially exists, to recuse himself from a hearing or other proceeding when required



under paragraph (1) shall be grounds for appeal to the Board.

(6) Failure of a member, for whom substantial reasonable doubt as to the individual's ability to act objectively, independently or impartially exists, to recuse himself from a hearing or other proceeding when required will be grounds for appeal to a court of competent jurisdiction if the Board action being appealed could not have occurred without the participation of the member.

(f) Nothing in this subsection will preclude a member of the Board from consulting with other members individually if the consultation complies with 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act) or with employees or independent contractors whose functions are to assist the Board in carrying out its adjudicative functions.

**CHAPTER 405a. BUREAU OF INVESTIGATIONS AND ENFORCEMENT**

**§ 405a.1. General duties and powers.**

(a) **Except for administrative purposes, the Bureau is a distinct entity, independent of the Board, the Office of Chief Council and the Office of Hearings and Appeals.**

(b) The Bureau has the powers and duties set forth in section 1517 of the act (relating to investigations and enforcement) including:

\* \* \* \* \*

(c) **The Bureau will determine the scope of a background investigation, which may not be directed or limited by the Executive Director or Chief Counsel of the Board.**

**§ 405a.3. Office of Enforcement Counsel.**

(a) The Office of Enforcement Counsel within the Bureau has the following powers and duties:

\* \* \* \* \*

(7) **Petition the Board for the appointment of a trustee under section 1332 of the act (relating to appointment of trustee).**

\* \* \* \* \*

**§ 405a.4. Conduct.**

(a) **[ An ] As provided in section 1202.1(c.1) of the act (relating to code of conduct), an attorney representing the Bureau or Office of Enforcement Counsel, or an employee involved in the hearing process, may not [ discuss the case *ex parte* with a presiding officer assigned to the case, ] engage in an *ex parte* communication with a member or presiding officer of the Board, the Chief Counsel or an attorney [ assigned to the case ] from the Office of Chief Counsel [ or a Board member ] who is advising the Board.**

(b) **A member or presiding officer of the Board, the Chief Counsel or an attorney [ assigned to the case ] from the Office of Chief Counsel [ or a Board member ] who advises the Board may not [ discuss or ] exercise [ a ] supervisory responsibility or exert influence over any employee of the Board or Bureau with respect to**

an enforcement **proceeding** or hearing with which the employee is involved.

\* \* \* \* \*

[Pa.B. Doc. No. 11-327. Filed for public inspection February 25, 2011, 9:00 a.m.]

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**[ 52 PA. CODE CH. 59 ]**

**[ L-2008-2034622 ]**

**Liquid Fuels Pipeline Regulations**

The Pennsylvania Public Utility Commission (Commission), on July 15, 2010, adopted a proposed rulemaking order which sets forth new language for regulation of liquid fuels and hazardous materials pipelines by incorporating 49 CFR Part 195.

*Executive Summary*

Currently, Pennsylvania exercises jurisdiction over petroleum and oil pipeline utilities including utilities such as Laurel Pipe Line Co., Sunoco Pipeline, and Conoco Philips Pipe Line Co. Under section 102(1)(v), the Commission also has jurisdiction over hazardous materials and liquid fuels transported via pipeline or conduit for the public for compensation, yet currently has no specific regulations in place to effectively address enforcement and safety issues.

The United States Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration's (PHMSA) Hazardous Liquid Pipeline Safety Grant Program supports efforts to develop and maintain state natural gas, liquefied natural gas, and hazardous liquid pipeline safety programs. The objective of the Pipeline Safety Grant Program is for states to develop and maintain natural gas, liquefied natural gas, and hazardous liquid pipeline safety programs. Eligible state programs will cover such areas as inspection and testing of gas pipelines as well as related travel, training, and research. Funds must be expended for personnel, equipment, and activities reasonably required for the pipeline safety program. DOT will provide Federal matching funds, up to 50% to any state agency with a certificate under 49 U.S.C.A. § 60105, an agreement under 49 U.S.C.A. § 60106, or to any state acting as a DOT agent on interstate pipelines.

Therefore, we propose to amend § 59.33 to include regulations addressing transportation of hazardous materials and liquid fuels by pipeline or conduit as consistent with 49 CFR Part 195 and in accordance with the Pipeline Safety Grant Program Payment Agreement entered into with the DOT.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 10, 2011, the Commission submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees. In addition to submitting the proposed rulemaking, the Commission provided IRRC and will provide the Committees with a copy of a detailed Regulatory Analysis Form. A copy of this material is available to the public upon request.



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

Public Meeting held  
July 15, 2010

*Commissioners Present:* James H. Cawley, Chairperson; Tyrone J. Christy, Vice Chairperson; John F. Coleman, Jr.; Wayne E. Gardner; Robert F. Powelson

***Liquid Fuels Pipeline Regulations;  
Doc. No. L-2008-2034622***

**Proposed Rulemaking Order**

*By the Commission:*

In accordance with Section 501 of the Public Utility Code, 66 Pa.C.S. § 501, the Commission formally commences its rulemaking process to amend its existing regulations at 52 Pa. Code § 59.33 to include new language for the regulation of liquid fuels and hazardous materials pipelines by incorporating Chapter 195 of the Code of Federal Regulations. The Commission seeks comments from all interested parties on this proposed regulation amendment, which is found at Annex A to this Order.

*A. Background and Procedural History*

Section 102 of the Public Utility Code, 66 Pa.C.S. § 102, defines a public utility as “Any person or corporations now or hereafter owning or operating in the Commonwealth equipment or facilities for . . . (v) Transporting or conveying natural or artificial gas, crude oil, gasoline, or petroleum products, materials for refrigeration, or oxygen or nitrogen, or other fluid substance, by pipeline or conduit, for the public for compensation.” Id. § 102(1)(v).

Currently, Pennsylvania exercises jurisdiction over petroleum and oil pipeline utilities including utilities such as Laurel Pipe Line Co., Sunoco Pipeline, and Conoco Philips Pipe Line Co. Pursuant to Section 102(1)(v), the Commission also has jurisdiction over hazardous materials and liquid fuels transported via pipeline or conduit for the public for compensation, yet currently has no specific regulations in place to effectively address enforcement and safety issues. Therefore, we are proposing to amend our regulations to include regulations addressing transportation of hazardous materials and liquid fuels by pipeline of conduit as consistent with 49 CFR § 195.0 et seq., and in accordance with the Pipeline Safety Grant Program Payment Agreement entered into with the Department of Transportation.

**Discussion**

The U.S. Department of Transportation’s (DOT) Pipeline and Hazardous Materials Safety Administration’s (PHMSA) Hazardous Liquid Pipeline Safety Grant Program supports efforts to develop and maintain state natural gas, liquefied natural gas, and hazardous liquid pipeline safety programs.<sup>1</sup> The objective of the Pipeline

Safety Grant Program is to develop and maintain state natural gas, liquefied natural gas, and hazardous liquid pipeline safety programs.

The Pipeline Safety Grant Program, in which Pennsylvania currently participates, is a 100% performance-based program with the performance criteria of 100 points. Eligible programs will cover such areas as inspection and testing of gas pipelines as well as related travel, training, and research. Funds must be expended for personnel, equipment, and activities reasonably required for the pipeline safety program. DOT provides federal matching funds, up to 50 percent to any state agency with a certificate under Section 60105 of Title 49, *United States Code*, an agreement under Section 60106 of Title 49, *United States Code*, or to any state acting as a DOT agent on interstate pipelines.

Funding to the states is allocated by a method designed to reflect the degree to which a state has met specific levels of performance, based on information provided in certification packages and the results of DOT’s Regional Office program evaluation. The allocation is determined by assigning point values to the states for having achieved certain levels of program participation, dividing this point score by the sum of the states’ point scores, and multiplying this ratio by the amount available for the distribution. PHMSA distributes the remaining funds according to certain criteria designed to seek improvements in various state programs. The criteria used by PHMSA is the extent of intrastate jurisdiction, inspector qualifications, recommended number of inspection person-days, state adoption of applicable Federal regulations, and other relevant criteria. New state programs, such as Pennsylvania’s, are automatically funded at a minimum score of 90 for the first three years (assuming the state is making satisfactory progress in meeting certification requirements), thereby providing an adequate cushion for these state programs to get established.

Since the Gas Service Regulations at 52 Pa. Code § 59 and the Federal Code Regulations on the Transportation of Hazardous Liquids by Pipeline at 49 CFR § 195 are already used in the regulation of natural gas and hazardous liquid pipelines respectively, we propose to amend 52 Pa. Code § 59.33 to include hazardous liquid pipelines, and specifically reference 49 CFR § 195.

**Conclusion**

The Commission, therefore, formally commences its rulemaking process to amend its existing regulations at 52 Pa. Code § 59.33 consistent with Annex A to this Order. The Commission intends to carry out part of the Pipeline Safety Program by adopting applicable Federal regulations. The Commission seeks comments from all interested parties on this proposed regulation amendment, which is found at Annex A to this Order.

Accordingly, under sections 501 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501 and 1501; sections 201 and 202 of the act of July 31, 1968 (P. L. 769 No. 240), 45 P. S. §§ 1201 and 1202, and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act, 71 P. S. § 732.204(b); section 745.5 of the Regulatory Review Act, 71 P. S. § 745.5; and section 612 of The Administrative Code of 1929, 71 P. S. § 232, and the regulations promulgated thereunder at 4 Pa. Code §§ 7.231—7.234, we are considering adopting the proposed regulations set forth in Annex A; *Therefore,*

<sup>1</sup>Authorized by the Natural Gas Pipeline Safety Act of 1968, Public Law 90-481, 49 U.S.C. 1971, as amended; Public Law 92-401, 86 Stat. 616; Public Law 93-403, 88 Stat. 802; Public Law 94-477, 90 Stat. 2073; Pipeline Safety Act of 1979, Title I and Title II, Public Law 96-129, 93 Stat. 989; Pipeline Safety Reauthorization Act of 1988, Public

Law 100-561; Pipeline Safety Act of 1992, Public Law 102-508; 49 U.S.C. 601; Public Law 103-272; Accountable Pipeline Safety and Partnership Act of 1996, Public Law 104-304.

*It Is Ordered That:*

1. A proposed rulemaking be opened to consider the regulations set forth in Annex A.

2. The Secretary shall submit this proposed rulemaking order and Annex A to the Office of Attorney General for review as to form and legality and to the Governor’s Budget Office for review of fiscal impact.

3. The Secretary shall submit this proposed rulemaking order and Annex A for review and comments to the Independent Regulatory Review Commission and the Legislative Standing Committees.

4. The Secretary shall certify this proposed rulemaking order and Annex A and deposit them with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

5. An original and 15 copies of any written comments referencing the docket number of the proposed regulations be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

6. A copy of this proposed rulemaking order and Annex A shall be served on the Office of Trial Staff, the Office of Consumer Advocate, and The Office of Small Business Advocate.

7. The contact person for this proposed rulemaking is Adam D. Young, Assistant Counsel, Law Bureau, (717) 772-8582. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4579.

ROSEMARY CHIAVETTA,  
*Secretary*

**Fiscal Note:** 57-281. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 52. PUBLIC UTILITIES  
PART I. PUBLIC UTILITY COMMISSION  
Subpart C. FIXED SERVICE UTILITIES  
CHAPTER 59. GAS SERVICE  
SERVICE AND FACILITIES**

**§ 59.33. Safety.**

(a) *Responsibility.* Each public utility shall at all times use every reasonable effort to properly warn and protect the public from danger, and **shall** exercise reasonable care to reduce the hazards to which [ **employes** ] **employees**, customers and others may be subjected to by reason of its equipment and facilities.

(b) *Safety code.* The minimum safety standards for all [ **gas transmission and distribution facilities** ] **natural gas and hazardous liquid public utilities** in this Commonwealth shall be those issued under the pipeline safety laws as found in 49 U.S.C.A. §§ 60101—60503 and as implemented at 49 CFR Parts [ **191—193** ] **190—195, 198** and 199, including all subsequent amendments thereto [ **future** ]. **Future** Federal amendments to 49 CFR Parts [ **191—193** ] **190—195, 198** and 199, as amended or modified by the Federal government, shall have the effect of amending or modifying the Commission’s regulations with regard to the minimum safety standards for all [ **gas transmission and distribution facilities** ] **natural gas and hazardous liquid public utilities**. The amendment or modification shall take effect 60 days after the effective date of the Federal amendment or modification, unless the Commission publishes a notice in the *Pennsylvania Bulletin* stating that the amendment or modification may not take effect.

\* \* \* \* \*

[Pa.B. Doc. No. 11-328. Filed for public inspection February 25, 2011, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Meeting and Public Hearing

Notice is hereby given that the Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, March 2, 2011. The hearing will be part of the Commission's regular business meeting. The conference session and business meeting both are open to the public and will be held at the West Trenton Volunteer Fire Company, located at 40 West Upper Ferry Road, West Trenton, NJ.

The conference among the commissioners and staff will begin at 10:45 a.m. and will consist of two presentations: a report by Partnership for the Delaware Estuary's (PDE) Executive Director Jennifer Adkins on PDE's climate-ready estuary project; and a report by a representative of Columbia University's Columbia Earth Institute on that institution's water management and climate project.

The subjects of the public hearing to be held during the 1:30 p.m. business meeting include the dockets listed as follows:

1. *Warren County (Pequest River) Municipal Utilities Authority, D-1971-094 CP-4.* An application for renewal of the Belvidere Wastewater Treatment Plant (WWTP). The existing 0.5 million gallon per day (mgd) WWTP will continue to discharge treated effluent to Water Quality Zone 1D of the Delaware River at River Mile 197. The facility is located in White Township, Warren County, NJ within the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

2. *Fleetwood Borough Authority, D-1987-054 CP-3.* An application to renew the approval for discharge of up to 0.7 mgd of treated effluent from existing Outfall No. 001 at the Fleetwood WWTP. The WWTP discharges to Willow Creek at River Mile 92.47—86.7—0.6—6.4 (Delaware River—Schuylkill River—Maiden Creek—Willow Creek), in Richmond Township, Berks County, PA.

3. *Village of Monticello, D-1981-038 CP-2.* An application to approve modifications to the existing 3.1 mgd Monticello WWTP. Modifications include retrofit of three sequencing batch reactors (SBR) in the facility's two existing oxidation ditches and a stormwater retention basin; converting one of the existing clarifiers to an aerobic digester and the other to an equalization basin; and converting sludge lagoon No. 2 into reed beds. Outfall No. 001 will continue to discharge to Tannery Brook, a tributary of the Neversink River at River Mile 253.64—27.3—1.91—3.24—1.54 (Delaware River—Neversink River—Sheldrake Stream—Kiamesha Creek—Tannery Brook). The project is located within the Village of Monticello, Sullivan County, NY in the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which is classified as Special Protected Waters.

4. *Lake Adventure Community Association, D-1993-062 CP-2.* An application for approval to modify the treatment process of the existing 0.16 mgd Lake Adventure WWTP from extended aeration to a sequencing batch reactor. The WWTP will continue to discharge to an unnamed tributary of Shohola Creek at River Mile 273.2—13.25—0.91

(Delaware River—Shohola Creek—UNT), within the drainage area of the section of the non-tidal Delaware River known as the Upper Delaware, which is classified as Special Protection Waters. The WWTP is located in Dingman Township, Pike County, PA.

5. *Superior Water Company, D-2001-015 CP-3.* An application for approval of an existing groundwater withdrawal (GWD) project to increase an individual well allocation and continue to supply up to 36.82 million gallons per month (mgm) of water to the applicant's public water supply system from 10 existing wells. The applicant requests that the individual allocation for Well No. SWC-8 be increased from 2.2 mgm to 6.7 mgm. The current individual well allocation is below historic use and is inadequate to meet typical peak demands. The project is located in the Brunswick and Lockatong Formations in the Zacharias, Scioto and Minister Creeks watersheds in Douglass, New Hanover, Upper Frederick and Worcester Townships in Montgomery County, PA, within the Southeastern Pennsylvania Ground Water Protected Area (GWPA).

6. *NuStar Asphalt Refining, LLC, D-2001-027-3.* An application for renewal of a surface water withdrawal project to supply up to 7.79 mgm of surface water from existing Intakes Nos. 1 and 2 for the applicant's industrial processes, heating and fire emergency testing. Intake No. 2 was added to the facility in July 2004, a modification that was not reflected in Docket No. D-2001-027-1, the most recent Commission approval for the project. The applicant's pending application was the subject of a previous notice as Docket No. D-2003-021-2. No increase in the applicant's water allocation is proposed. The project intakes withdraw water from the tidal portion of Mantua Creek in the Mantua Creek Watershed in the Borough of Paulsboro, Gloucester County, NJ.

7. *Superior Tube Company, D-1996-013-2.* An application for approval of a combined surface and groundwater withdrawal project to continue to supply up to 13.4 mgm of water to the applicant's industrial facility from 11 existing wells and a surface water intake located in Perkiomen Creek. The previous docket approval expired on April 21, 2008. The project wells are located in the Brunswick Formation in Lower Providence Township, Montgomery County, PA. The project wells and surface water intake are located in the Perkiomen—Lodal Creeks subbasin of the Southeastern Pennsylvania GWPA.

8. *Dragon Springs Buddhist, Inc., D-2007-021 CP-2.* An application for approval to construct and operate the 0.0184 mgd Dragon Springs WWTP. Treated effluent from the proposed WWTP will discharge to a subsurface leach field located near River Mile 253.64—9.5—0.4 (Delaware River—Neversink River—Basher Kill River) within the drainage area of the section of the nontidal Delaware River known as the Middle Delaware, which is classified as Special Protection Waters. The WWTP will be located in the Town of Deerpark, Orange County, NY. By Docket No. D-2007-021-1 issued on September 26, 2007, the Commission approved the construction of a 0.011 mgd WWTP to discharge to an unnamed tributary of the Basher Kill River; however, that facility was never constructed.

9. *Naval Surface Warfare Center, Carderock Division, Ship Systems Engineering Station D-2009-004-1.* An application for approval of an existing and proposed discharge of non-contact cooling water (NCCW) from the



Naval Surface Warfare Center, Carderock Division, Ship Systems Engineering Station from two existing outfalls located in Delaware River Water Quality Zone 4. The project currently discharges up to 24.0 mgd of NCCW intermittently from Outfall 001 to the Navy Reserve Basin (which is connected by a channel and tidally linked to the Schuylkill River, one-quarter mile upstream of its confluence with the Delaware River) and discharges 0.60 mgd of process water from Outfall 005 directly to the Delaware River in Water Quality Zone 4. Additional NCCW from the new P-205 Electric Drive land based test site is proposed to be discharged by means of Outfall 001. The discharge from Outfall 001 will be increased from 24.0 mgd to 36.0 mgd as a result of the project. The discharge from Outfall 005 will remain at 0.60 mgd. The project is located in the Schuylkill River Watershed in the City of Philadelphia, Philadelphia County, PA.

10. *Blackwood Golf Course, D-2010-024-1*. An application for approval of a GWD project to supply up to 3.57 mgm of water to the applicant's golf course irrigation system from existing Wells Nos. 1 and 2. The project is located in the Brunswick Formation in the Schuylkill River Watershed in Union Township, Berks County, PA in the Sixpenny Subbasin of the Southeastern Pennsylvania GWPA.

11. *Pennsylvania American Water Company—Stony Garden, D-2010-025 CP-1*. An application for the approval of an existing 0.1679 mgd discharge of filter backwash from the Stony Garden Water Filtration Plant (WFP). The WFP discharges to the Delaware River at River Mile 183.66—36.32—20.7—0.06 (Delaware River—Lehigh River—Aquashicola Creek—Ross Common Creek) in Hamilton Township, Monroe County, PA, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protected Waters.

12. *Thomas & Betts Corporation, D-2010-033-1*. An application for approval of an existing 0.255 mgd discharge of NCCW and stormwater by means of Outfall No. 004A at the Elastimold electronic equipment plant (EEP). The Elastimold EEP is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters. The facility discharges to an unnamed tributary of the Musconetcong River at River Mile 174.6—27.9—0.12 (Delaware River—Musconetcong River—UNT), in Washington Township, Morris County, NJ.

13. *Squires Golf Course, D-2010-034-1*. An application for approval of a GWD project to supply up to 5 mgm of water to the applicant's golf course irrigation system from existing Well No. 1 and up to 5.7 mgm of water from the pond intake located in the irrigation pond. The project is located in the Stockton Formation in the Park Creek Watershed in Horsham Township, Montgomery County, PA, within the Park Creek Subbasin of the Southeastern Pennsylvania Ground Water Protected Area GWPA.

14. *Waste Management of Pennsylvania, D-1988-054-6*. The Commission approved Docket No. D-88-54-5 on July 15, 2009. In accordance with Condition II.aa. of the docket, the docket holder subsequently filed a request for a Color Determination from the Executive Director, which was issued on August 16, 2010. The docket holder timely appealed. The revised docket would update the docket compliance dates and would continue the approval to construct a new 0.3 mgd leachate treatment plant (LTP) to replace the existing 0.1 mgd LTP, relocation/

reconfiguration of the associated outfall, and the total dissolved solids determination included in Docket No. D-88-54-5. In combination with a revised color determination, the revised docket would resolve the applicant's appeal.

In addition to the standard business meeting items, consisting of adoption of the Minutes of the Commission's September 15 and December 8, 2010 business meetings, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel, and public dialogue, the business meeting also will include public hearings on: (a) a resolution authorizing the Executive Director to renew the Commission's 2001 cooperative agreement with Rutgers University for the collection, analysis and interpretation of ambient air samples to support the control of toxic substances in the Delaware Estuary; (b) a resolution authorizing the Executive Director to amend the Commission's 2007 agreement with the Academy of Natural Sciences for the analysis of ambient water samples from the nontidal Delaware River for nutrients and bacteria to include parameters specific to natural gas development activities in the Delaware River Basin; (c) a resolution reauthorizing the Water Quality Advisory Committee; and (d) the Commission's proposed Fiscal Year 2012 Operating Budget. A hearing also is planned for the Lambertville Municipal Utility Authority to show cause why its wastewater treatment plant improvements should not be subject to review in accordance with Section 3.8 of the *Delaware River Basin Compact* and Commission Regulations.

Draft dockets scheduled for public hearing on March 2, 2011, can be accessed through the Notice of Commission Meeting and Public Hearing on the Commission's web site, drbc.net, 10 days prior to the meeting date. Additional public records relating to the dockets may be examined at the Commission's offices. Contact William Muszynski at (609) 883-9500, Ext. 221, with any docket-related questions.

Note that conference items are subject to change and items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Check the Commission's web site, drbc.net, closer to the meeting date for changes that may be made after the deadline for filing this notice.

Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting are asked to sign up in advance by contacting Paula Schmitt of the Commission staff, at paula.schmitt@drbc.state.nj.us or (609) 883-9500, Ext. 224.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 who wish to attend the informational meeting, conference session or hearings should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

PAMELA M. BUSH, Esq.,  
Secretary

[Pa.B. Doc. No. 11-329. Filed for public inspection february 25, 2011, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Repeal 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 countless millions of 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. Since 2007, the Department has issued a series of EAB-related Orders of Quarantine. The initial Order pertained only to Allegheny, Beaver, Butler and Lawrence Counties. As EAB spread eastward to other counties within this Commonwealth, the Department issued eight additional Orders, adding counties to the quarantined area and imposing restrictions on the movement of ash wood and other articles from this quarantined area. Although these Orders may have helped delay the spread of EAB, they did not prevent it. Of this Commonwealth's 67 counties, 43 are currently subject to the EAB-related Orders of Quarantine. Although EAB is not yet known to be present in the remaining counties that are not currently subject to an Order of Quarantine, EAB is currently deemed sufficiently pervasive within this Commonwealth that the restrictions imposed by the referenced Orders no longer serve a productive purpose.

E. The Department believes it is appropriate to rescind the series of EAB-related Orders of Quarantine it has issued.

#### 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. *Repeal of Quarantine.* The following Orders of Quarantine are hereby repealed, and all restrictions, requirements or conditions imposed by these Orders are hereby rescinded:

a. The Order of Quarantine of June 27, 2007, published at 37 Pa.B. 3267 (July 14, 2007).

b. The Order of Quarantine of June 27, 2008, published at 38 Pa.B. 3824 (July 12, 2008).

c. The Order of Quarantine of March 1, 2009, published at 39 Pa.B. 1307 (March 14, 2009).

d. The Order of Quarantine of June 10, 2009, published at 39 Pa.B. 3069 (June 20, 2009).

e. The Order of Quarantine of July 15, 2009, published at 39 Pa.B. 4778 (August 8, 2009).

f. The Order of Quarantine of July 24, 2009, published at 39 Pa.B. 5028 (August 22, 2009).

g. The Order of Quarantine of October 27, 2009, published at 39 Pa.B. 6551 (November 14, 2009).

h. The Order of Quarantine of May 17, 2010, published at 40 Pa.B. 2774 (May 29, 2010).

i. The Order of Quarantine of August 1, 2010, published at 40 Pa.B. 4764 (August 21, 2010).

2. *Effective Date.* This repeal of quarantine is effective as of April 15, 2011.

GEORGE GREIG,  
*Acting Secretary*

[Pa.B. Doc. No. 11-330. Filed for public inspection February 25, 2011, 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 February 8, 2011.

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.

## NOTICES

## BANKING INSTITUTIONS

## Branch Applications

## De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-18-2011	New Century Bank Phoenixville Chester County	2419 Nottingham Way Hamilton Mercer County, NJ	Opened
2-2-2011	Orrstown Bank Shippensburg Cumberland County	Carlisle Fairgrounds T Building 1000 Bryn Mawr Road Carlisle Cumberland County (Limited Service Facility)	Filed

## Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-28-2011	Standard Bank, PaSB Murrysville Westmoreland County	187 Hyndman Road Hyndman Bedford County	Closed
2-2-2011	Union Bank and Trust Company Pottsville Schuylkill County	Redner's Market Route 61 Schuylkill Haven Schuylkill County	Filed
2-2-2011	Union Bank and Trust Company Pottsville Schuylkill County	Redner's Market Gold Star Highway Shenandoah Schuylkill County	Filed

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

No activity.

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

PAUL H. WENTZEL, Jr.,  
*Acting Secretary*

[Pa.B. Doc. No. 11-331. Filed for public inspection February 25, 2011, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment

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

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

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

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

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

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

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

## **I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0035009 (Sewage)	Lake Lehman School District Lake Lehman High School Old Rte 115 Lehman, PA 18627-0038	Luzerne County Lehman Township	Unnamed Tributary to East Fork Harveys Creek (5-B)	Y

Chesapeake Bay nutrient monitoring requirements for Ammonia Nitrogen, Kjeldahl Nitrogen, Nitrite-Nitrate as N, Total Nitrogen and Total Phosphorus are being added to this permit.

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061921 (Sewage)	Cove Haven Inc. d/b/a Brookdale Resort Brookdale & Dyson Roads Scotrun, PA 18355	Monroe County Pocono Township	Brookdale Lake 1E High Quality Cold Water Fishes	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0033111 (Sew)	Oak Creek Campgrounds, Inc. PO Box 128 Bowmansville, PA 17507	Lancaster County Brecknock Township	Rock Run / 7-J	Y



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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0222861 (Industrial Waste)	Temple Inland Forest Products Mt. Jewett Complex 147—149 Temple Drive Mt. Jewett, PA 16740	McKean County Sergeant Township	Unnamed tributary to Little Sicily Run (Outfall 001), unnamed tributary of Sevenmile Run (Outfall 002) and Sevenmile Run (Outfalls 003A, 003B & 004) 17-A	Y

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

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

**PA0057916**, Industrial Waste, **Schlumberger Technology Corporation**, 300 Schlumberger Drive, Sugar Land, TX 77478. This facility is located in Worcester Township, **Montgomery County**.

Description of Activity: Renewal of an NPDES permit to discharge treated groundwater from an area known as the North Penn Area 12 Superfund Site, located at 1547 North Trooper Road.

The receiving stream, an unnamed tributary to Stony Creek, is in the State Water Plan watershed 3F and is classified for: TSF, MF, aquatic life, water supply, and recreation. The nearest downstream public water supply intake is for the City of Norristown, located on the Schuylkill River.

The proposed effluent limits for Outfall 001 are based on a design flow of 50,000-gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum mg/l</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Trichloroethylene			0.005	0.010	0.013
pH	Not less than 6.0 nor greater than 9.0				

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

1. Remedial Measures
2. Acquire Necessary Property Rights
3. Dry Stream Discharge
4. BAT/BCT Reopener
5. EPA Test Methods
6. Change of Ownership
7. Proper Sludge Disposal
8. Stripping Tower Wastewaters
9. Groundwater Monitoring and Reporting
10. Laboratory Certification

**PA0058548**, SIC Code 4952, **The Keelersville Club**, 2522 Ridge Road, Perkasie, PA 18944-3731. Facility Name: Keelersville Club STP. This existing facility is located in East Rockhill Township, **Bucks County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated wastewater.

The receiving stream(s), Unnamed Tributary to Three Mile Run, is located in State Water Plan watershed 2D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The Wasteload Allocation (WLA) for phosphorous is derived from the available WLA from Quakertown WWTP by adjusting the plant flow from 4.0 MGD to 3.1 MGD. This adjustment allowed 112 lb/mo of WLA for phosphorous. The Keelersville Club STP allotted an additional load of 0.007 lb/day derived from the following the limit of 0.9 mg/l.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.001 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report			
pH (S.U.)		6.0		9.0
Dissolved Oxygen		6.0		
CBOD <sub>5</sub>			10	20

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>
Total Suspended Solids			10	20
Fecal Coliform (CFU/100 ml)			50	
			Geo Mean	1,000
Nitrate-Nitrite as N			10	20
Ammonia-Nitrogen				
May 1 - Oct 31			1.5	3.0
Ammonia-Nitrogen				
Nov 1 - Apr 30			3.0	6.0
Total Phosphorus	0.008		0.9	1.8

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

1. Notification of designated operator
2. Abandon STP
3. Remedial Measures
4. No stormwater
5. Necessary Property Rights
6. Small Stream Discharge
7. Proper Sludge Disposal
8. Twice a month sampling
9. Change of ownership
10. IMAX limits on DMR
11. Operator training
12. Fecal Coliform Reporting
13. Operators and Maintenance Plan

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0028614**, Sewage, SIC Code 4952, **Spring City Borough Chester County**, 6 S Church Street, Spring City, PA 19475-1809. Facility Name: Spring City Borough STP. This existing facility is located at 99 Gay Street in Spring City Borough, **Chester County**.

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

The receiving stream(s), Schuylkill River is located in State Water Plan watershed 3-D and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.345 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	Report	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub>	72	115	XXX	25	40	50
Total Suspended Solids	86	129	XXX	30	45	60
Fecal Coliform (CFU/100 ml)				200		
(May 1 - Sep 30)	XXX	XXX	XXX	Geo Mean	XXX	1000
Fecal Coliform (CFU/100 ml)				200		
(Oct 1 - Apr 30)	XXX	XXX	XXX	Geo Mean	XXX	1000*
Ammonia-Nitrogen						
(05/01 to 10/30)	23	XXX	XXX	8	XXX	16
Ammonia-Nitrogen						
(11/01 to 04/30)	34	XXX	XXX	12	XXX	24

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Phosphate (Issuance thru 12/31/2012)	Report	XXX	XXX	Report	XXX	Report
Total Phosphate (01/01/2013 thru Expiration)	5.8	XXX	XXX	2.0	XXX	4.0

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

1. High Flow Management Plan
2. I/I Abatement Plan
3. Monitoring during High Flow
4. Fecal Monitoring Requirement

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0052728**, Sewage, **Turkey Hill Minit Markets**, 257 Centerville Road, Lancaster, PA 17603.

This existing facility is located at 300 West Kings Highway, Coatesville, PA, in the City of Coatesville, **Chester County**.

Description of Proposed Activity: This National Pollutant Discharge Elimination System (NPDES) application is for renewal of the NPDES permit to discharge treated sewage from the sewage treatment plant serving Turkey Hill Minit Market No. 177.

The receiving stream, an unnamed tributary to West Branch Brandywine Creek, is in the State Water Plan watershed 3-H and is classified for: TSF, MF.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Monthly Average</i>	<i>Weekly Average</i>	
CBOD <sub>5</sub>			25		50
Total Suspended Solids			30		60
Total Residual Chlorine			0.5		1.0
Ammonia Nitrogen			15		30
Fecal Coliform					
May 1-September 1			200/100 ml		1,000/100 ml
October 1-April 30			200/100 ml		1,000/100 ml*
Dissolved Oxygen			5.0 (min.)		
pH (Std. Units)			6.0 (min.)		9.0

\*From October through April, the instantaneous maximum concentration shall not be greater than 1,000/100 ml in more than 10 percent of the samples tested.

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

- A. Abandon STP when Municipal Sewers Available
- B. Remedial Measures if Unsatisfactory Effluent
- C. No Stormwater
- D. Acquire Necessary Property Rights
- E. Small Stream Discharge
- F. Change in Ownership
- G. Minimize Cl<sub>2</sub>
- H. Proper Sludge Disposal
- I. I-Max
- J. Laboratory Certification
- K. Fecal Coliform for Delaware River Basin

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

**PA0084425**, Sewage, SIC Code 4952, **Conewago Township Sewer Authority**, 600 Locust Point Road, York, PA 17406-6056. Facility Name: Conewago Township STP. This existing facility is located in Conewago Township, **York County**.

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

The receiving stream(s), Little Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.500 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.2	XXX	0.66
CBOD <sub>5</sub>						
May 1 - Oct 31	41.0	60.0	XXX	10.0	15.0	20.0
Nov 1 - Apr 30	80.0	125.0	XXX	20.0	30.0	40.0
BOD <sub>5</sub>		Report				
Influent	Report	Daily Max XXX	XXX	Report	XXX	XXX
Total Suspended Solids		Report				
Influent	Report	Daily Max XXX	XXX	Report	XXX	XXX
Total Suspended Solids	125.0	185.0	XXX	30.0	45.0	60.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	6.0	XXX	XXX	1.5	XXX	3.0
Ammonia-Nitrogen						
Nov 1 - Apr 30	18.0	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	8.0	XXX	XXX	2.0	XXX	4.0

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	9132	XXX	XXX	XXX
Net Total Phosphorus	Report	1218	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

**PA0024457**, Sewage, SIC Code 4952, **Halifax Area Water & Sewer Authority**, PO Box 443, Halifax, PA 17032. Facility Name: Halifax STP. This existing facility is located in Halifax Borough, **Dauphin County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 6-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.21 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>		70				
	44	Wkly Avg	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids		79				
	53	Wkly Avg	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

**PA0023442**, Sewage, SIC Code 4952, **Wrightsville Borough Municipal Authority**, 723 Water Street, Wrightsville, PA 17368-1506. Facility Name: Wrightsville STP. This existing facility is located in Wrightsville Borough, **York County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 7-I and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>		130.0				
	80.0	Wkly Avg	XXX	25.0	40.0	50.0
BOD <sub>5</sub>						
Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids		150.0				
	100.0	Wkly Avg	XXX	30.0	45.0	60.0
Total Suspended Solids						
Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	8.0	XXX	XXX	2.0	XXX	4.0

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

Parameters	Mass (lbs)			Concentration (mg/l)		
	Monthly	Annual	Minimum	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	
Kjeldahl—N	Report	XXX	XXX	Report	XXX	

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	Report	XXX	XXX	XXX
Net Total Phosphorus	Report	Report	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

**PA0043681**, Sewage, SIC Code 4952, **Valley Joint Sewer Authority**, 1 South River Street, Athens, PA 18810-1701. Facility Name: Valley Joint Sewer Authority Wastewater Treatment Plant. This existing facility is located in Athens Borough, **Bradford County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 4-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
CBOD <sub>5</sub>	465	750	XXX	25	40	50
Total Suspended Solids	560	840	XXX	30	45	60
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX

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

Parameters	Mass (lbs)		Concentration (mg/l)	Required Sample Type
	Monthly	Annual		
Ammonia—N	Report	Report	Report	24-Hr Composite
Kjeldahl—N	Report		Report	24-Hr Composite
Nitrate-Nitrite as N	Report		Report	24-Hr Composite
Total Nitrogen	Report	Report	Report	Calculation
Total Phosphorus	Report	Report	Report	24-Hr Composite
Net Total Nitrogen (Interim)	Report	Report		Calculation
Net Total Nitrogen (Final)	Report	41,095		Calculation
Net Total Phosphorus (Interim)	Report	Report		24-Hr Composite
Net Total Phosphorus (Final)	Report	5,479		24-Hr Composite

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

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2012. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR - Annual Nutrient Summary by November 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.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.



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

**PA0101621**, Industrial Waste, SIC Code 4941, **Bradford City Water Authority**, 28 Kennedy Street, Bradford, PA 16701. Facility Name: Bradford City WTP. This existing facility is located in Bradford Township, **McKean County**.

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

The receiving stream(s), Kisse Run and West Branch Tunungwant Creek, is located in State Water Plan watershed 16-C and are classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.1	XXX	0.25
Total Suspended Solids	Report	Report	XXX	30	60	75
Total Aluminum	1.9	3.7	XXX	1.5	3.0	3.8
Total Iron	Report	Report	XXX	2.0	4.0	5.0
Total Manganese	Report	Report	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0002 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1000

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

1. Effluent Limit at or Below Detection Limit
2. Chemical Additives

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 0711402**, Sewage, **Corinna Teeter**, 21414 Flintstone Court Road NE, Flintstone, MD 21530.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow sewage treatment system to serve her single family residence located at 1249 Decker Hollow Road, Tyrone, PA 16686.

**WQM Permit No. 2894402**, Amendment 11-1, Sewage, **Washington Township Municipal Authority**, 11102 Buchanan Trail East, Waynesboro, PA 17268.

This proposed facility is located in Washington Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking permit approval for improvements/modifications to existing treatment plant. Including the addition of Alum to the treatment process to remove phosphorus, modifications to the solids handling process and the addition of dechlorination facilities.

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

**WQM Permit No. 0211201**, Industrial Waste, **Evans Machining Service**, 314 State Street, Clairton, PA 15025

This proposed facility is located in the City of Clairton, **Allegheny County**

Description of Proposed Action/Activity: Application for the construction and operation of a treatment facility.



**WQM Permit No. 0211402**, Sewerage, **Jeremiah Dillon**, 628 West Walheim, Pittsburgh, PA 15215

This proposed facility is located in Indiana Township, **Allegheny County**

Description of Proposed Action/Activity: Application for the construction and operation of a single residence sewage treatment facility.

**WQM Permit No. 0311401**, Sewerage, **Ford City Borough Municipal Sewage Disposal Authority**, PO Box 66, Ford City, PA 16226

This proposed facility is located in Ford City Borough, **Armstrong County**

Description of Proposed Action/Activity: Application for the construction and operation of a sewer separation project.

**WQM Permit No. WQG016185**, Sewerage, **John W. Majors**, 469 Route 68, New Brighton, PA 15066

This proposed facility is located in Daugherty Township, **Beaver County**

Description of Proposed Action/Activity: Application for the construction and operation of a single residence sewage treatment facility.

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

**WQM Permit No. 4611401**, Sewerage, **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676.

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

Description of Action/Activity : Replacement of existing pump station with a new one. Sanitary sewerline and discharge force main partially replaced and re-connect to the new pump station.

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

**V. Applications for NPDES Waiver Stormwater Discharges from MS4**

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

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

- PAG-12            CAFOs
- PAG-13            Stormwater Discharges from MS4

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 3211501**, Public Water Supply.

Applicant	<b>Indiana County Municipal Services Authority</b> 602 Kolter Drive Indiana, PA 15701
[Township or Borough]	Canoe Township
Responsible Official	Michael Duffalo, Executive Director Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
Type of Facility	Water treatment plant

Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	February 9, 2011
Description of Action	Renovations to the Rossiter water treatment plant which include the replacement of filters and repairs to the existing clarifier.

#### MINOR AMENDMENT

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

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

##### Application No. 3911501 MA, Minor Amendment.

Applicant	<b>South Whitehall Township Authority</b>
[Township or Borough]	South Whitehall Township
Responsible Official	Jon Hammer Authority Manager 444 Walbert Avenue Allentown, PA. 18104
Type of Facility	Public Water Supply
Consulting Engineer	Steven Henning, PE The Pidcock Company 2451 Parkwood Drive Allentown, PA. 18103
Application Received Date	January 6, 2011
Description of Action	This project provides for the construction of additional contact main to meet the chlorination contact time requirements of the Ground Water Rule.

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

##### Application No. 5211501 MA, Minor Amendment.

Applicant	<b>Pike County Commissioners</b>
[Township or Borough]	Blooming Grove Township
Responsible Official	Richard Caridi Chairman 506 Broad Street Milford, PA. 18337
Type of Facility	Public Water Supply
Consulting Engineer	James M. Farr, PE. McGoey, Hauser and Edsall 111 Wheatfield Drive, Suite 1 Milford, PA.
Application Received Date	January 13, 2011
Description of Action	The project provides for the installation of variable speed drives/starters on well pumps 1 & 2 at the Pike County Jail

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

*Northeast Region: Eric Supey, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Rosenkrance Property**, Lot 57033 Loomis Lake Road, Lenox Township, **Susquehanna County**. James P. Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407 has submitted a Notice of Intent to Remediate (on behalf of his client, Robert Rosenkrance, 700 University Avenue, Endwell, NY 13760), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release due to over pressurization during the filling of two 275-gallon aboveground storage tanks. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. 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.

**Pocono Quarry**, 300 Keiser Road, Hamilton Township, **Monroe County**. Martin P. Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 has submitted a Notice of Intent to Remediate (on behalf of his client, Eureka Stone Quarry, Inc., P.O. Box 249, Chalfont, PA 18914), concerning the remediation of soil found to have been impacted by diesel fuel as a result of a release due to a loose (partially open) shutoff valve on the fuel company's tanker, which occurred during fuel delivery to an aboveground 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 is expected to be published in a local newspaper serving the general area sometime in the near future.

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

**Harborton Place Estates**, Middletown Borough, **Dauphin County**. Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Harborton Place MHC, LLC, 1518 Avon Street, Burbank, CA 91505, and Minuteman Spill Response, Inc., 401 Richardson Road, Middletown, PA 17057, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health standard. Future use of the site is residential.

**Allen Krausse Property**, Paradise Township, **Lancaster County**. GemChem, Inc, 53 North Cedar Street Lititz PA 17543, on behalf of Allen Krausse 3208 Lincoln Highway East, Paradise, PA 17562, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil from an aboveground storage tank. The site will be remediated to the Residential Statewide Health standard. Future use of the site is residential.

**Safety Kleen Systems New Kingstown Service Center**, Silver Spring Township, **Cumberland County**. Shaw Environmental, Inc., 13 British American Boulevard, Latham, NY 12110, on behalf of Safety-Kleen Systems, Inc., 11923 Tramway Drive, Sharonville, OH 45241, submitted a Notice of Intent to Remediate soils and groundwater contaminated with chlorinated solvents and petroleum hydrocarbons. The site will be remediated to the Site-Specific standard and will remain commercial/industrial. The site is participating in the One Cleanup Program between DEP and EPA.

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

**Cramer Studio**, Bellefonte Borough, **Centre County**. Chambers Environmental Group, 629 East Rolling Ridge Dr., Bellefonte, PA 16823 on behalf of Bruce Cramer, 105

North Potter St., Bellefonte, PA 16823 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with unleaded gasoline. The applicant proposes to remediate the site to meet the Site-specific Standard. The future use of the property may be residential and/or commercial.

**Milton Former MGP Site-PPL**, Milton Borough, **Northumberland County**. The Mahfood Group, 1061 Waterdam Plaza Dr., Suite 201, McMurray, PA 15317 on behalf of PPL Electric utilities Corp., 2 N 9th St., GENPL6, Allentown, PA 18101 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with coal tar. The applicant proposes to remediate the site to meet the Site-specific Standard. The site property will remain nonresidential.

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

**Former ExxonMobil Bakerstown Grease Plant**. Richland Township, **Allegheny County**. CORRECTION to notice printed on January 22, 2011. Groundwater and Environmental Services, Inc., 800 Commonwealth Drive, Suite 201, Warrendale, PA 15086 on behalf of ExxonMobil Environmental Services Company, 1545 Route 22 East, Room CCM09B, Annandale, NJ 08801 has submitted a Notice of Intent to Remediate. ExxonMobil operated a grease manufacturing plant at the Site from 1996 through 2002. The previous owner received Act 2 statewide health standard liability protection for petroleum hydrocarbons in soil and groundwater in 1998. ExxonMobil has found that arsenic, chromium and lead exceeded the residential direct contact statewide health standard in soil and dissolved arsenic in groundwater exceeded the used-aquifer residential statewide health standard. The site will attain a nonresidential statewide health standard.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Permit Application No. PAR000522326. Zambelli Fireworks**, 782 Garner Road, Edinburg PA 16116, Mahoning Township, **Lawrence County**.

RCRA Part B Captive Hazardous Waste Treatment Permit application. The facility will thermally treat (burn) old unusable or dud fireworks. The application was received by the Northwest Regional Office on December 13, 2010 and found administratively complete on February 9, 2011.

#### AIR QUALITY

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

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to



complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

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

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

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

**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.**

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

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

**06-05116A: Packaging Corp. of America** (171 Tuckerton Road, Reading, PA 19605) for installation and start up of a corrugator plant that will make cardboard boxes in an unused warehouse in Muhlenberg Township, **Berks County**.

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

Plan Approval 06-05116A is for installation and start up of a corrugator plant that will make cardboard boxes.

The corrugator plant equipment will have a cyclone for collecting cardboard pieces. The plant will use natural gas for boiler fuel and water based ink for printing on cardboard. Natural gas fuel, water based ink and a cyclone are considered best available technology (BAT) for this application. The company shall be subject to and comply with 40 CFR 60 Subpart Dc, 40 CFR 63 Subpart KK and BAT. The plan approval and operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The expected actual air emissions from the proposed project are 3.4 TPY of NO<sub>x</sub>, 5.7 TPY of CO, 3.7 TPY of particulate matter, 3.2 TPY of VOC's and 0.9 TPY of HAP's.

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

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

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

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

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

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

**28-05002C: Letterkenny Army Depot—US Department of Defense** (One Overcash Avenue, Chambersburg, PA 17201) for construction of two coating booths for miscellaneous metal coating operations at the facility in Greene / Letterkenny Townships, **Franklin County**.

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

28-05002C is for the construction of two coating booths in building 57 at the Letterkenny Army Depot Greene / Letterkenny Townships facility. Letterkenny will remove three existing booths as part of this project. Particulate emissions will be controlled by dry panel filters. Best available technology (BAT) for this source type is a limit on pounds of VOCs per gallon of coating solids. A limit of 4.52 lbs. VOCs/gallon coating solids is required for general coatings, and a limit of 6.67 lbs. VOCs/gallon coating solids is required for specialized coatings, which is more clearly specified in EPA Control Techniques Guidelines for



Miscellaneous Metal and Plastic Parts Coatings. The company shall be subject to and comply with 25 Pa Code § 129.52 Surface Coating Processes and 25 Pa. Code § 129.51 Sources of VOCs. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The potential air emissions from the proposed project are less than 16 TPY VOCs and 1 TPY HAPs.

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

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

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

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

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

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

**06-05036B: Cryovac, Inc.** (P. O. Box 295, Reading, PA 19603-0295) for replacement of an existing thermoform and the implementation of a Plantwide Applicability Limit (PAL) at their facility in Muhlenberg Township, **Berks County**.

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

Plan Approval No. 06-05036B is for the replacement of an existing thermoform. In addition, this Plan Approval establishes a Plantwide Applicability Limit (PAL) in accordance with 25 Pa. Code 127.218 of 711.4 tons per year of volatile organic compounds (VOC). The PAL will be valid for ten (10) years. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

A person may oppose the proposed plan approval, or may provide the Department with additional information

to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the following:

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

A 30-day comment period, from the date of publication of this notice in the *PA Bulletin*, will exist for the submission of comments or protests, or for requests for a public hearing. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

Tom Hanlon, East Permitting Section Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests, or requests for a public hearing.

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

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

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

**60-00014A: Evangelical Community Hospital** (1 Hospital Drive, Lewisburg, PA 17837) for construction of a 24.7 million Btu per hour, biomass-fired boiler in Kelly Township, **Union County**.

The Department of Environmental Protection's (Department) review of the information submitted by Evangelical Community Hospital indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the particulate matter emission limitation of 25 Pa. Code § 123.11, the sulfur oxides emission limitation of 25 Pa. Code § 121.22, the visible emission limitation of 25 Pa. Code § 123.41 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the boiler will not exceed 23.80 tons of NO<sub>x</sub>, 35.70 tons of CO, 1.84 tons of VOCs, 2.71 tons of SO<sub>x</sub> and 3.25 tons of PM<sub>10</sub> per year.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements including the best available technology requirements of 25 Pa. Code Sections 127.1 and 127.12.

Emission restrictions to limit the emission of NO<sub>x</sub>, CO, VOCs, SO<sub>x</sub> and PM<sub>10</sub>.

Work practice requirements to install and operate the source and control device with good air pollution control practices.

Test conditions to verify compliance with the NO<sub>x</sub>, CO and PM<sub>10</sub> emission limitations.

Recordkeeping conditions to verify compliance with the emission limitations and all applicable requirements.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

**AMS 10253: Sunoco, Inc.—Frankford Plant** (Margaret & Bermuda Streets, Philadelphia, PA 19137) to permanently route the aldehyde drum (VT-507) vent to the inlet to the CADs 501/502/503/504 and discontinue use of hydrocarbon analyzers associated with CADs in the City of Philadelphia, **Philadelphia County**. The project will have a zero tpy VOC emissions. The plan approval will contain operating, testing, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

**AMS 10277: Veolia Energy** (2600 Christian Street, Philadelphia, PA 19146) to construct and operate four (4) 297.91 MMBTU/hr rapid fire package boilers burning natural gas or #2 fuel oil. The facility will maintain the same facility wide emission for nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), non-methane hydrocarbon (NMHC), particulate matter (PM), particulate matter-10 (PM-10), carbon monoxide (CO), and ammonia (NH<sub>3</sub>) as permitted in Plan Approval 97019. Each boiler will be installed with induce flue gas recirculation and low NO<sub>x</sub> burners. The permit will contain operating, testing, monitoring, and recordkeeping requirements to ensure that the boilers operate within all applicable requirements.

*Central Office: Bureau of Air Quality, 12th Floor,  
Rachel Carson State Office Building, P. O. Box 8468,  
Harrisburg, PA 17105-8468.*

*Contact: Krishnan Ramamurthy, Chief, Division of Permits, (717) 787-4325*

**ER AMS 09502: Philadelphia International Airport** (City of Philadelphia, PA 19153) granting Airport Emission Reduction Credits (AERC) for 91.958 tons of volatile organic compounds (VOCs), 1233.63 tons of nitrogen oxides (NO<sub>x</sub>), 88.346 tons of particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>), 86.939 tons of particulate matter less than 2.5 micrometers (PM<sub>2.5</sub>), and 1518.409 tons of carbon monoxide (CO) during the 20-year life of the low-emission ground support equipment.

In accordance with applicable provisions in 25 Pa. Code Chapter 127 (relating to construction, modification, reactivation, and operation of sources), the Pennsylvania Department of Environmental Protection (the Department) intends to issue a Plan Approval to Philadelphia International Airport authorizing the use of the AERCs. These credits will be granted for the 20-year useful life of the six (6) Voluntary Airport Low Emissions (VALE) Program projects including low-emission ground support equipment specified in "VALE Equipment Acquisition Inventory" and supporting documents submitted by the

Philadelphia International Airport on April 5, 2010. The Department has determined that the estimated emission reductions meet AERC requirements in accordance with the U.S. Environmental Protection Agency (EPA) "Guidance on Airport Emissions Reduction Credits for Early Measures through Voluntary Airport Low Emission Programs." Upon the issuance of a plan approval, these AERCs will be enforceable by the EPA, PADEP, and Philadelphia Air Management Services.

Pursuant to 25 Pa. Code Section 127.207(5)(vi), this plan approval will be submitted to EPA for approval as a revision to the State Implementation Plan.

A copy of the proposed plan approval and supporting documents will be made available on the Department's Web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: Public Participation; select Proposals Open for Comment). A copy of the proposed plan approval may also be obtained by contacting Jeanette Van Skike, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

The Department requests written comments on the proposed plan approval by April 2, 2011. Comments received by facsimile will not be accepted. Notice and opportunity for comment will also be provided to the United States Environmental Protection Agency and the States of Delaware, Maryland, and New Jersey. Interested persons may submit written comments, suggestions, or objections to Krishnan Ramamurthy, Chief, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

The Department will hold a public hearing to receive comments on the proposed SIP revision, only if a request for a public hearing is received from a member of the public. A request for a public hearing must be received by 4:00 p.m. on Tuesday, March 15, 2011. If a request for a public hearing is received by 4:00 p.m. on Tuesday, March 15, 2011, the public hearing will be held on Thursday, March 17, 2011, at 1:00 p.m. at the Department's Southeast Regional Office, 2 East Main Street, Norristown, Pennsylvania. If no request for public hearing is received by 4:00 p.m. on Tuesday, March 15, 2011, the hearing will be cancelled and notice of the cancellation will be posted on Wednesday, March 16, 2011, at the Department's Web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) ((DEP Keyword: Public Participation; select Proposals Open for Comment). Interested parties may also call (717) 787-4325 to find out if the hearing has been cancelled.

## OPERATING PERMITS

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

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

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

**34-05001: Armstrong Cabinet Products** (12393 William Penn Highway, Thompsettown PA 17094) for their cabinet manufacturing facility in Delaware Township, **Juniata County**.

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

The subject facility has actual emissions of 182 tons per year of volatile organic compounds and 25 tons per year of hazardous air pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from Subpart JJ—National Emission Standards for Wood Furniture Manufacturing Operations.

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

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

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

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

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

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

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

**49-00004: Resilite Sports Products, Inc.** (P. O. Box 764, Sunbury, PA 17801) for renewal of their Title V Operating Permit for their facility in Northumberland Borough, **Northumberland County**. The facility's sources include Mat Finish & Cure Operations, Mat Adhesive Application Operations, Mat Reconditioning Operations, Spray Equipment Cleanup Operations and One (1) 20,000 gallon storage tank, which have the potential to emit major quantities of volatile organic compound emissions. The facility has the potential to emit carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), sulfur oxide (SO<sub>x</sub>), volatile hazardous air pollutants (VHAPs) and particulate matter (PM/PM<sub>10</sub>) emissions below the major emission thresholds. The proposed Title V operating permit renewal contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. The proposed Title V operating permit renewal contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

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

**67-05092: Starbucks Coffee Co.** (3000 Espresso Way, York, PA 17402) for their coffee bean processing facility in East Manchester Township, **York County**.

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

The subject facility has potential volatile organic compound (VOC) emissions of 7.4 tons per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

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

**06-03065: Tube City IMS, LLC** (1155 Business Center Drive, Horsham, PA 19044) for an air quality permit renewal for their steel slag processing operations located in Muhlenberg Township, **Berks County**, on the Hartman Tract of Carpenter Technology.

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

The subject facility has actual emissions of one ton per year of particulate matter. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.



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

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

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

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

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

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

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

**55-00008: Apex Homes, Inc.** (7172 U.S. Highway 522 North, Middleburg, PA 17842) The Department intends to issue a State-only (Synthetic Minor) operating permit for operation of its facility in Middlecreek Township, **Snyder County**. The facility incorporates one 0.80 MMBtu/hr wood-fired outdoor boiler, one modular home assembly operation and paint shop controlled by spray booth filters under Plan Approval 55-399-006A, one woodworking operation controlled by a fabric collector exempted from plan approval via RFD, 16 portable propane-fired heaters/torches with a combined maximum heat input rating of 0.062 MMBtu/hr, 14 portable kerosene-fired heater with a combined maximum heat input rating of 1.64 MMBtu/hr, two portable gasoline-fired engines rated at 20 bhp and 6.75 bhp, one 80 gallon gasoline storage tank, one 825 gallon diesel fuel storage tank, and one 4000 gallon propane storage tank. The facility has the potential to emit up to 28.84 tons of PM/PM10, 3.67 tons of HAPs, 3.68 tons of SO<sub>x</sub>, 1.37 tons of NO<sub>x</sub>, 42.07 tons of VOCs, 25.32 tons of CO per year, 2.14 tons of acetone, and 0.39 tons of chlorodifluoromethane. The facility is a state only facility. The Department also incorporated all conditions currently contained in Plan Approval 55-399-006A and all applicable conditions of approval contained in the RFD exemption for the woodworking operation into the operating permit. The proposed operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and report conditions.

**49-00052: Earthgrains Baking Co., Inc.** (249 North Eleventh Street, Sunbury, PA 17801) for their Butter Krust bakery facility in Northumberland Borough, **Northumberland County**. The facility is a bakery, which produces bread and rolls. The facility has the potential to emit major quantities of VOCs. The facility has taken a synthetic minor restriction not to exceed the

major emission threshold for VOCs. The facility has the potential to emit particulate matter (PM<sub>10</sub>), NO<sub>x</sub>, SO<sub>x</sub>, CO, and HAPs below the major thresholds. The proposed operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and report conditions.

**41-00059: Orograin Bakeries Manufacturing, Inc.** (3375 Lycoming Creek Road, Williamsport, PA 17701) for issuance of a State-only (Synthetic Minor) operating permit for operation of its Lycoming Creek Roll Plant located in Old Lycoming Township, **Lycoming County**. The facility incorporates one 2.858 MMBtu/hr natural-gas fired boiler, one 5.25 MMBtu/hr natural-gas fired boiler, one 1.25 MMBtu/hr natural-gas fired furnace, two natural-gas fired air make up units with a combined heat input rating of 3.1 MMBtu/hr, one 1.12 MMBtu/hr natural-gas fired boiler, two bread or roll baking ovens with associated pre-bake operations, facility painting operations, one 8 brake horsepower gasoline-fired water pump, one 16 brake horsepower gasoline-fired welder that can also be used as a 6kW generator, four ink-jet printers, and various miscellaneous air-contaminant sources the Department considers to be insignificant sources. The facility has the potential to emit up to 0.81 tons of PM/PM<sub>10</sub>, 2.30 tons of HAPs, 0.05 tons of SO<sub>x</sub>, 11.80 tons of NO<sub>x</sub>, 31.60 tons of VOCs, and 55.07 tons of CO per year. The facility is a state only facility. The state only (Synthetic Minor) operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

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

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

**11-00516: Fiberblade, LLC—Ebensburg Plant** (100 Commerce Drive, Ebensburg, PA 15931) for their wind turbine rotor blade manufacturing facility in Cambria Township, **Cambria County**. The operation of the facility's air contamination sources are the Moulding Operation, the Finishing Operation, 600 KW Diesel Emergency Generator, and Miscellaneous Natural Gas Usages. Fiberblade is limited to 99 tpy NO<sub>x</sub>, 49 tpy VOC, 9 tpy of a single HAP and 24 tpy aggregated group of HAPs. The facility must maintain a 12-month rolling total of quantities of each VOC and/or HAP containing material used, facility wide VOCs and HAPs emitted, and the quantity of natural gas purchased. The facility is required to submit an annual facility-wide emissions report (AIMS Report) by March 1st each year for the previous calendar year. The facility must conduct weekly inspections around the plant periphery during daylight hours, while the plant is in operation, to observe for the presence of any odorous air contaminants, fugitive emissions, and additional operation requirements, monitoring requirements, and recordkeeping requirements for the facility.

**32-00398: Western Allegheny Energy, LLC** (301 Market Street, Kittanning, PA 16201-9642) for Natural Minor Operating Permit for their Knob Creek Coal Preparation Plant off SR 3002 (Saltsburg Road) in Youngwood Township, **Indiana County**. The plant consists of a series of conveyors, screen, stackers, storage piles, a truck loading operation and a stand-by diesel generator. This is a state only operating permit submittal.



**32-00397: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201-9642) for a Natural Minor Operating Permit for their Heilwood Mine Coal Preparation Plant near Heilwood in Pine Township, **Indiana County**. The plant consists of a series of conveyors, screen, stackers, storage piles, a truck loading operation and a stand-by diesel generator. This is a state only operating permit submittal.

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

*Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940*

**62-00183: PAPCO, Inc.** (14888 Route 6, Warren, PA 16365) for a natural minor permit to operate a natural gas processing and compression plant in Mead Township, **Warren County**. The facility's major emission sources include hot oil heater, re-boiler, Ajax compressor engine, 346 HP, Ajax compressor engine, 384 HP, processing plant (equipment leak check), storage tanks and dehydration plant. The facility is natural minor because the emissions of pollutants from the plant are less than Title V threshold. The engines are subject to the Area Source requirements for existing engines under 40 CFR 63, Subpart ZZZZ. The applicable requirements have been included in the renewal.

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

*Contact: Edward Brawn, Chief—Telephone: 215-685-9476*

**N10-008: Jerith Manufacturing Co., Inc.** (14400 McNulty Road, Philadelphia, PA 19154) for the operation of an aluminum fencing manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) part washers with burners each less than 5 MMBTU/hr burning natural gas, six (6) drying/curing ovens each less than 5.5 MMBTU/hr burning natural gas, and three (3) heat cleaning furnace with afterburner each 1.2 MMBTU/hr or less burning natural gas.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

**N10-024: SEPTA-Allegheny Garage** (2700 Allegheny Avenue, Philadelphia, PA 19129) for operation of air pollution sources in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one hot water boiler fired natural gas capacity 2.1 MMBtu/hr, two hot water boilers fired number 2 fuel oil and natural gas each 8.37 MMBtu/hr, two pressure washers fired natural gas each 657,000 btu/hr, two space

heaters fired natural gas each 600,000 btu/hr, and one emergency generator fired natural gas capacity 175 KW.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

The following permit applications to conduct mining activities have been received by the Department. A copy of an application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference or a public hearing, as applicable, on a mining permit application may be submitted by a person or an officer or head of Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of the person submitting comments or objections, the application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

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

For noncoal mining activities, the proposed limits are in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in coal fields) may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters. The limits will be in the ranges specified in Table 1.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur will be incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads.

Persons wishing to comment on NPDES permit applications should submit statements to the Department at the address of the district mining office indicated before each application within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. A comment must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications as provided in 25 Pa. Code § 92.61. The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal Applications Received*

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

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

<sup>1</sup>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) 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*

**30733707 and NPDES No. PA0215830, Consolidation Coal Company**, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317), to renew the permit for the Robena Refuse Disposal Area in Monongahela and Greene Townships, **Greene County** and related NPDES permit. No additional discharges. Application received: August 30, 2010.

**30841307 and NPDES No. PA0213438, Emerald Coal Resources, LP**, (P. O. Box 1020, 158 Portal Road,

P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin and Washington Townships, **Greene County** to add underground permit and subsidence control plan area acres for development mining. Underground Acres Proposed 5200, Subsidence Control Plan Acres Proposed 5200. No additional discharges. Application received: October 25, 2010.

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

**32110101 and NPDES No. PA0263150, Amerikohl Mining, Inc.**, 1384 State Route 711, Stahlstown, PA 15687 commencement, operation and restoration of a bituminous surface mine in Brush Valley Township, **Indiana County**, affecting 102.4 acres. Receiving stream(s): unnamed tributaries to/and Ferrier Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 3, 2011.

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

**26050110 and NPDES Permit No. PA0250783. Albert F. Stiffler** (141 Locust Road, Box 42-C, Normalville, PA 15469). Renewal application for continued mining of an existing bituminous surface mine, located in Saltlick Township, **Fayette County**, affecting 156.9 acres. Receiving stream: unnamed tributary to Little Champion Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: February 4, 2011.

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

**54851325R5 and NPDES Permit No. PA0223255. B & B Anthracite Coal Company**, (225 Main Street,

Tremont, PA 17981), renewal of an existing anthracite underground mine operation in Tremont Township, **Schuylkill County** affecting 8.0 acres, receiving stream: Lorberry Creek, classified for the following use: cold water fishes. Application received: January 24, 2011.

**54850108R5. Jett Contracting Company**, (P. O. Box 243, Brockton, PA 17925), renewal of an existing anthracite surface mine operation in Blythe Township and New Philadelphia Borough, **Schuylkill County** affecting 56.9 acres, receiving stream: none. Application received: February 4, 2011.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**4273SM4A and NPDES Permit No. PA0599239. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, Church Street, New Enterprise, PA 16664, renewal of NPDES Permit, Greenfield Township, **Blair County**. Receiving stream(s): Beaverdam Creek to Frankstown Branch Juniata River classified for the following use(s): cold water fishery; trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: February 2, 2011.

**4274SM5 and NPDES Permit No. PA0262218. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Broadtop Township, **Blair County**. Receiving stream(s): UT to Six Mile Run classified for the following uses(s): warm water fishery. The first downstream potable water supply intake from the point of discharge is Saxton Municipal Water Authority. NPDES renewal application received: February 2, 2011.

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

**08110302 and NPDES No. PA0257541. Hanson Aggregates Pennsylvania, LLC** (7600 Imperial Way, Allentown, PA 18195). Commencement, operation and restoration of a large noncoal surface mine located in Wilmot Township, **Bradford County** affecting 61.11 acres. Receiving stream: unnamed tributary to Panther Lick Creek classified for cold water fishery. There are no

potable water supply intakes within 10 miles downstream. Application received: February 4, 2011.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should



contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E08-472. Pennsylvania Department of Transportation**, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. SR1038, Segment 0070, Offset 0388, Stream Bank Stabilization and Restoration Project. Warren Township, **Bradford County**, ACOE Baltimore District (Little Meadows, PA Quadrangle N: 41° 56' 11"; W: 76° 11' 19").

PA DOT Engineering District 3-0 proposes to construct a 105 ft. log muddsill and three multi-log deflectors on the left stream bank of Wappasening Creek. Wappasening

Creek has severely eroded the outside bend of the stream bank just upstream of the PA DOT bridge structure over Wappasening Creek. The streambank behind the muddsill will be protected with rip-rap. Wappasening Creek will also have a large gravel bar removed. The gravel bar has deposited as a result of the stream bank erosion and channel migration. The gravel bar removal will allow for a better stream alignment with the bridge structure. The total project length will be approximately 160 ft. The project will temporarily impact 0.01 acres of jurisdictional wetlands. Wappasening Creek is classified as Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards. The project will not require mitigation.

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

**E65-937. Ligonier Township**, One Municipal Park Drive, Ligonier, PA 15658. To restore the stream by re-routing the channel in Ligonier Township, **Westmoreland County**, Pittsburgh ACOE District. (Wilpen, PA Quadrangle N: 0.25"; W: 14.25" and Latitude: 40° 15' 6"; Longitude: 79° 13' 36"). The applicant proposes to restore approximately 720' of stream, Unnamed Tributary to Mill Run (CWF) to a more natural condition by removing accumulated sediment and re-routing the channel.

**ACTIONS**

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**

**FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS**

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

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

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

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



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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0088722 (IW)	John F. Martin & Sons, Inc. 55 Lower Hillside Road Stevens, PA 17578-9787	Lancaster County West Cocalico Township	Indian Run / 7-J	Y
PA0082244 (IW)	Susquehanna Area Region Airport Authority One Terminal Drive Suite 300 Middletown, PA 17057	Dauphin County Lower Swatara Township	Susquehanna River / 7-C	Y
PA0020664 Amendment No. 2	Middletown Borough Authority 60 West Emaus Street Middletown, PA 17057-1407	Dauphin County Middletown Borough	Susquehanna River / 7-C	Y
PA0037737 (SEW)	Elizabethville Borough Area Authority 4154 North Route 225 Elizabethville, PA 17023-9704	Dauphin County Washington Township	Wiconisco Creek / 6-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. PAG050088**, Industrial Waste, **Exxon Mobil Oil Corporation**, 7715 Crittenden Street, Suite 309, Philadelphia, PA 19118-4421.

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

Description of Proposed Action/Activity: Approval for General permit to discharge from an existing groundwater remediation system from a facility known as Messiah Lutheran Church to East Branch Brandywine Creek.

**NPDES Permit No. PA0058467**, Industrial Waste, **Brandywine Realty Trust**, 555 East Lancaster Avenue, Suite 100, Radnor, PA 19087.

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

Description of Proposed Action/Activity: Approval for the renewal to discharge from a facility known as Brandywine Realty Trust Cooling Tower located at 630 Allendale Road, King of Prussia, PA 19406 to an Unnamed Tributary to Trout Creek (PA Stream Code 00982) in Watershed 3D-Lower Schuylkill.

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

**NPDES Permit No. PA0261262**, Sewage, **North Londonderry Township Authority**, 655 East Ridge Road, Palmyra, PA 17078.

This proposed facility is located in North Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to Killinger Creek in Watershed 7-D.

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

**NPDES Permit No. PAS314802**, Storm Water, SIC Code 1389, **Halliburton Energy Service Inc.**, 11545 State Route 120, Emporium, PA 17701-6448.

This proposed facility is located in Emporium Borough, **Cameron County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

**PAS224805**, Storm Water, SIC Code 2452, **Integrity Building Systems, Inc.**, 2435 Housels Run Road, Milton, PA 17847. Facility Name: Integrity Building Systems, Inc. This proposed facility is located in Milton Borough, **Northumberland County**.

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

**PA0111911**, Industrial Waste, SIC Code 3446, **Construction Specialties, Inc.**, P. O. Box 380, Muncy, PA 17756-0380. Facility Name: Construction Specialties, Inc. This existing facility is located in Clinton Township, **Lycoming County**.

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

**NPDES Permit No. PA0020800**, Sewage, SIC Code 4952, **White Deer Township Municipal Authority**, P. O. Box 90, West Milton, PA 17886-0090.

This existing facility is located in White Deer Township, **Union County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

**NPDES Permit No. PA0263788**, Sewage, **James Hitchcock**, 3001 Little Hickory Road, Tionesta, PA 16253.

This proposed facility is located in President Township, **Venango County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for discharge of treated sewage from a Small Flow Treatment Facility.

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

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

**WQM Permit No. 0799404 Amendment 10-1**, Sewage, **Freedom Township Water and Sewer Authority**, 31 Municipal Road, East Freedom, PA 16637.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewerage facilities consisting of a new wet well with new influent pumps, a new headworks, and an equalization tank. Demolition of the existing two small contact stabilization units and most of the existing piping. Construction of a new anoxic tank. Convert the existing aeration and the contact stabilization process to dual anoxic-oxic. Construction of two new 50' diameter clarifiers; construction of a new UV disinfection unit. Construction of two new aerobic digesters. Construction of a new sludge processing building to house a new rotary fan, chemical feed system, and a new generator. Modification to the existing control building to house all chemical feed systems.

**WQM Permit No. 2810401**, Sewage, **Franklin County General Authority**, 5540 Coffey Avenue, Chambersburg, PA 17201.

This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of new headworks, a new package advanced biological treatment system, new effluent metering, new UV disinfection, chemical feed facilities, sludge stabilization, and sludge dewatering facilities.

**WQM Permit No. 3810401**, Sewage, **North Londonderry Township Authority**, 655 East Ridge Road, Palmyra, PA 17078.

This proposed facility is located in North Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of influent pumping, screening, grit and grease removal, advanced activated sludge biological treatment, final clarification, tertiary filtration, UV disinfection, reparation, effluent flow monitoring, chemical feed systems, sludge treatment and dewatering.

**WQM Permit No. 6710407**, Sewage, **Springettsbury Township**, 1501 Mt. Zion Road, York, PA 17402.

This proposed facility is located in Springettsbury Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewerage facilities consisting of a new 12" interceptor from the Meadowlands Pump Station to Manhole No. 2891, north of East Market Street to eliminate Meadowlands Pump Station.

**WQM Permit No. 2110402 Transfer 1**, Sewage, Andrew Malloy, 345 Old Mill Road, Carlisle, PA 17015.

This proposed facility is located in Lower Frankford Township, **Cumberland County**.

Description of Proposed Action/Activity: Transfer of sewage facilities consisting of a septic tank, buried sand filter and UV disinfection serving a single family residence.

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

**WQM Permit No. 1490410-A2**, Sewerage [SIC 9223], **Spring-Benner-Walker Joint Municipal Authority**, East College Avenue, Bellefonte, PA 16823.

This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: SCI Benner Township is proposing to relocate a portion of force main from the SBWJA Pump Station No. 6 located on S.R. 26, because the existing force main crosses the section of property where the new 2,000 inmate SCI Benner Township Prison will be built.

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

**WQM Permit No. 5610403**, Sewerage, **Lincoln Township Municipal Authority**, PO Box 162, Sipesville, PA 15561

This proposed facility is located in Lincoln Township, **Somerset County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers, pump station and force main and sewage treatment plant.

**WQM Permit No. 1111401**, Sewerage, **Franklin Borough**, 1125 Main Street, Johnstown, PA 15909

This proposed facility is located in Franklin Borough, **Cambria County**

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers.

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

**WQM Permit No. WQG028324**, Sewage, **Millcreek Township Sewer Authority**, 120 W. 10th Street, Erie, PA 16501.

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

Description of Proposed Action/Activity: Issuance of a new permit for the construction and operation of gravity sewers, lift station and force main, manholes and service laterals along Arbuckle Road.

**WQM Permit No. 6110403**, Sewage, **James Hitchcock**, 3001 Little Hickory Road, Tionesta, PA 16253.

This proposed facility is located in President Township, **Venango County**.

Description of Proposed Action/Activity: Issuance of a new permit for a Single Residence Sewage Treatment Plant.

**NPDES Permit No. WQG018794**, Sewage, **Mary Knight**, c/o POA Mary Knight, 4297 Bundy Settlement Road, Brockport, PA 15823

This proposed facility is located in Ashland Township, **Clarion County**.

Description of Proposed Action/Activity: Issuance of a new permit for a Single Residence Sewage Treatment Plant.

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

**WQM Permit No. 4604412**, Sewerage, Amendment #2, **Upper Gwynedd Township**, P. O. Box 1, Parkside Place, West Point, PA 19486.

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

Description of Action/Activity: Addition of BioMag process to existing treatment plant.

**WQM Permit No. 0910402**, Sewerage, **Bucks County Water & Sewer Authority**, 1285 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Construction and operation of a new Durham Road Pump Station.

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

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

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

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041810003	Gas Field Specialists 2107 SR 44 S Shinglehouse, PA 16748	Clinton	Dunnstable Township	Big Plum Run CWF

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

*Clarion Conservation District, 265 Holiday Inn Road, Suite 2, Clarion PA 16214*

*Elk Conservation District, Elk Courthouse Annex, 300 Center Street, PO Box 448, Ridgway PA 15853*

*Warren Conservation District, 300 Hospital Drive, Suite D, Warren PA 16365*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI 0616 10 001	PennDOT Engineering District 10-0 2550 Oakland Avenue Indiana PA 15701-0429	Clarion	Ashland Township Elk Township	UNT East Sandy Creek CWF; UNT Canoe Creek HQ-CWF
PAI 0624 10 002	PennDOT Engineering District 2-0 1924 Daisy Street Ext. PO Box 342 Clearfield PA 16830-3226	Elk	Jones Township	Wilson Run CWF; West Branch Clarion River CWF; EV Wetlands
PAI 0662 10 001	Sheffield Township Municipal Authority 20 Leather Street PO Box 821 Sheffield PA 16347	Warren	Sheffield Township	Tionesta Creek HQ-CWF

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

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

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

#### *General Permit Type—PAG-02*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Washington Twp. Northampton Co.	PAG02004805041R	Ken Snyder DT Development Company Inc 3312 7th Street Whitehall PA 18052	Martins Creek (TSF, MF)	Northampton Co. Conservation District 610-746-1971
Hanover Twp. Lehigh Co.	PAG02003910010	Hanover Township 2202 Grove Rd. Allentown PA 18109	UNT to Lehigh River (CWF, MF)	Lehigh Co. Conservation District 610-391-9583



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Antrim Township Franklin County	PAG02002810015	Norfolk Southern Franklin County Regional Intermodal Facility Tim Drake Norfolk Southern Railway 1200 Peachtree Street Atlanta GA 30309	UNT to Conococheague Cr WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717-264-5499
Peters Township Franklin County	PAG2002805-065(R)	LeMar Crossings Ed Uglow DELM Developers PO Box 1010 Chambersburg PA 17201	UNT to West Br. Of Conococheague Cr WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg PA 17201 717-264-5499
Kelly Township Union County	PAG2006011002	Anthony Cooper Albright Care Services 90 Maple Drive Lewisburg, PA 17837	West Branch of Susquehanna River WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Fayette County North Union Township	PAG02002611002	James Stark Fayette County Community Action Agency 108 North Beeson Blvd. Uniontown, PA 15401	Redstone Creek (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497
Greene County Richhill Township	PAG02003010014	Southwestern PA Water Authority 1442 Jefferson Road P. O. Box 187 Jefferson, PA 15344	North Fork Dunkard Fork (TSF) South Fork Dunkard Fork (TSF)	Greene County CD 19 South Washington Street Waynesburg, PA 15370-2053

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
East Huntingdon Township Westmoreland County	PAR806240	Amcel Center PO Box 982 Mount Pleasant, PA 15666	Jacobs Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Ridgway Township Elk County	PAR218324	Industrial Timber and Lumber Company 1 Merillat Court Loudonville, OH 44842	Unnamed Tributary to Mason Creek 17-A	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Pine Creek Township Jefferson County	PAR218323	Brookville Wood Products Inc. 12942 Route 322 Brookville, PA 15825	Unnamed Tributary to Fivemile Run 17-C	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Blair County / Snyder Township	PAG043913	Corinna Teeter 21414 Flintstone Court Road NE Flintstone, MD 21530	Decker Hollow Run / TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Ashland Township, Clarion County	PAG041024	Mary Knight 4297 Bundy Settlement Road Brockport, PA 15823	Unnamed tributary to Pine Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-8*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
North Middleton Township Cumberland County	PAG083555	North Middleton Township Authority 240 Clearwater Drive Carlisle, PA 17013	North Middleton Township Authority STP 240 Clearwater Drive Carlisle, PA 17013	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Everett Borough, Bedford County	PAG083562	Borough of Everett Area Municipal Authority 100 Mechanic Street Everett, PA 15537	Borough of Everett Area Municipal Authority STP Sewer Plant Road Everett, PA 15537	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-9*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Antrim Township Franklin County	PAG093534	Antrim Septic Service 3119 Barr Road Greencastle, PA 17225	Antrim Septic Service 3119 Barr Road Greencastle, PA 17725	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Taylor Township, Blair County	PAG093535	Orchard Lane Excavating, Inc. 656 Excavating Road Roaring Spring, PA 16673	Orchard Lane Excavating, Inc. 656 Excavating Road Roaring Spring, PA 16673	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-10*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Franklin County Greene Township Guilford Township Peters Township	PAG103543	Texas Eastern Transmission, LP 890 Winter Street, Suite 300 Waltham, MA 02451	UNT of Conococheague Creek / WWF UNT to Conococheague Creek / CWF Conococheague Creek / CWF UNT of West Branch Conococheague Creek / TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Fulton County Ayr Township	PAG103544	Texas Eastern Transmission, LP 890 Winter Street, Suite 300 Waltham, MA 02451	Spring Run / CWF UNT to Big Cove Creek / CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

## PUBLIC WATER SUPPLY (PWS) PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

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

**Permit No. 2210517 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Halifax Area Water and Sewer Authority</b>
Municipality	Halifax Township
County	<b>Dauphin</b>
Responsible Official	Fred L Ford, Chairman PO Box 443 Halifax, PA 17032
Type of Facility	GWR 4-Log treatment of viruses for EP 103.
Consulting Engineer	Harry E Bingaman, P.E. Glace Assoc., Inc. 3705 Trindle Rd. Camp Hill, PA 17011
Permit to Construct Issued:	2/7/2011

**Permit No. 2210514 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>GSP Management Company</b>
Municipality	Londonderry Township

County	<b>Dauphin</b>
Responsible Official	James Perano, COO PO Box 677 Morgantown, PA 19543
Type of Facility	GWR 4-Log treatment of viruses.
Consulting Engineer	James A. Cieri, P.E. ACT ONE Consultants, Inc. 200 S. 41 Street Harrisburg, PA 17111
Permit to Construct Issued:	2/7/2011

**Operations Permit** issued to: **Bendersville Borough**, 7010002, Menallen Township, **Adams County** on 2/7/2011 for the operation of facilities approved under Construction Permit No. 0110511 MA.

**Operations Permit** issued to: **Middle Spring Presbyterian Church**, 7280953, Southampton Township, **Cumberland County** on 2/10/2011 for the operation of facilities approved under Construction Permit No. 2110511 MA.

**Operations Permit** issued to: **Denver Borough**, 7360017, Denver Borough, **Lancaster County** on 2/9/2011 for the operation of facilities approved under Construction Permit No. 3611506 MA.

**Operations Permit** issued to: **Leola Sewer Authority**, 7360140, Upper Leacock Township, **Lancaster County** on 2/7/2011 for the operation of facilities approved under Construction Permit No. 3611505 MA.

**Operations Permit** issued to: **Bird in Hand Bake Shop**, 7360731, Upper Leacock Township, **Lancaster County** on 2/7/2011 for the operation of facilities approved under Construction Permit No. 3610542.

**Operations Permit** issued to: **Camp Reily YWCA**, 7220364, Middle Paxton Township, **Dauphin County** on 2/7/2011 for the operation of facilities approved under Construction Permit No. 7220364.

**Operations Permit** issued to: **Timeless Towns of America**, 7010048, Cumberland Township, **Adams County** on 2/9/2011 for the operation of facilities approved under Construction Permit No. 0110521 MA.

**Operations Permit** issued to: **Newmanstown Water Authority**, 7380028, Millcreek Township, **Lebanon County** on 2/7/2011 for the operation of facilities approved under Construction Permit No. 3810512 MA.

**Operations Permit** issued to: **Newmanstown Water Authority**, 7380028, Millcreek Township, **Lebanon County** on 2/7/2011 for the operation of facilities approved under Construction Permit No. 3897501-T1.

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

**Permit No. 4910501—Construction** Public Water Supply.

Applicant	<b>Line Mountain School District</b>
[Township or Borough]	Lower Mahanoy Township
County	<b>Northumberland</b>
Responsible Official	Tim Lagerman, Plant Director Line Mountain School District 185 Line Mountain Road Herndon, PA 17830

Type of Facility Public Water Supply  
 Consulting Engineer N. Peter Fleszar, P.E.  
 Glace Associates  
 3705 Trindle Road  
 Camp Hill, PA 17011  
 Permit Issued Date February 10, 2011  
 Description of Action Well No. 3 with Isolux treatment  
 and 4-log virus removal at EP  
 101.

Houtzdale Municipal Authority (Public Water Supply), Clearfield County: On February 9, 2011, the Department of Environmental Protection approved the Source Water Protection (SWP) plan for the Houtzdale Municipal Authority. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department (David W. Garg, P.E., (570) 321-6581).

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

**Permit No. 0211501MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 PO Box 888  
 Hershey, PA 17033  
 [Borough or Township] Jefferson Borough and Union Township  
 County **Washington**  
 Type of Facility Water system  
 Consulting Engineer  
 Permit to Construct Issued February 14, 2011

**Permit No. 5610510MA, Minor Amendment.** Public Water Supply.

Applicant **Seven Springs Municipal Authority**  
 290 Lagoon Lane  
 Champion, PA 15622  
 [Borough or Township] Middlecreek Township  
 County **Somerset**  
 Type of Facility Water storage tank  
 Consulting Engineer Widmer Engineering  
 225 West Crawford Avenue  
 Connellsville, PA 15425  
 Permit to Construct Issued February 14, 2011

**Permit No. 2610512MA, Minor Amendment.** Public Water Supply.

Applicant **The Municipal Authority of the Township of Washington**  
 1390 Fayette Avenue  
 Belle Vernon, PA 15012  
 [Borough or Township] Washington Township  
 County **Fayette**

Type of Facility Waterline (Rathway Road project)  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 PO Box 200  
 Indianola, PA 15051

Permit to Construct Issued January 30, 2011

**Permit No. 3009504MA, Minor Amendment.** Public Water Supply.

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

[Borough or Township] Washington Township; Amwell Township

County **Greene; Washington**

Type of Facility Waterline project  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 PO Box 200  
 Indianola, PA 15051

Permit to Construct Issued February 15, 2011

**Permit No. 0410511GWR, Minor Amendment.** Public Water Supply.

Applicant **Monaca Borough Water Department**  
 928 Pennsylvania Avenue  
 Monaca, PA 15061

[Borough or Township] Monaca Borough

County **Beaver**

Type of Facility Water system  
 Consulting Engineer Widmer Engineering, Inc.  
 806 Lincoln Place  
 Beaver Falls, PA 15010

Permit to Operate Issued February 10, 2011

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

**Permit No. 3309502,** Public Water Supply

Applicant **Brockway Borough Municipal Authority**

Township or Borough Brockway Borough and Snyder Township

County **Jefferson & Elk Counties**

Type of Facility Public Water Supply  
 Consulting Engineer N. Peter Fleszar  
 Permit to Construct Issued 02/11/2011

**Permit No. 6210501,** Public Water Supply

Applicant **North Warren Municipal Authority**

Township or Borough Conewango Township

County **Warren County**

Type of Facility Public Water Supply



Consulting Engineer Kathy Gibbs, PE  
 Permit to Construct 02/11/2011  
 Issued

### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P. L. 1535, as amended, 35 P. S. § 750.5

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

*Plan Location:* at the intersection of Fort Loudon Road and Claylick Road.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Montgomery Township	12868 Fort Loudon Rd Mercersburg PA 17236	Franklin County

*Plan Description:* The approved plan, in the name of Jason Petre, provides for a small flow treatment facility to serve 2 existing residences. The small flow treatment facility is planned to discharge into an unnamed tributary to Licking Creek. The Department'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 owner.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Turkey Hill Dairy**, Manor Township, **Lancaster County**. EPSYS LLC, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103-1049, on behalf of Turkey Hill Dairy, 2601 River Road, Conestoga, PA 17516-9630, submitted a Final Report concerning remediation of site soils and groundwater contaminated with gasoline and diesel fuel from unregulated underground storage tanks. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Earl Page Property Fuel Release**, Castanea Township, **Clinton County**. Pennsylvania Tectonics, Inc., 328 Main St., Peckville, PA 198452 on behalf of Earl Page, Castanea Manor, 200 East Keller St., Lot #51, Castanea, PA 17726 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Regal Transportation Route 54 and Warrior Run Blvd. Accident**, Lewis Township, **Northumberland County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Regal Transportation, 6202 Shortman Road, Ripley, NY 14775 has submitted a Final Report within 90 days 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*

**Former Invensys Appliance Controls Facility, Former Robertshaw Controls, Mercury Impacted Act 2 Site**, New Stanton Borough, **Westmoreland County**. Shaw Environmental Inc., 2970 Mossie Boulevard, Monroeville, PA 15146 on behalf of the Invensys Inc., 33 Commercial Street, Foxboro, Massachusetts, 02035 has submitted a Final Report for the Mercury Impacted Act 2 Site concerning the remediation of site soil and groundwater contaminated with Mercury. The Final Report was noticed in the *Pittsburgh Tribune Review* on January 24, 2011.

**Ambridge Area Brownfields**, 11th—14th Streets, Borough of Ambridge, **Beaver County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Ambridge Borough, 600 11th Street, Ambridge, PA 15003 and Castlebrook Development Group, 2593 Wexford-Bayne Road, Suite 201, Sewickley, PA 15143 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with heavy metals, PAH's, SVOC's and VOC's. The future use of the Site is to be nonresidential. The Final Report was published in the *Beaver County Times* on January 21, 2011.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Eric Supey, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Snisky Property**, 819 Center Avenue, Jim Thorpe Borough, **Carbon County**. Jacqueline Beck, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 submitted a Final Report (on behalf of her

client, Michael Snisky, 819 Center Avenue, Jim Thorpe, PA 18229), concerning the remediation of soil found to have been impacted by home heating oil as a result of a release during a home heating oil delivery. The report documented attainment of the Residential Statewide Health Standard for soil and was approved on February 7, 2011.

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

**Mohnton Knitting Mills**, Mohnton Borough, **Berks County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of Mohnton Knitting Mills, 22 Main Street, Mohnton, PA 19540, submitted a Final Report concerning remediation of site soils contaminated with #2 fuel oil discovered during the removal of a 6,000-gallon underground storage tank. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on February 11, 2011.

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

**Former Advanced Metal Coatings** (Former Watsonstown Business Park). Watsonstown Borough, **Northumberland County**. The ELM Group, Inc., 2475 Baglyos Circle, Bethlehem, PA 18020 on behalf of Moran Industries, Inc., 601 Liberty St., Watsonstown, PA 17777 has submitted a Final Report concerning remediation of site soil contaminated with petroleum from an underground storage tank. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 7, 2011.

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

**Markovitz Enterprises Flowline Division**, Shenango Township, **Lawrence County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Markovitz Enterprises, Inc.—Flowline Division, 1400 New Butler Road, New Castle, PA 16107 has submitted a Cleanup Plan / Final Report concerning the remediation of site soil contaminated with Trichloroethene (TCE), cis-1,2-Dichloroethene (cDEC), Vinyl Chloride (VC) and groundwater contaminated with Trichloroethene, cis-1,2-Dichloroethene, and Vinyl Chloride. The Cleanup Plan was approved by the Department on February 2, 2011. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on February 2, 2011.

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

**Former McKees Rocks Exxon Terminal #37-003**, McKees Rocks, **Allegheny County**. Groundwater & Environmental Services, Inc., 800 Commonwealth Drive, Suite 201, Warrendale PA 15086 on behalf of Exxon Mobile Environmental Services Company, 1545 Route 22 East, Annandale, NJ 08801 had submitted a Remedial Investigation / Risk Assessment Report concerning the remediation of site soils and groundwater contaminated with metals and petroleum hydrocarbons. The combined report was approved on February 8, 2011.

**Rosedale Tract KOZ and Lower Ore Yard KOZ**, City of Johnstown, **Cambria County**. L. Robert Kimball Associates, 615 West Highland Avenue, P. O. Box 1000, Ebensburg, PA 15931 on behalf of the Johnstown Redevelopment Authority, 401 Washington Street, 4th Floor, Johnstown, PA 15901 has submitted a Site Specific Final



Report concerning the remediation of site soil contaminated with heavy metals. The Final Report was approved on February 4, 2011.

#### MUNICIPAL WASTE GENERAL PERMITS

**Permit(s) modified 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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

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

**Permit No. 100944 Chester County Solid Waste Authority**, P. O. Box 476, Honey Brook, PA 19344. This is a major permit modification to Solid Waste Permit No. 100944 for the operation of Lanchester Landfill, issued in accordance with Article V of the Solid Waste Management Act, 35 P. S. Sections 6018.101, et seq.

This modification approves the Area E Expansion at Lanchester Landfill Compliance with the terms and conditions set forth in the permit is mandatory. You have the right to file an appeal as to these terms and conditions.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Applications renewed 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.**

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

**Permit Application No. 301344. Lancaster Oil Co.** located in Manheim Township, **Lancaster County**. The Department has reviewed the application for permit renewal in order to determine whether it contains the information, maps, fees, and other documents necessary to be considered administratively complete. Please be advised that the application has been determined to be administratively complete.

Comments concerning the application should be directed to Anthony Rathfon, Program Manager, Southcentral Regional Office. Persons interested in obtaining more information about the general permit application may contact the Southcentral Regional Office, 717-705-4706. 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.

**Permit(s) issued under the Solid Waste Management Act, of July 7, 1980, P.L. 380, 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.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 101674. McCutcheon Enterprises, Inc.**, 250 Park Road, Apollo, PA 15613. Operation of a municipal and residual waste processing and transfer facility in Allegheny Township, **Westmoreland County**. Permit renewal issued in the Regional Office on February 9, 2011.

#### AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**GP3-46-0095: Highway Materials, Inc.—Plymouth Meeting Quarry** (5100 Joshua Road, Plymouth Meeting, PA 19462) on February 10, 2011, to construct and operate under GP3-46-0095 a portable Nonmetallic Mineral Processing Plant in Whitmarsh Township, **Montgomery County, PA**.

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

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

**GP3-28-05035A: Highway Materials, Inc.—St. Thomas Development, Inc.** (1750 Walton Road, Blue Bell, PA 19422-0465) on February 4, 2011, for portable nonmetallic mineral processing equipment in St. Thomas Township, **Franklin County**.

**GP9-28-05035A: Highway Materials, Inc.—St. Thomas Development, Inc.** (1750 Walton Road, Blue Bell, PA 19422-0465) on February 4, 2011, for diesel fuel-fired internal combustion engines in St. Thomas Township, **Franklin County**.

**GP3-67-05101: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405-2886) on February 10, 2011, for portable nonmetallic mineral processing equipment including an impact crusher and screen under GP3 at the Global Asphalt Plant in West Manchester Township, **York County**.

**GP9-67-05101: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405-2886) on February 10, 2011, for diesel-fired internal combustion Engines under GP9, to operate mineral processing equipment at the Global Asphalt Plant in West Manchester Township, **York County**.

**GP3-67-05098B: Kinsley Construction, Inc.** (PO Box 2886, York, PA 17405-2886) on February 10, 2011, for portable nonmetallic mineral processing equipment including a cone crusher under GP3 at the Penroc Quarry in West Manchester Township, **York County**.

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

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

**GP3-08-329A: Johnson Quarries, Inc.** (PO Box 136, LeRaysville, PA 18829) on February 1, 2011, to construct and operate a Pegson model 26 x 44 portable crushing plant and a Pegson model 1100 x 650 portable crushing

plant under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at a site in Stevens Township, **Bradford County**.

**GP9-08-329B: Johnson Quarries, Inc.** (PO Box 136, LeRaysville, PA 18829) on February 1, 2011, to construct and operate a 300 brake-horsepower Caterpillar model C9 CLJ04092 diesel engine and a 275 brake-horsepower Caterpillar model C9 MBD02462 diesel engine under the General Plan Approval and/or General Operating Permit for Diesel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at a site in Stevens Township, **Bradford County**.

**GP9-08-310: M.R. Dirt, Inc.** (RR 2 Box 147, Towanda, PA 18848) on February 7, 2011, to relocate and operate one Caterpillar Model C9 CLJ04853 diesel-fired engine with a rating of 351 brake horsepower pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines, from their Ober 2 Quarry facility in Asylum Township, Bradford County to their Camptown Quarry facility in Wyalusing Township, **Bradford County**.

**GP3-08-310: M.R. Dirt, Inc.** (RR2 Box 147, Towanda, PA 18848) on February 7, 2011, to relocate and operate a portable non-metallic mineral crusher and associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) from their Ober 2 Quarry facility in Asylum Township, Bradford County to their Camptown Quarry facility in Wyalusing Township, **Bradford County**.

**GP5-53-110: Ultra Resources, Inc.** (304 Inverness Way South, Suite 295, Englewood, CO 80112) on February 10, 2011, to construct and operate one 625 bhp Caterpillar model G398 TA LCR rich-burn natural-gas fired compressor engine equipped with a Miratech model EQ-601-08-C1 NSCR oxidation catalyst, three J.W. Williams model 4.0-Combo-UP-A glycol dehydration units each rated 4 MMscf/day, three natural-gas fired line heaters each rated at 0.75 MMBtu/hr, three natural-gas fired glycol reboilers each rated at 0.085 MMBtu/hr, and three glycol still vent combustors each rated at 0.57 MMBtu/hr under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the Ken Ton Compressor Station in West Branch Township, **Potter County**.

**GP5-53-105B: Ultra Resources, Inc.** (304 Inverness Way South, Suite 295, CO 80112) on February 10, 2011, to construct and operate one 1340 bhp natural gas-fired compressor engine, to continue operation of one 1340 bhp natural gas-fired compressor engine, one 40 MMscf/day glycol dehydration unit, one natural gas-fired line heater rated at 2.0 MMBtu/hr, two natural gas-fired line heaters each rated at 0.75 MMBtu/hr, one natural gas-fired glycol reboiler rated at 0.65 MMBtu/hr, and one glycol still vent combustor rated at 0.65 MMBtu/hr under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the Button Pad Compressor Station in West Branch Township, **Potter County**.

**GP5-14-330: Anadarko Marcellus Midstream, LLC** (1201 Lake Robbins Drive, The Woodlands, TX 77380) on February 10, 2011, to construct and operate three natural gas-fired compressor engines rated at 1340 brake-horsepower equipped with oxidation catalysts, one natu-

ral gas-fired compressor engines rated at 690 brake-horsepower equipped with an oxidation catalyst, two natural gas-fired micro turbine generators, and one 750,000 Btu per hour glycol dehydrator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the 231 Compressor Station in Snowshoe Township, **Centre County**

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

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP3-63-00903A: K&P Asphalt Inc.** (79 Skyline Drive, Hickory, PA 15340) on February 8, 2011, to allow the operation of a crusher and two (2) screens at their Langeloth Plant, in Smith Township, **Washington County**.

**GP5-65-01010A: RW Gathering, LLC** (100 Town Center, Suite 130, Canonsburg, PA 15317) on February 8, 2011, to allow installation and operation of a new natural gas-fired compressor engine rated at 1340 bhp and controlled by an oxidation catalyst under GP-5 for natural gas production at the Salem Compressor Station, in Derry Township, **Westmoreland County**. A total of two compressor engines are authorized for operation at this site.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

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

**67-05117A: York Building Products Company, Inc.** (1020 North Hartley Street, PO Box 1708, York, Pennsylvania 17405-1708) on February 9, 2011, to install and temporarily operate a natural gas-fired fluidized bed dryer at their Thomasville Quarry in Jackson Township, **York County**.

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

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

**53-00017A: Herbert Cooper Co., Inc.** (PO Box 40, 121 Main Street, Genesee, PA 16923-9801) on January 26, 2011, to modify an oxygen tube manufacturing operation at their facility in Genesee Township, **Potter County**.

**60-00020: Pik Rite, Inc.** (60 Pik Rite Lane, Lewisburg, PA 17837) on February 9, 2011, to modify a surface coating operation at their facility in Buffalo Township, **Union County**.

**41-00080B: Chief Gathering, LLC** (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090-7386) on February 11, 2011, to construct three natural gas-fired compressor engines each equipped with oxidation catalysts at the Canoe Run Compressor Station located in Mifflin Township, **Lycoming County**.

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

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*



**04-00730: Lindy Paving, Inc.** (586 Northgate Circle, New Castle, PA 16105) on February 8, 2011, with an expiration date of August 8, 2012, to construct and temporarily operate air contamination sources and controls associated with a hot-mix asphalt plant under Plan Approval PA-04-00730 at their Big Beaver Asphalt Plant in Big Beaver Borough, **Beaver County**.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**09-0206: Samax Enterprises, Inc.** (1001 New Ford Mill Road, Morrisville, PA 19067) On February 8, 2011, to operate machinery in Falls Township, **Bucks County**.

**09-0196A: Abington Reldan Metals, LLC.** (4924 Wellington Street, Philadelphia, PA 19135) On February 10, 2011, to operate (2) two baghouses in Falls Township, **Bucks County**.

**15-0130: Aqua PA, Inc.—Pickering Water Treatment Plant** (762 West Lancaster Avenue, Bryn Mawr, PA 19010) On February 10, 2011, to operate a generator(s) in Schuylkill Township, **Chester 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 Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**34-05001D: Armstrong Cabinet Products** (12393 William Penn Highway, Thompsettown, PA 17094) on February 8, 2011, for modification of their wood cabinet surface coating operation in Delaware Township, **Juniata County**. The plan approval was extended.

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

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

**08-399-038D: Global Tungsten & Powders, Corp.** (Hawes Street, North Towanda, PA 18848) on January 19, 2011, to extend the authorization to temporarily operate eleven (11) existing tungsten wire drawing capstan annealing heads and ten (10) existing wire annealing ovens in department (012) and associated control devices for their facility, located in North Towanda Township, **Bradford County** until August 15, 2011. The plan approval has been extended.

**18-00001B: Columbia Gas Transmission, Corp.** (1700 MacCorkle Ave. SE, Charleston, WV 25314-1518) on January 24, 2011, to extend the authorization to operate a Caterpillar G3512LE engine (Source ID P109, Engine No. 6) on a temporary basis to August 7, 2011 at their Renovo Compressor Station facility located in Chapman Township, **Clinton County**. The Plan Approval has been extended.

**08-00003H: CraftMaster Manufacturing, Inc.** (PO Box 311, Shiner Road, Towanda PA 18848) on February 1, 2011, to extend the authorization to exhaust the cavity steam from the Line 2 Press (Source ID 172P) to regenerative thermal oxidizer (RTO, ID C142) on a temporary

basis to August 15, 2011, at the facility in Wysox Township, **Bradford County**. The Plan Approval has been extended.

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

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

**65-00354B: Sunoco Partners Marketing & Terminals, L.P.**, (1801 Market Philadelphia, PA 19103-1628) on February 9, 2011, as a result of equipment startup, to establish 180-day period of temporary operation of the Vapor Recovery Unit authorized under plan approval PA-65-00354B, until August 7, 2011, at their Delmont Terminal, in Salem Township, **Westmoreland County**.

**11-00521A: Fuel Recovery, Inc.** (254 Inter-Power Drive, Colver, PA 15927) on February 1, 2011, with an expiration date of August 1, 2011, to extend the period of temporary operation of sources and controls authorized under Plan Approval PA-11-00521A at the Lilly Refuse Site located in Washington Township, **Cambria County**. The Plan Approval has been extended.

**32-00375B: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) on February 10, 2011, with an expiration date of August 10, 2011, to allow for continued temporary operation of the sources covered under plan approval PA-32-00375B at their Lowery Deep Mine, in White Township, **Indiana County**. The Plan Approval has been extended.

**65-00630B: Mine Safety Appliances—(MSA), Co.** (P. O. Box 426 Pittsburgh, PA 15230-0426) on February 11, 2011, with an expiration date of August 11, 2011, to allow for continued temporary operation of their sources covered under plan approval PA-65-00630B at their MSA Murrysville facility, located at 3880 Meadowbrook Road, Murrysville, **Westmoreland County**. The Plan Approval has been extended.

**32-00398A: Western Allegheny Energy, Inc.** (301 Market Street, Kittanning, PA 16201) on February 10, 2011, to extend the period of temporary operation of the coal preparation plant covered under plan approval 32-00398A until August 10, 2011 in Young Township, **Indiana County**. The plan approval has been extended.

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

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

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

**46-00031: SmithKline Beecham Research Co.** (1250 South Collegeville Road, Collegeville, PA) on February 10, 2011, for a renewal of the Title V Operating Permit in Upper Providence, **Montgomery County**. The initial permit was issued on 12-28-2001. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

**47-00002: Great Dane LP**, (70 Strick Road, Danville, PA 17821) on January 26, 2011, for their truck trailer manufacturing plant in Limestone Township, **Montour County**. The facility's main sources of air contaminant emissions include spray booths. The facility has the potential to emit major quantities of volatile organic compound emissions. The proposed Title V operating permit contains monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**14-00003: The Pennsylvania State University** (Office of Physical Plant Building, University Park, PA 16802-1119) on February 2, 2011, for their University Park Campus located in College Township, **Centre County**. The revision of this permit incorporates the requirements of the October 6, 2010 revision to the Emissions Guideline and Compliance Times for Hospital/Medical/Infectious Was Incinerator in 40 CFR Part 60 Subpart Cc. Additionally, the requirements from Plan Approval 14-00003C have been incorporated into the Title V operating permit. The Title V operating permit contains monitoring, recordkeeping, and reporting conditions that will ensure compliance with applicable Federal and State regulations.

**53-00005: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301) on February 4, 2011, for a renewal of the Title V operating permit for their Greenlick facility in Stewardson Township, **Potter County**. The facility's sources include twelve (12) natural gas-fired heaters and boilers, twelve (12) storage tanks, eleven (11) natural gas-fired line heaters, seven (7) natural gas-fired gas transmission engines, three (3) parts washers, two (2) natural gas-fired emergency generators, one (1) natural gas-fired air compressor and several fugitive volatile organic compound (VOC) emission sources, which have the potential to emit major quantities of nitrogen oxides (NOx), carbon monoxide (CO), volatile hazardous air pollutants (VHAPs) and VOCs. The facility has the potential to emit sulfur oxides (SOx) and particulate matter (PM/PM10) below the major emission thresholds. The Title V operating permit renewal contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**15-00068: Spring City Electrical Manufacturing Co.** (P. O. Box 19, Spring City, PA 19475) on February 9, 2011, for operation of metal product manufacturing processes at 1 South Main Street, Spring City, PA 19475, Spring City Borough, **Chester County**. This action is a renewal of the State Only Operating Permit. The facility will continue to be a synthetic minor facility. The original State Only Operating Permit was issued on August 16, 2005. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**6-00271: Ratoskey & Trainor, Inc.** (240 Flint Hill Road, King of Prussia, PA 19406) on February 10, 2011,

for operation of one nonmetallic processing plant crushing recycled concrete materials, in Upper Merion Township, **Montgomery County**. The major air pollutants from this facility are Particulate Matter (PM) and NOx emissions produced by the crushing operation and the diesel engine fuel combustion. The proposed permit is for a non-Title V (State Only), Natural Minor facility. It contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**67-03069: H & H Castings, Inc.** (4300 Lincoln Highway, York, PA 17406-8022) on January 31, 2011, for the aluminum foundry in Hellam Township, **York County**. This is a renewal of the State Only Operating permit.

**31-03001: The Walter McIlvain Co.** (901 Muirfield Road, Bryn Mawr, Pennsylvania 19010-1920) on January 31, 2011, for the sawmill operation, including a wood-fired boiler, in Porter Township, **Huntingdon County**. This is a renewal of the State Only Operating permit.

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

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

**41-00041: Lonza, Inc.** (3500 Trenton Ave., Williamsport, PA 17701-7924) on January 27, 2011, for operation of its Williamsport facility located in the City of Williamsport, **Lycoming County**. The state only (Synthetic Minor) operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

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

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

**03-00139: Brady's Ben Corp.—Kaylor Plant** (209 Cove Run Road East Brady, PA 16028) on February 8, 2011, to renew the Natural Minor Operating Permit for their facility in Brady's Bend Township, **Armstrong County**. The operation of the facility's air contamination source consist of 1-primary crusher, 1-hammer mill, 3-vibrating screens, 1-wash plant, 11-transfer belts, 6 stockpiles, and unloading/loading of trucks. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the fugitive emission and malodor restrictions in 25 Pa. Code §§ 123.1, 123.2, and 123.31. Records of the weekly surveys performed must be recorded including date, time, observer, observation taken and if any corrective action. The permit also includes operation requirements, monitoring requirements, and recordkeeping requirements.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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



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

**06-05002: Lehigh Cement Company, LLC** (Evansville Cement Plant and Quarry), (537 Evansville Road, Fleetwood, Pennsylvania 19522-8541) on February 9, 2011 for the cement manufacturing facility in Maiden-creek Township, **Berks County**. The Title V permit was administratively amended to correct the erroneous omission of Source 200 from several source groups. This is Revision 2 of the permit.

**06-05064: Sunoco Partners Marketing & Terminals, LP** (525 Fritztown Road, Sinking Spring, Pennsylvania, 19608-1509) on January 31, 2011, for the bulk gasoline distribution terminal known as the Montello Terminal in Spring Township, **Berks County**. The Title V permit was administratively amended to incorporate the requirements of Plan Approval No. 06-05064B.

**21-05029: Sunoco Partners Marketing & Terminals, LP** (17351 Market St., 29MBC, Philadelphia, Pennsylvania 19103) on February 8, 2011 for the bulk gasoline distribution terminal known as the Mechanicsburg Terminal in Hampden Township, **Cumberland County**. The Title V permit was administratively amended to incorporate the requirements of Plan Approval No. 21-05029B.

**22-03055: Kimmel's Coal and Packaging, Inc.** (Machamer Avenue, PO Box 1, Wiconisco, Pennsylvania 17097) on February 2, 2011 for the coal processing operation located in Wiconisco Township, **Dauphin County**. This State Only Operating permit underwent a minor permit modification to update certain equipment listings and monitoring requirements.

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

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

**08-00021: Masco Cabinetry, LLC** (PO Box 158, Sayre, PA 18840) on January 31, 2011, for a change of ownership of the Sayre Township facility from Masco Retail Cabinet Group, LLC to Masco Cabinetry, LLC. This facility is located in Sayre Township, **Bradford County**. This revised plan approval contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

**19-00001: Rieter Automotive North America, Inc.** (430 West Fifth Street, Bloomsburg, PA 17815) on February 1, 2011, for a change of ownership of the Rieter Automotive facility from Rieter Automotive North America Carpet to Rieter Automotive North America, Inc. This facility is located in Bloomsburg Borough, **Columbia County**. The Title V operating permit contains applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

#### **De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

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

**04-00235: First Energy Generation Corp.** (76 South Main Street, Akron, OH 44308) on February 11, 2011, Per Title 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at the First

Energy Generation Corporation, Bruce Mansfield Power Plant, in Shippingport Borough, **Beaver County**:

Emissions from an Anti-Slagging Chemical Injection Test Project will not exceed 0.02 tpy PM and 0.06 tpy NOx.

The list of de minimis increases includes only this project: This is a Title V facility.

### **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

#### *Coal Applications Returned*

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

**54683045T3. Keystone Anthracite, Inc.**, (132 East Main Street, Girardville, PA 17935), transfer of an existing anthracite surface mine, refuse reprocessing and refuse disposal operation from Penn Equipment Corp. in Butler, West Mahanoy and Union Townships, **Schuylkill County** affecting 743.0 acres, receiving stream: none. Application received: August 17, 2009. Application withdrawn: February 8, 2011.

#### *Coal Permits Actions*

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

**30831303 and NPDES Permit # PA0013511, Cumberland Coal Resources, LP**, (PO Box 1020, 158 Portal Road, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Center and Wayne Townships, **Greene County** to install ten ventilation boreholes. Surface Acres Proposed 10.45. No additional discharges. Application received June 10, 2010. Permit issued February 8, 2011.

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

**03950105 and NPDES Permit No. PA0201421. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201). Permit renewal issued for continued operation and reclamation of a bituminous surface/auger mining site located in West Franklin Township, **Armstrong County**, affecting 439.0 acres. Receiving streams: Patterson Creek and an unnamed tributary to Buffalo Creek. Renewal application received: November 1, 2010. Renewal issued: February 9, 2011.

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

**17940107 and NPDES No. PA0219801. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit revision (for a deviation from AOC backfilling in order to regrade and reclaim) to an existing bituminous surface mine located in Karthaus Township, **Clearfield County** affecting 449.8 acres. Receiving streams: unnamed tributaries to Saltlick Run and Upper Three Runs and Upper Three Runs classified for cold water fisheries. Revision application received: August 12, 2010. Permit issued: February 4, 2011.

**17990101 and NPDES No. PA0238822. RES Coal, LLC** (P. O. Box 228, Armagh, PA 15920-0228). Renewal of an existing bituminous surface mine for reclamation activities only located in Girard Township, **Clearfield County** affecting 149.0 acres. Receiving streams: unnamed tributaries to Surveyor Run to Surveyor Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: December 6, 2010. Permit issued: February 7, 2011.

**17050101 and NPDES No. PA0256153. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803). Transfer of an existing bituminous surface and auger mine from Kenneth K. Rishel & Sons, Inc. and renewal of this existing mine located in Penn and Pike Townships, **Clearfield County** affecting 267.9 acres. Receiving streams: Bilger Run, Fenton Run, Kratzer Run and unnamed tributaries to Kratzer Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles down-stream. Application received: October 12, 2010. Permit issued: February 7, 2011.

#### *Noncoal Permits Actions*

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

**04020301. Three Rivers Aggregates, LLC** (225 North Shore Drive, Pittsburgh, PA 15212). Transfer of permit formerly issued to Ennstone, Inc., d/b/a Three Rivers Aggregates, for continued operation and reclamation of a noncoal surface mining site located in Darlington Township, **Beaver County**, affecting 71 acres. Receiving streams: Unnamed tributary to Madden Run, Madden Run, and North Fork Little Beaver Creek to Little Beaver Creek. Transfer application received: June 28, 2010. Transfer permit issued: February 9, 2011.

#### **ABANDONED MINE RECLAMATION ACT 181 ONLY**

*Knox District Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, Telephone (814) 797-1191*

<i>Primacy Bond Forfeiture Contract Awarded</i>	PBF 33830117.2
<i>Location</i>	Pinecreek Township Jefferson County Pennsylvania
<i>Description</i>	Act 181 Bond Forfeiture Reclamation Project Gurosik Coal Company, Inc.
<i>Contractor</i>	E.M. Brown, Inc. P. O. Box 767 Clearfield, PA 16830

*Amount* \$339,767.00

*Date of Award* February 10, 2011

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Actions*

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

**26114003. Shallenberger Construction** (2611 Memorial Avenue, Connellsville, PA 15425). Blasting activity permit for the construction of the Skovran Unit, to conduct seismic activity located in Redstone Township, **Fayette County**. The duration of blasting is expected to last 120 days. Blasting permit issued: February 7, 2011.

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

**08114002. John Brainard** (3978 SR-2023, Kingsley, PA 18826). Blasting for a well pad located in Asylum Township, **Bradford County**. Permit issued February 1, 2011. Permit expires: March 30, 2011.

**08114003. John Brainard** (3978 SR-2023, Kingsley, PA 18826). Blasting for a well pad located in Smithfield Township, **Bradford County**. Permit issued February 1, 2011. Permit expires: April 1, 2011.

**08114004. Mike Kipar** (6005 State Route 267, Meshoppen, PA 15630). Construction blasting to build a pond located in North Towanda Township, **Bradford County**. Permit issued: February 1, 2011. Permit expires: February 1, 2012.

**08114005. John Brainard** (3978 SR-2023, Kingsley, PA 18826). Blasting for a well pad located in North Towanda Township, **Bradford County**. Permit issued: February 1, 2011. Permit expires: April 1, 2011.

**08114006. Mike Kipar** (6005 State Route 267, Meshoppen, PA 15630). Blasting to level a gas pad and for a road located in Wysox Township, **Bradford County**. Permit issued: February 2, 2011. Permit expires: February 1, 2012.

**14114102. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16830). Construction blasting for a warehouse located in Benner Township, **Centre County**. Permit issued: February 8, 2011. Permit expires: February 7, 2012.

**17114001. Nitro Excavation** (Rain Run Road, Home, PA 15747). Construction blasting for Thompson Trust pad located in Troutville Borough, **Clearfield County**. Permit issued: February 4, 2011. Permit expires: April 1, 2011.

**41114001. Appalachian Geophysical Services, LLC** (2659 St. Rt. 60, Killbuck, OH 44637). Seismic data acquisition via blasting, Line # PA-81-11-1 located in McIntyre, Cogan House and Lewis Townships, **Lycoming County**. Permit issued: February 1, 2011. Permit expires: December 31, 2011.

**57114001. CGG Veritas Land (US), Inc.** (10300 Town Park Drive, Houston, TX 77072). Seismic data acquisition



blasting located in Fox and Hillsgrove Township, **Sullivan County**. Permit issued February 8, 2011. Permit expires December 31, 2012.

**57114101. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16830). Construction blasting for a cell phone tower located in Davidson Township, **Sullivan County**. Permit issued: February 8, 2011. Permit expires: March 1, 2011.

**59114001. CGG Veritas Land (US), Inc.** (10300 Town Park Drive, Houston, TX 77072). Seismic data acquisition blasting located in Bloss, Liberty and Union Townships, **Tioga County**. Permit issued: February 8, 2011. Permit expires: December 31, 2012.

**59114002. CGG Veritas Land (US), Inc.** (10300 Town Park Drive, Houston, TX 77072). Seismic data acquisition blasting located in Morris, Liberty and Bloss Townships, **Tioga County**. Permit issued: February 8, 2011. Permit expires: December 31, 2012.

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

**36114106. Maine Drilling & Blasting,** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Crestwood Pond in Conoy Township, **Lancaster County** with an expiration date of February 4, 2012. Permit issued: February 8, 2011.

**36114107. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Summerlynn Green in Ephrata Township, **Lancaster County** with an expiration date of December 31, 2011. Permit issued: February 10, 2011.

**40114001. MF Ronca & Sons, Inc.,** (179 Mikron Road, Bethlehem, PA 18020) and Bernard J. Hasara, (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting for Freeland Borough Wastewater Treatment Plant Upgrades in Freeland Borough, **Luzerne County** with an expiration date of December 31, 2011. Permit issued: February 10, 2011.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street,

PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

## WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E36-802 - Martin Brothers Builders** to relocate and maintain 641.0 feet of an unnamed tributary to Muddy Creek (TSF) and to construct and maintain a 45.0-foot long, 1.0-foot depressed with baffles, 12.0-foot by 4.5-foot concrete box culvert, an 8.0-inch diameter sanitary sewer line utility crossing, two 15.0-inch diameter, one 24.0-inch diameter and one 15.0-inch diameter SLCPP outfall pipes, and one rock cross vane structure all located in an unnamed tributary to Muddy Creek (TSF). The purpose of the project is to create a residential subdivision located off of Abbey Lane (Terre Hill, PA Quadrangle; N: 1.6 inches, W: 13.3 inches; Latitude: 40°11'57", Longitude 76°00'41") in Brecknock Township, **Lancaster County**.

## EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed

with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

*Southwest Region: Oil & Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

1/19/2011 MAJOR REV.  
 ESCGP-1 No.: ESX10-059-0075  
 Applicant Name: EQT Production Company  
 CONTACT: Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Greene Township(s): Morgan  
 Receiving Stream(s) And Classifications: Browns Run/  
 UNT to South Fork Tenmile Creek (WWF), Other

01/03/2011  
 ESCGP-1 No.: ESX11-005-0001  
 Applicant Name: EXCO Resources, (PA) LLC  
 Contact Person: Larry Sanders  
 Address: 3000 Ericsson Drive Suite 200  
 City: Warrendale State: PA Zip Code: 15086  
 County: Armstrong Township(s): Kittanning and  
 Plumcreek  
 Receiving Stream(s) and Classifications: UNT to Cherry  
 Run & North Branch Cherry Run, Other

01/14/2011  
 ESCGP-1 No.: ESX11-059-0003  
 Applicant Name: Laurel Mountain Midstream LLC  
 Contact Person: Lisa Reaves  
 Address: 1550 Coraopolis Heights Rd, Suite 140  
 City: Moon Township State: PA Zip Code: 15108  
 County: Greene Township(s): Franklin  
 Receiving Stream(s) and Classifications: UNT's to Brown  
 Creek (HQ-WWF) Wisecarver and Tenmile Creek Water-  
 shed HQ  
 Secondary Water: Browns Creek HQ-WWF

01/21/2011  
 ESCGP-1 No.: ESX11-059-0006  
 Applicant Name: EQT Production Co  
 Contact Person: Todd Klaner  
 Address: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Greene Township(s): Cemter  
 Receiving Stream(s) and Classifications: UNT to  
 Patterson Creek—HQ-WWF

12/30/2010  
 ESCGP-1 No.: ESX10-125-0107  
 Applicant Name: Rice Drilling B LLC  
 Contact Person: David Miller  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code: 15317  
 COUNTY Washington Township(s): Amwell

Receiving Stream(s) and Classifications: UNT to Bane  
 Creek Monongahela Basin, Other  
 Secondary Water: Bane Creek

01/11/2011  
 ESCGP-1 No.: ESX11-059-0010  
 Applicant Name: Chesapeake Appalachia LLC  
 Contact Person: Tal Oden  
 Address: P O Box 18496  
 City: Oklahoma City State: OK Zip Code: 73154-0496  
 County: Greene Township(s): Aleppo  
 Receiving Stream(s) and Classifications: Mudlick Fork  
 TSF, Other

1/25/2011  
 ESCGP-1 No.: ESX-059-0011  
 Applicant Name: Chesapeake Appalachia LLC  
 Contact Person: Tal Iden  
 Address: P O Box 18496  
 City: Oklahoma City State: OK Zip Code: 73154-0496  
 County: Greene Township(s): Aleppo  
 Receiving Stream(s) and Classifications: South Fork  
 Dunkard Fork, TSF Other

01/06/2011  
 ESCGP-1 No.: ESX11-059-0002  
 Applicant Name: Chesapeake Appalachia LLC  
 Contact Person: Tal Oden  
 Address: P O Box 18496  
 City: Oklahoma City State: OK Zip Code: 73154-0496  
 County: Greene Township(s): Aleppo  
 Receiving Stream(s) and Classifications: UNT of Long  
 Run/Long Run TSF, Other  
 Secondary Water: UNT of Blacks Creek/Blacks Creek

01/14/2011  
 ESCGP-1 No.: ESX11-125-0002  
 Applicant Name: Laurel Mountain Midstream LLC  
 Contact Person: Lisa Reaves  
 Address: 1550 Coraopolis Heights Road, Suite 140  
 City: Moon Township State: PA Zip Code: 15108  
 County: Washington Township(s): West Bethlehem  
 Receiving Stream(s) and Classifications: Daniel's Run  
 (TSF) & UNT's to Tenmile Creek (TSF) Middle  
 Monongahela River Watershed, Other

01/24/2011  
 ESCGP-1 NO.: ESX11-051-0001  
 Applicant Name: Laurel Mountain Midstream LLC  
 CONTACT PERSON: Lisa Reaves  
 ADDRESS: 1550 Coraopolis Heights Road, Suite 140  
 City: Moon Township State: PA Zip Code: 15108  
 County: Fayette Township(s): Redstone  
 Receiving Stream(s) and Classifications: UNT to Rowe's  
 Run (WWF) Middle Monongahela River Watershed,  
 Other  
 Secondary Water: Rowe's Run (WWF)

12/08/2011  
 ESCGP-1 NO.: ESX10-111-0006  
 Applicant Name: Caiman Energy LLC  
 CONTACT: Steven Skellie  
 ADDRESS: 5944 Sherry Lane Suite 645  
 City: Dallas State: TX Zip Code: 75225  
 County: Somerset Township(s): Addison  
 Receiving Stream(s) and Classifications: UNT's to Brad-  
 docks Run/UNT to Chub Run/Braddocks Run, Other  
 Secondary Water: Braddocks Chub Run, Youghiogeny  
 River Lake

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## SPECIAL NOTICES

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### Bid Opportunity

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

**Act 181 Notification: Opal Industries, Inc.,** PBF 32980110.1. Surface Mine Reclamation Project; Conemaugh Township, **Indiana County.** This site has already been backfilled and reclaimed. The work is limited to regrading three ponds, repair of rills & gullies, and additional seeding. This project issues on February 26, 2011, and proposals will be opened on April 8, 2011. A mandatory pre-proposal meeting will be conducted on March 10, 2011; call for time and directions. Proposal documents will be available after February 26th and at the pre-proposal meeting. Contractors must obtain a Coal Mining License in order to qualify for the final award as per PA Code Title 25 Chapter 86.189. Proposals shall be submitted to attn: Malcolm Crittenden, DEP, 286 Industrial Park, Ebensburg, PA 15931. For more information call, Malcolm Crittenden, 814-472-1908, or mcrittende@state.pa.us.

[Pa.B. Doc. No. 11-332. Filed for public inspection February 25, 2011, 9:00 a.m.]

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### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Rescission of Technical Guidance*

DEP ID: 270-0810-006. Title: Interim Guidance for Performing Single Stationary Source Determinations for the Oil and Gas Industries. Description: See the notice to rescind published at 41 Pa.B. 1066 (February 26, 2011). Contact: Questions regarding this action should be directed to Jeanette Van Skike at [jvanskike@state.pa.us](mailto:jvanskike@state.pa.us) or (717) 787-4325.

*Effective Date:* February 26, 2011

*Draft Technical Guidance—Extension of Public Comment Period*

DEP ID: 275-2101-003. Title: Air Quality Permit Exemptions. Description: See the notice to extend public comment period published at 41 Pa.B. 1066 (February 26, 2011). 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, [vtrivedi@state.pa.us](mailto:vtrivedi@state.pa.us). 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 May 26, 2011. Contact: Questions regarding the draft technical guidance document should be directed to Jeanette Van Skike at [jvanskike@state.pa.us](mailto:jvanskike@state.pa.us) or (717) 787-4325.

*Effective Date:* Upon publication as final in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-333. Filed for public inspection February 25, 2011, 9:00 a.m.]

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### Bid Opportunity

**BOGM 10-3, Cleaning Out and Plugging Three Abandoned Gas Wells, (David Heaps, Dr. Nicholas S. and Mrs. Carole A. Fratto and Alice L. Cirra properties) South Fayette Township, Allegheny County.** The principal items of work include cleaning out and plugging three abandoned gas wells, estimated to be 3,500 feet in depth, to Department of Environmental Protection specifications; preparing and restoring well sites; and mobilizing and demobilizing plugging equipment. This project issues on February 25, 2011, and bids will be opened on March 31, 2011, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or [joelmiller@state.pa.us](mailto:joelmiller@state.pa.us) for more information on this bid.

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-334. Filed for public inspection February 25, 2011, 9:00 a.m.]

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### Board of Coal Mine Safety Change of Meeting Date

The March 1, 2011, meeting of the Board of Coal Mine Safety has been rescheduled. The meeting will now take place at 10 a.m. on April 14, 2011, in the Fayette County Health Center, Uniontown, PA.

Questions concerning the meetings can be directed to Allison D. Gaida at [agaida@state.pa.us](mailto:agaida@state.pa.us) or (724) 439-7289.

The agenda and meeting materials will be available through the Public Participation Center on the Depart-



ment of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allison Gaida directly at (724) 439-7289, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-335. Filed for public inspection February 25, 2011, 9:00 a.m.]

**Notice to Rescind Technical Guidance and Notice of Intent to Reopen the Public Comment Period on the Air Quality Exemption List and the General Plan Approval and/or General Operating Permit for Nonroad Engines**

The Department of Environmental Protection (Department) is taking three separate actions: Notice to Rescind and Remove from the Official List of Department Technical Guidance Documents and Policies Interim Guidance for Performing Single Stationary Source Determinations for the Oil and Gas Industries (DEP ID: 270-0810-006) published at 40 Pa.B. 7429 (December 25, 2010); Notice of Intent to Reopen Public Comment Period on Air Quality Permit Exemptions (DEP ID: 275-2101-003) published at 40 Pa.B. 2822 (May 29, 2010); and Proposed Revisions to the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP 11) published at 40 Pa.B. 6336 (October 30, 2010). The Department thinks that there are a number of potentially interrelated air quality topics regarding gas exploration and extraction activities within the Marcellus Shale which should be considered together, that is: (1) performing single stationary source determinations; (2) General Plan Approval and/or General Operating Permit BAQ-GPA/GP-11; and (3) the list of air quality plan approval and operating permit exemptions which were topics covered in the actions noted previously. The Department believes that it is appropriate to seek a comprehensive public comment period on all three of these topics together to guide the Department on what, if any, guidance or action might be taken on any one or more of them.

In a separate but related action, the Department had proposed minor modifications to the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane, or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) published at 40 Pa.B. 5387 (September 18, 2010). Among other things, the proposed modifications include the following: Condition No. 2 is proposed to be revised to limit a source's potential emissions; and Condition No. 4 is proposed to be revised to require compliance with the specifications in the Application for Authorization to Use GP-5. These proposed revisions will offer greater flexibility to the regulated community. Public comment was received on the proposal and the Department is in the process of reviewing that input and finalizing these proposed changes which will be announced in a future *Pennsylvania Bulletin* notice.

*Notice to Rescind and Remove From the Official List of Department Technical Guidance Documents the Interim Guidance for Performing Single Stationary Source Determinations for The Oil and Gas Industries (DEP ID: 270-0810-006)*  
*Published at 40 Pa.B. 7429*

On December 25, 2010, the Department published a Notice of Availability of Technical Guidance related to Interim Guidance for Performing Single Stationary Source Determinations for the Oil and Gas Industries, which informed the general public and regulated industry of single source determinations issued by the United States Environmental Protection Agency (EPA) on a fact specific and case-by-case basis for major stationary source permitting actions. That "Interim Final Technical Guidance" is rescinded on February 26, 2011. As a result, the interim guidance will also be removed from the official list of Department technical guidance documents. However, the Department will continue to make single source determinations on a case-by-case basis to determine the applicability of Prevention of Significant Deterioration, Nonattainment New Source Review and Title V permitting requirements consistent with the Clean Air Act (42 U.S.C.A. §§ 7401—7671q), Air Pollution Control Act (35 P. S. §§ 4001—4015) and implementing regulations under the acts. The Department is hereby soliciting public comment on whether any guidance or policy should be considered on this topic and, if so, what such a policy or guidance might provide.

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 May 26, 2011. Contact: Questions regarding the draft technical guidance document should be directed to Jeanette Van Skike at [jvanskike@state.pa.us](mailto:jvanskike@state.pa.us) or (717) 787-4325.

*Notice of Intent to Reopen Public Comment Period on Air Quality Permit Exemptions (DEP ID: 275-2101-003)*  
*Published at 40 Pa.B. 2822*

On May 20, 2010, the Department published an Availability of Technical Guidance related to Air Quality Permit Exemptions and solicited public comment on the proposed changes until June 28, 2010. The Department is reopening that public comment period for an additional 45 days. While the Department is reopening the public comment period for the entire document, the Department is particularly interested in comments related to Exemption B.38 on oil and gas exploration and production facilities and operations.

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 Depart



ment by May 26, 2011. Persons who previously submitted comments on permit exemptions are not required to resubmit their comments to the Department as the Department will consider those comments already made. Contact: Questions regarding the draft technical guidance document should be directed to Jeanette Van Skike at [jvanskike@state.pa.us](mailto:jvanskike@state.pa.us) or (717) 787-4325.

*Notice of Intent to Reopen Public Comment Period on Proposed Revisions to the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP 11) Published at 40 Pa.B. 6336*

On October 30, 2010, the Department published a Notice of Proposed Revisions to the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP 11) and solicited public comment on the proposed changes until December 14, 2010. The Department is reopening that public comment period for an additional 45 days.

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 May 26, 2011. Persons who previously submitted comments on permit exemptions are not required to resubmit their comments to the Department as the Department will consider those comments already made. Contact: Questions regarding the draft technical guidance

document should be directed to Jeanette Van Skike at [jvanskike@state.pa.us](mailto:jvanskike@state.pa.us) or (717) 787-4325.

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-336. Filed for public inspection February 25, 2011, 9:00 a.m.]

**Storage Tank Advisory Committee Meeting Cancellation**

The March 8, 2011, meeting of the Storage Tank Advisory Committee is cancelled. The next meeting is scheduled for June 7, 2011, at 10 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions concerning the next scheduled meeting of the Storage Tank Advisory Committee can be directed to Charles M. Swokel at (717) 772-5806 or [cswokel@state.pa.us](mailto:cswokel@state.pa.us). The agenda and meeting materials for the June 7, 2011, meeting will be available through the Advisory Committee section of the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5551 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-337. Filed for public inspection February 25, 2011, 9:00 a.m.]

**Stream Redesignation Evaluations; Water Quality Standards Review**

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on all or portions of the following streams to determine the proper Aquatic Life Use or Special Protection designations in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Sinnemahoning Creek, Basin	Cameron, Clearfield, Clinton, Elk, McKean, Potter	West Branch Susquehanna River
Pine Creek, Basin	Lycoming, Tioga, Potter, Clinton	West Branch Susquehanna River
Laurel Run, Basin	Union	Penns Creek
Marsh Creek, Basin	Centre	Bald Eagle Creek
Wyalusing Creek, Basin	Bradford, Susquehanna	Susquehanna River
Starrucca Creek, Basin	Susquehanna, Wayne	Susquehanna River
Otter Creek, Basin	York	Susquehanna River
Pine Creek, Basin	Schuylkill	Schuylkill River
Mahannon Creek, Basin	Schuylkill	Schuylkill River
Clarion River, Basin	Elk, Jefferson, Clearfield, McKean	Allegheny River
Tidioute Creek, Basin	Warren	Allegheny River

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in the assessment. These assessments may lead to recommendations to the Environmental Quality Board for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, tshaw@state.pa.us. Data should be submitted no later than 30 days following publication of this notice. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

Sinnemahoning Creek basin from the source to the confluence with West Branch Susquehanna River includes approximately 1,033 square miles and over 2,000 stream miles. Originally Driftwood Branch Sinnemahoning Creek and East Fork Sinnemahoning Creek were noticed for the intent to assess. (See 40 Pa.B. 6338) (October 30, 2010). After a preliminary review of available data the Department has decided to expand the study area to the entire Sinnemahoning Creek basin. Persons who have already responded to the earlier Driftwood Branch or East Fork Sinnemahoning notice do not need to reply or resubmit information again in response to this notice. The designated uses for the basin are too numerous to list in this notice and can be found under 25 Pa. Code § 93.9l (relating to Drainage List L). The study area will include the entire Sinnemahoning Creek basin.

Pine Creek basin from the source to the confluence with West Branch Susquehanna River includes approximately 979 square miles and over 1,500 stream miles. Originally Pine Creek mainstem, Little Pine Creek basin, and Elk Run were noticed for the intent to assess. (See 40 Pa.B. 1266 (March 6, 2010).) After a preliminary review of available data the Department has decided to expand the study area to the entire Pine Creek basin. Persons who have already responded to the earlier Pine Creek mainstem, Little Pine Creek or Elk Run notice do not need to reply or resubmit information again in response to this notice. The designated uses for the basin are too numerous to list in this notice and can be found under 25 Pa. Code § 93.9l. The study area will include the entire Pine Creek basin.

Laurel Run (Union County), Marsh Creek (Centre County), Pine Creek (Schuylkill County) and Mahannon Creek (Schuylkill County) basins are currently designated Cold Water Fishes, Migratory Fishes (CWF, MF). The study area will include each basin in its entirety.

East Branch Wyalusing Creek basin is currently designated CWF, MF with the exception of Pettis Run and South Branch basins which are currently designated Warm Water Fishes, Migratory Fishes (WWF, MF). Middle and North Branches of Wyalusing Creek basin are currently designated CWF, MF. The remainder of the Wyalusing Creek basin, including the basin from the Middle Branch/East Branch confluence to North Branch and from North Branch to mouth is currently designated WWF, MF. The study area will include the entire Wyalusing Creek basin.

Starrucca Creek basin is currently designated CWF, MF with the exception of Unnamed Tributary 32264 which is currently designated Exceptional Value, Migratory Fishes (EV, MF). The study area will include the entire Starrucca Creek basin.

Otter Creek basin from the source to the upstream boundary of State Game Lands No. 83, with the exception

of Mill Branch and South Fork Otter Creek basins is currently designated CWF, MF. Mill Branch and South Fork Otter Creek are currently designated WWF, MF. Otter Creek basin from the upstream boundary of State Game Lands No. 83 to mouth is currently designated High Quality—Cold Water Fishes, Migratory Fishes (HQ-CWF, MF). The study area will include the entire Otter Creek basin.

Clarion River basin from the source to and including Little Toby Creek includes approximately 484 square miles and over 900 stream miles. Originally East Branch Clarion River basin was noticed for the intent to assess. (See 40 Pa.B. 6338). After a preliminary review of available data the Department has decided to expand the study area to the Clarion River basin from the source to, and including, Little Toby Creek. Persons who have already responded to the earlier East Branch Clarion River notice do not need to reply or resubmit information again in response to this notice. The designated uses for the basin are too numerous to list in this notice and can be found under 25 Pa. Code § 93.9r (relating to Drainage List R). The study area will include the entire Clarion River basin from the source to and including Little Toby Creek.

The designated use of the Tidioute Creek basin from the source to mouth is delineated incorrectly in 25 Pa. Code § 93.9q (relating to Drainage List Q). To clarify the correction, the study area will include the entire Tidioute Creek basin.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-338. Filed for public inspection February 25, 2011, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of The Children's Hospital of Philadelphia for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Children's Hospital of Philadelphia has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.2-2.6.2.3 (relating to windows).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

[Pa.B. Doc. No. 11-339. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Application of Penn State Hershey Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn State Hershey Medical Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.1-7.2.2.2 (relating to ceiling height).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

[Pa.B. Doc. No. 11-340. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Application of Saint Catherine Medical Center Fountain Springs for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Saint Catherine Medical Center Fountain Springs has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

[Pa.B. Doc. No. 11-341. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Application of Select Specialty Hospital Johnstown for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Select Specialty Hospital Johnstown has requested an exception to the requirements of 28 Pa. Code § 107.25(b)(8) (relating to medical staff executive committee).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

[Pa.B. Doc. No. 11-342. Filed for public inspection February 25, 2011, 9:00 a.m.]



### Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.2-2.2.2.7(2)(a) (relating to patient bathing facilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Acting Secretary

[Pa.B. Doc. No. 11-343. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Availability of Title V Funds Through Infant Safe Sleep Promotion Small No-Bid Grant Program

The Department of Health (Department), Bureau of Family Health (Bureau) is accepting small no-bid grant applications to support community based initiatives that directly address public awareness and the reduction of Sudden Infant Death Syndrome (SIDS) and accidental suffocation and unexplained death of infants through promotion of safe sleep practices and safe sleep environments for infants.

Grantees awarded funds through the Infant Safe Sleep Promotion Program (Program) must use the funds for activities and materials to work to improve the health and safety of infants and reduce infant mortality rates across this Commonwealth. Examples of initiatives and materials the Bureau will consider may include: public awareness and community outreach efforts and education for families, caregivers and the public; training for professionals; and distribution of approved educational materials and equipment that promote safe sleeping environments. Small no-bid grant awards shall not exceed \$3,000.

*Purpose:* The Program will provide financial support to successful applicants in an effort to decrease the inci-

dence of infant death due to factors such as SIDS and accidental suffocation and strangulation of infants in unsafe sleep environments.

From 2006 to 2008, 213 babies in this Commonwealth died from SIDS. While advances in understanding SIDS have improved infant mortality rates, SIDS still remains one of the leading causes of infant death. Additionally, approximately half of infants who die an unexpected death do so when placed in unsafe sleep environments. These statistics support the need for education to enhance knowledge of SIDS and safe sleep practices as well as the need for implementation of evidence based interventions.

While efforts to reduce the overall infant mortality rate are a priority, research has demonstrated the need to focus on racial and ethnic disparities. Applicants are encouraged to focus efforts on high-risk and minority populations and use funding to eliminate health disparities among the groups.

*Funds:* Funding for this project is contingent upon the availability of allocated Maternal and Child Health Services Block Grant funds and Bureau approval. Project funds must be used to reimburse approved purchases and activities occurring between April 1, 2011, and May 31, 2011, not to exceed \$3,000.

*Requirements:* Eligible applicants include public and private organizations, foundations or community-based agencies, physically located in this Commonwealth, as recognized by Federal Tax ID number. Individuals may not apply. Informal groups without Federal Tax ID numbers are encouraged to partner with a sponsor organization who may apply on behalf of the group. For-profit organizations may apply, however no applicant may take a profit from these funds.

Applicants may include but are not limited to:

- Day care centers/child care providers
- Medical providers
- Educational providers
- Places of worship/congregations
- Community groups/Civic clubs
- Racial and minority ethnic groups

To conduct business with the Commonwealth, providers are required to be enrolled in the Systems, Applications and Products system. Applicants who are not enrolled may apply for a vendor identification number by contacting the Central Vendor Management Unit at (877) 435-7363 or locally at (717) 346-2676, or <http://www.vendorregistration.state.pa.us> (click on Non-Procurement Registration Form).

*Application Deadlines:* It is anticipated that 25 awards of \$3,000 or less will be made under this grant opportunity. To apply for funding, a complete application must be received by the Department by March 15, 2011. Applications may be mailed or hand delivered. Applications may not be faxed or e-mailed. Late applications will not be accepted regardless of the reason.

*Application Process:* Complete the "PROPOSED BUDGET" and attach a clear and concise narrative of no more than three typewritten pages that includes the following information:

1. The organization's mission and primary activities.
2. A description of need for the proposed activities and target population (that is geographic area, age, minority group, and the like).



3. A plan that describes how infant safe sleep will be addressed, how the efforts will be measured and evaluated, and the degree to which efforts will be long-lasting and/or on-going.

4. A description of how funds will be expended.

An authorized official of the organization must sign and date the application. Submit an original and three complete copies of the application (including the narrative, budget, budget narrative and any supporting attachments). Applications must be page-numbered and unbound. Incomplete applications will not be reviewed.

*Award Determination:* All funding decisions are contingent upon the availability of allocated Maternal and Child Health Services Block Grant funds and Bureau approval. Applications are scored by a three-member review panel using a rating scale with the following pre-established criteria:

1. The degree of need for the proposed activity, as justified by the applicant.

2. The extent to which the activity can demonstrate a change in awareness and actions.

3. The reasonableness of the proposed expenditures/purchases.

4. The likelihood that the proposed activity will be of on-going, systemic benefit to the target population.

*Notification of Award:* All applicants shall be notified whether their application will be funded no later than April 1, 2011. This program reimburses applicants for actual costs incurred by the successful applicant from April 1, 2011, through May 31, 2011, and shall not exceed the approved amount.

*Eligible Costs:* Applicants may apply for funding reimbursement of multiple purchases or activities. However, the maximum cumulative award to any one applicant (as identified by Federal ID number) is \$3,000. In all cases, Department funds must be used as payer of last resort. Small no-bid grant funds may not supplant existing funds. Funds may be used for reimbursement of one time purchases only. The Grantee is the sole owner of the purchased property. The budget section of the application must include a budget narrative detailing by line item how project funds will be used and the degree to which competitive bids were secured for purchases. Price quotes, estimates, catalog samples or any other proof of cost must be submitted for every purchase proposed.

Expenses eligible for reimbursement under this project include but are not limited to:

*Equipment:*

1. Approved cribs (cribs that have not been recalled by the manufacturer, list of approved cribs available upon request), pack n plays, mattresses, and the like.

2. Education: training materials, books, workbooks, brochures, posters; translation of educational materials into different languages and for different populations, and the like.

3. Technology: computer equipment/software, videos, tapes, CDs, DVDs, and the like.

*Ineligible Costs:* The following costs are not eligible for reimbursement under this program:

1. Administrative/Indirect costs (that is, costs not uniquely attributable in full to the programmatic activity).

2. New building construction or structural renovation of an existing space.

3. Capital expenses or equipment.

4. Staffing/personnel.

5. One-time consumables (that is, event tickets, food/refreshments, child care, and the like).

By applying for small no-bid funding, applicants acknowledge and affirm that they will abide by the previously listed spending limitations and the provisions of the Maternal and Child Health Services Block Grant provisions for all money awarded under that application.

*Summary Report and Invoice Procedures:* Approved applicants shall be reimbursed with one check for all approved expenses. To receive reimbursement of approved expenses, awardees must submit the following documentation, found in Attachment A, to the Bureau within 30 days following completion of funded activity or no later than June 30, 2011:

1. Summary report of funded activities, including evaluation results.

2. Continuation plan for the program or activities.

3. Invoice with documentation to support each line item amount requesting reimbursement.

4. Invoices received after June 30, 2011, are not eligible for reimbursement.

Applications should be submitted to the Infant Safe Sleep Promotion Program Administrator, Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor East Wing, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762.

For more information, or for persons with a disability who require an alternative format of this information (for example, large print, audiotape, Braille) contact Giselle Hallden, Infant Safe Sleep Promotion Program Administrator at ghallden@state.pa.us or (717) 772-2762, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

**Pennsylvania Department of Health—  
Bureau of Family Health  
2010 - 2011 Work Statement Application  
Infant Safe Sleep Promotion Program**

*Applicant Information:*

- Name of Organization: \_\_\_\_\_
- FID Number: \_\_\_\_\_
- Organization name on file with the PA. Dept. of State for the FID number (if different from above): \_\_\_\_\_
- Complete Mailing Address: \_\_\_\_\_
- Contact Person: \_\_\_\_\_
- Telephone Number: (\_\_\_\_) \_\_\_\_\_ Fax Number: (\_\_\_\_) \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Pennsylvania Department of Health—  
Bureau of Family Health  
Proposed Budget  
Infant Safe Sleep Promotion Program**

*Applicant Information:*

- Name of Organization: \_\_\_\_\_

- Federal Identification Number (FID #): \_\_\_\_\_
- Organization name on file with the PA. Dept. of State for the FID # (if different from above): \_\_\_\_\_
- Complete Mailing Address: \_\_\_\_\_
- Contact Person: \_\_\_\_\_
- Telephone Number: (\_\_\_\_) \_\_\_\_\_  
Fax Number: (\_\_\_\_) \_\_\_\_\_
- E-mail Address: \_\_\_\_\_

Reimbursement shall be for actual costs incurred by the vender from April 1, 2011 through May 31, 2011, and shall not exceed the amount noted below. Attach copies of any price quotes, estimates, catalog samples, or other proof of cost for every purchase proposed within your itemized budget. By applying for small-no bid grant funding, applicants acknowledge and affirm that they will abide by the spending limitations below and the provisions of the Maternal and Child Health Services Block Grant, for all money awarded under that application.

**Itemized Budget**

Itemized Activity Expenses/Purchases			
Item	Cost Per Unit	Number	Total Cost
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
<b>Other Expenses (Itemize)</b>			
			\$
			\$
			\$
<b>Total Amount Requested</b>			\$
<b>*May Not Exceed \$3,000</b>			

**Provide budget narrative and justification details here:**

Attach additional sheets as necessary

**Authorized Applicant Signature/Title:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Attachment A**  
**Pennsylvania Department of Health—Bureau of Family Health**  
**April 1, 2011— May 31, 2011**  
**Final Invoice**  
**Infant Safe Sleep Promotion Program**

<b>Awardee Information</b>	
Name of Organization: _____	
Federal Identification Number (FID #): _____	
Organization name on file with PA Dept. of State for the FID # (if different from above): _____	
Complete Mailing Address: _____ _____	
Contact Person: _____	
Telephone Number: ( _____ ) _____ Fax Number: ( _____ ) _____	
E-mail Address: _____	

- Please attach the following:
- Summary report of funded activities, including evaluation results
  - Continuation plan for the program or activity
  - Expense documentation (receipt, invoice, etc.) supporting **each** line item

**Invoice**

**Itemized Activity Expenses/Purchases**

Item	Cost Per Unit	Number of Units	Total Cost
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$

**Other Expenses (Itemize)**

	\$
	\$
	\$
	\$

<b>Total Amount Requested</b> <b>*May Not Exceed \$3,000</b>	\$
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Awardee authorized signature/title: \_\_\_\_\_  
 Awardee printed name and title: \_\_\_\_\_

<b>DOH Use Only:</b> <b>Approved for Payment:</b>	<b>Date:</b>
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[Pa.B. Doc. No. 11-344. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, March 16, 2011, from 9 a.m. to 4 p.m. and on Thursday, March 17, 2011, from 9 a.m. to 2:30 p.m. at the Park Inn Hotel Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth McGarvey at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

[Pa.B. Doc. No. 11-345. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Integrated Human Immunodeficiency Virus (HIV) Planning Council Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, March 8, 2011, from 9 a.m. to 2 p.m. at the Park Inn Hotel Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA, 17050.

For additional information contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, Division of HIV/AIDS, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting, and require an auxiliary aid, service or other accommodation to do so should also contact Joseph Pease at the previously listed number, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

[Pa.B. Doc. No. 11-346. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction).

Normandie Ridge  
1700 Normandie Drive  
York, PA 17404

The request is on file with the Department of Health (Department). Persons may receive a copy of the request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Acting Secretary*

[Pa.B. Doc. No. 11-347. Filed for public inspection February 25, 2011, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Mother's Day! '11 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 Mother's Day! '11.

2. *Price:* The price of a Pennsylvania Mother's Day! '11 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Mother's Day! '11 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3



(THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), MOM (MOM) symbol and a ROSE (ROSE) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$25.<sup>00</sup> (TWY FIV), \$40.<sup>00</sup> (FORTY), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$50,000 (FTY THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$400, \$500, \$1,000, \$50,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Mother's Day! '11 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (MOM) symbol, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in four of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a ROSE (ROSE) symbol, and a prize symbol of \$400 (FOR HUN) appears under that ROSE (ROSE) symbol, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (MOM)

symbol, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in ten of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a ROSE (ROSE) symbol, and a prize symbol of \$100 (ONE HUN) appears under that ROSE (ROSE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a MOM (MOM) symbol, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Mom (MOM) symbol, and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in eight of the "Prize" areas, a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the "Prize" areas and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.<sup>00</sup> (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a ROSE (ROSE) symbol, and a prize symbol of \$40.<sup>00</sup> (FORTY) appears under that ROSE (ROSE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Of The Winning Numbers, Win Prize Shown Under The Matching Number. Win With Prize(s) Of:

Approximate No. Of Winners Per 4,800,000 Tickets:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets:
\$5	\$5	12
\$5 x 2	\$10	30
\$10	\$10	30
\$5 x 4	\$20	100
\$10 x 2	\$20	100
\$20	\$20	75
\$5 x 5	\$25	300
(\$10 x 2) + \$5	\$25	200
\$20 + \$5	\$25	200
\$25	\$25	300
\$5 x 8	\$40	300
\$20 x 2	\$40	300
\$40 w/ROSE	\$40	300
\$40	\$40	150
MOM w/(\$5 x 8) + (\$10 x 2) + (\$20 x 2)	\$100	1,188
MOM w/(\$5 x 10) + (\$25 x 2)	\$100	1,188
\$20 x 5	\$100	1,500
\$25 x 4	\$100	1,500
\$100 w/ROSE	\$100	1,500
\$100	\$100	1,188
MOM w/(\$20 x 10) + (\$100 x 2)	\$400	60,000
\$40 x 10	\$400	60,000
\$100 x 4	\$400	60,000
\$400 w/ROSE	\$400	60,000
\$400	\$400	60,000
MOM w/(\$50 x 4) + (\$100 x 8)	\$1,000	120,000
\$500 x 2	\$1,000	120,000
\$1,000	\$1,000	120,000
\$50,000	\$50,000	960,000
\$100,000	\$100,000	960,000

Reveal a "ROSE" (ROSE) symbol, win the prize shown under it automatically.  
 Reveal a "MOM" (MOM) symbol, win all 12 prizes shown instantly.

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 Mother's Day! '11 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 Mother's Day! '11, prize money from winning Pennsylvania Mother's Day! '11 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 Mother's Day! '11 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 Mother's Day! '11 or through normal communications methods.

DANIEL MEUSER,  
*Acting Secretary*

[Pa.B. Doc. No. 11-348. Filed for public inspection February 25, 2011, 9:00 a.m.]

**Pennsylvania Whole Lotta \$100s 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 Whole Lotta \$100s.
2. *Price:* The price of a Pennsylvania Whole Lotta \$100s instant lottery game ticket is \$2.
3. *Play Symbols:* Each Pennsylvania Whole Lotta \$100s instant lottery game ticket will contain a "WIN-

NING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a \$100 BOX (WIN100) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “PRIZE” areas are: FREE (TICKET), \$1.00 (ONE DOL), \$2.00 (TWO DOL), \$4.00 (FOR DOL), \$5.00 (FIV DOL), \$10.00 (TEN DOL), \$15.00 (FIFTN), \$20.00 (TWENTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 Ticket, \$1, \$2, \$4, \$5, \$10, \$15, \$20, \$100, \$400, \$1,000 and \$10,000. A player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Whole Lotta \$100s instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$400 (FOR HUN) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols is a \$100 BOX (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.00 (FIFTN) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.00 (FOR DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Whole Lotta \$100s instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$1.00 (ONE DOL) appears in the “Prize” area to the right of the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

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:

<i>When Any Of Your Numbers Match Either Winning Number, Win The Prize Shown To The Right Of That Number. Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per Tickets</i>
FREE	FREE \$2 TICKET	8.33	1,152,000
\$1 x 4	\$4	50	192,000



When Any Of Your Numbers Match Either Winning Number, Win The Prize Shown To The Right Of That Number. Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 9,600,000 Tickets
\$2 × 2	\$4	50	192,000
\$4	\$4	50	192,000
\$1 × 5	\$5	300	32,000
\$5	\$5	300	32,000
(\$1 × 6) + (\$2 × 2)	\$10	750	12,800
\$2 × 5	\$10	750	12,800
\$5 × 2	\$10	750	12,800
\$10	\$10	375	25,600
\$5 × 3	\$15	1,500	6,400
\$15	\$15	1,500	6,400
(\$2 × 5) + (\$5 × 2)	\$20	1,091	8,800
\$4 × 5	\$20	1,091	8,800
\$5 × 4	\$20	1,091	8,800
\$10 × 2	\$20	1,091	8,800
\$20	\$20	1,091	8,800
(\$10 × 4) + (\$15 × 4)	\$100	1,200	8,000
\$20 × 5	\$100	1,200	8,000
\$100 w/\$100 BOX	\$100	400	24,000
\$100	\$100	400	24,000
(\$100 w/\$100 BOX) + (\$100 × 3)	\$400	60,000	160
\$400	\$400	120,000	80
(\$100 w/\$100 BOX) + (\$100 × 5) + \$400	\$1,000	120,000	80
\$1,000	\$1,000	120,000	80
\$10,000	\$10,000	480,000	20

Reveal a "\$100 BOX" (WIN100) symbol, win \$100 automatically.

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 Whole Lotta \$100s 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 Whole Lotta \$100s, prize money from winning Pennsylvania Whole Lotta \$100s 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 Whole Lotta \$100s 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 Whole Lotta \$100s or through normal communications methods.

DANIEL MEUSER,  
Acting Secretary

[Pa.B. Doc. No. 11-349. Filed for public inspection February 25, 2011, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Crawford County

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)), the Director of the Bureau of Project Delivery as delegated by the Secretary of Transportation makes the following written finding:

The Federal Highway Administration and the Department of Transportation (Department) are planning to replace the Mead Avenue Bridge over French Creek in the City of Meadville and Vernon Township, Crawford County. The existing Mead Avenue Bridge is eligible for the National Register of Historic Places and therefore qualifies as a Section 4(f)/Section 2002 resource. The replacement of the bridge will constitute a Section 4(f)/Section 2002 use of the 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 as designed and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P.E.,  
*Director*  
*Bureau of Project Delivery*

[Pa.B. Doc. No. 11-350. Filed for public inspection February 25, 2011, 9:00 a.m.]

**Watercraft Trailer Forfeiture; Maximum Amount**

Chapter 73, Subchapter B of 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to or less than the amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). This subsection provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be

rounded to the nearest multiple of \$5 and that the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c), the Department has fixed the maximum amount for 2011 as \$1,115.

BARRY J. SCHOCH, P.E.,  
*Acting Secretary*

[Pa.B. Doc. No. 11-351. Filed for public inspection February 25, 2011, 9:00 a.m.]

**HEALTH CARE COST  
CONTAINMENT COUNCIL**

**Meetings Scheduled**

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Wednesday, March 2, 2011, 2 p.m., Audit Committee and Executive Committee at 3 p.m.; and Thursday, March 3, 2011, 10 a.m., Council Meeting.

The meetings will be either held or accessible from the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation due to a disability who wish to attend the meetings should contact Reneé Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 11-352. Filed for public inspection February 25, 2011, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA, at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained on the web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-129	Pennsylvania Gaming Control Board Gaming Junket Amendments	2/14/11	3/17/11

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 11-353. Filed for public inspection February 25, 2011, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Patrick J. Fleming; Doc. No. SC11-02-008

Notice is hereby given of the Order to Show Cause issued on February 15, 2011, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(1), (2), (3), (7), (13) and (20) of The Insurance Department Act of 1921 (40 P. S. §§ 310.11(1), (3), (7), (13) and (20)) and 31 Pa. Code §§ 37.46 and 37.47 (relating to standards for denial of certificate/license; and revocation, suspension, nonrenewal of certificates and licenses).

Respondent was ordered to file a written answer to the Order to Show Cause within 20 days. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-354. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Application for Approval to Acquire Control of Pennsylvania Life Insurance Company

CVS Caremark Corporation, a Delaware corporation, has filed an application to acquire control of Pennsylvania Life Insurance Company, a Pennsylvania domiciled stock life insurance company. The initial filing was received on February 14, 2011, and was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the grounds of public or private interest in this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance

Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or cbybee@state.pa.us.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-355. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Geisinger Health Plan; HMO Individual, Grange & Association Base Rates; Rate Filing

On February 9, 2011, Geisinger Health Plan (Plan) submitted a rate filing to increase the premium rates for the Individual HMO Product. The Plan proposes to increase the rates by 7.60%.

This filing will affect approximately 4,270 members and produce additional premium income of about \$1.1 million annually. The requested effective date of the change is June 1, 2011.

Unless formal administrative action is taken prior to May 11, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find..." click on the link "View Current Rate Filings."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [csandersjo@state.pa.us](mailto:csandersjo@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-356. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Insurance Placement Facilities of Delaware and Pennsylvania (The Pennsylvania FAIR Plan); Dwelling Property Form Filing

On February 8, 2011, the Insurance Department (Department) received from the FAIR Plan a filing to introduce a Dwelling Property 2—Broad Form.

As stated in the filing, during the winter of 2009-2010, the FAIR Plan denied a number of weather related losses (such as weight of ice and snow or freezing pipes) which are not insured under the FAIR Plan's current basic property form. The inability of the residual market consumer to secure coverage for winter weather exposure in this Commonwealth through the FAIR Plan has prompted this filing to introduce Dwelling Property 2—Broad Form DP 00 02 FPPA 07 11. The proposed new coverage is optional and must meet eligibility requirements. An effective date of July 1, 2011, is requested.

Unless formal administrative action is taken prior to April 9, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Debra Breach, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [dbreach@state.pa.us](mailto:dbreach@state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-357. Filed for public inspection February 25, 2011, 9:00 a.m.]

### Notice to Medical Malpractice Insurance Carriers; Pennsylvania Medical Malpractice Data Call (Act 13 of 2002 Data Call)

Each year, the Insurance Department (Department) conducts routine Data Calls to companies licensed or approved to write medical malpractice insurance in this Commonwealth. Data Calls are used to monitor the medical malpractice insurance marketplace and to collect data for statutory reports.

This year, the Department is requesting additional information as required by the Insurance Commissioner under section 711(d)(3) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.711(d)(3)). This data will be used to study the availability of additional basic coverage capacity in the Pennsylvania Medical Malpractice marketplace.

Each insurer providing medical professional liability insurance in this Commonwealth is required to file the data no later than April 1, 2011.

To take advantage of e-commerce efficiencies, the Department is conducting the Data Call using Internet capabilities. The cover letter, exhibits and templates were made available on the Department's web site ([www.insurance.pa.gov](http://www.insurance.pa.gov)) on February 14, 2011. An e-mail announcing the Data Call was also sent on February 14, 2011, to all medical malpractice insurers with positive Direct Premiums Written for 2009.

Consistent with other Data Calls, the Department will consider the data submitted as proprietary and handle it accordingly.

Insurers having positive Direct Premiums Written for 2009 must submit data in response to this Data Call. The Department has identified these insurers in Exhibit 2 of the Data Call. Data for more than one insurer may not be combined into a single submission.

Questions regarding this Data Call should be directed to Jim Di Santo, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2118, [jadisanto@state.pa.us](mailto:jadisanto@state.pa.us).

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-358. Filed for public inspection February 25, 2011, 9:00 a.m.]

### The Travelers Indemnity Company; Farmington Casualty Company; The Automobile Insurance Company of Hartford, Connecticut; The Charter Oak Fire Insurance Company; The Phoenix Insurance Company; The Travelers Indemnity Company of America; Homeowners; Rate Revision

On February 4, 2011, the Insurance Department (Department) received from The Travelers Indemnity Company, Farmington Casualty Company, The Automobile Insurance Company of Hartford, Connecticut, The Charter Oak Fire Insurance Company, The Phoenix Insurance Company and The Travelers Indemnity Company of America a filing for a rate level change for homeowners insurance.

The companies request an overall 4.0% increase amounting to \$4,599,000 annually, to be effective April 29, 2011. This overall figure represents an average; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to April 5, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [xlu@state.pa.us](mailto:xlu@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 11-359. Filed for public inspection February 25, 2011, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error Act (MCARE) (40 P. S. § 1303.303), announces a meeting of the Authority's Board to be held at the Harrisburg Area Community College, One HACC Drive, Harrisburg, PA at 10 a.m. on Tuesday, March 8, 2011.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 11-360. Filed for public inspection February 25, 2011, 9:00 a.m.]

# PENNSYLVANIA CONVENTION CENTER AUTHORITY

## Independent Auditors' Report

Board of Directors  
Pennsylvania Convention Center Authority

We have audited the accompanying statements of net assets of the Pennsylvania Convention Center Authority (the Authority) as of June 30, 2010 and 2009, and the related statements of revenue, expenses, and changes in fund net assets and cash flows for the year then ended. These financial statements are the responsibility of the Authority's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control over financial reporting.

Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly in all material respects the financial position of the Authority as of June 30, 2010 and 2009, and the changes in net assets and cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States.

The required supplementary information, Management's Discussion and Analysis, is not a required part of the basic financial statements, but is supplementary information required by the Governmental Accounting Standards Board. This supplementary information is the responsibility of the Authority's management. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit such information, and we do not express an opinion on it.

Mitchell & Titus, LLP  
January 20, 2011

THOMAS A. RILEY,  
*Chairperson*



## PENNSYLVANIA CONVENTION CENTER AUTHORITY

## Statements of Net Assets

As of June 30, 2010 and 2009

	<u>2010</u>	<u>2009</u>
<b>ASSETS</b>		
Cash and cash equivalents	\$ 59,179,959	\$ 24,668,791
Short-term investments	-	32,738,011
Receivables, net	4,227,082	3,667,299
Welcome Fund receivable	122,000,000	-
Total current assets	<u>185,407,041</u>	<u>61,074,101</u>
Deferred financing costs	-	3,037,784
Prepaid expenses and other assets	476,758	494,373
Property, plant, and equipment	806,578,746	520,403,389
Less accumulated depreciation	<u>(150,748,645)</u>	<u>(142,406,193)</u>
Total assets	<u>841,713,900</u>	<u>442,603,454</u>
<b>LIABILITIES AND FUND NET ASSETS</b>		
Accounts payable and other accrued expenses	27,560,978	46,253,609
Interest payable	-	3,450,342
Operating Agreement / Lease and service fee liability	2,274,762	1,271,621
Deferred revenue	3,015,294	1,028,609
Current portion of refunding revenue bonds	-	14,165,000
Total current liabilities	<u>32,851,034</u>	<u>66,169,181</u>
Refunding revenue bonds payable	-	187,660,000
Deferred loss on bond refunding	-	(7,452,736)
Welcome Fund loan payable	122,000,000	-
Total liabilities	<u>154,851,034</u>	<u>246,376,445</u>
<b>Restricted fund net assets</b>	<u>\$ 686,862,866</u>	<u>\$ 196,227,009</u>

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA CONVENTION CENTER AUTHORITY**  
 Statements of Revenues, Expenses, and Changes in Fund Net Assets  
 For the Years Ended June 30, 2010 and 2009

	<b>2010</b>	<b>2009</b>
<b>OPERATING REVENUES</b>		
<i>Convention Center Events:</i>		
Space license fees	\$ 4,040,404	\$ 4,447,024
Commissions	3,863,416	4,476,694
Other	515,804	450,422
Total operating revenues	8,419,624	9,374,140
Operating expenses	33,055,079	36,789,057
Operating loss	(24,635,455)	(27,414,917)
<b>NONOPERATING REVENUE (EXPENSE)</b>		
Hotel tax income	19,756,445	21,006,607
Interest income	237,634	1,244,472
Lease and service fee	24,710,419	21,380,901
Operating Agreement expense	(2,865,690)	-
Lease and Service Agreement termination expense	(15,512,758)	-
Interest expense	(33,776,031)	(11,191,368)
Gain from extinguishment of debt	207,426,821	-
Welcome Fund loan proceeds	122,000,000	-
Other expenses	(5,502,480)	(3,314,736)
Other income	2,530,000	-
Total nonoperating revenue, net	319,004,360	29,125,876
Increase in net assets before contributions	294,368,905	1,710,959
Capital contributions	196,266,952	134,083,617
Increase in net assets	490,635,857	135,794,576
Restricted fund net assets, beginning of year	196,227,009	60,432,433
<b>Restricted fund net assets, end of year</b>	<b>\$ 686,862,866</b>	<b>\$ 196,227,009</b>

The accompanying notes are an integral part of these financial statements.

## PENNSYLVANIA CONVENTION CENTER AUTHORITY

## Statements of Cash Flows

For the Years Ended June 30, 2010 and 2009

	<u>2010</u>	<u>2009</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Cash received from Convention Center events	\$ 8,372,805	\$ 8,326,439
Salaries and administrative costs paid to employees	(4,986,503)	(6,516,634)
Payments to suppliers for services	<u>(16,949,735)</u>	<u>(20,591,986)</u>
Net cash used in operating activities	<u>(13,563,433)</u>	<u>(18,782,181)</u>
<b>CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES</b>		
Hotel tax income received from City	19,301,688	22,200,587
Cash received from Commonwealth for extinguishment of debt	207,426,821	-
Other expenses	(5,502,480)	(3,314,736)
Advance received from DCED Grant	1,750,000	-
Other income	2,500,000	-
Net cash provided by noncapital financing activities	<u>225,476,029</u>	<u>18,885,851</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES</b>		
Lease and service fee received from City	24,472,606	22,652,522
Lease and service fee reimbursed to City	(1,271,621)	(24,650,835)
Delegation funds received from Commonwealth	196,266,952	134,083,617
Increase in construction in progress	(303,088,540)	(115,456,611)
Extinguishment of debt	(187,660,000)	-
Lease and service agreement termination expense	(15,512,758)	-
Principal paid on refunding revenue bonds	(14,165,000)	(13,495,000)
Interest paid on refunding revenue bonds	(29,773,637)	(10,672,882)
Interest and fees paid on Welcome Fund Loan	(1,890,771)	-
Welcome Fund loan fees received from Commonwealth	869,388	-
Welcome Fund loan proceeds	122,000,000	-
Net cash used in capital and related financing activities	<u>(209,753,381)</u>	<u>(7,539,189)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Sale of investments, net	32,738,011	28,482,047
Interest income on investments	312,730	1,244,472
Purchase of fixed assets, net	(698,788)	-
Net cash provided by investing activities	<u>32,351,953</u>	<u>29,726,519</u>
Net increase in cash	34,511,168	22,291,000
Cash and cash equivalents, beginning of the year	24,668,791	2,377,791
<b>Cash and cash equivalents, end of the year</b>	<u>\$ 59,179,959</u>	<u>\$ 24,668,791</u>
<b>RECONCILIATION OF OPERATING (LOSS) TO NET CASH USED IN OPERATING ACTIVITIES</b>		
Operating loss	\$ (24,635,455)	\$ (27,414,917)
Adjustments to reconcile operating loss to net cash used in operating activities:		
Depreciation and amortization	11,380,236	8,708,913
Bad debt expense	68,139	40,000
Change in assets and liabilities:		
Accounts receivable	(283,504)	(521,245)
Other assets	17,615	311,254
Deferred revenue	236,685	(526,456)
Accounts payable and other accrued expenses	<u>(347,149)</u>	<u>620,270</u>
Net cash used in operating activities	<u>\$ (13,563,433)</u>	<u>\$ (18,782,181)</u>

The accompanying notes are an integral part of these financial statements.

[Pa.B. Doc. No. 11-361. Filed for public inspection February 25, 2011, 9:00 a.m.]

# PENNSYLVANIA GAMING CONTROL BOARD

## List of Applicants and Licensees

In accordance with 4 Pa.C.S. §§ 1202(b)(27) and (27.1) and 1513(a.2)(1) (relating to general and specific powers; and political influence), the Pennsylvania Gaming Control Board (Board) is providing the following list of all applicants for and holders of a slot machine license, table game operation certificate, manufacturer license, supplier license or racing entity license, and the affiliates, intermediaries, subsidiaries, holding companies, principals and key employees thereof. These reports are also available on the Board's web site at [www.pgcb.state.pa.us](http://www.pgcb.state.pa.us). The reports can be found under the Licensure, Reports and General Information Section.

SUSAN A. YOCUM,  
Assistant Chief Counsel

### Pennsylvania Gaming Control Board Application Status Report as of February 03, 2011

#### Category 1 Facilities

##### Chester Downs and Marina, LLC

License Renewed: 10/21/2009

License Expires: 10/20/2012

Petition to Conduct Table Games Deemed Complete: 3/25/10

Certificate Awarded: 5/13/2010

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
Apollo Hamlet Holdings B, LLC	License Renewed	10/21/2009	10/20/2012
Apollo Hamlet Holdings, LLC	License Renewed	10/21/2009	10/20/2012
Co-Invest Hamlet Holdings B, LLC	License Renewed	10/21/2009	10/20/2012
Co-Invest Hamlet Holdings, Series, LLC	License Renewed	10/21/2009	10/20/2012
TPG Hamlet Holdings B, LLC	License Renewed	10/21/2009	10/20/2012
TPG Hamlet Holdings, LLC	License Renewed	10/21/2009	10/20/2012
Paulson & Co., Inc.	Notification Received	10/1/2010	
Joseph Lashinger Co., LLC	Surrendered License	4/7/2010	
<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Caesars Entertainment Corporation	License Renewed	10/21/2009	10/20/2012
Hamlet Holdings, LLC	License Renewed	10/21/2009	10/20/2012
Harrah's Chester Downs Investment Company, LLC	License Renewed	10/21/2009	10/20/2012
Harrah's Operating Company, Inc.	License Renewed	10/21/2009	10/20/2012
<i>Management Company</i>	<i>Application Status</i>		<i>Expiration Date</i>
Harrah's Chester Downs Management Company, LLC	License Renewed	10/21/2009	10/20/2012
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Cheryl Ann Kondra	Approved for Licensure	10/21/2009	10/20/2012
John W. Baker	Approved for Licensure	8/28/2009	8/27/2012
William L. Buffalo	Expired	10/20/2010	
Daniel L. Nita	Inactive-Approved for Licensure	8/28/2009	8/27/2012
Gerald A. Einsohn	Inactive-Renewed	10/21/2009	10/20/2012
Anthony M. Civale	License Renewed	10/21/2009	10/20/2012
Charles A. Paelnick	License Renewed	10/21/2009	10/20/2012
Christopher J. Williams	License Renewed	10/21/2009	10/20/2012
David Bonderman	License Renewed	10/21/2009	10/20/2012
David W. Norton	License Renewed	10/21/2009	10/20/2012
Eric Press	License Renewed	10/21/2009	10/20/2012
Gary G. Michael	License Renewed	10/21/2009	10/20/2012
Gary W. Loveman	License Renewed	10/21/2009	10/20/2012



<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
George K. Miller, Jr.	License Renewed	10/21/2009	10/20/2012
Gregory J. Miller	License Renewed	10/21/2009	10/20/2012
James G. Coulter	License Renewed	10/21/2009	10/20/2012
Jan L. Jones	License Renewed	10/21/2009	10/20/2012
Jeffrey David Benjamin	License Renewed	10/21/2009	10/20/2012
Jonathan J. Coslet	License Renewed	10/21/2009	10/20/2012
Jonathan S. Halkyard	License Renewed	10/21/2009	10/20/2012
Joshua Harris	License Renewed	10/21/2009	10/20/2012
Karl Peterson	License Renewed	10/21/2009	10/20/2012
Kelvin Davis	License Renewed	10/21/2009	10/20/2012
Kevin D. Flynn	License Renewed	10/21/2009	10/20/2012
Leon Black	License Renewed	10/21/2009	10/20/2012
Marc J. Rowan	License Renewed	10/21/2009	10/20/2012
Mary Thomas	License Renewed	10/21/2009	10/20/2012
Michael D. Cohen	License Renewed	10/21/2009	10/20/2012
David Benjamin Sambur	Pending	1/3/2011	
Diane Elizabeth Wilfong	Pending	7/17/2009	
Donald Paul Marrandino	Pending	10/28/2009	
Duane Douglas Holloway	Pending	12/15/2009	
Katrina R. Lane	Pending	3/20/2009	
Lynn Curtis Swann	Pending	9/3/2009	
Peter Edward Murphy	Pending	12/1/2009	
Timothy Richard Donovan	Pending	5/5/2009	
Dennis V. Gallagher	Request to Surrender License	8/28/2009	8/27/2012
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Alyson Paige Stocker	Approved for Licensure	3/3/2010	3/2/2013
Brendan James Gowen	Approved for Licensure	5/25/2010	5/24/2013
Bryan R. Scruggs	Approved for Licensure	4/8/2009	4/7/2012
Corey Fulton	Approved for Licensure	12/9/2009	12/8/2012
Cynthia Leach	Approved for Licensure	9/23/2009	9/22/2012
Deborah Baldwin	Approved for Licensure	4/22/2009	4/21/2012
Dennis Austin Jones	Approved for Licensure	6/10/2010	6/9/2013
Dennis John Carr	Approved for Licensure	6/21/2010	6/20/2013
Francis George Lengetti III	Approved for Licensure	4/7/2010	4/6/2013
Gregory Gioe III	Approved for Licensure	3/3/2010	3/2/2013
J'Anai Campbell	Approved for Licensure	3/25/2009	3/24/2012
Jennifer Michele Mitchell	Approved for Licensure	1/6/2011	1/5/2014
Joseph Sutsko	Approved for Licensure	4/7/2010	4/6/2013
Karen Ann Moylan	Approved for Licensure	3/3/2010	3/2/2013
Marianne Marie Oronzio	Approved for Licensure	4/7/2010	4/6/2013
Martin W. Murray	Approved for Licensure	3/3/2010	3/2/2013
MaryAnn F. Porvaznik	Approved for Licensure	10/21/2009	10/20/2012
Matthew John Conner	Approved for Licensure	4/7/2010	4/6/2013
Michael Joseph Tiburzi	Approved for Licensure	8/28/2009	8/27/2012
Michele D. Hennigan	Approved for Licensure	10/21/2009	10/20/2012
Nancy Castellano	Approved for Licensure	3/25/2009	3/24/2012
Nicholas Capriotti	Approved for Licensure	7/29/2010	7/28/2013

<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Richard C. Habibi	Approved for Licensure	3/3/2010	3/2/2013
Scott S. Shepherd	Approved for Licensure	8/28/2009	8/27/2012
Susan Bernadette Mark	Approved for Licensure	3/3/2010	3/2/2013
Wayne Yang Hu	Approved for Licensure	3/3/2010	3/2/2013
Gregory A. Saville	Expired	3/24/2010	
Helmut Leuck	Expired	6/16/2010	
Timothy J. Lowry	Expired	3/24/2010	
Daniel J. Rohrer	Inactive-Approved for Licensure	3/25/2009	3/24/2012
David Kou-Hsien Kam	Inactive-Approved for Licensure	3/25/2009	3/24/2012
Kimberly Ann Horn	Inactive-Approved for Licensure	8/28/2009	8/27/2012
Steven A. Wilson	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Carrie Doheny	Inactive-Renewed	8/28/2009	8/27/2012
Curtis Lane	Inactive-Renewed	3/25/2009	3/24/2012
Helen A. Allman	Inactive-Renewed	7/29/2010	7/28/2013
Mark Andrews	Inactive-Renewed	4/7/2010	4/6/2013
Michael Vinci	Inactive-Renewed	3/25/2009	3/24/2012
Shonette Harrison Carew	Inactive-Renewed	3/25/2009	3/24/2012
Vincent D. Donlevie	Inactive-Renewed	5/25/2010	5/24/2013
Anthony Hill	License Renewed	3/3/2010	3/2/2013
Blake A. Warren	License Renewed	3/25/2009	3/24/2012
Christopher C. Milano	License Renewed	3/25/2009	3/24/2012
Christopher L. Riess	License Renewed	3/25/2009	3/24/2012
John M. McNeill, Jr.	License Renewed	7/29/2010	7/28/2013
Josette Danielle Carter	License Renewed	8/28/2009	8/27/2012
Marvin T. Fox	License Renewed	3/25/2009	3/24/2012
Marybeth Fielder	License Renewed	8/28/2009	8/27/2012
Michael Toland	License Renewed	6/21/2010	6/20/2013
Michael Lamont Wesley	License Renewed	12/9/2009	12/8/2012
N. Lynne Hughes	License Renewed	3/25/2009	3/24/2012
Normand J. Mullan	License Renewed	10/21/2009	10/20/2012
Robin Roberts	License Renewed	4/22/2009	4/21/2012
Stanley J. Kernan	License Renewed	8/28/2009	8/27/2012
Thomas Hemphill	License Renewed	8/28/2009	8/27/2012
Vicki L. Guveiyian	License Renewed	3/25/2009	3/24/2012
Alison Erin Trazzera	Pending	9/2/2010	
Andrew Hamilton Smith	Pending	4/26/2010	
Charles O'Hala	Pending	8/4/2010	
Darrell Edward Fittimon II	Pending	1/12/2009	
Dwayne Michael Cambra	Pending	9/30/2010	
Helmut Mizzay Littlejohn	Pending	10/16/2009	
Krisa Lynn Cardinal	Pending	5/29/2009	
Martin Tom Williamson	Pending	8/13/2010	
Mary Frances Harper	Pending	6/10/2010	
Matthew Stapleton Fisher	Pending	6/2/2010	
Michelle Marie Yarrow	Pending	11/16/2010	

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Robert Dimitri Guidice	Pending	2/2/2010
Ronald Mathew Baumann	Pending	6/21/2010
Sean Adam Baumgartner	Pending	9/30/2009
Travis G. Lamb	Pending	8/5/2010
Vito Arthur Nardelli, Jr.	Pending	11/16/2010
Katie M. Tyler	Renewal App Pending	5/13/2009
Adriana Cynthia Zirpoli	Request for Withdrawal Pending	4/21/2010
Francis Joseph Walls, Jr.	Request for Withdrawal Pending	11/5/2009
Laura A. Daransky	Request for Withdrawal Pending	5/7/2008
Mark Julius Tricano	Request for Withdrawal Pending	8/13/2010
Brian Dolan	Withdrawn	2/9/2010
Carl J. Heil	Withdrawn	1/4/2011
Charles Columbus Cahn	Withdrawn	9/10/2010
DeLora Jean LoDuca	Withdrawn	1/4/2011
Howard Michael Herman	Withdrawn	1/4/2011
Jerome Stanton	Withdrawn	1/4/2011
John Zappas	Withdrawn	9/20/2010
Mary E. Baranick	Withdrawn	1/4/2011
Mecca Karim-Bey	Withdrawn	1/4/2011
Nicole Head	Withdrawn	1/4/2011
Pamela Blackshear	Withdrawn	1/4/2011

**Downs Racing, LP**

License Renewed: 9/23/2009

License Expires: 9/22/2012

Petition to Conduct Table Games Deemed Complete: 1/26/2010

Certificate Awarded: 3/16/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Backside, LP	License Renewed	9/22/2012
Mill Creek Land, LP	License Renewed	9/22/2012
Mohegan Commercial Ventures PA, LLC	License Renewed	9/22/2012
Mohegan Tribal Gaming Authority	License Renewed	9/22/2012
Mohegan Tribe of Indians of Connecticut	License Renewed	9/22/2012
Northeast Concessions, LP	License Renewed	9/22/2012
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Thayne D. Hutchins, Jr.	Approved for Licensure	1/6/2011
Charles F. Bunnell III	Expired	9/22/2010
Helga F. Woods	Expired	9/22/2010
Paul I. Brody	Expired	9/22/2010
Peter J. Roberti	Expired	9/22/2010
Philip M. Cahill	Expired	9/22/2010
Allison D. Johnson	License Renewed	9/22/2012
Bruce S. Bozsum	License Renewed	9/22/2012
Cheryl Todd	License Renewed	9/22/2012
Jeffrey E. Hartmann	License Renewed	9/22/2012
Leo M. Chupaska	License Renewed	9/22/2012
Mark F. Brown	License Renewed	9/22/2012

## NOTICES

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Mitchell G. Etess	License Renewed	9/23/2009	9/22/2012
Ralph J. Gessner, Jr.	License Renewed	9/23/2009	9/22/2012
William Quidgeon	License Renewed	9/23/2009	9/22/2012
David Andrew Rome	Pending	10/14/2010	
Jonathan Hamilton	Pending	1/21/2011	
Kathleen M. Regan-Pyne	Pending	12/23/2009	
Marilynn R. Malerba	Request to Surrender License	11/4/2010	9/22/2012
Mark W. Hamilton	Surrendered License	1/10/2010	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Dale Rapson	Approved for Licensure	7/29/2010	7/28/2013
Jessica Nicole Seemon	Approved for Licensure	3/16/2010	3/15/2013
Joanne Donnelly	Approved for Licensure	8/28/2009	8/27/2012
Julia Felice Gould	Approved for Licensure	8/28/2009	8/27/2012
Kerri K. Buckman	Approved for Licensure	7/29/2010	7/28/2013
Mackenzie Ann Lucas	Approved for Licensure	7/29/2010	7/28/2013
Melissa Sue Anderson	Approved for Licensure	4/29/2010	4/28/2013
Merrit C. Nash	Approved for Licensure	12/9/2009	12/8/2012
Sabrina Bertino	Approved for Licensure	8/28/2009	8/27/2012
James J. Wise	Expired	9/22/2010	
Joseph P. Rusincovitch	Inactive-Approved for Licensure	2/19/2010	2/19/2012
Curtis J. Rogers	Inactive-Renewed	5/7/2010	3/15/2013
Shawn R. Harris	Inactive-Renewed	5/3/2010	3/15/2013
Amy M. Schneider	License Renewed	7/29/2010	7/28/2013
Aubrey Daniels	License Renewed	3/16/2010	3/15/2013
Benjamin B. Iverson	License Renewed	4/7/2010	4/6/2013
Bernardine M. Radici	License Renewed	4/7/2010	4/6/2013
Charles P. Jorda	License Renewed	4/7/2010	4/6/2013
Cynthia A. Marx	License Renewed	7/29/2010	7/28/2013
Daniel W. Finken	License Renewed	4/7/2010	4/6/2013
David T. Zarn	License Renewed	4/29/2010	4/28/2013
Dennis Driscoll	License Renewed	4/7/2010	4/6/2013
Frederick M. Brown IV	License Renewed	5/25/2010	5/24/2013
Gavin E. Southworth	License Renewed	4/7/2010	4/6/2013
James Andruskiewicz	License Renewed	3/16/2010	3/15/2013
James J. Heist	License Renewed	5/25/2010	5/24/2013
Jeffrey L. Wainwright	License Renewed	3/16/2010	3/15/2013
Jennie Henderson	License Renewed	7/29/2010	7/28/2013
Joshua J. Church	License Renewed	3/16/2010	3/15/2013
Kenneth B. Matthews	License Renewed	3/16/2010	3/15/2013
Leonard M. Nardoizzo	License Renewed	7/29/2010	7/28/2013
Lori A. Dokas	License Renewed	4/7/2010	4/6/2013
Mark W. Angelo	License Renewed	6/21/2010	6/20/2013
Melissa Fehlinger	License Renewed	5/25/2010	5/24/2013
Michael S. Bean	License Renewed	9/23/2009	9/22/2012
Rita M. Polney	License Renewed	3/16/2010	3/15/2013
Robert Zbysheski	License Renewed	4/29/2010	4/28/2013



<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Robert J. Soper	License Renewed	3/16/2010
Sharon A. Aronovitz	License Renewed	9/23/2009
Bryan E. Olowiany	Pending	10/5/2009
David Christopher Parfrey	Pending	1/26/2010
Jeffrey George	Pending	5/6/2008
Jeffrey John Walker	Pending	1/26/2010
Kara Fox-LaRose	Pending	1/4/2011
Maria Teresa Zangardi	Pending	5/19/2010
Robert Joseph Pellegrini	Pending	12/15/2010
Ronald J. Chrzan	Pending	10/19/2009
Anthony Connell McGowan	Renewal App Pending	7/8/2009
Brian P. Reynolds	Renewal App Pending	10/5/2009
Kalenna M. Honeywell	Renewal App Pending	11/20/2009
Kawel B. Laubach	Renewal App Pending	12/30/2009
Michael W. Stiefel	Renewal App Pending	8/18/2009
Tammer M. Tucker	Renewal App Pending	11/20/2009
Thomas M. Brannigan	Renewal App Pending	10/5/2009
Carla Rayanne Cognigni	Withdrawn	2/8/2010
Janet L. Kozokas	Withdrawn	5/28/2010
Karen A. Danilowicz	Withdrawn	9/23/2010
Paul M. Athey	Withdrawn	8/18/2010
Steven K. Dahle	Withdrawn	11/12/2010

**Greenwood Gaming and Entertainment, Inc.**

License Renewed: 9/16/2010

License Expires: 9/15/2013

Petition to Conduct Table Games Deemed Complete: 2/16/2010

Certificate Awarded: 3/16/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Bensalem Racing Association, Inc.	License Renewed	9/16/2010
Keystone Turf Club, Inc.	License Renewed	9/16/2010
Rock Limited	License Renewed	9/16/2010
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Bensalem Park Maintenance, Ltd.	Approved for Licensure	9/16/2010
Bettor Technology, Inc.	Approved for Licensure	9/16/2010
Casino Food Services Inc.	Approved for Licensure	9/16/2010
Green Racing Management Company	Approved for Licensure	9/16/2010
Greenwood Gaming Services Co.	Approved for Licensure	9/16/2010
Keystone Park Services, Co.	Approved for Licensure	9/16/2010
Greenwood G&E Holding, Inc.	License Renewed	9/16/2010
Greenwood Racing, Inc.	License Renewed	9/16/2010
International Turf Investment Company, Inc.	License Renewed	9/16/2010
Koorungal Holdings B.V.	License Renewed	9/16/2010
Koorungal Holdings Curacao N.V.	License Renewed	9/16/2010
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Anthony D. Ricci, Jr.	License Renewed	1/8/2010
Herbert G. Baerwitz	License Renewed	9/16/2010
James Lane	License Renewed	9/16/2010
Richard J. Kendle	License Renewed	9/16/2010

## NOTICES

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Robert W. Green	License Renewed	9/16/2010	9/15/2013
Terrence A. Everett	License Renewed	9/16/2010	9/15/2013
Watche A. Manoukian	License Renewed	9/16/2010	9/15/2013
William E. Hogwood	License Renewed	9/16/2010	9/15/2013
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Anthony Faranca	Approved for Licensure	3/16/2010	3/15/2013
Carrie Anne Nork-Minelli	Approved for Licensure	1/6/2011	1/5/2014
Dale Edward Walton	Approved for Licensure	1/6/2011	1/5/2014
Felicia L. Odum	Approved for Licensure	4/8/2009	4/7/2012
Gerald Fretz	Approved for Licensure	8/28/2009	8/27/2012
Jason Eddings	Approved for Licensure	8/28/2009	8/27/2012
Joseph William Wilson	Approved for Licensure	4/29/2010	4/28/2013
Kelly Gerrity	Approved for Licensure	4/22/2009	4/21/2012
Nicolle Marie Miller	Approved for Licensure	1/6/2011	1/5/2014
Thomas R. Lamassa	Approved for Licensure	8/28/2009	8/27/2012
Tricia Tralka	Approved for Licensure	4/22/2009	4/21/2012
William Fleck	Approved for Licensure	7/15/2009	7/14/2012
Christopher Smylie	Expired	4/7/2010	
Eileen Sutton	Expired	11/17/2010	
Jared D. Emmer	Expired	2/19/2010	
Joseph Hensley	Expired	4/21/2010	
Paul Hyung Yoo	Expired	1/7/2011	
David S. Jonas	Inactive-Renewed	1/8/2010	1/7/2013
Erin M. McMenamin	Inactive-Renewed	2/19/2010	2/19/2012
Allen N. Strauss	License Renewed	4/8/2009	4/7/2012
Andrew J. Green	License Renewed	11/18/2009	11/17/2012
Anne Johnson	License Renewed	7/29/2010	7/28/2013
Arthur J. Dixon	License Renewed	4/8/2009	4/7/2012
Bette A. Strauss	License Renewed	4/8/2009	4/7/2012
David L. Norcutt, Sr.	License Renewed	4/8/2009	4/7/2012
Francis E. McDonnell	License Renewed	4/8/2009	4/7/2012
Janet DelBorrello	License Renewed	11/18/2009	11/17/2012
Mark E. Cizenski	License Renewed	5/25/2010	5/24/2013
Matthew W. Hayes	License Renewed	7/29/2010	7/28/2013
Remaitha Polite	License Renewed	1/6/2011	1/5/2014
Richelle Ruemeli	License Renewed	4/22/2009	4/21/2012
Robert J. Kirby	License Renewed	11/18/2009	11/17/2012
Ronald W. Davis	License Renewed	1/6/2011	1/5/2014
Shane Stone	License Renewed	7/29/2010	7/28/2013
Syed Azharuddin	License Renewed	5/25/2010	5/24/2013
Terry McCarthy	License Renewed	7/29/2010	7/28/2013
Thomas C. Bonner	License Renewed	7/29/2010	7/28/2013
Vatche Manoukian	License Renewed	1/8/2010	1/7/2013
Ari Mizrachi	Pending	5/12/2010	
John David Casagrande	Pending	12/24/2009	
John Gary Luderitz	Pending	9/13/2010	
John Joseph Martinelli	Pending	5/27/2009	
Joshua David Hofbauer	Pending	1/4/2010	

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Judson James Boyer	Pending	5/21/2010
Kathleen Meci	Pending	3/8/2010
Leonard Witkowski	Pending	10/6/2010
Leonard M. DeAngelo	Pending	6/16/2010
Michael Anthony Doyle	Pending	11/4/2010
Pablo Fernando Dishman	Pending	3/1/2010
Robert Warren Kahler	Pending	2/2/2010
Rosemarie McElroy	Pending	12/3/2009
Bryan P. Schroeder	Renewal App Pending	1/14/2010
Darlene Monzo	Renewal App Pending	1/14/2010
David Ziegler	Renewal App Pending	12/14/2009
Gary E. Prestage	Renewal App Pending	7/30/2009
Skye B. Gallagher	Renewal App Pending	1/14/2010
David Quinn	Request for Withdrawal Pending	1/14/2010
Lowell L. Jacobsen, Jr.	Request for Withdrawal Pending	10/6/2009
Michael Errico, Jr.	Request for Withdrawal Pending	6/19/2008
Urian Xavier Diaz	Request for Withdrawal Pending	8/28/2009
Howard J. Clark	Withdrawn	9/23/2010
Janine Fleck	Withdrawn	7/16/2010
Jennifer K. Jacobsen	Withdrawn	7/16/2010
Samuel Gary Cusimano	Withdrawn	9/21/2010

**Mountainview Thoroughbred Racing Association**

License Renewed: 1/10/2010

License Expires: 1/9/2013

Petition to Conduct Table Games Deemed Complete: 3/5/2010

Certificate Awarded: 4/7/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
FIF V PFD LLC	Approved for Licensure	8/28/2009 8/27/2012
The Carlino Family Trust	Approved for Licensure	1/10/2010 1/9/2013
Akre Capital Management, LLC	Expired	1/9/2011
Baron Capital Group, Inc. and its subsidiaries	Expired	1/9/2011
Capital World Investors a Division of Capital Research and Management Company	Expired	1/9/2011
FMR Corp. and Fidelity International Limited	Expired	1/7/2011
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
eBetUSA.com, Inc.	License Renewed	1/10/2010 1/9/2013
Penn National Gaming, Inc.	License Renewed	1/10/2010 1/9/2013
Pennsylvania National Turf Club, Inc.	License Renewed	1/10/2010 1/9/2013
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Desiree Ann Burke	Approved for Licensure	10/6/2010 10/5/2013
Gregg Hart	Approved for Licensure	8/28/2009 8/27/2012
Timothy J. Wilmott	Approved for Licensure	8/28/2009 8/27/2012
Wesley Edens	Approved for Licensure	8/28/2009 8/27/2012
David A Handler	Expired	1/9/2011

## NOTICES

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Barbara Z. Shattuck	License Renewed	1/10/2010
Harold Cramer	License Renewed	1/10/2010
John M. Jacquemin	License Renewed	1/10/2010
John V. Finamore	License Renewed	1/10/2010
Jordan B. Savitch	License Renewed	1/10/2010
Peter M. Carlino	License Renewed	1/10/2010
Robert P. Levy	License Renewed	1/10/2010
Robert S. Ippolito	License Renewed	1/10/2010
Thomas N. Auriemma	License Renewed	1/10/2010
William J. Clifford	License Renewed	1/10/2010
Kyle Martin, Sr.	Pending	1/22/2008
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Adrienne E. Hill	Approved for Licensure	7/15/2009
Anthony Ciallella	Approved for Licensure	7/29/2010
Brian Klees	Approved for Licensure	7/29/2010
Daniel Benjamin Womer	Approved for Licensure	7/29/2010
David John Pagerly	Approved for Licensure	7/29/2010
David Lawrence Nesko	Approved for Licensure	7/29/2010
Debra Lynne Taylor	Approved for Licensure	7/15/2009
Donna Lorraine Byers	Approved for Licensure	7/29/2010
Francis Edward Quigley	Approved for Licensure	7/29/2010
Gene L. Gross	Approved for Licensure	7/29/2010
James Slyman	Approved for Licensure	4/22/2009
Javon Quentin White	Approved for Licensure	7/29/2010
Jeremy Todd Hughes	Approved for Licensure	7/29/2010
Joseph D. Lombardi	Approved for Licensure	10/27/2010
Joshua Ryan	Approved for Licensure	4/8/2009
Joshua Lee Bicher	Approved for Licensure	3/16/2010
Josue' Molina-Diaz	Approved for Licensure	4/8/2009
Justin Richard Miller	Approved for Licensure	11/18/2009
Laura Ann Muniz	Approved for Licensure	7/29/2010
Lucretia A. Fetcho	Approved for Licensure	7/29/2010
Nicholas Tylwalk	Approved for Licensure	7/29/2010
Scott Alan Sharrow	Approved for Licensure	1/8/2010
Thomas Fies, Jr.	Approved for Licensure	4/22/2009
Bobby O'Neal Wilburn	Expired	1/20/2010
Dinh Vu	Expired	1/20/2010
Harry Cohen	Expired	4/7/2010
Jeffrey Achey	Expired	4/7/2010
John Gary Luderitz	Expired	1/20/2010
John J. DeGrasse	Expired	1/20/2010
Luana Gomez	Expired	1/20/2010
Paul Greco	Expired	1/20/2010
Raffaele Fusca	Expired	7/14/2010
Rodney Becker	Expired	1/20/2010
Timothy A. Ebling	Expired	1/20/2010
William J. Haynes	Expired	1/20/2010



<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Darryl Wayne Scott	Inactive-Approved for Licensure	8/4/2010 1/7/2013
Diane Genese Cline	Inactive-Approved for Licensure	7/29/2010 7/28/2013
Charles Vincent Dissinger, Jr.	License Renewed	7/29/2010 7/28/2013
Danielle Espenshade	License Renewed	7/29/2010 7/28/2013
David Christopher Minor	License Renewed	7/29/2010 7/28/2013
Harry Sam Garula III	License Renewed	7/29/2010 7/28/2013
Joanne M. Rogers	License Renewed	11/18/2009 11/17/2012
John C. Newman, Sr.	License Renewed	4/8/2009 4/7/2012
Steven M. Houle	License Renewed	7/29/2010 7/28/2013
Tanya Pappas	License Renewed	7/29/2010 7/28/2013
Anthony P. Casdia	Pending	5/5/2010
Charles Berdinis	Pending	4/23/2009
Gary Bruce Pecorello II	Pending	1/4/2011
Murdo Alexander Montgomery	Pending	4/20/2010
Stephanie Vroman	Pending	9/17/2010
Susan Reyes	Pending	5/14/2010
Zachary C. Zarnoch	Pending	5/18/2010
Chy N. Stewart	Renewal App Pending	10/13/2009
Craig Edward Gunkel	Renewal App Pending	11/23/2009
Gretchen E. Garrity	Renewal App Pending	11/5/2009
Jared Stroupbauer	Renewal App Pending	12/22/2009
Laura Palazzo	Renewal App Pending	11/12/2009
Ronald Dawkins	Renewal App Pending	9/21/2009
Stephanie Dunkerley	Renewal App Pending	11/19/2009
Erwen Anton Brausam	Withdrawn	4/9/2010
John Anthony Burget	Withdrawn	4/19/2010
Michael Nale	Withdrawn	4/9/2010
Patricia Sue Crawford	Withdrawn	4/9/2010

**Presque Isle Downs, Inc.**

Renewal Application Pending: 1/16/2009  
 Petition to Conduct Table Games Deemed Complete: 3/19/2010  
 Certificate Awarded: 4/29/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Arbiter Partners, LP	Pending	5/7/2009
Brigade Capital Management, LLC	Pending	5/7/2009
Jeffrey P. Jacobs Revocable Trust, under Declaration of Trust dated July 10, 2000. Jeffrey P. Jacobs, Trustee	Pending	8/28/2009

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Gameco Holdings, Inc.	Renewal App Pending	8/5/2009
Jacobs Entertainment, Inc.	Renewal App Pending	8/5/2009
Jacobs Family Control Trust dated 9/27/05, Stanley R. Gorom III, Trustee	Renewal App Pending	8/5/2009
Jacobs Family Economic Trust dated 9/27/05, Stanley R. Gorom III, Trustee	Renewal App Pending	8/5/2009
Jacobs Investments, Inc.	Renewal App Pending	8/5/2009
MTR Gaming Group, Inc.	Renewal App Pending	4/18/2008

## NOTICES

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Narciso Alejandro Rodriguez-Cayro	Approved for Licensure	1/6/2011	1/5/2014
Edson R. Arneault	License Renewed	11/18/2010	11/17/2013
Raymond K. Lee	Pending	12/15/2008	
Robert J. Norton	Pending	6/24/2009	
Vincent James Azzarello	Pending	4/15/2009	
Anthony Vroblesky	Renewal App Pending	4/16/2010	
James V. Stanton	Renewal App Pending	4/18/2008	
Jeffrey P. Jacobs	Renewal App Pending	8/5/2009	
John W. Bittner	Renewal App Pending	4/18/2008	
Lynda L. Jacobs	Renewal App Pending	8/5/2009	
Minor Child 1	Renewal App Pending	8/10/2009	
Minor Child 2	Renewal App Pending	8/5/2009	
Minor Child 3	Renewal App Pending	8/5/2009	
Minor Child 4	Renewal App Pending	8/5/2009	
Minor Child 5	Renewal App Pending	8/5/2009	
Minor Child 6	Renewal App Pending	8/5/2009	
Richard F. Delatore	Renewal App Pending	4/18/2008	
Robert A. Blatt	Renewal App Pending	4/19/2008	
Rose M. Williams	Renewal App Pending	4/19/2008	
Stanley R. Gorom III	Renewal App Pending	8/5/2009	
Steven Michael Billick	Renewal App Pending	8/30/2010	
Thomas F. Trygar	Renewal App Pending	7/24/2009	
David R. Hughes	Withdrawn	1/6/2011	
Robert F. Griffin	Withdrawn	1/6/2011	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Brandon Brook Beaver	Approved for Licensure	3/3/2010	3/2/2013
Carl John Zalewski	Approved for Licensure	10/21/2009	10/20/2012
Charles M. Crane	Approved for Licensure	8/28/2009	8/27/2012
Jacquelyn C. Flak	Approved for Licensure	5/25/2010	5/24/2013
Karl Thomas Lewis	Approved for Licensure	6/21/2010	6/20/2013
Kurt M. Slater	Approved for Licensure	4/22/2009	4/21/2012
Luke M. Goas	Approved for Licensure	3/3/2010	3/2/2013
Mariana Skonieczka	Approved for Licensure	6/21/2010	6/20/2013
Jill M. Haines	Expired	8/27/2010	
Andrew M. Dick	Inactive-Approved for Licensure	8/16/2010	10/20/2012
Nicholas F. Barr	Inactive-Approved for Licensure	8/16/2010	8/27/2012
Stephanie Lee Dewey	Inactive-Approved for Licensure	3/16/2010	3/15/2013
Bobby Powell	Inactive-Renewed	8/16/2010	5/24/2013
Stuart M. Hoffman	Inactive-Renewed	11/2/2010	6/20/2013
William George Banister, Jr.	Inactive-Renewed	6/4/2010	3/2/2013
Adam Terrance Craven	License Renewed	10/21/2009	10/20/2012
Cynthia A. Colvin	License Renewed	5/25/2010	5/24/2013
Daniel Terry Cuic	License Renewed	6/21/2010	6/20/2013
Denise Marie Kovacs	License Renewed	3/16/2010	3/15/2013
Diane D. Claymier	License Renewed	3/25/2009	3/24/2012
Duane A. Krakowiak	License Renewed	4/8/2009	4/7/2012

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Jennifer Anne See	License Renewed	3/25/2009
Laura J. Whitney	License Renewed	8/28/2009
Mark S. Vommaro	License Renewed	6/21/2010
Patricia A. Bogart	License Renewed	8/28/2009
Roseane Law Paligo	License Renewed	10/21/2009
Scott Stoller	License Renewed	4/8/2009
Scott Christopher Campbell	License Renewed	10/21/2009
Shayne Leandeur Morrow	License Renewed	10/21/2009
William Syrek	License Renewed	8/28/2009
Barry Rice	Pending	1/20/2009
Brian Staaf	Pending	4/14/2008
Daniel Eugene Weston	Pending	8/17/2009
Erick Conrad Friedman	Pending	3/10/2010
Fred Anthony Buro	Pending	3/2/2010
Joseph Leonard Smith, Jr.	Pending	8/27/2010
Kevin John Ryan	Pending	3/22/2010
Lisa Ann Younkins	Pending	8/17/2009
Mark Joseph Waldinger	Pending	9/28/2009
Neal Charles Sloane	Pending	2/16/2010
Patrick John Smith	Pending	1/20/2009
Tracy Lee Reinhart	Pending	6/23/2010
David Allen Bates	Renewal App Pending	9/28/2009
Matthew C. Ennis	Renewal App Pending	6/2/2008
Richard A. O'Leary	Renewal App Pending	5/5/2009
Rita D. Smith	Renewal App Pending	10/5/2009
Rosanne Thompson	Renewal App Pending	9/28/2009
Stephen Paul Danowski	Renewal App Pending	1/22/2009
Stephen Paul Wagner	Renewal App Pending	9/28/2009
Thomas William Moore	Renewal App Pending	9/28/2009
Alan Walter Copeland	Withdrawn	7/2/2010
Brooke Leanne Hughes	Withdrawn	10/4/2010
Jerome R. Farrar	Withdrawn	5/3/2010
Paul R. Ketchum	Withdrawn	7/16/2010
Richard D. Knight	Withdrawn	7/2/2010
Edward L. Mioduszewski	Withdrawn with Prejudice	1/10/2010

**Valley View Downs, LP**  
Application Pending: 10/29/2007

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Amended and Restated Roderick J. Ratcliff 1999 Grantor Retained Annuity Trust	Pending	12/7/2007
The Robert M. O'Malley 1999 Grantor Retained Annuity Trust	Pending	12/7/2007

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Centaur Gaming, LLC	Pending	11/20/2007
Centaur PA Land General Partner, LP	Pending	11/20/2007
Centaur PA Land Management, LLC	Pending	11/20/2007
Centaur PA Land, LP	Pending	11/20/2007

<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Centaur Pennsylvania, LLC	Pending	11/20/2007	
Centaur, Inc.	Pending	11/19/2007	
Centaur, LLC	Pending	11/20/2007	
Valley View Downs GP, LLC	Pending	1/31/2008	
VVD Properties General Partner, LLC	Pending	11/20/2007	
VVD Properties, LP	Pending	11/20/2007	
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Albert H. Schumaker II	Pending	3/6/2008	
Allan Charles Bir	Pending	12/7/2007	
Herbert Stephen Norton	Pending	12/20/2007	
Ingrid Christine Nelson	Pending	12/3/2007	
Jeffrey Michael Smith	Pending	1/31/2008	
John Allen Senesac	Pending	12/3/2007	
Kurt Edward Wilson	Pending	12/20/2007	
Larry Budreau	Pending	12/7/2007	
Lillian May Norton	Pending	12/3/2007	
Michael Vernon Raisor	Pending	12/20/2007	
R. Michael O'Malley	Pending	12/20/2007	
Roderick Jay Ratcliff	Pending	12/7/2007	
Roy Nelson Davis	Pending	12/7/2007	
Stephen Maurice Thompson	Pending	1/9/2008	
Stephen Rea Schreckengast	Pending	12/20/2007	
Walter Herbert Kelley	Pending	12/3/2007	
William Joseph Brost	Pending	12/3/2007	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Joseph DeRosa	Pending	4/14/2008	

**Washington Trotting Association, Inc.**

Renewal Application Pending: 4/9/2009  
 Petition to Conduct Table Games Deemed Complete: 3/4/2010  
 Certificate Awarded: 4/29/2010

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
Custodians Settlement (No.8)	Pending	12/6/2010	
CCR Pennsylvania Food Service, Inc.	Renewal App Pending	10/17/2007	
CCR Pennsylvania Racing, Inc.	Renewal App Pending	10/15/2007	
CCR Racing Management	Renewal App Pending	10/15/2007	
Magna Entertainment Corporation	Renewal App Pending	4/17/2008	
OCM InvestCo, LLC	Renewal App Pending	4/9/2008	
Janus Capital Management LLC	Request for Withdrawal Pending	4/9/2008	
Custodians Settlement (No.6)	Withdrawn	12/16/2010	
Genetout No. 6	Withdrawn	12/16/2010	
<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Bareage Pty Limited	Pending	12/17/2007	
Cairnton Holdings Limited	Pending	12/17/2007	
Cairnton Pty Limited	Pending	12/17/2007	
Consolidated Custodians International Limited	Pending	12/6/2007	
Consolidated Press Financial Services PTY Limited	Pending	12/17/2007	



<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Consolidated Press Holdings Limited	Pending	12/17/2007	
Consolidated Press International Holdings Limited	Pending	12/17/2007	
Consolidated Press International Limited	Pending	4/9/2008	
Crown CCR Group Holdings One Pty Ltd	Pending	12/17/2007	
Crown CCR Group Holdings Two Pty Ltd	Pending	8/13/2008	
Crown CCR Group Investments One, LLC	Pending	1/7/2008	
Crown CCR Group Investments Two, LLC	Pending	1/7/2008	
Crown CCR Holdings General Partnership	Pending	8/13/2008	
Crown CCR Holdings, LLC	Pending	1/7/2008	
Crown Entertainment Group Holdings Pty Ltd	Pending	12/17/2007	
Crown Group Finance Limited	Pending	8/13/2008	
Crown Limited	Pending	12/17/2007	
Northkom Pty Limited	Pending	12/17/2007	
Cannery Casino Resorts, LLC	Renewal App Pending	10/15/2007	
Millennium Gaming, Inc.	Renewal App Pending	10/17/2007	
Mountain Laurel Racing, Inc.	Renewal App Pending	10/15/2007	
OCM AcquisitionCo, LLC	Renewal App Pending	10/17/2007	
OCM Blocker, LLC	Renewal App Pending	10/17/2007	
OCM HoldCo, LLC	Renewal App Pending	10/17/2007	
OCM VoteCo, LLC	Renewal App Pending	10/15/2007	
PA Meadows, LLC	Renewal App Pending	10/15/2007	
PA MezzCo, LLC	Renewal App Pending	10/15/2007	
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Michael A. Day	License Renewed	5/25/2010	5/24/2013
Ashok P. Jacob	Pending	12/17/2007	
Gretel Packer	Pending	12/6/2010	
James D. Packer	Pending	12/19/2007	
John H. Alexander	Pending	12/17/2007	
Kenneth McRae Barton	Pending	3/3/2010	
Michael J. Neilson	Pending	12/17/2007	
Michael R. Johnston	Pending	12/20/2007	
Richard W. Turner	Pending	12/17/2007	
Rowen B. Craigie	Pending	12/17/2007	
Rowena Danziger	Pending	12/20/2007	
Xavier Bernard Walsh	Pending	10/12/2010	
Bruce A. Karsh	Renewal App Pending	10/15/2007	
Carl Stix	Renewal App Pending	10/12/2010	
David M. Kirchheimer	Renewal App Pending	10/15/2007	
Guy T. Hillyer	Renewal App Pending	10/15/2007	
Howard S. Marks	Renewal App Pending	10/23/2007	
John B. Frank	Renewal App Pending	10/15/2007	
Ronald N. Beck	Renewal App Pending	10/17/2007	
Ryan S. Toland	Renewal App Pending	10/12/2010	
Sheldon M. Stone	Renewal App Pending	10/15/2007	

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Stephen A. Kaplan	Renewal App Pending	10/15/2007
Thomas A. Lettero	Renewal App Pending	11/25/2008
William C. Wortman	Renewal App Pending	10/15/2007
William Joseph Paulos	Renewal App Pending	10/15/2007
Andrew Leitch	Request for Withdrawal Pending	6/30/2008
Benjamin Brazil	Request for Withdrawal Pending	6/25/2009
Christopher Corrigan	Request for Withdrawal Pending	3/20/2008
Dale A. Hambleton	Request for Withdrawal Pending	3/2/2010
David Lowy	Request for Withdrawal Pending	3/20/2008
David E. Elmslie	Request for Withdrawal Pending	6/2/2008
Geoffrey Dixon	Request for Withdrawal Pending	3/20/2008
John O'Neill	Request for Withdrawal Pending	6/30/2008
Robert B. Davis	Request for Withdrawal Pending	12/17/2007
Robert F.E. Turner	Request for Withdrawal Pending	12/17/2007
Thomas Ross	Request for Withdrawal Pending	6/30/2008
Thomas J. Gallagher	Request for Withdrawal Pending	6/30/2008
William Nisbet	Request for Withdrawal Pending	9/3/2008
David Richard Masson	Withdrawn	1/27/2010
Ian D. Fair	Withdrawn	12/16/2010
William Thomas Hodgson	Withdrawn	6/28/2006
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Adrian Richard Ashmore	Approved for Licensure	4/8/2009
Amanda M. Monticue	Approved for Licensure	4/8/2009
Catherine Morganti	Approved for Licensure	11/4/2009
Frances A. Scharf	Approved for Licensure	9/16/2010
Jamie Ellen Wright	Approved for Licensure	1/6/2011
Janet Nicole Denson	Approved for Licensure	7/29/2010
Jeffrey D. Pleta	Approved for Licensure	3/25/2009
Jennifer M. Siller	Approved for Licensure	6/21/2010
Jerri Lynn Corfont-Anesetti	Approved for Licensure	7/29/2010
Kathy A. Baccaro	Approved for Licensure	3/3/2010
Kelly C. Harvison	Approved for Licensure	11/4/2009
Kevin Michael Salo	Approved for Licensure	3/25/2009
Kevin T. Woodson	Approved for Licensure	4/8/2009
Ryan Uhrig	Approved for Licensure	11/4/2009
Sandra L. Davidson	Approved for Licensure	9/16/2010
Steven William Hartmann	Approved for Licensure	7/29/2010
Todd A. Wagner	Approved for Licensure	7/29/2010
Tracy M. Mihalek	Approved for Licensure	1/6/2011

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<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Virginia M. Schussler	Approved for Licensure	11/4/2009	11/3/2012
Jamie John	Expired	4/21/2010	
Jennifer Schweizer Moore	Expired	8/27/2010	
Meghan L. Zulick	Expired	11/3/2010	
Michael G. Graninger	Expired	3/24/2010	
Nicole E. Scholz	Expired	4/7/2010	
Jill Marie Bejger-Frederick	Inactive-Approved for Licensure	3/3/2010	3/2/2013
Douglas A. Kaminski	Inactive-Renewed	3/25/2009	3/24/2012
Ronald A. Rossi	Inactive-Renewed	3/24/2010	3/15/2013
Walter L. Alrutz, Jr.	Inactive-Renewed	3/16/2010	3/15/2013
Alannah Jeanne Taylor	License Renewed	3/16/2010	3/15/2013
Charles R. Sawhill	License Renewed	3/16/2010	3/15/2013
Cynthia Marie Boyd	License Renewed	11/4/2009	11/3/2012
Daniel McKinney	License Renewed	8/28/2009	8/27/2012
Deborah L. Hauser	License Renewed	11/4/2009	11/3/2012
James Quentin Henderson	License Renewed	3/16/2010	3/15/2013
Jill M. Eden	License Renewed	3/16/2010	3/15/2013
John L. Allen	License Renewed	4/7/2010	4/6/2013
Karen E. Nickens	License Renewed	6/21/2010	6/20/2013
Mary C. McGrath	License Renewed	8/28/2009	8/27/2012
Michael E. Jeannot	License Renewed	3/3/2010	3/2/2013
Michael J. Jankoviak	License Renewed	4/8/2009	4/7/2012
Michael Steven Keelon	License Renewed	3/16/2010	3/15/2013
Pamela M. Reuter	License Renewed	3/3/2010	3/2/2013
Robert W. Dunn	License Renewed	3/16/2010	3/15/2013
William P. Lutz III	License Renewed	3/16/2010	3/15/2013
Charles Foster Lough II	Pending	1/21/2011	
David Gerard Wiegmann	Pending	1/4/2010	
Elliott Anthony Frazier	Pending	3/5/2009	
George Brian Beinhauer	Pending	3/1/2010	
Heidi June Hamers	Pending	3/15/2010	
John Schussler	Pending	7/28/2008	
Kathleen Louise Prieto	Pending	1/20/2010	
Lance Brady Young	Pending	2/16/2010	
Mark Jonathon Peters	Pending	2/26/2009	
Martin Louis Kolovich	Pending	10/31/2008	
Monique Lanae Stewart	Pending	5/4/2010	
Nicole Newlon Zimmerman	Pending	9/22/2010	
Peggy L. Battistella	Pending	7/1/2009	
Phillip Eugene Barnett	Pending	9/2/2009	
Rose A. Eger	Pending	1/23/2009	
Sean Sullivan	Pending	7/29/2009	
Susan Marie Pro	Pending	6/10/2009	
Tanya Kay Kash	Pending	11/12/2010	
Timothy Bedillion	Pending	9/17/2008	
Kery Lee Chase	Renewal App Pending	12/22/2009	
Sherry F. Salisbury	Renewal App Pending	9/10/2009	

<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Timothy Timko	Renewal App Pending	12/3/2009	
Patrick L. Rheam	Withdrawn	3/1/2010	
Trudy L. Malkey	Withdrawn	3/29/2010	

**Category 2 Facilities****Holdings Acquisition Co, LP**

Renewal Application Pending: 10/31/2008  
 Petition to Conduct Table Games Deemed Complete: 3/24/2010  
 Certificate Awarded: 5/25/2010

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
GRS PITG Holdings Corp	Expired	12/17/2009	
PFRS PITG Holdings Corp	Expired	12/17/2009	
General Retirement System of the City of Detroit	Pending	8/4/2010	
Police and Fire Retirement System of the City of Detroit	Pending	8/4/2010	
Rush Street Gaming Partners, LLC	Pending	4/15/2010	
Rush Street Gaming, LLC	Pending	4/15/2010	
Cira Pittsburgh Gaming Investor GP, LLC	Renewal App Pending	11/16/2009	
Cira Pittsburgh Gaming Investor, LP	Renewal App Pending	11/16/2009	
GAC Oversight, LLC	Renewal App Pending	6/14/2010	
PGO GP, LLC	Renewal App Pending	6/14/2010	
PGO, LP	Renewal App Pending	6/14/2010	
<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
2002 AGB Family Dynasty Trust	Renewal App Pending	6/16/2010	
2002 LNB Family Dynasty Trust	Renewal App Pending	6/16/2010	
High Pitt Gaming GP, LLC	Renewal App Pending	6/14/2010	
High Pitt Gaming, LP	Renewal App Pending	6/14/2010	
Holdings Acquisition Co GP, LLC	Renewal App Pending	6/18/2009	
Holdings Gaming Borrower GP, LLC	Renewal App Pending	6/18/2009	
Holdings Gaming Borrower, LP	Renewal App Pending	6/18/2009	
Jurat Holdings, LLC	Renewal App Pending	3/12/2008	
Meredith A. Bluhm-Wolf 2006 Family GST Trust	Renewal App Pending	6/16/2010	
PITG Entertainment, LLC	Renewal App Pending	8/6/2010	
PITG Gaming Investor Holdings, LLC	Renewal App Pending	3/12/2008	
Pittsburgh Gaming Holdings GP, LLC	Renewal App Pending	6/14/2010	
Pittsburgh Gaming Holdings, LP	Renewal App Pending	6/14/2010	
Pittsburgh Gaming Investors GP, LLC	Renewal App Pending	6/14/2010	
Pittsburgh Gaming Investors Intermediate, LLC	Renewal App Pending	6/14/2010	
Pittsburgh Gaming Investors, LP	Renewal App Pending	6/14/2010	
Walton Majestic Star Holdings VI GP, LLC	Renewal App Pending	6/14/2010	
Walton Majestic Star Holdings VI, LP	Renewal App Pending	6/14/2010	
Walton Street Managers VI, LP	Renewal App Pending	6/14/2010	
WSC Managers VI, Inc.	Renewal App Pending	6/14/2010	
Barden Development, Inc.	Withdrawn	1/27/2010	
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Albert T. Liu	Pending	12/10/2009	



<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
David G. Patent	Pending	12/7/2009
Jon Soren Reynertson	Pending	1/27/2011
Joseph Richard Scibetta	Pending	12/28/2009
Andrew G. Bluhm	Renewal App Pending	6/16/2010
Don H. Barden	Renewal App Pending	2/6/2008
Eric C. Mogentale	Renewal App Pending	6/14/2010
Gregory Carlin	Renewal App Pending	6/14/2010
Ira J. Schulman	Renewal App Pending	6/14/2010
Ira M. Lubert	Renewal App Pending	11/10/2009
Jeffrey S. Quicksilver	Renewal App Pending	6/14/2010
Kenneth J. Weaver	Renewal App Pending	6/14/2010
Leslie N. Bluhm	Renewal App Pending	6/16/2010
Meredith A. Bluhm-Wolf	Renewal App Pending	6/16/2010
Michelle R. Sherman	Renewal App Pending	2/19/2008
Minor Child 1	Renewal App Pending	6/16/2010
Minor Child 2	Renewal App Pending	6/16/2010
Minor Child 3	Renewal App Pending	6/16/2010
Minor Child 4	Renewal App Pending	6/16/2010
Minor Child 5	Renewal App Pending	6/16/2010
Minor Child 6	Renewal App Pending	6/16/2010
Minor Child 7	Renewal App Pending	6/16/2010
Neil Bluhm	Renewal App Pending	6/16/2010
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Andre Barnabei	Approved for Licensure	4/22/2009 4/21/2012
April Catherine Morris	Approved for Licensure	3/16/2010 3/15/2013
Barbara Ann Domagala	Approved for Licensure	3/16/2010 3/15/2013
Benjamin Bruce Hetrick	Approved for Licensure	8/19/2010 8/18/2013
Dana Starr Picciarelli	Approved for Licensure	7/29/2010 7/28/2013
Gregory James Kupetz	Approved for Licensure	7/29/2010 7/28/2013
Jerry Michael Davis	Approved for Licensure	7/29/2010 7/28/2013
Robert Dennis Harsch	Approved for Licensure	7/29/2010 7/28/2013
Robert Elwood Swarner	Approved for Licensure	3/16/2010 3/15/2013
Robert G. Fitzpatrick	Approved for Licensure	9/23/2009 9/22/2012
Robert George Dering	Approved for Licensure	7/29/2010 7/28/2013
Ryan Mark Hatch	Approved for Licensure	7/29/2010 7/28/2013
Thomas Quigley	Approved for Licensure	8/19/2010 8/18/2013
Timothy Edward Anderson	Approved for Licensure	7/29/2010 7/28/2013
Uriah Joseph Leddy	Approved for Licensure	3/16/2010 3/15/2013
Edward Fasulo	Expired	10/20/2010
Jeffrey J. Worobel	Expired	4/21/2010
Brandon Tyler Yaconis	Inactive-Approved for Licensure	4/29/2010 4/28/2013
Janet Marie Haag	Inactive-Approved for Licensure	5/25/2010 5/24/2013
Sharon Marie Baughman	Inactive-Approved for Licensure	7/29/2010 7/28/2013
Brian Michael Pauley	License Renewed	10/27/2010 5/24/2013
Kenneth Rambo	License Renewed	3/25/2009 3/24/2012
Michael Rodriguez	License Renewed	3/25/2009 3/24/2012

<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Rhonda L. Gilchrist	License Renewed	1/6/2011	1/5/2014
Adam David Fischer	Pending	9/28/2009	
Brian Michael Kernan	Pending	7/10/2009	
Calvin Carlton Early	Pending	6/11/2009	
Carl R. Morgan	Pending	8/28/2009	
Corey David Plummer	Pending	1/4/2010	
Dannielle Elizabeth Cisneros	Pending	9/2/2010	
David B. Davison	Pending	9/18/2009	
Felix Manuel Diaz	Pending	6/11/2009	
Giorgio Isella	Pending	6/26/2009	
Helen Carrie Kessler	Pending	7/14/2009	
James Daniel Cahill	Pending	10/13/2010	
John L. Kovach	Pending	5/14/2009	
John Philip Marozzi	Pending	6/18/2009	
John Wayne Couth	Pending	9/15/2009	
Joseph Patrick Barrett, Sr.	Pending	2/23/2010	
Karen Walker	Pending	7/10/2009	
Keith Michael Sherer	Pending	1/13/2010	
Larry Richard Orndoff	Pending	7/10/2009	
Lisa Nicole Smart	Pending	5/5/2009	
Mark Konrad Wolz	Pending	5/28/2009	
Michael Bowman	Pending	10/8/2010	
Michael Duane O'Brien	Pending	6/11/2009	
Mitchell Byrum Sye	Pending	7/10/2009	
Sandeep Prasad	Pending	7/10/2009	
Scott Michael Evans	Pending	1/25/2011	
Tim Lee Pugh	Pending	4/20/2009	
Timothy Andrew Hill	Pending	10/21/2010	
Timothy R. Mura	Pending	7/2/2009	
William Charles Winkelried	Pending	5/8/2009	
William J. Stepien	Pending	6/23/2009	
Danielle Kathleen Bateman	Request for Withdrawal Pending	12/22/2010	
Mandi Lynn Marszalek	Request for Withdrawal Pending	9/15/2009	
Sherell D. Burks	Request for Withdrawal Pending	6/22/2009	
Christie Lee Barron	Withdrawn	5/3/2010	
David John Keremes	Withdrawn	9/10/2010	
Janet Marie Foley	Withdrawn	9/21/2010	
Joanne M. Kraly	Withdrawn	5/3/2010	
Marc Alan Truskowski	Withdrawn	4/16/2010	
Nicholas Moore Jones	Withdrawn	9/21/2010	
Robert Green	Withdrawn	12/1/2010	
Robert Bernard Bradley	Withdrawn	7/2/2010	
Robert Earl Deal	Withdrawn	3/29/2010	
Todd Alan Moyer	Withdrawn	11/2/2010	
Walter Anthony Adamczyk	Withdrawn	9/21/2010	
Wayne Fukumitso	Withdrawn	12/3/2010	

**Mount Airy #1, LLC**  
 Renewal Application Pending: 5/19/2008  
 Petition to Conduct Table Games Deemed Complete: 2/12/2010  
 Certificate Awarded: 4/7/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Grantor Trust—II of Lisa DeNaples	Pending	10/13/2010
Mount Airy Holdco, LLC	Pending	10/13/2010
Grantor Trust of Anne DeNaples	Withdrawn	4/29/2010
Grantor Trust of Dominica DeNaples	Withdrawn	4/29/2010
Grantor Trust of Donna Dileo	Withdrawn	4/29/2010
Grantor Trust of Lisa DeNaples	Withdrawn	4/29/2010
Grantor Trust of Louis D. DeNaples, Jr.	Withdrawn	4/29/2010
Grantor Trust of Margaret Mary Glodzik	Withdrawn	4/29/2010
Trust F/B/O Children of Nicholas DeNaples	Withdrawn	4/29/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Anthony F. Ceddia	Approved for Licensure	12/16/2010 12/15/2013
Lawrence L. Cole	Approved for Licensure	12/16/2010 12/15/2013
Lucian Patrick Ross	Approved for Licensure	12/16/2010 12/15/2013
Anne Elizabeth DeNaples	Pending	11/30/2007
Dominica Pia DeNaples	Pending	11/30/2007
Donna Dominica Dileo	Pending	11/30/2007
Louis Anthony DeNaples, Jr.	Pending	11/30/2007
Margaret Mary Glodzik	Pending	11/30/2007
Minor Child 1	Pending	11/30/2007
Minor Child 2	Pending	11/30/2007
Minor Child 3	Pending	11/30/2007
Minor Child 4	Pending	11/30/2007
Minor Child 5	Pending	11/30/2007
Minor Child 6	Pending	11/30/2007
Minor Child 7	Pending	11/30/2007
Minor Child 8	Pending	11/30/2007
Minor Child 9	Pending	11/30/2007
Minor Child 10	Pending	11/30/2007
Minor Child 11	Pending	11/30/2007
Minor Child 12	Pending	11/30/2007
Minor Child 13	Pending	11/30/2007
Minor Child 14	Pending	11/30/2007
Thomas Kay Sturgeon	Pending	1/7/2011
Barbara Ann Lang	Renewal App Pending	8/14/2008
Bradford Scott Smith	Renewal App Pending	8/14/2008
Lisa A. DeNaples	Renewal App Pending	7/26/2010
Louis A. DeNaples	Renewal App Pending	6/3/2009
Robert Dolan Peloquin, Sr.	Renewal App Pending	8/11/2008

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Agnes R. James	Approved for Licensure	3/16/2010 3/15/2013
Carmen Calaf	Approved for Licensure	1/8/2010 1/7/2013
Donna P. Carey	Approved for Licensure	3/16/2010 3/15/2013
Edmondo Granci	Approved for Licensure	4/7/2010 4/6/2013
Eugene Raphael Hill IV	Approved for Licensure	1/8/2010 1/7/2013

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
John C. Carroll	Approved for Licensure	7/29/2010
Joseph P. Princetta	Approved for Licensure	3/3/2010
Kristyn Noel Bunnelle	Approved for Licensure	3/16/2010
Lianne L.P. Asbury	Approved for Licensure	6/17/2009
Michelle Rivera	Approved for Licensure	6/21/2010
Paul G. Edwards	Approved for Licensure	4/7/2010
Robert J. Phillips	Approved for Licensure	4/7/2010
Stephen Dennis Blank	Approved for Licensure	1/8/2010
Talya Dawn Moskauski	Approved for Licensure	7/29/2010
Trevor S. Tasetano	Approved for Licensure	1/8/2010
Daniel Viera	Expired	6/16/2010
Del Owen Bachman	Expired	1/7/2011
Kristen Elaine Walsh	Expired	1/7/2011
Christopher R. Proulx	Inactive-Approved for Licensure	1/31/2011
Janet S. Ahenger	Inactive-Approved for Licensure	3/16/2010
Jason Traino	Inactive-Approved for Licensure	2/19/2010
Larry W. Clark	Inactive-Approved for Licensure	12/3/2010
Melanie A. Brocious	Inactive-Approved for Licensure	5/30/2010
Preben Wulff	Inactive-Approved for Licensure	8/6/2010
Thomas D. Trice	Inactive-Approved for Licensure	8/31/2010
Ann M. Levandowski	Inactive-Renewed	7/9/2010
Becky L. Tavares	Inactive-Renewed	1/19/2011
Livingston N. Simpson	Inactive-Renewed	10/22/2010
Charles B. Miller	License Renewed	4/7/2010
Elizabeth A. Calkins	License Renewed	3/16/2010
Freda D. Lavender	License Renewed	3/16/2010
Marie T. Sauers	License Renewed	4/7/2010
Matthew G. Magda	License Renewed	7/29/2010
Richard W. Whitby	License Renewed	3/16/2010
Vincent M. Viola	License Renewed	4/7/2010
Allan W. Swantek	Pending	8/2/2010
Dennis Asselta	Pending	4/13/2010
James William Tuthill	Pending	10/5/2009
Joann Weber	Pending	12/6/2010
John Culetsu	Pending	8/10/2010
Martin John Correnti	Pending	12/11/2008
Michael Edward Jordan	Pending	10/6/2009
Michelle A. Zimmerman	Pending	12/11/2008
Nereida Rivera	Pending	1/8/2009
Philipp Gerard Hawkins	Pending	12/10/2010
Vincent L. Jordan	Pending	5/3/2010
Wyval Rosamilia	Pending	4/16/2008
Zeng Huang	Pending	12/16/2010



<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Amy L. Ferrara	Renewal App Pending	11/23/2009
Andrew C. Barth	Renewal App Pending	10/8/2009
Eric M. Talipan	Renewal App Pending	12/15/2009
Gerard Coggins	Renewal App Pending	12/21/2009
Henry Patrick Burke	Renewal App Pending	11/23/2009
Mark Williams	Renewal App Pending	12/21/2009
Shontae R. Vallejo	Renewal App Pending	12/21/2009
David Lee Kessler	Request for Withdrawal Pending	1/13/2011
George Paul Toth	Request for Withdrawal Pending	8/6/2010
Carri-CeeCe Elizabeth Corwin	Withdrawn	4/8/2010
David Glassey	Withdrawn	9/10/2010
Edwin C. Chou	Withdrawn	1/6/2011
John P. Conklin	Withdrawn	1/6/2011
Louise Imperiale	Withdrawn	8/9/2010
Mark A. Hanko	Withdrawn	1/6/2011
RoseAnn Sorrentino	Withdrawn	8/9/2010
Timothy James Yahn	Withdrawn	1/6/2011
Vincent P. Rode	Withdrawn	5/28/2010
Donald Shiffer III	Withdrawn with Prejudice	10/27/2010

**Phila. Entertainment and Development Partners, LP**

Entity License Revoked: 12/23/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Bally's Midwest Casino, Inc.	Entity License Revoked	
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
FDC Philadelphia, LP	Entity License Revoked	
FDC/PEDP GP, LLC	Entity License Revoked	
Foxwoods Development Company, LLC	Entity License Revoked	
Foxwoods GP Philadelphia, LLC	Entity License Revoked	
Foxwoods Management, LLC	Entity License Revoked	
Mashantucket Pequot Tribal Nation	Entity License Revoked	
The Rubin Family Charitable Foundation	Entity License Revoked	
The Silver Family Charitable Foundation	Entity License Revoked	
Washington Partners Community Charities, LP	Entity License Revoked	
Washington Philadelphia Investors, LP	Entity License Revoked	
WPCC GP, LLC	Entity License Revoked	
WPI GP, LLC	Entity License Revoked	
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Aaron B. Krupnick	Entity License Revoked	
Anuj J. Agarwal	Entity License Revoked	
Brian R. Ford	Entity License Revoked	
Crystal Whipple	Entity License Revoked	
Edward M. Snider	Entity License Revoked	
Frederick C. Tecce	Entity License Revoked	
Gary D. Armentrout	Entity License Revoked	
George F. Rubin	Entity License Revoked	

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
James T. Jackson	Entity License Revoked	
Jason Bruce Guyot	Entity License Revoked	
Joseph A. Colebut, Sr.	Entity License Revoked	
Manuel Stamatakis	Entity License Revoked	
Marjorie C. Jackson	Entity License Revoked	
Maureen C. Sebastian	Entity License Revoked	
Melissa Wendy Silver	Entity License Revoked	
Peter D. DePaul	Entity License Revoked	
Quincy D. Jones, Jr.	Entity License Revoked	
Richard E. Sebastian	Entity License Revoked	
Rodney A. Butler	Entity License Revoked	
Ronald Rubin	Entity License Revoked	
Steven Thomas	Entity License Revoked	
Timothy A. Walker	Entity License Revoked	
William J. Sherlock	Entity License Revoked	
Jeffrey Wosencroft	Expired	11/3/2010
Robert C. Wyre	Expired	8/27/2010
Robert P. Levy	Expired	8/27/2010
Charlene R. Jones	Withdrawn	3/23/2010
James L. Dougherty	Withdrawn	1/10/2010
Kenneth M. Reels	Withdrawn	1/27/2010
Michael J. Thomas	Withdrawn	3/23/2010
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Deborah Marchese	Request for Withdrawal Pending	11/16/2009
Nicholas Francis Moles	Request for Withdrawal Pending	6/29/2009

**Sands Bethworks Gaming, LLC**

License Renewed: 4/7/2010

License Expires: 4/6/2013

Petition to Conduct Table Games Deemed Complete: 2/22/10

Certificate Awarded: 4/7/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Sheldon G. Adelson 2005 Family Trust	License Renewed	4/7/2010 4/6/2013
Sheldon G. Adelson December 2008 Three Year LVS Annuity Trust	Pending	7/24/2009
FMR Corp. and Fidelity International Limited	Waiver Approved	4/7/2010 4/6/2013
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
BethWorks FP, LLC	License Renewed	4/7/2010 4/6/2013
BethWorks GGQ, LLC	License Renewed	4/7/2010 4/6/2013
BethWorks Now, LLC	License Renewed	4/7/2010 4/6/2013
Las Vegas Sands Corporation	License Renewed	4/7/2010 4/6/2013
Las Vegas Sands, LLC	License Renewed	4/7/2010 4/6/2013
Sands Pennsylvania, Inc.	License Renewed	4/7/2010 4/6/2013
Venetian Casino Resort, LLC	License Renewed	4/7/2010 4/6/2013
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Daniel William Eitnier	Approved for Licensure	10/21/2009 10/20/2012
Jason N. Ader	Approved for Licensure	10/6/2010 10/5/2013
Miriam Ochshorn Adelson	Approved for Licensure	10/21/2009 10/20/2012

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
George P. Koo	Expired	10/20/2010	
Barry M. Gosin	License Renewed	4/7/2010	4/6/2013
Frederick H. Kraus	License Renewed	4/7/2010	4/6/2013
Irwin A. Siegel	License Renewed	4/7/2010	4/6/2013
James C. Schwartzman	License Renewed	4/7/2010	4/6/2013
James D. Kuhn	License Renewed	4/7/2010	4/6/2013
Michael J. Ferrucci	License Renewed	4/7/2010	4/6/2013
Pasquale T. Deon	License Renewed	4/7/2010	4/6/2013
Richard S. Fischbein	License Renewed	4/7/2010	4/6/2013
Robert G. Goldstein	License Renewed	4/7/2010	4/6/2013
Sheldon G. Adelson	License Renewed	4/7/2010	4/6/2013
Gary Steven Hernishin	Pending	5/5/2009	
Gayle Madilee Hyman	Pending	6/8/2010	
Jeffrey Howard Schwartz	Pending	5/8/2009	
Kenneth Jeffrey Kay	Pending	5/8/2009	
Kimberly Kay McCabe	Pending	4/17/2009	
Michael A. Leven	Pending	5/5/2009	
Michael Alan Quartieri	Pending	11/10/2009	
Robert C. Rubenstein	Pending	5/1/2009	
Timothy Dennis Stein	Pending	7/24/2009	
Charles D. Forman	Waiver Approved	4/7/2010	4/6/2013
Irwin Chafetz	Waiver Approved	4/7/2010	4/6/2013
Jesus Alberto Gonzalez-Pita	Withdrawn	7/29/2010	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Brian Kingsley Bigornia	Approved for Licensure	7/29/2010	7/28/2013
Charlene V. Munoz	Approved for Licensure	7/29/2010	7/28/2013
Charles David Berger	Approved for Licensure	6/10/2010	6/9/2013
Charles William Krueger	Approved for Licensure	7/29/2010	7/28/2013
Chris Whited	Approved for Licensure	7/29/2010	7/28/2013
Christina Renee Ebbighausen	Approved for Licensure	3/3/2010	3/2/2013
David John Prutzman	Approved for Licensure	7/29/2010	7/28/2013
David Neil Terry	Approved for Licensure	10/21/2009	10/20/2012
David Takeo Omura	Approved for Licensure	7/29/2010	7/28/2013
Elizabeth Ann Peil	Approved for Licensure	7/29/2010	7/28/2013
Francis B. Abuisi	Approved for Licensure	3/3/2010	3/2/2013
Joan Lee Gregg-Peacock	Approved for Licensure	7/29/2010	7/28/2013
JoAnn Mary Novatnack	Approved for Licensure	7/29/2010	7/28/2013
John Joseph Kennedy	Approved for Licensure	7/29/2010	7/28/2013
Karen Denise Winns	Approved for Licensure	1/6/2011	1/5/2014
Kolby T. Harman	Approved for Licensure	3/3/2010	3/2/2013
Leanne Weinstein	Approved for Licensure	7/29/2010	7/28/2013
Lisa Marie Chirichella	Approved for Licensure	1/6/2011	1/5/2014
Marcy Lynn Seltzer	Approved for Licensure	7/29/2010	7/28/2013
Mark John Evans	Approved for Licensure	7/29/2010	7/28/2013
Matthew Allan Smolowitz	Approved for Licensure	10/6/2010	10/5/2013
Matthew David Oravec	Approved for Licensure	3/3/2010	3/2/2013
Matthew Warren Harris	Approved for Licensure	7/29/2010	7/28/2013
Michael David Brodnan	Approved for Licensure	10/27/2010	10/26/2013

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Michael David Trageser	Approved for Licensure	10/21/2009
Michael John Burke	Approved for Licensure	1/6/2011
Nicole D. Cox	Approved for Licensure	7/29/2010
Patrick J. Ryan	Approved for Licensure	3/3/2010
Paul Patrick Stegner, Jr.	Approved for Licensure	3/3/2010
Rachel Marie Schnecker	Approved for Licensure	11/18/2009
Richard Edward Snyder	Approved for Licensure	1/6/2011
Sandra Marie Brotzman	Approved for Licensure	7/29/2010
Scott Howard Lewis	Approved for Licensure	7/29/2010
Sean Michael Prue	Approved for Licensure	7/29/2010
Steven Milton Wentzel	Approved for Licensure	7/29/2010
Sukanya Nathomphon Conderino	Approved for Licensure	7/29/2010
Troy Lester Bundy	Approved for Licensure	7/29/2010
Tyler B. Arthur	Approved for Licensure	10/6/2010
Jason Nibauer	Expired	4/21/2010
Patricia Ann Liscio	Expired	11/17/2010
Andrew R. Pobuda	Inactive-Approved for Licensure	2/19/2010
Deborah Kay Miller	Inactive-Approved for Licensure	7/29/2010
John Walter Dickert	Inactive-Approved for Licensure	1/14/2011
Martin J. Doyle	Inactive-Approved for Licensure	2/19/2010
Michelle Stahley	Inactive-Approved for Licensure	9/25/2010
Stephen Thomas Gerkovich	Inactive-Approved for Licensure	8/14/2010
Brian M. Vetter	License Renewed	3/3/2010
Douglas Scott Niethold	License Renewed	3/3/2010
Holly Lynn Eicher	License Renewed	10/21/2009
Joseph Merrill Gainer	License Renewed	7/29/2010
Kathleen Marie McCracken	License Renewed	10/21/2009
Patrice Quirk	License Renewed	3/3/2010
Richard George Tony	License Renewed	11/18/2009
David Jeremy Faust	Pending	6/29/2009
Karen Louise Slotter	Pending	6/26/2009
Laura Ann Iverson	Pending	4/24/2009
Lisa Ann Csondor	Pending	7/6/2009
Denise M. Galloway	Renewal App Pending	1/23/2009
Kevin W. Brady	Renewal App Pending	1/2/2009
Mark Edward Starrett	Renewal App Pending	1/6/2010
Michele D. Trageser	Renewal App Pending	12/4/2009
Robert John DeSalvio	Renewal App Pending	12/23/2009
Jessica Ashley Allen	Request for Withdrawal Pending	12/16/2010
Joshua Robert Mill	Request for Withdrawal Pending	12/27/2010
Peter Ogno, Jr.	Request for Withdrawal Pending	5/7/2010



<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Kristine Lianne DeFelice	Surrendered License	4/7/2010
Catherine Dianne Nicolini	Withdrawn	3/29/2010
Christopher W. Smith	Withdrawn	5/3/2010
David Andrew Strawn	Withdrawn	3/29/2010
Gordon Richard Arthur	Withdrawn	4/9/2010
Gretchen Meredith Weinberg	Withdrawn	11/2/2010
James Michael Smith	Withdrawn	3/31/2010
James T. Edwards	Withdrawn	8/16/2010
Joanna Susan Defranco-Paulson	Withdrawn	7/2/2010
Kamian H. Schwartzman	Withdrawn	8/24/2010
Mary Pamula Panciera	Withdrawn	8/16/2010
Tara Lynn Rife	Withdrawn	4/8/2010
Thomas DeMartini, Jr.	Withdrawn	12/17/2010
Victor Steven Koszi III	Withdrawn	3/29/2010

**Sugarhouse HSP Gaming, LP**

Renewal Application Pending: 11/13/2008

Petition to Conduct Table Games Deemed Complete: 3/26/2010

Certificate Awarded: 5/25/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
High Penn Oversight GP, LLC	Pending	10/18/2010
High Penn Oversight, LP	Pending	10/18/2010
LAMB Company, LLC	Renewal App Pending	12/28/2007
Lamb Partners	Renewal App Pending	12/28/2007

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
2002 AGB Family Dynasty Trust	Renewal App Pending	12/28/2007
2002 LNB Family Dynasty Trust	Renewal App Pending	12/28/2007
2005 AAA Trust	Renewal App Pending	12/28/2007
High Penn Gaming, LLC	Renewal App Pending	12/28/2007
High Penn Gaming, LP	Renewal App Pending	12/28/2007
HP Gaming Partners, LP	Renewal App Pending	12/28/2007
HSP Gaming, LP	Renewal App Pending	1/8/2008
Meredith A. Bluhm-Wolf 2006 Family GST Trust	Renewal App Pending	12/28/2007
Neil G. Bluhm Family Descendants Trust	Renewal App Pending	12/28/2007
RMP Gaming, LLC	Renewal App Pending	12/28/2007
RMP Gaming, LP	Renewal App Pending	12/28/2007
RPRS Gaming, LLC	Renewal App Pending	12/28/2007
RPRS Gaming, LP	Renewal App Pending	12/28/2007
Sugarhouse HSP Gaming Prop. GP, LLC	Renewal App Pending	7/27/2010
Sugarhouse HSP Gaming Prop. Holdings GP, LLC	Renewal App Pending	7/27/2010
Sugarhouse HSP Gaming Prop. Holdings, LP	Renewal App Pending	7/27/2010
Sugarhouse HSP Gaming Prop. Mezz GP, LLC	Renewal App Pending	7/27/2010
Sugarhouse HSP Gaming Prop. Mezz, LP	Renewal App Pending	7/27/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Albert T. Liu	Pending	2/23/2010
David G. Patent	Pending	10/19/2009
Joseph Richard Scibetta	Pending	2/23/2010

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Andrew G. Bluhm	Renewal App Pending	12/28/2007	
Barbara A. Sprague	Renewal App Pending	12/28/2007	
Daniel J. Keating	Renewal App Pending	12/28/2007	
Gregory A. Carlin	Renewal App Pending	12/28/2007	
Jerry Johnson	Renewal App Pending	12/28/2007	
Leslie N. Bluhm	Renewal App Pending	12/28/2007	
Lexie H. Potamkin	Renewal App Pending	12/28/2007	
Meredith A. Bluhm-Wolf	Renewal App Pending	12/28/2007	
Minor Child 1	Renewal App Pending	12/28/2007	
Minor Child 2	Renewal App Pending	12/28/2007	
Minor Child 3	Renewal App Pending	12/28/2007	
Minor Child 4	Renewal App Pending	12/28/2007	
Minor Child 5	Renewal App Pending	12/28/2007	
Minor Child 6	Renewal App Pending	12/28/2007	
Minor Child 7	Renewal App Pending	12/28/2007	
Minor Child 8	Renewal App Pending	12/28/2007	
Minor Child 9	Renewal App Pending	12/28/2007	
Minor Child 10	Renewal App Pending	12/28/2007	
Neil G. Bluhm	Renewal App Pending	12/28/2007	
Richard A. Sprague	Renewal App Pending	12/28/2007	
Robert M. Potamkin	Renewal App Pending	12/28/2007	
Thomas A. Sprague	Renewal App Pending	12/28/2007	
William H. Lamb	Renewal App Pending	12/28/2007	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Andrew Thomas Jones	Approved for Licensure	4/29/2010	4/28/2013
Charlene Ruffin	Approved for Licensure	7/29/2010	7/28/2013
Glenn L. McClain	Approved for Licensure	4/22/2009	4/21/2012
William Shreckengost	Approved for Licensure	7/15/2009	7/14/2012
George C. Mancuso	Inactive-Renewed	1/13/2011	7/28/2013
Lisa Susanne Reilly	License Renewed	7/29/2010	7/28/2013
Maria P. Refsnider	License Renewed	4/8/2009	4/7/2012
Nicholas C. Kontonicolos	License Renewed	7/29/2010	7/28/2013
Patricia E. Vincent	License Renewed	11/18/2009	11/17/2012
Anthony P. Dilacqua	Pending	8/10/2010	
George Ciechanowski	Pending	2/15/2010	
Janice Marie Swank	Pending	9/10/2010	
Jeffrey M. Lear	Pending	8/19/2010	
John A. Ranere, Jr.	Pending	1/14/2011	
Joseph L. Martin	Pending	1/27/2010	
Linda M. Powers	Pending	1/26/2010	
Lynette M. Lee	Pending	7/8/2010	
Mary L. Cheeks	Pending	8/9/2010	
Patricia Sue Tuck	Pending	10/27/2010	
Randi Lynn Beck	Pending	4/27/2010	
Rosemarie A. Cook	Pending	5/28/2010	
Tamitha T. Dinkins	Pending	11/24/2010	
Thomas John Scott	Pending	7/22/2010	
Wendy A. Hamilton	Pending	3/16/2010	

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
William Larmour	Pending	5/12/2010
Jared D. Emmer	Permitted-Employed	7/29/2010
Erin M. McMenamain	Renewal App Pending	12/21/2009
Jesse Eugene Schell	Renewal App Pending	9/28/2009
Joann Weber	Withdrawn	11/16/2010
Joseph Patrick Barrett, Sr.	Withdrawn	11/12/2010
Robert D. Sheldon	Withdrawn	3/29/2010

### Category 3 Facilities

#### **Bushkill Group, Inc.**

Application Pending: 4/8/2009

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Delvest Corp.	Pending	4/7/2010
The Carlino Family Trust	Pending	6/17/2010
Whitebriar Financial Corporation	Withdrawn	11/18/2010
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
HA RA Corporation	Pending	9/2/2010
Penn National Gaming, Inc.	Pending	4/7/2010
Resorts Group, Inc.	Pending	6/28/2007
<i>Management Company</i>	<i>Application Status</i>	<i>Expiration Date</i>
PA Gaming Ventures, LLC	Pending	4/7/2010
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Barbara Z. Shattuck	Pending	4/7/2010
Bruce Hagedorn	Pending	7/15/2008
Desiree Ann Burke	Pending	4/7/2010
Francis A. Wolf	Pending	6/28/2007
Gina Bertucci-Turner	Pending	6/28/2007
Gregg Hart	Pending	4/9/2010
Harold Cramer	Pending	4/7/2010
Harry B. VanSciver	Pending	6/28/2007
John M. Jacquemin	Pending	4/7/2010
John V. Finamore	Pending	4/7/2010
Jordan B. Savitch	Pending	4/9/2010
Joshua M. Herschlag	Pending	6/28/2007
Kevin P. Lavelle	Pending	6/28/2007
Kyle Martin, Sr.	Pending	4/7/2010
Mark S. Turner	Pending	6/28/2007
Peter M. Carlino	Pending	4/7/2010
Robert S. Ippolito	Pending	4/7/2010
Thomas N. Auriemma	Pending	4/7/2010
Thomas V. Casale	Pending	6/28/2007
Timothy J. Wilmott	Pending	4/7/2010
Wesley Edens	Pending	4/7/2010
William Andrew Worthington	Pending	6/28/2007
William J. Clifford	Pending	4/7/2010
Ernest E. D'Ambrosio, Jr.	Withdrawn	9/16/2010
Stephen J. Szapor	Withdrawn	9/16/2010
Steven M. Rittvo	Withdrawn	9/16/2010

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Donald B. Ernst	Pending	6/28/2007
Joel D. Getz	Pending	6/28/2007
John W. Briggs	Pending	6/28/2007
Adrienne McBride	Withdrawn	8/16/2010
Mary L. Gottschall	Withdrawn	8/18/2010

**Mason-Dixon Resorts, LP**  
Application Pending: 4/8/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Delvest Corp.	Pending	4/9/2010
Levan Family Partnership, LLC	Pending	4/8/2010
Minor Child 1 2010 Trust	Pending	4/8/2010
Minor Child 2 2010 Trust	Pending	4/8/2010
The Carlino Family Trust	Pending	6/17/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Mason-Dixon Resorts GP, LLC	Pending	4/8/2010
Penn National Gaming, Inc.	Pending	4/9/2010

<i>Management Company</i>	<i>Application Status</i>	<i>Expiration Date</i>
PA Gaming Ventures, LLC	Pending	4/8/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Barbara Z. Shattuck	Pending	4/9/2010
Bernard Anthony Yannetti	Pending	4/8/2010
David M. Levan	Pending	4/8/2010
Desiree Ann Burke	Pending	4/8/2010
Gregg Hart	Pending	4/8/2010
Harold Cramer	Pending	4/7/2010
Jennifer S. LeVan	Pending	6/1/2010
John M. Jacquemin	Pending	4/8/2010
John V. Finamore	Pending	4/8/2010
Jordan B. Savitch	Pending	4/8/2010
Joseph A. Lashinger, Jr.	Pending	4/8/2010
Kyle Martin, Sr.	Pending	4/8/2010
Michael Scott Jackson	Pending	4/8/2010
Minor Child 1	Pending	4/8/2010
Minor Child 2	Pending	4/8/2010
Peter M. Carlino	Pending	4/9/2010
Robert S. Ippolito	Pending	4/9/2010
Thomas N. Auriemma	Pending	4/8/2010
Timothy J. Wilmott	Pending	4/8/2010
Wesley Edens	Pending	4/8/2010
William J. Clifford	Pending	4/8/2010

**Penn Harris Gaming, LP**  
Application Pending: 4/8/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Carlisle Investors, Inc.	Pending	4/21/2010
CMS Gaming GP, LLC	Pending	4/7/2010
CMS Gaming Partners Q, LP	Pending	4/7/2010
CMS VRE II Partners	Pending	4/7/2010
GF Development, Inc.	Pending	4/21/2010



<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
RKH Securities, Inc.	Pending 4/21/2010	
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Cambridge 3030 Gaming, LLC	Pending 4/7/2010	
CMS Wyo GP, LLC	Pending 4/7/2010	
CMS Wyo Partners, LP	Pending 4/7/2010	
Mechanicsburg GF Investors, LP	Pending 4/21/2010	
Penn Harris Gaming GP, LLC	Pending 4/15/2010	
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
John M. Donnelly	Pending 4/7/2010	
Kenneth Kochenour	Pending 4/7/2010	
Michael D. Sklar	Pending 4/7/2010	
Richard T. Aljian	Pending 4/7/2010	
William A. Landman	Pending 4/7/2010	
<b>Valley Forge Convention Center Partners, LP</b>		
Approved for Licensure: 5/7/2010		
Issuance Pending		
<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
CANAM Enterprises, LLC	Pending 11/17/2010	
CanAm PA GP V, LLC	Pending 5/6/2010	
CanAm Pennsylvania Regional Center, LLC	Pending 5/6/2010	
Carpenters Pension and Annuity Fund of Philadelphia and Vicinity	Pending 4/5/2010	
CMS VRE II Partners	Pending 6/29/2010	
Delaware Valley Real Estate Investment Fund, LP "DVREIF"	Pending 4/6/2009	
Pennsylvania Regional Center, LP V	Pending 4/28/2010	
Valley Forge Colonial Limited Partnership	Renewal App Pending 8/24/2010	
Valley Forge Convention Center Partners GP, LLC	Renewal App Pending 8/24/2010	
VF Colonial GP, LLC	Renewal App Pending 11/5/2010	
VFCC Merger Sub, LP	Renewal App Pending 8/24/2010	
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
CMS Gaming GP, LLC	Pending 1/14/2010	
CMS Gaming Partners Q, LP	Pending 1/14/2010	
CMS VF GP, LLC	Pending 1/13/2010	
CMS VF Partners, LP	Pending 1/13/2010	
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Cyril P. McKoy	Expired 5/7/2010	5/7/2010
Tommy Rosenfeld	Pending 4/28/2010	
William A. Landman	Pending 1/27/2010	
Barbara Evans	Renewal App Pending 7/9/2010	
Ira M. Lubert	Renewal App Pending 7/14/2010	
Jonathan Lubert	Renewal App Pending 7/9/2010	
Kenneth Kochenour	Renewal App Pending 7/14/2010	
Michael Heller	Renewal App Pending 7/9/2010	
Stephen Prakash	Withdrawn 6/10/2010	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
John Gary Luderitz	Withdrawn 10/26/2010	

## NOTICES

**Woodlands Fayette, LLC**  
Application Pending: 1/13/2010

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
Thompson, Siegel & Walmsley, LLC	Notification Received	8/5/2010	
B.I. Isle Partnership, LP	Pending	4/9/2010	
GFIL Holdings, LLC	Pending	10/27/2010	
Goldstein Group, Inc.	Pending	4/9/2010	
<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
2001 Irrevocable Trust for Margaret H. Magerko	Pending	9/13/2010	
Isle of Capri Casinos, Inc.	Pending	4/8/2010	
Nemacolin Woodlands, Inc.	Pending	4/8/2010	
<i>Management Company</i>	<i>Application Status</i>		<i>Expiration Date</i>
IOC-PA, LLC	Pending	4/8/2010	
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Alan J. Glazer	Pending	4/9/2010	
Cheri Lee Bomar	Pending	4/8/2010	
Dale R. Black	Pending	4/9/2010	
Edmund L. Quatmann, Jr.	Pending	4/15/2010	
James Benn Perry	Pending	4/8/2010	
Jeffrey D. Goldstein	Pending	4/15/2010	
Joseph Alexander Hardy III	Pending	7/19/2010	
Lee S. Wielansky	Pending	4/15/2010	
Margaret Ann Magerko	Pending	4/8/2010	
Peter J. Magerko	Pending	4/8/2010	
Richard A. Goldstein	Pending	4/15/2010	
Robert S. Goldstein	Pending	4/16/2010	
Roger D. Deaton	Pending	4/9/2010	
Shaun R. Hayes	Pending	4/9/2010	
Timothy A. Ilsley	Pending	4/8/2010	
Virginia M. McDowell	Pending	4/8/2010	
William R. Baker	Pending	4/9/2010	
Patricia M. Mendoza	Waiver Requested	4/9/2010	
Richard A. Coonrod	Waiver Requested	4/9/2010	
Robert G. Ellis	Waiver Requested	4/9/2010	
Elizabeth Anne Tranchina	Withdrawn	10/6/2010	

**Wyo Gaming, LP**  
Application Withdrawn: 7/29/2010

<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Berkshire Inn, LP, d/b/a Crowne Plaza Reading, PA	Withdrawn	7/29/2010	
Cambridge 3030 Gaming, LLC	Withdrawn	7/29/2010	
CMS Gaming GP, LLC	Withdrawn	7/29/2010	
CMS Gaming Partners Q, LP	Withdrawn	7/29/2010	
CMS VRE II Partners	Withdrawn	7/29/2010	
CMS Wyo GP, LLC	Withdrawn	7/29/2010	
CMS Wyo Partners, LP	Withdrawn	7/29/2010	
MJ Reading Associates, LLC	Withdrawn	7/29/2010	
Wyo Gaming GP, LLC	Withdrawn	7/29/2010	

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
John M. Donnelly	Withdrawn	7/29/2010
Michael D. Sklar	Withdrawn	7/29/2010
Richard G. Jabara	Withdrawn	7/29/2010
Richard T. Aljian	Withdrawn	7/29/2010
William A. Landman	Withdrawn	7/29/2010
William Andrew Meyer	Withdrawn	7/29/2010

**Manufacturers****Ainsworth Game Technology**

Slot Machine Manufacturer  
 License Renewed: 2/17/2010  
 License Expires: 2/16/2013

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Associated World Investments Pty. Ltd.	License Renewed	2/17/2010 2/16/2013
Votraint No. 1019 Pty. Limited as Trustee for Braesyde Superannuation Fund	License Renewed	2/17/2010 2/16/2013

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Ian W. Cooper	Approved for Licensure	2/17/2010 2/16/2013
Vincenzo C. Bruzzese	Approved for Licensure	2/17/2010 2/16/2013
Daniel E. Gladstone	License Renewed	2/17/2010 2/16/2013
Erdal Eskin	License Renewed	2/17/2010 2/16/2013
Graeme J. Campbell	License Renewed	2/17/2010 2/16/2013
Leonard H. Ainsworth	License Renewed	2/17/2010 2/16/2013
Margarete C. Ainsworth	License Renewed	2/17/2010 2/16/2013
Mark L. Ludski	License Renewed	2/17/2010 2/16/2013
Paul Y.S. Teng	License Renewed	2/17/2010 2/16/2013
Stewart L. Wallis	License Renewed	2/17/2010 2/16/2013
Michael Bruce Yates	Pending	3/19/2010
Richard D. Meitzler	Request to Surrender License	3/31/2010 2/16/2011

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Sheila Ann Smith	Approved for Licensure	2/17/2010 2/16/2013
John Fredric Glaser	Pending	9/30/2010

**Aristocrat Technologies Australia Pty. Limited**

Slot Machine Manufacturer  
 License Renewed: 5/13/2010  
 License Expires: 5/12/2013

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Serioso Pty Ltd	License Renewed	5/13/2010 5/12/2013
Thunderbirds Are Go Pty. Ltd	License Renewed	5/13/2010 5/12/2013
Writeman Pty. Limited	License Renewed	5/13/2010 5/12/2013
AXA Asia Pacific Holdings Limited	Notification Received	6/9/2008
Commonwealth Bank Of Australia	Notification Received	7/18/2008
Concord Capital Limited	Notification Received	9/11/2008
IOOF Holdings Ltd	Notification Received	12/14/2007
Lezard Asset Management Pacific Co.	Notification Received	9/11/2008
Maple-Brown Abbott Limited	Notification Received	8/13/2008
National Bank of Australia	Notification Received	9/11/2008
The Capital Group Companies, Inc,	Notification Received	7/18/2008
Westpac Banking Corp.	Notification Received	4/22/2008

<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Aristocrat Holdings Pty. Ltd	License Renewed	5/13/2010	5/12/2013
Aristocrat Leisure Limited	License Renewed	5/13/2010	5/12/2013
Aristocrat International Pty. Ltd.	Renewal App Pending	7/17/2009	
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Antonia Korsanos	Approved for Licensure	5/13/2010	5/12/2011
James R. Odell	Approved for Licensure	5/13/2010	5/12/2011
Simon C.M. Kelly	Expired	1/20/2010	
William Morris Baker	Expired	1/20/2010	
David J. Simpson	License Renewed	5/13/2010	5/12/2013
David W. Hughes	License Renewed	5/13/2010	5/12/2013
Geoffrey G.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Paul L.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Roger A. Davis	License Renewed	5/13/2010	5/12/2013
Simon D.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Tracey L. Elkerton	License Renewed	5/13/2010	5/12/2013
Warren P. Jowett	License Renewed	5/13/2010	5/12/2013
Patrick Joseph McGlinchey	Pending	9/16/2009	
Sally A.M. Pitkin	Pending	8/20/2010	
Penelope Morris	Request for Withdrawal	7/17/2009	
	Pending		

**Aristocrat Technologies, Incorporated**

Slot Machine Manufacturer  
 License Renewed: 5/13/2010  
 License Expires: 5/12/2013

Table Game Manufacturer  
 Approved for Licensure: 6/21/2010  
 License Expires: 6/20/2011

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
Serioso Pty Ltd	License Renewed	5/13/2010	5/12/2013
Thunderbirds Are Go Pty. Ltd	License Renewed	5/13/2010	5/12/2013
Writeman Pty. Limited	License Renewed	5/13/2010	5/12/2013
Capital Research and Management Company	Notification Received	7/30/2007	
<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Aristocrat International Pty. Ltd.	License Renewed	5/13/2010	5/12/2013
Aristocrat Leisure Limited	License Renewed	5/13/2010	5/12/2013
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
James R. Odell	Approved for Licensure	5/13/2010	5/12/2013
Ronald Michael Dufficy	Approved for Licensure	5/13/2010	5/12/2013
Seamus M. McGill	Approved for Licensure	5/13/2010	5/12/2013
Nicholas R. Khin	Expired	9/22/2010	
David J. Simpson	Inactive-Renewed	5/13/2010	5/12/2013
David W. Hughes	License Renewed	5/13/2010	5/12/2013
Geoffrey G.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Jason B. Walbridge	License Renewed	5/13/2010	5/12/2013
Kathleen A. Worley	License Renewed	5/13/2010	5/12/2013
Paul L.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Roger A. Davis	License Renewed	5/13/2010	5/12/2013
Simon D.H. Ainsworth	License Renewed	5/13/2010	5/12/2013
Thomas F. Smock	License Renewed	5/13/2010	5/12/2013



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<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Tracey L. Elkerton	License Renewed	5/13/2010	5/12/2013
Warren P. Jowett	License Renewed	5/13/2010	5/12/2013
Patrick Joseph McGlinchey	Pending	5/4/2010	
Penelope Morris	Request for Withdrawal Pending	5/4/2010	
Thomas J. Florio, Jr.	Withdrawn	1/10/2010	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Brendan Gerard McCarthy	Approved for Licensure	5/25/2010	5/24/2013
Stephen Frank Castine	Approved for Licensure	11/18/2009	11/17/2012
Leif E. Johnson	Expired	1/20/2010	
Jeffrey R. Baldi	License Renewed	5/13/2010	5/12/2013
Kelly L. Shaw	License Renewed	5/13/2010	5/12/2013
Robert A. Perry	Pending	12/21/2009	

**Aruze Gaming America, Inc.**  
Slot Machine Manufacturer  
Application Pending: 5/1/2006

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Bryan Douglas Coy	Pending	12/9/2010	
Kazuo Okada	Pending	9/21/2007	
Kent Bradley Young	Pending	7/13/2009	
Salvatore "Sam" Anthony Basile	Pending	1/10/2011	
Yoshiharu Kawaji	Pending	10/24/2008	
Yoshiyuki Shoji	Pending	2/17/2010	
Jun Fujimoto	Request for Withdrawal Pending	2/14/2008	
Sandra A. Placak	Request for Withdrawal Pending	4/28/2008	
Sean P. Evans	Request for Withdrawal Pending	11/15/2010	

**Atlantic City Coin & Slot Service Company, Inc.**  
Slot Machine Manufacturer  
Renewal Application Pending: 12/14/2010

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
ALEA Partners, LLC	Renewal App Pending	12/14/2010	
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
David P. Wolfe	Renewal App Pending	12/14/2010	
Elizabeth Marian Ehresmann	Renewal App Pending	12/14/2010	
Jason Seelig	Renewal App Pending	12/14/2010	
Jeffrey Seelig	Renewal App Pending	12/14/2010	
Jerald C. Seelig	Renewal App Pending	12/14/2010	
Lawrence M. Henshaw	Renewal App Pending	12/14/2010	
Max Seelig	Renewal App Pending	12/14/2010	
Roberto A. Mignone	Renewal App Pending	12/14/2010	
Thomas McCormick	Renewal App Pending	12/14/2010	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Todd M. Mick	Approved for Licensure	4/7/2010	4/6/2013
Anthony Joseph Sicari	Pending	11/24/2009	

## NOTICES

**Atronic Americas, LLC**  
 Slot Machine Manufacturer  
 License Renewed: 10/27/2010  
 License Expires: 10/26/2011

<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
B & D Holdings di Marco Drago & C.S.A.p.A	License Renewed	10/27/2010	10/26/2011
De Agostini S.p.A.	License Renewed	10/27/2010	10/26/2011
Lottomatica Group S.p.A	License Renewed	10/27/2010	10/26/2011
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Alberto Ferdinando Maria Toffoletto	Approved for Licensure	10/27/2010	10/26/2011
Christine M. Masino	Approved for Licensure	10/27/2010	10/26/2011
Kenneth L. Bossingham	Approved for Licensure	10/27/2010	10/26/2011
Victor Duarte	Approved for Licensure	10/27/2010	10/26/2011
Michael Gauselmann	Expired	11/7/2008	
Paul Gauselmann	Expired	11/7/2008	
Alberto Boroli	License Renewed	10/27/2010	10/26/2011
Anthony Ruys	License Renewed	10/27/2010	10/26/2011
Chiara M.G. Boroli	License Renewed	10/27/2010	10/26/2011
Giorgio G.C. Drago	License Renewed	10/27/2010	10/26/2011
Jeremy J. Hanley	License Renewed	10/27/2010	10/26/2011
Lino Benassi	License Renewed	10/27/2010	10/26/2011
Luke Kenneth Orchard	License Renewed	10/27/2010	10/26/2011
Marco Boroli	License Renewed	10/27/2010	10/26/2011
Marco Drago	License Renewed	10/27/2010	10/26/2011
Marco Sala	License Renewed	10/27/2010	10/26/2011
Paolo Boroli	License Renewed	10/27/2010	10/26/2011
Paolo Ceretti	License Renewed	10/27/2010	10/26/2011
Pietro Boroli	License Renewed	10/27/2010	10/26/2011
Renzo Lorenzo Pelliccioli	License Renewed	10/27/2010	10/26/2011
Robert M. Dewey, Jr.	License Renewed	10/27/2010	10/26/2011
Roberto Drago	License Renewed	10/27/2010	10/26/2011
Severino Salvemini	License Renewed	10/27/2010	10/26/2011
Stefano Bortoli	License Renewed	10/27/2010	10/26/2011
William B. Turner	License Renewed	10/27/2010	10/26/2011
Carlo Enrico Ferrari Ardicini	Pending	9/28/2010	
Gerhard H. Burda	Request for Withdrawal Pending	3/2/2010	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Michelle Lewis	Approved for Licensure	8/28/2009	8/27/2012
David C. Hartman	License Renewed	3/16/2010	3/15/2013

**Bally Gaming, Inc.**  
 Slot Machine Manufacturer  
 Renewal Application Pending: 12/4/2009  
 Table Game Manufacturer  
 Approved for Licensure: 6/21/2010  
 License Expires: 6/20/2011

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
BlackRock, Inc.	Notification Received	2/5/2010	
Columbia Wanger Asset Management, LP	Notification Received	5/10/2006	
Eagle Asset Management	Notification Received	8/10/2009	
FMR Corp.	Notification Received	3/23/2007	

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
Fred Alger Management, Inc.	Notification Received	10/19/2007	
Highline Capital Management	Notification Received	12/11/2007	
Lazard Asset Management, LLC	Notification Received	5/10/2006	
Penn Capital Management	Notification Received	7/1/2008	
Private Capital Management, LP	Notification Received	5/10/2006	
S.A.C. Capital Advisors, LLC and others	Notification Received	2/26/2008	
Wellington Management Company	Notification Received	12/8/2009	
<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Alliance Holding Company	Renewal App Pending	12/4/2009	
Bally Gaming International, Inc.	Renewal App Pending	12/4/2009	
Bally Technologies, Inc.	Renewal App Pending	12/4/2009	
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Walter Eldon Eisele	Pending	9/15/2009	
David B. Robbins	Renewal App Pending	12/4/2009	
Jacques P. Andre	Renewal App Pending	12/4/2009	
Kevin L. Verner	Renewal App Pending	12/4/2009	
Marc P. Comella	Renewal App Pending	12/4/2009	
Mark D. Lerner	Renewal App Pending	12/4/2009	
Michael G. Isaacs	Renewal App Pending	12/4/2009	
Michael J. Mitchell	Renewal App Pending	12/4/2009	
Neil Davidson	Renewal App Pending	12/4/2009	
Ramesh Srinivasan	Renewal App Pending	12/4/2009	
Richard M. Hadrill	Renewal App Pending	12/4/2009	
Robert L. Guido	Renewal App Pending	12/4/2009	
Robert W. Crowder, Jr.	Renewal App Pending	12/4/2009	
Tina M. Kilmer	Renewal App Pending	12/4/2009	
Robert C. Caller	Request for Withdrawal Pending	12/4/2009	
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Brian R. Pierce	Approved for Licensure	6/17/2009	6/16/2012
Christopher T. Schunk	Expired	6/16/2010	
Beverly A. Wessel	Inactive-Renewed	6/17/2009	6/16/2012
Brian F. Block	Inactive-Renewed	6/17/2009	6/16/2012
Gerald J. McGowan	License Renewed	6/17/2009	6/16/2012
Jeffrey J. Conners	License Renewed	6/17/2009	6/16/2012
Peter J. Wichterman	License Renewed	6/17/2009	6/16/2012
Stanley J. Kozlowski	License Renewed	6/17/2009	6/16/2012
Thomas Reilly	License Renewed	6/17/2009	6/16/2012
Thomas M. Santoro	License Renewed	6/17/2009	6/16/2012
Derik Jon Mooberry	Pending	9/4/2009	
Robert Joseph Parente	Pending	9/10/2009	
	<b>DEQ Systems Corp.</b>		
	Table Game Manufacturer		
	Application Pending: 9/20/2010		
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Alexandre Philippe Lattes	Pending	9/21/2010	
David Jacques	Pending	10/29/2010	
Earle Gerard Hall	Pending	9/21/2010	
Francois Proulx	Pending	9/21/2010	

## NOTICES

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Genevieve Cossette	Pending	9/21/2010
Herve Francois Eschasseriau	Pending	10/7/2010
Jean-Claude Vachon	Pending	9/21/2010
Joseph Michael Telesmanic	Pending	9/21/2010
Michael Alexander Hackman	Pending	9/21/2010

**DigiDeal Corporation**  
Slot Machine Manufacturer  
Withdrawn: 5/25/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
NABAC, LLC	Withdrawn	5/25/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Anthony Ciorciari	Withdrawn	5/25/2010
David A. Krise	Withdrawn	5/25/2010
Donald L. Evans	Withdrawn	5/25/2010
Eric J. Vetter	Withdrawn	5/25/2010
Gregory C. Lowney	Withdrawn	5/25/2010
Johan Finley	Withdrawn	5/25/2010
Larry Martin	Withdrawn	5/25/2010
Maryanne K. Snyder	Withdrawn	5/25/2010
Michael Kuhn	Withdrawn	5/25/2010
Nicole A. Floyd	Withdrawn	5/25/2010
Randy D. Sines	Withdrawn	5/25/2010
Robert J. Stoll	Withdrawn	5/25/2010
Timothy B. Richards	Withdrawn	5/25/2010

**Elektroncek d.d.**  
Table Game Manufacturer  
Approved for Licensure: 9/16/2010  
License Expires: 9/15/2011

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Aristocrat Leisure Cyprus Limited	Approved for Licensure	9/16/2010
Elektroncek Group B.V.	Approved for Licensure	9/16/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Joze Pececnik	Approved for Licensure	9/16/2010
Nicholas R. Khin	Approved for Licensure	9/16/2010
Rok Uhan	Approved for Licensure	9/16/2010
Samuel G. Weaver	Approved for Licensure	9/16/2010
Tomaz Zvipelj	Approved for Licensure	9/16/2010
Adriaan Coppens	Waiver Requested	12/21/2007
Arjan Schaapman	Waiver Requested	12/21/2007

**Gemaco, Inc.**  
Table Game Manufacturer  
Conditional License Issued: 4/7/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
GemGroup, Inc.	Pending	2/22/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Danny Ray Carpenter	Pending	1/28/2010
Diana Kaye Summers	Pending	1/28/2010
Jason Allen Fitzhugh	Pending	1/28/2010
Leesa Ann Nichols	Pending	2/22/2010
Paul Desmond Quinlan	Pending	2/22/2010



<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Brandon Lee Green	Pending	1/28/2010

**GPI Mexicana S.A. de C.V.**  
Table Game Manufacturer  
Conditional License Issued: 4/29/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Gaming Partners International Corporation	Pending	4/27/2010
Gaming Partners International USA, Inc.	Pending	4/27/2010
Holding Wilson S.A.	Pending	4/27/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Alain Marc Thieffry	Pending	2/17/2010
Charles Henry	Pending	2/23/2010
Elisabeth Elaine Carrette	Pending	2/17/2010
Eric Paul Endy	Pending	3/16/2010
Gerald William Koslow	Pending	10/6/2010
Gerard Pierre Charlier	Pending	2/22/2010
Gregory Scott Gronau	Pending	2/17/2010
Jean-Francois Lendais	Pending	6/28/2010
Laura Louise McAllister Cox	Pending	3/17/2010
Martin Alan Berkowitz	Pending	3/16/2010
Robert John Kelly	Pending	3/16/2010
David Wayne Grimes	Withdrawn	1/26/2011
Gay Adair Nordfelt	Withdrawn	1/26/2011

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Franciso Javier Moreno Sanchez	Pending	2/17/2010

**GTECH Corporation**  
Slot Machine Manufacturer  
License Renewed: 10/27/2010  
License Expires: 10/26/2013

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
FMR Corp	Notification Received	12/18/2007
Mediobanca, SP	Notification Received	2/27/2008
Investendo, S.r.l.	Pending	10/30/2009

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
B & D Holdings di Marco Drago & C.S.A.p.A	License Renewed	10/27/2010 10/26/2013
De Agostini S.p.A.	License Renewed	10/27/2010 10/26/2013
GTECH Holdings Corporation	License Renewed	10/27/2010 10/26/2013
Invest Games S.A.	License Renewed	10/27/2010 10/26/2013
Lottomatica Group S.p.A	License Renewed	10/27/2010 10/26/2013

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Alberto Ferdinando Maria Toffoletto	Approved for Licensure	10/27/2010 10/26/2013
Andrea Boroli	Approved for Licensure	3/3/2010 3/2/2013
Donald R. Sweitzer	Approved for Licensure	3/3/2010 3/2/2013
Emile A.D. Demo	Expired	5/5/2010
Gianmario T. Da Ruos	Expired	5/5/2010
James F. McCann	Expired	5/5/2010
Paolo Tacchini	Expired	5/5/2010
Renzo R.V. Ferrante	Expired	5/5/2010
Donald W. Reilly	Inactive-Renewed	10/27/2010 10/26/2013

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Alan T. Eland	License Renewed 10/27/2010	10/26/2013
Alberto Boroli	License Renewed 10/27/2010	10/26/2013
Anthony Ruys	License Renewed 10/27/2010	10/26/2013
Anthony L. Watson	License Renewed 10/27/2010	10/26/2013
Chiara M.G. Boroli	License Renewed 10/27/2010	10/26/2013
Cornelia H.L. O'Connor	License Renewed 10/27/2010	10/26/2013
Gerhard H. Burda	License Renewed 10/27/2010	10/26/2013
Giorgio G.C. Drago	License Renewed 10/27/2010	10/26/2013
Jaymin B. Patel	License Renewed 10/27/2010	10/26/2013
Jeremy J. Hanley	License Renewed 10/27/2010	10/26/2013
Lino Benassi	License Renewed 10/27/2010	10/26/2013
Luke Kenneth Orchard	License Renewed 10/27/2010	10/26/2013
Marco Boroli	License Renewed 10/27/2010	10/26/2013
Marco Drago	License Renewed 10/27/2010	10/26/2013
Marco Sala	License Renewed 10/27/2010	10/26/2013
Matthew Hughes	License Renewed 10/27/2010	10/26/2013
Michael K. Prescott	License Renewed 10/27/2010	10/26/2013
Paolo Boroli	License Renewed 10/27/2010	10/26/2013
Paolo Ceretti	License Renewed 10/27/2010	10/26/2013
Pietro Boroli	License Renewed 10/27/2010	10/26/2013
Rachel Barber	License Renewed 10/27/2010	10/26/2013
Renzo Lorenzo Pellicoli	License Renewed 10/27/2010	10/26/2013
Robert M. Dewey, Jr.	License Renewed 10/27/2010	10/26/2013
Roberto Drago	License Renewed 10/27/2010	10/26/2013
Ross W. Dalton	License Renewed 10/27/2010	10/26/2013
Severino Salvemini	License Renewed 10/27/2010	10/26/2013
Stefano Bortoli	License Renewed 10/27/2010	10/26/2013
Steven March	License Renewed 10/27/2010	10/26/2013
Victor Duarte	License Renewed 10/27/2010	10/26/2013
William B. Turner	License Renewed 10/27/2010	10/26/2013
Carlo Enrico Ferrari Ardicini	Pending 9/22/2009	
Francesco Dominic Cecchini	Pending 1/28/2010	
Walter Giacomo Bugno	Pending 8/23/2010	
Fabio Celadon	Waiver Requested 6/3/2008	
Robert Vincent	Waiver Requested 6/3/2008	
Scott David Gunn	Withdrawn 8/19/2010	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Robin Drummond	License Renewed 10/27/2010	10/26/2013

**IGT**

Slot Machine Manufacturer  
Renewal Application Pending: 1/5/2010

Table Game Manufacturer  
Approved for Licensure: 4/7/2010  
License Expires: 4/6/2011

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
American Century Mutual Funds, Inc.	Notification Received 5/10/2006	
BlackRock, Inc.	Notification Received 2/5/2010	
Capital World Investors	Notification Received 2/25/2008	
Private Capital Management, LP	Notification Received 8/3/2005	

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
T. Rowe Price Associates, Inc.	Notification Received 2/7/2008	
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
International Game Technology	Renewal App Pending 1/5/2010	
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
David Earle Roberson	Approved for Licensure 1/8/2010	1/7/2013
Eric Paul Tom	Approved for Licensure 7/29/2010	7/28/2011
Patrick W. Cavanaugh	Approved for Licensure 11/17/2010	11/17/2012
Robert A. Mathewson	Approved for Licensure 11/18/2009	11/17/2012
Daniel R. Siciliano	Expired 6/2/2010	
David D. Johnson	Expired 6/2/2010	
Mohamad A. Saffari	Expired 6/2/2010	
Robert A. Bittman	Expired 6/2/2010	
Robert J. Miller	Expired 6/2/2010	
Thomas J. Matthews	Expired 6/2/2010	
Christopher John Satchell	Pending 11/19/2009	
Janice Durbin Chaffin	Pending 12/6/2010	
Paget L. Alves	Pending 4/13/2010	
Philip Glen Satre	Pending 3/23/2010	
Robert Carey Melendres	Pending 9/4/2009	
Vincent Louis Sadusky	Pending 8/27/2010	
Michelle A. Chatigny	Renewal App Pending 1/26/2010	
Patti S. Hart	Renewal App Pending 1/5/2010	
Anthony Ciorciari	Withdrawn 12/16/2010	
Craig Scott Billings	Withdrawn 12/16/2010	
Frederick B. Rentschler	Withdrawn 9/16/2010	
Paulus J.C.A. Karskens	Withdrawn 12/16/2010	
Richard Jay Schneider	Withdrawn 9/16/2010	
Richard R. Burt	Withdrawn 3/23/2010	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Andre Lewis Brunette	Approved for Licensure 3/16/2010	3/15/2013
Anthony E. Sofran	License Renewed 6/3/2009	6/2/2012
Kenneth E. Kachnic	License Renewed 6/3/2009	6/2/2012
George P. Kerrigan	Renewal App Pending 7/15/2009	
<b>Keystone Gaming Technologies Inc.</b>		
Slot Machine Manufacturer Withdrawn: 8/19/2010		
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Thomas M. Malek	Pending 6/10/2010	
<b>Konami Gaming, Inc.</b>		
Slot Machine Manufacturer License Renewed: 9/16/2010 License Expires: 9/15/2011		
Table Game Manufacturer Approved for Licensure: 6/21/2010 License Expires: 6/20/2011		
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Konami Corporation	License Renewed 9/16/2010	9/15/2011
Konami Corporation of America	License Renewed 9/16/2010	9/15/2011
Kozuki Capital Corporation	License Renewed 9/16/2010	9/15/2011

<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Kozuki Foundation for Sports and Education	License Renewed	9/16/2010	9/15/2011
Kozuki Holding, B.V.	License Renewed	9/16/2010	9/15/2011
Stichting Administratiekantoor Highmoon	License Renewed	9/16/2010	9/15/2011
The Rising Sun Trust	License Renewed	9/16/2010	9/15/2011
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Akihiko Nagata	Expired	3/24/2010	
Akira Tamai	Expired	3/24/2010	
Fumiaki Tanaka	Expired	3/24/2010	
Kagehiko Kozuki	Expired	3/24/2010	
Kazumi Kitaue	Expired	3/24/2010	
Mineaki Yoshiba	Expired	3/24/2010	
Naoyuki Notsu	Expired	3/24/2010	
Toshimitsu Oishi	Expired	3/24/2010	
Akira Gemma	License Renewed	9/16/2010	9/15/2011
Hiroyuki Mizuno	License Renewed	9/16/2010	9/15/2011
Kagemasa Kozuki	License Renewed	9/16/2010	9/15/2011
Kagetsugi Kozuki	License Renewed	9/16/2010	9/15/2011
Kimihiko Higashio	License Renewed	9/16/2010	9/15/2011
Noriaki Yamaguchi	License Renewed	9/16/2010	9/15/2011
Ryoichi Kimura	License Renewed	9/16/2010	9/15/2011
Satoshi Sakamoto	License Renewed	9/16/2010	9/15/2011
Stephen Sutherland	License Renewed	9/16/2010	9/15/2011
Takuya Kozuki	License Renewed	9/16/2010	9/15/2011
Thomas A. Jingoli	License Renewed	9/16/2010	9/15/2011
Thomas E. Soukup	License Renewed	9/16/2010	9/15/2011
Tomokazu Godai	License Renewed	9/16/2010	9/15/2011
Yoko Kozuki	License Renewed	9/16/2010	9/15/2011
<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Ryoichi Kimura	Approved for Licensure	3/25/2009	3/24/2012
Thomas A. Jingoli	License Renewed	3/25/2009	3/24/2012
Thomas E. Soukup	License Renewed	3/25/2009	3/24/2012
Yuji Taniguchi	License Renewed	9/16/2010	9/15/2011
Alan Doyle Cripe	Pending	3/31/2009	
Gary T. King	Pending	8/23/2010	
Ross Angus O'Hanley	Pending	4/14/2010	
Scott Jerald Richards	Pending	8/7/2009	
Jason James Bertsch	Withdrawn	5/3/2010	

**Lightning Poker, Inc.**  
Slot Machine Manufacturer  
License Renewed: 1/26/2011  
License Expires: 1/25/2012

<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
Lightning Gaming, Inc.	License Renewed	1/26/2011	1/25/2012
<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Brian D. Haveson	License Renewed	1/26/2011	1/25/2012
Donald R. Caldwell	License Renewed	1/26/2011	1/25/2012
Frederick C. Tecce	License Renewed	1/26/2011	1/25/2012



<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Robert D. Ciunci	Renewal App Pending 1/15/2010	
Ian D. Frisbie	Withdrawn 7/29/2010	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Christopher George Strano	Pending 10/16/2009	
<b>MegaBingo, Inc.</b>		
Slot Machine Manufacturer Application Pending: 1/7/2011		
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Multimedia Games, Inc.	Pending 1/7/2011	
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Adam NMN Chibib	Pending 1/10/2011	
Anthony Michael Sanfilippo	Pending 1/7/2011	
Joaquin Jesus Aviles	Pending 1/10/2011	
Justin Albert Orlando	Pending 1/10/2011	
Michael James Maples	Pending 1/7/2011	
Neil E. Jenkins	Pending 1/7/2011	
Patrick J. Ramsey	Pending 1/7/2011	
Robert Delaney Repass	Pending 1/10/2011	
Stephen James Greathouse	Pending 1/10/2011	
Timothy S. Stanley	Pending 1/7/2011	
Uri Lahajj Clinton	Pending 1/10/2011	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Micki D. Roemer	Renewal App Pending 1/7/2011	
<b>MicroFirst Associates, Inc.</b>		
Slot Machine Manufacturer License Renewed: 1/6/2011 License Expires: 1/5/2012		
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
John D. Scarpa	License Renewed 1/6/2011	1/5/2012
John Beneat	Surrendered License 1/10/2010	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Ryan Paul Randazzo	Approved for Licensure 6/21/2010	6/20/2013
<b>NRT Technology Corp.</b>		
Slot Machine Manufacturer License Renewed: 6/10/2010 License Expires: 6/9/2011		
Table Game Manufacturer Application Withdrawn: 11/18/2010		
<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Dominet Corp.	License Renewed 6/10/2010	6/9/2011
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Tom Sears	Expired 1/20/2010	1/20/2010
James E. Grundy	License Renewed 6/10/2010	6/9/2011
John A. Dominelli	License Renewed 6/10/2010	6/9/2011
Raffaele S. Lombardi	License Renewed 6/10/2010	6/9/2011
Raymond N. Deffner	License Renewed 6/10/2010	6/9/2011
Ji-in Shin	Pending 1/21/2011	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Rosa Laricchia	License Renewed 11/18/2009	11/17/2012

## NOTICES

**Paltronics, Inc.**

Slot Machine Manufacturer  
 License Renewed: 4/29/2010  
 License Expires: 4/28/2011

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
David W. Goodhue	Approved for Licensure	8/28/2009
Angelo J. Palmisano	License Renewed	4/29/2010
Michael A. Margiotta	License Renewed	4/29/2010
Terri A. Cooper	License Renewed	4/29/2010
Steven Allen Marsh	Withdrawn	1/6/2011

**Progressive Gaming International Corporation**

Slot Machine Manufacturer  
 Abandoned: 8/28/2009

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Edward John Hoffman	Approved for Licensure	2/3/2009

**Scientific Games International, Inc.**

Slot Machine Manufacturer  
 Application Pending: 10/19/2010

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
BlackRock, Inc.	Notification Received	1/24/2011
Schroder Investment Management North America	Notification Received	1/24/2011
Wells Capital Management, Incorporated	Notification Received	1/14/2011

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Scientific Games Corporation	Pending	10/19/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Allen Weil	Pending	10/20/2010
Barry Schwartz	Pending	10/20/2010
Brennen Lawrence	Pending	10/29/2010
Brooks Pierce	Pending	11/1/2010
David Kennedy	Pending	10/20/2010
David Pye	Pending	11/1/2010
Eric Turner	Pending	10/20/2010
Gerard Scheinbach	Pending	11/1/2010
Ian Timmis	Pending	11/1/2010
Ira Raphaelson	Pending	10/20/2010
James Kennedy	Pending	11/1/2010
James Metcalf	Pending	11/1/2010
James Trask	Pending	11/1/2010
Jeffrey Lipkin	Pending	10/20/2010
John Walsh	Pending	11/1/2010
Joseph Stewart	Pending	10/29/2010
Larry Potts	Pending	10/19/2010
Michael Chambrello	Pending	10/20/2010
Michael Regan	Pending	10/20/2010
Peter Cohen	Pending	11/3/2010
Philip Bauer	Pending	11/1/2010
Robert Becker	Pending	10/19/2010
Rodney Hill	Pending	10/29/2010
Ronald Perelman	Pending	10/20/2010
Stephen Gibbs	Pending	10/19/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Steven Beason	Pending 10/19/2010	
Steven Saferin	Pending 11/1/2010	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Scott Stewart	Pending 10/29/2010	

**Shuffle Master, Inc.**  
Slot Machine Manufacturer  
License Renewed: 9/16/2010  
License Expires: 9/15/2011

Table Game Manufacturer  
Renewal Application Pending: 1/14/2011

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
Barclays Global Investors NA and Barclays Global Fund Advisors	Notification Received 4/4/2007	
Baron Capital Group, Inc.	Notification Received 4/10/2007	
BlackRock, Inc.	Notification Received 2/8/2010	
Citadel Limited Partnership	Notification Received 5/30/2007	
Columbia Wanger Asset Management, LP	Notification Received 4/13/2007	
Eagle Asset Management	Notification Received 1/8/2010	
FMR Corp.	Notification Received 5/10/2007	
Franklin Resources, Inc.	Notification Received 2/22/2008	
Kayne Anderson Rudnick Investment Mgmt, LLC	Notification Received 4/13/2007	
OppenheimerFunds, Inc.	Notification Received 2/22/2008	
Private Capital Management, LP	Notification Received 4/23/2007	
Serengeti Asset Management, LP	Notification Received 10/2/2008	
T. Rowe Price Associates, Inc.	Notification Received 7/1/2008	
Transamerica Investment Management, LLC	Notification Received 4/13/2007	
Wells Fargo and Company	Notification Received 1/27/2009	
William Blair & Company, LLC	Notification Received 2/4/2008	

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Daniel Michael Wade	Approved for Licensure 9/16/2010	9/15/2011
Linster Walter Fox	Approved for Licensure 9/16/2010	9/15/2011
Nathan John Wadds	Approved for Licensure 9/16/2010	9/15/2011
Roger M. Snow	Approved for Licensure 9/16/2010	9/15/2011
Coreen A. Sawdon	Expired 3/24/2010	
Garry W. Saunders	License Renewed 9/16/2010	9/15/2011
John R. Bailey	License Renewed 9/16/2010	9/15/2011
Louis J. Castle II	License Renewed 9/16/2010	9/15/2011
Philip Smith	License Renewed 9/16/2010	9/15/2011
Phillip C. Peckman	License Renewed 9/16/2010	9/15/2011
David Lopez	Renewal App Pending 1/14/2011	
Jerome R. Smith	Withdrawn 10/6/2010	
Timothy J. Parrott	Withdrawn 5/25/2010	
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Deron James Hunsberger	Pending 3/9/2010	

**South Jersey Precision Tool & Mold, Inc.**  
Table Game Manufacturer  
Conditional License Issued: 7/29/2010

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
June Jaraslawa Rone	Pending	7/15/2010	
Robert Rone	Pending	6/23/2010	
Victor Rone	Pending	6/23/2010	
Wayne Reeves	Pending	6/23/2010	

**Spielo Manufacturing ULC**  
Slot Machine Manufacturer  
License Renewed: 10/27/2010  
License Expires: 10/26/2013

<i>Principal Entities</i>	<i>Application Status</i>		<i>Expiration Date</i>
Seaward Services Limited	Expired	6/2/2010	

<i>Affiliates</i>	<i>Application Status</i>		<i>Expiration Date</i>
GTECH Global Services Corporation Limited	Expired	6/2/2010	
B & D Holdings di Marco Drago & C.S.A.p.A	License Renewed	10/27/2010	10/26/2013
De Agostini S.p.A.	License Renewed	10/27/2010	10/26/2013
Lottomatica Group S.p.A	License Renewed	10/27/2010	10/26/2013

<i>Principals</i>	<i>Application Status</i>		<i>Expiration Date</i>
Alberto Ferdinando Maria Toffoletto	Approved for Licensure	10/27/2010	10/26/2013
Anna Papakyriacou	Expired	6/2/2010	
Rachel Barber	Expired	6/2/2010	
Robin Drummond	Expired	12/17/2008	
Alberto Boroli	License Renewed	10/27/2010	10/26/2013
Anthony Ruys	License Renewed	10/27/2010	10/26/2013
Anthony L. Watson	License Renewed	10/27/2010	10/26/2013
Chiara M.G. Boroli	License Renewed	10/27/2010	10/26/2013
Giorgio G.C. Drago	License Renewed	10/27/2010	10/26/2013
Jeremy J. Hanley	License Renewed	10/27/2010	10/26/2013
Lino Benassi	License Renewed	10/27/2010	10/26/2013
Marco Boroli	License Renewed	10/27/2010	10/26/2013
Marco Drago	License Renewed	10/27/2010	10/26/2013
Marco Sala	License Renewed	10/27/2010	10/26/2013
Paolo Boroli	License Renewed	10/27/2010	10/26/2013
Paolo Ceretti	License Renewed	10/27/2010	10/26/2013
Pietro Boroli	License Renewed	10/27/2010	10/26/2013
Renzo Lorenzo Pelliccioli	License Renewed	10/27/2010	10/26/2013
Robert M. Dewey, Jr.	License Renewed	10/27/2010	10/26/2013
Roberto Drago	License Renewed	10/27/2010	10/26/2013
Severino Salvemini	License Renewed	10/27/2010	10/26/2013
Stefano Bortoli	License Renewed	10/27/2010	10/26/2013
Victor Duarte	License Renewed	10/27/2010	10/26/2013
William B. Turner	License Renewed	10/27/2010	10/26/2013
Carlo Enrico Ferrari Ardicini	Pending	9/28/2010	

<i>Key Employees</i>	<i>Application Status</i>		<i>Expiration Date</i>
Robin Drummond	License Renewed	6/3/2009	6/2/2012



**TCS John Huxley America, Inc.**  
Table Game Manufacturer  
Conditional License Issued: 4/29/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Pata Pata AB	Pending	3/26/2010
Victoria Holdings Limited	Pending	3/17/2010
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Bradley John Broderick	Pending	3/16/2010
Carl Bertil Knutsson	Pending	3/26/2010
David Kenneth Heap	Pending	3/26/2010
Libby Ann Lamm	Pending	3/16/2010
Michael Bertil Knutsson	Pending	3/26/2010
Roger Lyndon Hawkins	Pending	3/16/2010
Ronald Douglas Corio, Jr.	Pending	3/16/2010
Ruth Anne Andrews	Pending	3/16/2010

**TCS John Huxley Europe Limited**  
Table Game Manufacturer  
Conditional License Issued: 4/30/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Crib Goch Investment Limited	Pending	1/14/2011
Pata Pata AB	Pending	3/26/2010
Victoria Holdings Limited	Pending	3/17/2010
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Carl Bertil Knutsson	Pending	3/23/2010
David Kenneth Heap	Pending	3/22/2010
Michael Bertil Knutsson	Pending	3/23/2010
Ruth Anne Andrews	Pending	3/26/2010
Tristan Nenne Sjoberg	Pending	11/10/2010

**Tech Art, Inc.**  
Table Game Manufacturer  
Conditional License Issued: 6/10/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Arthur Clemont Miller	Pending	4/13/2010
Bruce Howard Kusens	Pending	4/13/2010
Gary Alan Miller	Pending	4/13/2010
Howard Mark Miller	Pending	4/13/2010
Joseph William Miller	Pending	4/13/2010
Marsha Sofer Miller	Pending	4/13/2010
Ronald Lewis Miller	Pending	4/13/2010
Russell Dean Isaacs	Pending	6/8/2010

**The United States Playing Card Company**  
Table Game Manufacturer  
Conditional License Issued: 5/13/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Bicycle Holding, Inc.	Pending	4/9/2010
Jarden Corporation	Pending	4/9/2010
USPC Holding, Inc.	Pending	4/9/2010
USPC Mexico, S.A. .De C.V.	Request for Withdrawal Pending	4/9/2010
<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Douglas Wayne Huemme	Pending	4/20/2010
Ian Guy Handley Ashken	Pending	4/8/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
James Daryl Owen	Pending	7/14/2010
James Eric Lillie	Pending	4/8/2010
John Edward Capps	Pending	4/8/2010
Martin Ellis Franklin	Pending	4/8/2010
Michael Stuart Gross	Pending	4/9/2010
Patricia Ann Hom	Pending	4/9/2010
Phillip Gaetano Dolcimascolo	Pending	4/8/2010
Robert Lee Wood	Pending	4/9/2010
Steven Michael Smith	Pending	4/8/2010
Richard Todd Sansone	Waiver Requested	4/9/2010

**Universal Entertainment Corporation**  
Slot Machine Manufacturer  
Surrendered License: 2/17/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Hajime Tokuda	Surrendered License	11/18/2010
Hiromi Okada	Surrendered License	11/18/2010
Hiroyuki Sawada	Surrendered License	11/18/2010
Kazuo Okada	Surrendered License	11/18/2010
Mitsuhiro Kitabatake	Surrendered License	11/18/2010
Tomohiro Okada	Surrendered License	11/18/2010
Yoshiyuki Shoji	Surrendered License	11/18/2010
Hideki Nakagome	Withdrawn	10/6/2010
Masanori Iwabuchi	Withdrawn	10/6/2010
Naoko Otsuka	Withdrawn	10/6/2010

**Western Money Systems**  
Slot Machine Manufacturer  
Renewal Application Pending: 7/21/2009

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
BlackRock, Inc.	Notification Received	4/19/2010
FMR Corp.	Notification Received	4/19/2010
Summit Partners	Notification Received	4/6/2010
Thompson, Siegel & Walmsley, LLC	Notification Received	8/5/2010
Wells Capital Management, Incorporated	Notification Received	4/19/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Global Access Holdings, Inc.	Pending	4/1/2010
Global Cash Access, Inc.	Pending	4/1/2010
Boyle Family Trust	Withdrawn	8/19/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Chrystelle Claude Damidot	Pending	8/24/2010
E. Miles Kilburn	Pending	3/25/2010
Fred C. Enlow	Pending	3/25/2010
Geoffrey Perona Judge	Pending	3/30/2010
Kathryn S. Lever	Pending	3/26/2010
Patrick M. Olson	Pending	3/26/2010
Scott H. Betts	Pending	3/25/2010
Ann Penfield	Withdrawn	12/16/2010
Bernard W. Boyle	Withdrawn	8/19/2010
George W. Gresham	Withdrawn	7/29/2010
Kathleen M. Boyle	Withdrawn	12/9/2009

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Steven L. Lazarus	Withdrawn	7/29/2010

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
John R. Dunsmoor	Inactive-Renewed	6/11/2010
David J. Lucchese	License Renewed	6/17/2009
Michael J. Aughney	License Renewed	4/7/2010

**WMS Gaming, Inc.**  
 Slot Machine Manufacturer  
 License Renewed: 5/13/2010  
 License Expires: 5/12/2013

<i>Principal Entities</i>	<i>Application Status</i>	<i>Expiration Date</i>
National Amusements, Inc.	Expired	1/20/2010
Barclays Global Investors NA	Notification Received	4/20/2009
Citadel Advisors, LLC	Notification Received	4/20/2009
FMR Corp.	Notification Received	2/23/2007
Kornitzer Capital Management	Notification Received	7/29/2009
T. Rowe Price	Notification Received	4/5/2007
Turner Investment Partners, Inc.	Notification Received	4/6/2007

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
WMS Industries, Inc.	License Renewed	5/13/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Larry Pacey	Approved for Licensure	8/28/2009
Lisa DeJesus-Condon	Approved for Licensure	11/4/2009
Ira Sheinfeld	Expired	1/20/2010
Neil D. Nicastro	Expired	1/20/2010
Sumner Redstone	Expired	1/20/2010
Brian R. Gamache	License Renewed	5/13/2010
Edward W. Rabin, Jr.	License Renewed	5/13/2010
Harold Bach	License Renewed	5/13/2010
John P. McNicholas, Jr.	License Renewed	5/13/2010
Kathleen J. McJohn	License Renewed	5/13/2010
Kenneth Lochiatto	License Renewed	5/13/2010
Laurie E. Lasseter	License Renewed	5/13/2010
Orrin J. Edidin	License Renewed	5/13/2010
Robert J. Bahash	License Renewed	5/13/2010
Scott D. Schweinfurth	License Renewed	5/13/2010
William J. Vareschi	License Renewed	5/13/2010
Patricia Claire Barten	Waiver Requested	3/5/2007
Patricia M. Nazemetz	Waiver Requested	2/8/2008

<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Brian E. Clayton	Approved for Licensure	5/13/2010
Graziano A. D'Aquilante	License Renewed	5/13/2010

#### **Table Game Manufacturer Designees**

**Gaming Partners International USA, Inc.**  
 Conditional License Issued: 4/29/2010

<i>Affiliates</i>	<i>Application Status</i>	<i>Expiration Date</i>
Gaming Partners International Corporation	Pending	2/17/2010
Holding Wilson S.A.	Pending	2/17/2010

## NOTICES

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Alain Marc Thieffry	Pending	3/16/2010
Charles Henry	Pending	3/16/2010
Elisabeth Elaine Carrette	Pending	3/16/2010
Eric Paul Endy	Pending	3/2/2010
Gerald William Koslow	Pending	10/6/2010
Gerard Pierre Charlier	Pending	3/16/2010
Gregory Scott Gronau	Pending	3/16/2010
Jean-Francois Lendais	Pending	6/28/2010
Laura Louise McAllister Cox	Pending	2/17/2010
Martin Alan Berkowitz	Pending	2/17/2010
Robert John Kelly	Pending	3/2/2010
David Wayne Grimes	Withdrawn	1/26/2011
Gay Adair Nordfelt	Withdrawn	1/26/2011
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Justin Michael Woodard	Pending	3/2/2010
Robert Andrew Ford	Pending	2/17/2010

**Suppliers**

**Advanced Gaming Associates, LLC**  
Slot Machine Supplier  
Renewal Application Pending: 9/20/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Anthony R. Tomasello, Jr.	Renewal App Pending	9/20/2010

**Keystone Gaming Technologies, Inc.**  
Slot Machine Supplier  
Application Pending: 6/10/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Thomas M. Malek	Pending	6/10/2010

**KGM Gaming, LLC**  
Slot Machine Supplier  
License Renewed: 10/27/2010  
License Expires: 10/26/2013

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Howard J. Weiss	License Renewed	10/27/2010
Jason M. Peters	License Renewed	10/27/2010
Michael A. Frattone	License Renewed	10/27/2010
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Jason E. Cohen	License Renewed	6/3/2009

**Modern Gaming Pennsylvania, LLC**  
Slot Machine Supplier  
Renewal Application Pending: 7/12/2010

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Jason Roy DeGrandmaison	Renewal App Pending	7/15/2010
Michael T. Tessmer	Renewal App Pending	7/15/2010
<i>Key Employees</i>	<i>Application Status</i>	<i>Expiration Date</i>
Brian D. Hartmann	Approved for Licensure	4/8/2009



**TDN Money Systems**  
Slot Machine and Table Game Supplier  
Renewal Application Pending: 1/25/2011

<i>Principals</i>	<i>Application Status</i>	<i>Expiration Date</i>
Edward Joseph Hannon, Jr.	Renewal App Pending	1/25/2011
Richard Carmen Orlando	Renewal App Pending	1/25/2011

[Pa.B. Doc. No. 11-362. Filed for public inspection February 25, 2011, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 14, 2011. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### **Applications of the following for approval to *begin* operating as *common carriers* for transportation of persons as described under each application.**

**A-2011-2223266. Smyth & Tomas, LLC t/a Economy Shuttle Service** (475 Barker Road, Springfield, Delaware County, PA 19064)—persons, in airport transfer service, from points in Delaware County to the Philadelphia International Airport.

**A-2011-2225262. Stephanie L. Blakeney, t/a Blakeney Transportation Service** (1353 East Vernon Road, Philadelphia, Philadelphia County, PA 19150) for the right to begin to transport persons, in paratransit service, from the City and County of Philadelphia to the following State Correctional Institutions located in Pennsylvania: Bellefonte, Cambridge Springs, Camp Hill, Chester, Coal Township, Dallas, Frackville, Graterford, Greene, Houtzdale, Hunlock Creek, Huntingdon, LaBelle, Marienville, Muncy, Philadelphia, Somerset and Waymart, and return.

#### **Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public conveyance as described under each application.**

**A-2011-2225166. Anthony L Attardo, t/a All Seasons Travel** (34 North River Street, Plains, Luzerne County, PA 18705)—for the discontinuance of service and cancellation of its certificate to operate as a Broker, to arrange for the transportation of persons between points in Pennsylvania.

**A-2011-2225204. Earl Groff** (32 Poplar Drive, Manheim, Lancaster County, PA 17545)—for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit

service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Berks, Chester, Dauphin, Lancaster, Lebanon, Schuylkill and York, to points in Pennsylvania, and return.

**A-2011-2225206. Community Renovations, Inc.** (874 Douglas Avenue, Elkins Park, PA 19027)—for the discontinuance of service and cancellation of its certificate, as a common carrier, persons in group and party service in vehicles having a seating capacity not to exceed 15 passengers, excluding the driver, between points in the City and County of Philadelphia, and from points in said City and County to points in the Counties of Bucks, Delaware and Montgomery and return; subject to the following conditions: That no right, power or privilege is granted to originate service in that portion of the City and County of Philadelphia bounded by Spring Garden Street on the north, South Street on the south, the Schuylkill River on the west and the Delaware River on the east, and further excluding the Philadelphia Civic Center and all points which are within 1/4-mile radius thereof. That no right, power or privilege is granted to transport persons in conventional school bus-type equipment.

**A-2011-2225292. Senior Assist Services, Inc.** (105 North Findley Street, Punxsutawney, PA 15767)—for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Jefferson and Clearfield, to points in Pennsylvania and return.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. KNJ Limo Services;  
Doc. No. C-2010-2190064*

#### 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 KNJ Limo Services, Respondent, maintains a principal place of business at 1506 Wistar Drive, Wyncote, PA 19095.
2. That Respondent was issued a certificate of public convenience by this Commission on February 7, 2001, at Docket No. A-00116842, for limousine authority.
3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide

this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine KNJ Limo Services, the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
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  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Scott A. Dechert, t/a  
Distinctive Limousine Service; Doc. No. C-2010-2189828*

#### 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 Scott A. Dechert, t/a Distinctive Limousine Service, Respondent, maintains a principal place of business at 1224 Oak Street, Lebanon, PA 17042.

2. That Respondent was issued a certificate of public convenience by this Commission on February 7, 2000, at Docket No. A-00116103.F.1, for limousine authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of his vehicles utilized under his limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Scott A. Dechert, t/a Distinctive Limousine Service, the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
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  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist

from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Baillis Limousine, Inc.;*  
Doc. No. C-2010-2190065

#### 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 Baillis Limousine, Inc., Respondent, maintains a principal place of business at 22 War Trophy Lane, Media, PA 19063.

2. That Respondent was issued a certificate of public convenience by this Commission on June 9, 2005, at Docket No. A-0011708.F.2, for limousine authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Baillis Limousine, Inc., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
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  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau Of  
Transportation and Safety v. J & E Cab Co.;*  
*Doc. No. C-2010-2200411*

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 J & E Cab Co., Respondent, maintains a principal place of business at 29 South Carol Boulevard, Upper Darby, PA 19082.

2. That Respondent was issued a certificate of public convenience by this Commission on November 17, 1994, at Docket No. A-00111118,F.3, on June 28, 1995, at Docket No. A-0111118,F.5, and on October 15, 1997, at Docket No. A-00111118,F.7, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine J & E Cab Co., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
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  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Bhamipura Corp.;*  
*Doc. No. C-2010-2203053*

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 Bhamipura Corp., Respondent, maintains a principal place of business at 60 Browning Road, Middletown, DE 19079.

2. That Respondent was issued a certificate of public convenience by this Commission on August 25, 1998, at Docket No. A-00114878, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Bhamipura Corp., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Robert E. Brenner, Jr., t/a  
 Brenner Coach and Limousine;  
 Doc. No. C-2010-2189822*

#### 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 Robert E. Brenner, Jr., t/a Brenner Coach and Limousine, Respondent, maintains a principal place of business at 566 A East Main Street, New Holland, PA 17557.

2. That Respondent was issued a certificate of public convenience by this Commission on October 17, 2000, at Docket No. A-00115770.F.2, for limousine authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of his vehicles utilized under his limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Robert E. Brenner, Jr., t/a Brenner Coach and Limousine, the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
 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  
 Division  
 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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Raymonde Cab Co.,  
 Doc. No. C-2010-2203052*

#### 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 Raymonde Cab Co., Respondent, maintains a principal place of business at 1461 McKinley Street, Philadelphia, PA 19149.

2. That Respondent was issued a certificate of public convenience by this Commission on July 10, 1998, at Docket No. A-00114749, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Raymonde Cab Co., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
 Motor Carrier Services and Enforcement  
 Division  
 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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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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 a Secretarial Letter 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 this Complaint.

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\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. R.N.A. Cab Co.;*  
*Doc. No. C-2010-2203056*

#### 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 R.N.A. Cab Co., Respondent, maintains a principal place of business at 6300 Newtown Ave, Philadelphia, PA 19111-5609.

2. That Respondent was issued a certificate of public convenience by this Commission on September 23, 1998, at Docket No. A-00115069, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine R.N.A. Cab Co., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

#### NOTICE

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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 a Secretarial Letter 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.

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Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.



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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. JIP, Inc.;*  
*Doc. No. C-2010-2203058*

#### 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 JIP, Inc., Respondent, maintains a principal place of business at 6437 Emlen Street, Philadelphia, PA 19119.

2. That Respondent was issued a certificate of public convenience by this Commission on November 16, 1998, at Docket No. A-00115294,F.1, and on December 30, 1998, at Docket No. A-00115294,F.2, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine JIP, Inc., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
 Motor Carrier Services and Enforcement  
 Division  
 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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Dennis M. Cab Co.;*  
*Doc. No. C-2010-2202814*

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 Dennis M. Cab Co., Respondent, maintains a principal place of business at 3609 Shanandoah Street, Dallas, TX 75205.

2. That Respondent was issued a certificate of public convenience by this Commission on February 2, 1998, at Docket No. A-00114502, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Dennis M. Cab Co., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
 Motor Carrier Services and Enforcement  
 Division  
 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). 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 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 a Secretarial Letter 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.

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Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint. F Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. D.N.T. Cab Co.;*  
*Doc. No. C-2010-2203262*

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 D.N.T. Cab Co., Respondent, maintains a principal place of business at 616 N 66th Street, Philadelphia, PA 19151.

2. That Respondent was issued a certificate of public convenience by this Commission on November 23, 1999, at Docket No. A-00116040, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine D.N.T. Cab Co., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Eagle Limousine &  
Motorcoach, Inc.; Doc. No. C-2010-2184335*

#### 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 Eagle Limousine & Motorcoach, Inc., Respondent, maintains a principal place of business at 10 Malin Road, Malvern, PA 19355-1734.

2. That Respondent was issued a certificate of public convenience by this Commission on August 12, 1993, at Docket No. A-00110753,F.1, for limousine authority.



3. That, between December 1 and December 31 of 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Eagle Limousine & Motorcoach, Inc., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
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  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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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 a Secretarial Letter 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.

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F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Wemakeen, Inc.;*  
*Doc. No. C-2010-2200626*

#### 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 Wemakeen, Inc., Respondent, maintains a principal place of business at 7325 Grant Street, Pennsauken, NJ 08109.

2. That Respondent was issued a certificate of public convenience by this Commission on May 12, 1997, at Docket No. A-00111380,F.2, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.



Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Wemakeen, Inc. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
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  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Aster Cab Company;  
Doc. No. C-2010-2201441*

#### 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 Aster Cab Company, Respondent, maintains a principal place of business at 1115 Yeadon Avenue, Yeadon, PA 19050.

2. That Respondent was issued a certificate of public convenience by this Commission on August 1, 1994, at Docket No. A-00111387, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Aster Cab Company the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
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). 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 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 a Secretarial Letter 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.

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Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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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 a Secretarial Letter 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.

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\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Jean & Serge Cab Co.;*  
Doc. No. C-2010-2201442

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 Jean & Serge Cab Co., Respondent, maintains a principal place of business at 6533 Linmoore Avenue, Philadelphia, PA 19142.

2. That Respondent was issued a certificate of public convenience by this Commission on March 6, 2000, at Docket No. A-00111502,F.2, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Jean & Serge Cab Co., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

NOTICE

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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 a Secretarial Letter 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.

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 P. O. Box 3265  
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\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. GSD Cab Co.;*  
*Doc. No. C-2010-2202073*

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 GSD Cab Co., Respondent, maintains a principal place of business at 1843 Wynnewood Road, Philadelphia, PA 19151.

2. That Respondent was issued a certificate of public convenience by this Commission on May 23, 1995, at Docket No. A-00111905, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine GSD Cab Co., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
 Motor Carrier Services and Enforcement  
 Division  
 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). 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 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 a Secretarial Letter 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.

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 P. O. Box 3265  
 Harrisburg, PA 17105-3265

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\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Tangara, Inc.;*  
*Doc. No. C-2010-2202601*

#### 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 Tangara, Inc., Respondent, maintains a principal place of business at 3360 Chichester Ave, Apt P 10, Boothwyn, PA 19061-3225.

2. That Respondent was issued a certificate of public convenience by this Commission on December 18, 1995, at Docket No. A-00112471,F.1, on August 21, 1998, at Docket

No. A-00112471,F.2, and on December 4, 2001, at Docket No. A-00112471,F.5, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Tangara, Inc., the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
 Motor Carrier Services and Enforcement  
 Division  
 Bureau of Transportation and Safety

#### NOTICE

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 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 a Secretarial Letter 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, direc-



tion, 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
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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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Gill, Inc.;*  
*Doc. No. C-2010-2205358*

#### 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 Gill, Inc., Respondent, maintains a principal place of business at 165 Overhill Road, Upper Darby, PA 19082.

2. That Respondent was issued a certificate of public convenience by this Commission on June 24, 2004, at Docket No. A-00117329,F.2, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety

Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Gill, Inc. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist

from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Kodjoe Cab Co.;*  
*Doc. No. C-2010-2206943*

#### 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 Kodjoe Cab Co., Respondent, maintains a principal place of business at 5621 Montour Street, Philadelphia, PA 19124.

2. That Respondent was issued a certificate of public convenience by this Commission on March 10, 2003, at Docket No. A-00119491, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Kodjoe Cab Co. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
 Bureau of Transportation and Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, 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: \_\_\_\_\_  
 Michael E. Hoffman, Director  
 Motor Carrier Services and Enforcement  
 Division  
 Bureau of Transportation and Safety

#### NOTICE

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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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Dhillon Transportation, Inc.; Doc. No. C-2010-2206200*

### 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 Dhillon Transportation, Inc., Respondent, maintains a principal place of business at 146 Glencoe Road, Upper Darby, PA 19082.

2. That Respondent was issued a certificate of public convenience by this Commission on December 20, 2001, at Docket No. A-00118334,F.1, and on June 25, 2004, at Docket No. A-00118334,F.2, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Dhillon Transportation, Inc. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

### VERIFICATION

I, Michael E. Hoffman, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.



*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Jhaj, Inc.;*  
*Doc. No. C-2010-2206732*

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 Jhaj, Inc., Respondent, maintains a principal place of business at 16 Kenmore Road, Upper Darby, PA 19082.

2. That Respondent was issued a certificate of public convenience by this Commission on June 18, 2002, at Docket No. A-00118840, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Jhaj, Inc. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
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). 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 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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Stephanie Cab Co.;*  
*Doc. No. C-2010-2206516*

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 Stephanie Cab Co., Respondent, maintains a principal place of business at 100 Spring Garden Street, Philadelphia, PA 19123.

2. That Respondent was issued a certificate of public convenience by this Commission on January 18, 2002, at Docket No. A-00118480, for call or demand authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide this Commission with a current list of all of its vehicles utilized under its call or demand authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.314(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Stephanie Cab Co. the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, 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: \_\_\_\_\_

Michael E. Hoffman, Director  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

#### NOTICE

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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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Barry's Limousine Service,  
Inc., t/a London Limousine & Town Car; Doc. No.  
C-2010-2181798*

#### 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 Barry's Limousine Service, Inc., t/a London Limousine & Town Car, Respondent, maintains a principal place of business at 451 Rhawn Street, Front Office, Philadelphia, PA 19111.

2. That Respondent was issued a certificate of public convenience by this Commission on April 16, 1990, at Docket No. A-00109080, for limousine authority.

3. That, between December 1 and December 31 of 2006, 2007, 2008 and 2009, Respondent did not provide

this Commission with a current list of all of its vehicles utilized under its limousine authority. The list must contain the year, make, vehicle identification number and registration number for each vehicle. It shall be mailed to: Director, Bureau of Transportation and Safety, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105.

4. That, Respondent, by failing to provide this Commission with a current vehicle list, violated 52 Pa. Code § 29.333(d). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$250.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Barry's Limousine Service, Inc., t/a London Limousine & Town Car, the sum of two hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
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  
Division  
Bureau of Transportation and Safety

#### NOTICE

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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 a Secretarial Letter 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 paying the fine proposed in this Complaint by certified check or money order within twenty (20) days. Your certified check or money order should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter 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 this Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Scott D. Zella, t/a Zella's  
Trucking; Doc. No. C-2010-2185921*

#### 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 Scott D. Zella, t/a Zella's Trucking (respondent) is under suspension effective July 09, 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 297, Leesport, PA 19533-0297.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 11, 2006, at A-00122647.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 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-00122647 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  
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  
Division  
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: Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission P. O. Box 3265 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days 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:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer and 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.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 11-363. Filed for public inspection February 25, 2011, 9:00 a.m.]

## STATE BOARD OF MEDICINE

**Bureau of Professional and Occupational Affairs v.  
Dana Rosaline McKinney, M.D.; Doc. No. 0796-  
49-10**

On November 30, 2010, Dana Rosaline McKinney, M.D., license no. MD070866L, of Kansas City, MO, had her license indefinitely suspended and was assessed a \$250 civil penalty, based on disciplinary action taken against her license to practice medicine by the proper licensing authority of Missouri and for her having failed to report the Missouri board's action within 60 days of its occurrence.

Individuals may obtain a copy of the final order by writing to Steven R. Dade, Board Counsel, State Board of Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Medicine's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

CAROL E. ROSE, M.D.,  
*Chairperson*

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