

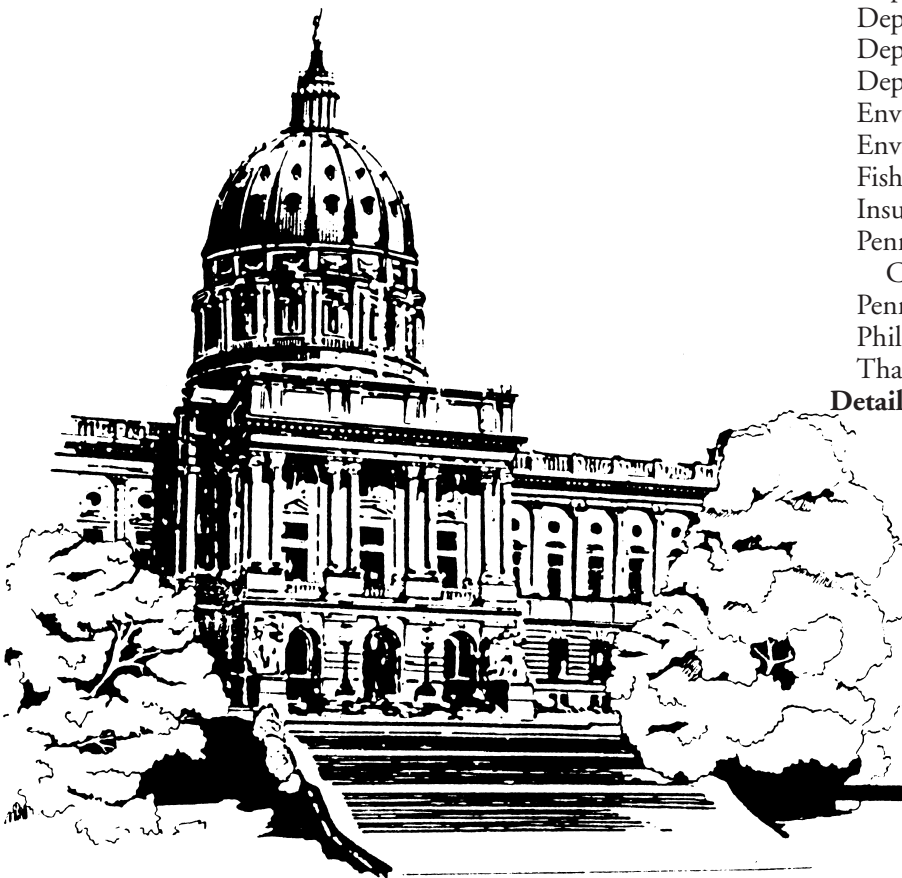
PENNSYLVANIA BULLETIN

Volume 43
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Pages 5439—5578

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The Courts
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Education
Department of Environmental Protection
Department of Health
Department of Public Welfare
Department of Revenue
Department of State
Environmental Hearing Board
Environmental Quality Board
Fish and Boat Commission
Insurance Department
Pennsylvania Alzheimer's Disease Planning Committee
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
Thaddeus Stevens College of Technology

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No. 466, September 2013

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us.

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

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THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1900]

Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 126

The Domestic Relations Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend the Rules of Civil Procedure relating to domestic relations matters as set forth herein. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

Notes and explanatory comments which appear with proposed amendments have been inserted by the committee for the convenience of those using the rules. Reports, notes and comments will not constitute part of the rules and will not be officially adopted or promulgated by the Supreme Court.

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Friday, February 14, 2014 directed to:

Patricia A. Miles, Esquire
Counsel, Domestic Relations Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 6200
P. O. Box 62635
Harrisburg, PA 17106-2635
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E-mail: domesticrules@pacourts.us

Deleted material is bold and [bracketed]. New material is bold.

*By the Domestic Relations
Procedural Rules Committee*

CAROL S. MILLS McCARTHY,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1900. ACTIONS PURSUANT TO THE PROTECTION FROM ABUSE ACT

Rule 1901.7. Decision. Post-trial relief.

(a) The decision of the court may consist of only general findings of abuse but shall dispose of all claims for relief. The court's final order shall be rendered substantially in the form set forth in Rule 1905(e).

(b) No motion for post-trial relief may be filed to the final order.

Official Note: The procedure relating to Motions for Reconsideration is set forth in Rule 1930.2.

(c) **If a final protection from abuse order directs the defendant to pay support to the plaintiff for the benefit of the plaintiff and/or a child, the plaintiff must file a complaint for support with the domestic**

relations section within two weeks of the date of the order or the support provisions of the order shall lapse automatically. If the plaintiff timely files with the domestic relations section, the support provisions of the final protection from abuse order shall remain in effect until a support order is entered.

(d) **Provided that the child is not a person protected under a final protection from abuse order, if a final protection from abuse order includes provisions regarding the custody of a child, those temporary custody provisions shall lapse automatically unless either party files a complaint for custody or a petition for modification of an existing custody order within 30 days of the entry of the final protection from abuse order. If either party timely files for custody or modification, the custody provisions of the final protection from abuse order shall remain in effect until a final custody order is entered.**

* * * * *

Rule 1905. Forms for Use in PFA Actions. Notice and Hearing. Petition. Temporary Protection Order. Final Protection Order.

* * * * *

(e) The Final Order of Court, or any amended, modified or extended Final Order of Court, entered pursuant to the Act shall be substantially in the following form, but the first page must be exactly as set forth in this rule:

* * * * *

5. Temporary custody of the minor children, (NAMES OF THE CHILDREN SUBJECT TO THE PROVISION OF THIS PARAGRAPH) shall be as follows:

Check all that apply:

STATE TO WHOM PRIMARY PHYSICAL CUSTODY IS AWARDED, STATE TERMS OF PARTIAL CUSTODY [OR VISITATION], IF ANY.

There is a current custody order as to the children of the parties:

(county court)

(docket number)

A custody petition is pending.
 A hearing is scheduled for _____
(date, time and location)

THIS ORDER SHALL NOT SUPERSEDE THE CURRENT CUSTODY ORDER.

THIS ORDER SUPERSEDES ANY PRIOR ORDER RELATING TO CUSTODY.

The custody provisions of this order shall lapse automatically if neither party files a complaint for custody or petition for modification within 30 days of the date of this order, unless the child is a protected person under this order. If either party

timely files for custody or modification, the custody provisions of this order shall remain in effect until a final custody order is entered.

□ 6. FIREARMS, OTHER WEAPONS AND AMMUNITION RESTRICTIONS.

* * * * *

[Pa.B. Doc. No. 13-1656. Filed for public inspection September 13, 2013, 9:00 a.m.]

PART I. GENERAL

[231 PA. CODE CH. 1910]

Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 127

The Domestic Relations Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend the Rules of Civil Procedure relating to domestic relations matters as set forth herein. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

Notes and explanatory comments which appear with proposed amendments have been inserted by the committee for the convenience of those using the rules. Reports, notes and comments will not constitute part of the rules and will not be officially adopted or promulgated by the Supreme Court.

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Friday, February 14, 2014 directed to:

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Counsel, Domestic Relations Procedural Rules Committee
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 6200
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Harrisburg, PA 17106-2635
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E-mail: domesticrules@pacourts.us

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*By the Domestic Relations
Procedural Rules Committee*

CAROL S. MILLS McCARTHY,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

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

Additional expenses permitted pursuant to this Rule 1910.16-6 may be allocated between the parties even if

the parties' incomes do not justify an order of basic support.

* * * * *

(c) *Unreimbursed Medical Expenses.* Unreimbursed medical expenses of the obligee or the children shall be allocated between the parties in proportion to their respective net incomes. Notwithstanding the prior sentence, there shall be no apportionment of unreimbursed medical expenses incurred by a party who is not owed a statutory duty of support by the other party. The court may direct that the obligor's share be added to his or her basic support obligation, or paid directly to the obligee or to the health care provider.

(1) For purposes of this subdivision, medical expenses are annual unreimbursed medical expenses in excess of \$250 per person. Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including but not limited to surgical, dental and optical services, and orthodontia. Medical expenses do not include cosmetic, chiropractic, psychiatric, psychological or other services unless specifically directed in the order of court.

Official Note: While cosmetic, chiropractic, psychiatric, psychological or other expenses are not required to be apportioned between the parties, the court may apportion such expenses that it determines to be reasonable and appropriate under the circumstances.

(2) An annual limitation may be imposed when the burden on the obligor would otherwise be excessive.

(3) Annual expenses pursuant to this subdivision (c), shall be calculated on a calendar year basis. In the year in which the initial support order is entered, **or in any period in which support is being paid that is less than a full year**, the \$250 threshold shall be pro-rated. Documentation of unreimbursed medical expenses that either party seeks to have allocated between the parties shall be provided to the other party not later than March 31 of the year following the calendar year in which the final bill was received by the party seeking allocation. For purposes of subsequent enforcement, unreimbursed medical bills need not be submitted to the domestic relations section prior to March 31. Allocation of unreimbursed medical expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.

(4) In cases involving only spousal support or alimony pendente lite, the parties' respective net incomes for purposes of allocating unreimbursed medical expenses shall be calculated after the amount of spousal support or alimony pendente lite is deducted from the obligor's income and added to the obligee's income.

Official Note: If the trier of fact determines that the obligee acted reasonably in obtaining services which were not specifically set forth in the order of support, payment for such services may be ordered retroactively.

* * * * *

[Pa.B. Doc. No. 13-1657. Filed for public inspection September 13, 2013, 9:00 a.m.]

Title 25—LOCAL COURT RULES

WESTMORELAND COUNTY

**Rescinding Orphans' Court Rules WO301(b),
WO302(b), WO303(a) and WO304; No. 65-96-214**

Order

And Now, this 27th day of August, 2013, it is *Hereby Ordered* that Westmoreland Rules of Orphans' Court WO301(b), WO302(b), WO303(a) and WO304 are rescinded.

By the Court

GARY P. CARUSO,
President Judge

[Pa.B. Doc. No. 13-1658. Filed for public inspection September 13, 2013, 9:00 a.m.]

WESTMORELAND COUNTY

**Rescinding Rule W1915.4 and Adopting New Rule
W1915.4; No. 3 of 2013**

Order

And Now, this 23rd day of August, 2013, *It Is Hereby Ordered* that Westmoreland County Rule of Civil Procedure W1915.4 is rescinded and new Rule W1915.4 is adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

GARY P. CARUSO,
President Judge

Rule W1915.4. Child Program.

All parties shall be ordered in the Pretrial Conference Scheduling Order to attend the Children Hurt in Loss through Divorce/separation (CHILD) Program prior to the Pretrial Conference, and to provide proof of attendance to the Court at the Pretrial Conference.

Current Rule 1915.4 is rescinded; New Rule 1915.4 is adopted effective October 1, 2013.

[Pa.B. Doc. No. 13-1659. Filed for public inspection September 13, 2013, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Cheryl Haft Picker having been suspended from the practice of law in the State of New Jersey for a period of 3 months by Order of the Supreme Court of New Jersey dated March 25, 2013, the Supreme Court of Pennsylvania issued an Order dated August 28, 2013, suspending Cheryl Haft Picker from the practice of law in this Commonwealth for a period of 3 months, effective September 27, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 13-1660. Filed for public inspection September 13, 2013, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that a Notice and Order pursuant to Rule 216, Pa.R.D.E., was entered by the Supreme Court of Pennsylvania on June 5, 2013, and upon consideration of the responses filed, the Supreme Court of Pennsylvania issued an Order dated August 28, 2013, placing Kenneth A. Martin on temporary suspension from the practice of law in this Commonwealth pending resolution of final discipline by the District of Columbia Court of Appeals and until definitive action by the Supreme Court of Pennsylvania. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 13-1661. Filed for public inspection September 13, 2013, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). This final-form rulemaking modifies and updates the Commission's fishing regulations.

A. *Effective Date*

The final-form rulemaking will go into effect on January 1, 2014.

B. *Contact Person*

For further information on the final-form rulemaking, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

The amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307(a) of the code (relating to waters limited to specific purposes).

D. *Purpose and Background*

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the amendment is described in more detail under the summary of change.

E. *Summary of Change*

Penns Creek, Section 03 (confluence of Elk Creek downstream to 600 meters downstream of Swift Run), was managed as a stocked trout fishery until 1992 when it was designated by the Commission as a Class A wild trout stream and the stocking of hatchery trout ceased. During 1993, landowner and angler surveys were conducted to help inform a management direction for this stream section. Based on the survey information gathered as well as biological data collected during 1991 and 1992, miscellaneous special regulations (later renamed all-tackle trophy trout under § 65.4a (relating to all-tackle trophy trout)) were developed for Section 03 and implemented on January 1, 1995. Section 03 has been managed as all-tackle trophy trout for the last 17 years (1995-2012). Commission fishery surveys conducted between 1995 and 2012 documented that the Penns Creek wild brown trout population responded positively since the stocking cessation and the implementation of all-tackle trophy trout regulations and has subsequently maintained itself at a high level over time in terms of both abundance and size structure.

During 2012, Commission staff conducted a review of the management of Penns Creek, Section 03. As a result of the assessment, there was internal support for evaluating whether the size structure of the wild brown trout population could be further enhanced by implementing a

more restrictive angling regulation that would provide increased protection to the largest fish in the population. To obtain public feedback on a potential regulation change, Commission staff contacted landowners with a letter and also conducted a public meeting on June 16, 2012, in Aaronsburg, PA.

To meet the Commission's objective of further improving the size structure of the wild brown trout population in Penns Creek, Section 03, so that the abundance of large fish in the population is maximized while also considering the public feedback received, the Commission has removed this stream section from the All-Tackle Trophy Trout Program under § 65.4a and established a new harvest slot limit on an experimental basis. The Commission established the regulation for a 7-year period from January 1, 2014, through December 31, 2020, during which time the trout population will be monitored to determine the effectiveness of the regulation at meeting biological and social objectives for the Penns Creek fishery. The new regulation will allow for the harvest of up to 2 trout per day that are at least 7 inches but less than 12 inches in length from the opening day of trout season through Labor Day and no harvest will be permitted for the remainder of the year. All tackle types will be permitted.

Penns Creek provides a unique opportunity to evaluate a new special regulation on a productive limestone stream. The productive nature of Penns Creek provides ideal conditions to allow for a favorable response of the wild brown trout population to trend toward larger sizes than may be occurring under the current all-tackle trophy trout regulations, which may be limiting the abundance of larger trout and population size structure.

The Commission has amended § 65.24 to read as set forth in the proposed rulemaking published at 43 Pa.B. 2034 (April 13, 2013).

F. *Paperwork*

The final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will not impose new costs on the private sector or the general public.

H. *Public Involvement*

Notice of proposed rulemaking was published at 43 Pa.B. 2034. During the public comment period, the Commission received one public comment opposing the proposed rulemaking. The Commission also received one comment prior to and one comment after the formal comment period opposing the proposed rulemaking. Copies of the public comments were provided to the Commissioners.

Findings

The Commission finds that:

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

(2) A public comment period was provided and the public comments received were considered.

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.24 to read as set forth at 43 Pa.B. 2034.

(b) The Executive Director will submit this order and 43 Pa.B. 2034 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 43 Pa.B. 2034 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on January 1, 2014.

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-240 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 13-1662. Filed for public inspection September 13, 2013, 9:00 a.m.]

FISH AND BOAT COMMISSION [58 PA. CODE CH. 65] Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). This final-form rulemaking modifies and updates the Commission's fishing regulations.

A. Effective Date

The final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on the final-form rulemaking, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The amendments to § 65.24 (relating to miscellaneous special regulations) are published under the statutory authority of section 2307(a) of the code (relating to waters limited to specific purposes).

D. Purpose and Background

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the amendments is described in more detail under the summary of change.

E. Summary of Change

At its October 2012 meeting, the Commission removed 45 waters from the Early Season Trout Stocked Waters program under former § 65.10 and redesignated them as approved trout waters open to year-round fishing under § 65.19 (relating to approved trout waters open to year-round fishing). Included in this action were the Shenango River (from the Shenango River Dam downstream 1.5 miles to SR 3025) and the Youghiogheny River (from the Youghiogheny Reservoir downstream to the confluence with the Casselman River). These two river sections are also currently regulated under miscellaneous special regulations under § 65.24. The language of these miscellaneous special regulations is consistent with former § 65.10. Therefore, to be consistent with the Commission's prior action, the miscellaneous special regulations on these waters should be removed. The Commission therefore has amended § 65.24 to read as set forth in the proposed rulemaking published at 43 Pa.B. 2035 (April 13, 2013).

The Executive Director exercised his authority under § 65.25 (relating to temporary changes to fishing regulations) to remove these miscellaneous special regulations. See 42 Pa.B. 7788 (December 22, 2012). These temporary modifications became effective on January 1, 2013, and will remain in effect until publication of this final-form rulemaking in the *Pennsylvania Bulletin*.

F. Paperwork

The final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will not impose new costs on the private sector or the general public.

H. Public Involvement

Notice of proposed rulemaking was published at 43 Pa.B. 2035. The Commission did not receive public comments concerning the proposed rulemaking.

Findings

The Commission finds that:

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

(2) A public comment period was provided. The Commission did not receive public comments concerning this rulemaking.

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.24 to read as set forth at 43 Pa.B. 2035.

(b) The Executive Director will submit this order and 43 Pa.B. 2035 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 43 Pa.B. 2035 and deposit them with the Legislative Reference Bureau as required by law.

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-241 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 13-1663. Filed for public inspection September 13, 2013, 9:00 a.m.]

FISH AND BOAT COMMISSION
[58 PA. CODE CH. 75]
Fishing; Endangered Species

The Fish and Boat Commission (Commission) amends Chapter 75 (relating to endangered species). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

A. *Effective Date*

The final-form rulemaking will go into effect on January 1, 2014.

B. *Contact Person*

For further information on the final-form rulemaking, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

The addition of § 75.5 (relating to qualified surveyors for endangered and threatened species and their habitat) is published under the statutory authority of sections 2102 and 2305 of the code (relating to rules and regulations; and threatened and endangered species).

D. *Purpose and Background*

The final-form rulemaking is designed to improve, enhance and update the Commission's protection of endangered and threatened species and their habitat. The specific purpose of the final-form rulemaking is described in more detail under the summary of change.

E. *Summary of Change*

The Natural Diversity Section (NDS) within the Commission's Bureau of Fisheries, Division of Environmental Services, routinely comments on development projects that may adversely impact endangered and threatened species during the permit review process. The NDS provides technical assistance to project proponents by reviewing projects in or near waterways or other areas that may be occupied by these rare species. Site-specific surveys are a component of the project review phase when a project activity potentially conflicts with an endangered or threatened species and its habitat.

It is essential that individuals who conduct surveys for endangered and threatened species in connection with these projects be qualified to search for, successfully find and correctly identify these species and their habitats. To

ensure that individuals conducting these surveys are qualified, the Commission now requires that surveyors demonstrate to its satisfaction that they meet general and, when applicable, taxonomic-specific surveyor requirements. Under the new requirements, to be deemed qualified by the Commission, surveyors will have to document and demonstrate their education and experience surveying an endangered or threatened species and its habitat and their knowledge and experience in species survey protocol implementation. The NDS staff will review applications and may accompany applicants in the field to evaluate their knowledge of the target species, species identification skills and familiarity with target species habitat. If an applicant meets the requirements, the Commission will deem him to be qualified and will place his name on the Commission's qualified surveyor list for the species described in the application.

Requirements are general as to endangered and threatened species and specific as to the taxa to be surveyed. These requirements will be approved by the Executive Director and published in the *Pennsylvania Bulletin*. The Commission has developed qualified surveyor requirements for all endangered and threatened species.

On final-form rulemaking, the Commission made the following changes. In subsection (b), individuals on existing Commission lists as of January 5, 2013, will be deemed qualified for purposes of § 75.5 but will be required to submit a completed application on the form provided by the Commission. This change will allow individuals on current Commission lists to be "grandfathered." In subsection (c), the Commission will make its lists of qualified surveyors available to the public on its web site. The Commission adopted § 75.5 to read as set forth in Annex A.

As a result of the public comments, the Commission also revised the requirements. The revised requirements will be published as a notice in the *Pennsylvania Bulletin* concurrently with this final-form rulemaking.

F. *Paperwork*

The final-form rulemaking will increase paperwork and create new paperwork requirements in that persons who wish to conduct surveys for endangered and threatened species in connection with development projects as of January 1, 2014, will be required to complete an application to document and demonstrate their education and experience surveying endangered or threatened species and their habitat. In the application, persons also will have to document and demonstrate their knowledge and experience in survey protocol implementation. If approved, the Commission will place the individual's name on the Commission's qualified surveyor list for the species described in the application. Presently, persons who wish to conduct surveys for endangered and threatened species in connection with development projects may voluntarily apply for placement on the list but are not required to do so.

G. *Fiscal Impact*

The final-form rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The Commission's costs to develop, review and process applications will be nominal. The Commission estimates that it will receive and review approximately 100 applications during 2014, the first year that § 75.5 will be in effect. After the first year, the Commission expects that

applications will level off to 25 per year for the next 8 years. Since the Commission's qualification of a surveyor will be valid for 10 calendar years and will expire on December 31 of the 10th year for which it was granted, the Commission expects an increase in applications in year 10 as the 2014 applicants reapply. The Commission estimates the cost of the initial development and printing of the application to be approximately \$2,500. The Commission estimates that it will incur approximately \$200 in staff time for each application it reviews. The Commission estimates its total cost at about \$20,000 to review 100 applications in 2014 and about \$5,000 per year to review 25 applications in each of the following 8 years.

The final-form rulemaking will not impose new costs on the private sector or the general public. There is not an application fee to become a qualified surveyor.

H. Public Involvement

Notice of proposed rulemaking was published at 43 Pa.B. 15 (January 5, 2013). The draft requirements were published at 43 Pa.B. 107 (January 5, 2013). The Commission received 27 public comments (16 during and 11 after the formal comment period) concerning proposed § 75.5 and the draft requirements. Commission staff addressed these comments in a Comment and Response Document. Copies of the public comments and the Comment and Response Document were provided to the Commissioners.

Findings

The Commission finds that:

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

(2) A public comment period was provided and the public comments received were considered.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 75, are amended by adding § 75.5 to read as set forth in Annex A.

(b) The Executive Director will submit this order and Annex A to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on January 1, 2014.

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-238 remains valid for the final adoption of the subject regulation.

(*Editor's Note:* For a notice relating to this final-form rulemaking, see 43 Pa.B. 5567 (September 14, 2013).)

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 75. ENDANGERED SPECIES

§ 75.5. Qualified surveyors for endangered and threatened species and their habitat.

(a) *Requirement.* To conduct surveys for endangered or threatened species or their habitat in connection with an application for a proposed or planned development activity, a surveyor shall be deemed qualified by the Commission.

(b) *Qualification.* An individual who wishes to be qualified by the Commission to conduct surveys for endangered or threatened species shall demonstrate to the Commission's satisfaction that he meets the qualified surveyor requirements as approved by the Executive Director and published in the *Pennsylvania Bulletin*. The individual shall demonstrate his qualifications by submitting the completed application provided by the Commission. Individuals on existing Commission lists as of January 5, 2013, will be deemed qualified for purposes of this section provided they submit the completed application provided by the Commission.

(c) *List.* Upon qualification, the Commission will place the names of the individuals meeting these requirements on its qualified surveyor list for the species described in the application. The Commission will make these lists available to the public on its web site at www.fishandboat.com.

(d) *Duration.* The Commission's qualification of a surveyor is valid for 10 calendar years and expires on December 31 of the 10th year for which it was granted.

(e) *Renewal.* A qualified surveyor shall apply for renewal of the Commission's qualification every 10 years by submitting the completed renewal application provided by the Commission within 90 days prior to the qualification's expiration.

(f) *Denial and revocation.* The Commission may deny qualification of a surveyor who does not meet the requirements of this section. The Commission may revoke the qualification of a surveyor when the surveyor no longer meets the requirements of this section. A person aggrieved under this subsection may appeal to the Executive Director in accordance with 1 Pa. Code § 35.20 (relating to appeals from actions of the staff). Part II of 1 Pa. Code (relating to General Rules of Administrative Practice and Procedure) applies.

(g) *Other requirements.* When applicable, a qualified surveyor shall meet the requirements of §§ 51.71 and 75.4 (relating to scientific collectors' permits; and special permits).

[Pa.B. Doc. No. 13-1664. Filed for public inspection September 13, 2013, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF BANKING AND SECURITIES

[10 PA. CODE CH. 5]

Assessments

The Department of Banking and Securities (Department) proposes to add Chapter 5 (relating to assessments) to read as set forth in Annex A. This chapter is proposed under the authority of 17 Pa.C.S. § 503(a) (relating to regulation by department) and sections 202(C) and 204(A) of the Department of Banking and Securities Code (71 P. S. §§ 733-202(C) and 733-204(A)).

Purpose

The purpose of this proposed rulemaking is to add Chapter 5 to implement an assessment schedule for State-chartered institutions which would provide adequate and sustainable funding for the Department and streamline reporting and billing requirements on State-chartered institutions by eliminating examination-based billing for State-chartered credit unions and State-chartered trust companies.

Explanation of Regulatory Requirements

Proposed § 5.1 (relating to definitions) defines the words and terms used in Chapter 5.

Proposed § 5.2 (relating to semiannual assessment for banks, bank and trust companies, savings banks and savings associations) establishes a semiannual assessment schedule for banks, bank and trust companies, savings banks and savings associations that are chartered by the Department.

Proposed § 5.3 (relating to semiannual assessment for trust companies) establishes a semiannual assessment schedule for trust companies that are chartered by the Department.

Proposed § 5.4 (relating to semiannual assessment for credit unions) establishes a semiannual assessment schedule for credit unions that are chartered by the Department.

Proposed § 5.5 (relating to adjustments to assessments; invoicing) sets forth the criteria for adjustments to the assessments based upon an optional adjustment for inflation which would be applied to all State-chartered institutions in subsection (a) and an optional adjustment to be applied only to specific institutions based upon their Uniform Financial Institutions Rating System or Uniform Interagency Trust Rating System composite rating in subsection (b). Section 5.5(c) establishes that semiannual assessments calculated under Chapter 5 will be rounded to the nearest dollar. The index used to calculate the inflation adjustment in § 5.5(a) is the same one used annually by the Department to calculate the inflation adjustment to the "base figure" under the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. §§ 101—605), known as the Loan Interest and Protection Law.

Proposed § 5.6 (relating to implementation schedule) sets forth the implementation schedule of the assessments for banks, bank and trust companies, savings banks, savings associations and trust companies.

Affected Parties

The proposed rulemaking would affect Pennsylvania State-chartered banking institutions, credit unions and trust companies.

Fiscal Impact

State government

The proposed rulemaking would provide appropriate and sustainable funding for the Department.

Regulated community

The proposed rulemaking would increase the assessments paid by the regulated community to the Department for the first time since the 1990s. Upon full implementation, the assessments paid by nearly all State-chartered institutions will still be significantly lower than current assessments paid by similar Federally-chartered institutions operating in this Commonwealth.

Paperwork

The proposed rulemaking would eliminate the paperwork associated with examination-based billing for the Department, State-chartered credit unions and State-chartered trust companies. The proposed rulemaking would not impose additional paperwork on the Department, State-chartered banking institutions, credit unions or trust companies.

Effectiveness/Sunset Date

Chapter 5 will be effective upon final-form publication in the *Pennsylvania Bulletin*. The regulations do not have a sunset date because the Department will periodically review the effectiveness of the regulations.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 22, 2013, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Commerce Committee and the Senate Banking and Insurance Committee. 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 Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Office of Chief Counsel, Department of Banking and Securities, Attention: Public Comment on Regulation 3-51, 17 N. Second Street, Suite 1300, Harrisburg, PA 17101-2290, fax (717) 783-8427, ra-pabankreg@pa.gov within 30 days after publication in the *Pennsylvania Bulletin*.

GLENN E. MOYER,
Secretary

Fiscal Note: 3-51. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 10. BANKING AND SECURITIES
PART I. GENERAL PROVISIONS
CHAPTER 5. ASSESSMENTS

- Sec.
 5.1. Definitions.
 5.2. Semiannual assessment for banks, bank and trust companies, savings banks and savings associations.
 5.3. Semiannual assessment for trust companies.
 5.4. Semiannual assessment for credit unions.
 5.5. Adjustments to assessments; invoicing.
 5.6. Implementation schedule.

§ 5.1. Definitions.

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

Bank—As defined in section 102(f) of the Banking Code (7 P. S. § 102(f)).

Bank and trust company—As defined in section 102(g) of the Banking Code.

Consolidated total assets—The total assets as reflected in the FFIEC Call Report’s “Schedule RC-Balance Sheet of the Consolidated Reports of Condition and Income for a Bank with Domestic Offices Only—FFIEC 041” or “Schedule RC—Balance Sheet of the Consolidated Report of Condition and Income for a Bank with Domestic and Foreign Offices—FFIEC 031,” as applicable.

Credit union—As defined in 17 Pa.C.S. § 102 (relating to application of title).

FFIEC Call Report—A report promulgated by the Federal Financial Institutions Examinations Council that sets forth consolidated total assets and fiduciary assets.

Fiduciary assets—The sum of the total fiduciary assets in the FFIEC Call Report’s “Schedule RC—T Fiduciary and Related Services of the Consolidated Report of Condition and Income for a Bank with Domestic Offices Only—FFIEC 041.”

NCUA Call Report—A report promulgated by the National Credit Union Administration that sets forth total assets.

Savings association—An association as defined in section 102(3) of the Savings Association Code of 1967 (7 P. S. § 6020-2(3)).

Savings bank—As defined in section 102(x) of the Banking Code.

Total assets—The total assets as reflected on the “Statement of Financial Condition” in the NCUA Call Report.

Trust company—As defined in section 102(dd) of the Banking Code.

UFIRS—The Uniform Financial Institutions Rating System.

UITRS—The Uniform Interagency Trust Rating System.

§ 5.2. Semiannual assessment for banks, bank and trust companies, savings banks and savings associations.

(a) Banks, bank and trust companies, savings banks and savings associations shall pay a semiannual assessment to the Department.

(b) The semiannual assessment on banks, bank and trust companies, savings banks and savings associations will be calculated as follows:

<i>If the amount of the consolidated total assets is:</i>		<i>The semiannual assessment will be:</i>			
<i>Over:</i>	<i>But not over:</i>	<i>Base amount:</i>		<i>The excess over:</i>	<i>Times (x):</i>
0	\$20,000,000	\$6,070	+	0	0
\$20,000,000	\$100,000,000	\$6,070	+	\$20,000,000	0.000112059
\$100,000,000	\$200,000,000	\$15,035	+	\$100,000,000	0.000072836
\$200,000,000	\$1,000,000,000	\$22,319	+	\$200,000,000	0.000061631
\$1,000,000,000	\$2,000,000,000	\$71,623	+	\$1,000,000,000	0.000050425
\$2,000,000,000	\$6,000,000,000	\$122,048	+	\$2,000,000,000	0.000044822
\$6,000,000,000	\$20,000,000,000	\$301,338	+	\$6,000,000,000	0.000038139
\$20,000,000,000		\$835,284	+	\$20,000,000,000	0.000019409

(c) Banks, bank and trust companies, savings banks and savings associations will be billed semiannually in December and June based upon the consolidated total assets reported in the immediately preceding FFIEC Call Report.

§ 5.3. Semiannual assessment for trust companies.

(a) Trust companies shall pay a semiannual assessment to the Department.

(b) The semiannual assessment on trust companies will be calculated on consolidated total assets plus fiduciary assets as follows:

<i>If the amount of the consolidated total assets is:</i>		<i>The semiannual assessment will be:</i>			
<i>Over:</i>	<i>But not over:</i>	<i>Base amount:</i>		<i>The excess over:</i>	<i>Times (x):</i>
0	\$20,000,000	\$6,070	+	0	0
\$20,000,000	\$100,000,000	\$6,070	+	\$20,000,000	0.000112059
\$100,000,000	\$200,000,000	\$15,035	+	\$100,000,000	0.000072836
\$200,000,000	\$1,000,000,000	\$22,319	+	\$200,000,000	0.000061631
\$1,000,000,000	\$2,000,000,000	\$71,623	+	\$1,000,000,000	0.000050425
\$2,000,000,000	\$6,000,000,000	\$122,048	+	\$2,000,000,000	0.000044822
\$6,000,000,000	\$20,000,000,000	\$301,338	+	\$6,000,000,000	0.000038139
\$20,000,000,000		\$835,284	+	\$20,000,000,000	0.000019409

plus

<i>If the amount of the fiduciary assets is:</i>		<i>The semiannual assessment will be:</i>			
<i>Over:</i>	<i>But not over:</i>	<i>Base amount:</i>		<i>The excess over:</i>	<i>Times (x):</i>
0	\$500,000,000	\$6,746	+	\$0	0
\$500,000,000	\$1,000,000,000	\$13,492	+	\$500,000,000	0
\$1,000,000,000	\$10,000,000,000	\$13,492	+	\$1,000,000,000	0.000002689
\$10,000,000,000	\$100,000,000,000	\$37,689	+	\$10,000,000,000	0.000000449
\$100,000,000,000		\$78,081	+	\$100,000,000,000	0.0000001425

(c) Trust companies will be billed in December and June based upon the consolidated total assets and fiduciary assets reported in the immediately preceding FFIEC Call Report.

§ 5.4. Semiannual assessment for credit unions.

(a) Credit unions shall pay a semiannual assessment to the Department.

(b) The semiannual assessment on credit unions will be calculated as follows:

<i>If the amount of the total assets is:</i>		<i>The semiannual assessment will be:</i>			
<i>Over:</i>	<i>But not over:</i>	<i>This amount:</i>		<i>The excess over:</i>	<i>Times (x):</i>
0	\$24,503,168	\$2,500	+	\$0	0
\$24,503,168	\$1,115,871,488	\$2,500	+	\$24,503,168	0.00010739750
\$1,115,871,488	\$3,376,610,357	\$119,842	+	\$1,115,871,488	0.00003130250
\$3,376,610,357		\$190,609	+	\$3,376,610,357	0.00001045000

(c) Credit unions will be billed in December and June based upon the total assets reported in the immediately preceding NCUA Call Report.

§ 5.5. Adjustments to assessments; invoicing.

(a) *Inflation adjustment to assessments.* The Department may increase the amount of assessments generated by the calculations in §§ 5.2—5.4 (relating to semiannual assessment for banks, bank and trust companies, savings banks and savings associations; semiannual assessment for trust companies; and semiannual assessment for credit unions) in an amount up to the increase in the Consumer Price Index indicated by the “Consumer Price Index—All Urban Consumers: U.S. All Items 1982=100” published by the United States Department of Labor Bureau of Labor Statistics, or other similar index published by the United States Department of Labor Bureau of Labor Statistics, if the projected assessments are insufficient to provide for the Department’s budget due to inflation.

(b) *Surcharge based on condition.* The Department may increase the amount of a specific assessment generated by the calculations in §§ 5.2—5.4 by:

(1) Thirty percent for a bank, bank and trust company, savings bank, savings association, trust company or credit union with a UFIRS or UITRS composite rating of 4.

(2) Fifty percent for a bank, bank and trust company, savings bank, savings association, trust company or credit union with a UFIRS or UITRS composite rating of 5.

(c) *Assessment invoicing.* The Department will round the assessments calculated under this chapter to the nearest dollar on the semiannual assessment invoice issued to each assessed entity.

§ 5.6. Implementation schedule.

(a) *General rule.* The Department will provide an implementation schedule for banks, bank and trust companies, savings banks, savings associations and trust companies to adjust to the assessments generated by this chapter.

(b) *Implementation schedule.* Banks, bank and trust companies, savings banks, savings associations and trust companies shall pay assessments according to the following implementation schedule:

(1) Seventy percent of the total assessment calculated by §§ 5.2, 5.3 and 5.5 (relating to semiannual assessment

for banks, bank and trust companies, savings banks and savings associations; semiannual assessment for trust companies; and adjustments to assessments; invoicing) for the first 12 months after _____ (*Editor’s Note:* The blank refers to the effective date of adoption of this proposed rulemaking.).

(2) Eighty-five percent of the total assessment calculated by §§ 5.2, 5.3 and 5.5 for the second 12 months after _____ (*Editor’s Note:* The blank refers to the effective date of adoption of this proposed rulemaking.).

(3) One hundred percent of the total assessment calculated by §§ 5.2, 5.3 and 5.5 for the third 12 months after _____ (*Editor’s Note:* The blank refers to the effective date of adoption of this proposed rulemaking.).

[Pa.B. Doc. No. 13-1665. Filed for public inspection September 13, 2013, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 78]

Oil and Gas Well Fee Amendments

The Environmental Quality Board (Board) proposes to amend §§ 78.1 and 78.19 (relating to definitions; and permit application fee schedule) to read as set forth in Annex A. This proposed rulemaking satisfies the obligation of the Department of Environmental Protection (Department), as specified in § 78.19(f), to provide the Board with an evaluation of the Chapter 78 fees and recommend regulatory changes to address any disparity between Oil and Gas Program (Program) income generated by the fees and the Department’s cost of administering the Program. The proposed rulemaking includes several changes to the structure of oil and gas well permit fees, including establishing increased flat fees for unconventional well permits.

This proposed rulemaking was adopted by the Board at its meeting of July 16, 2013.

A. *Effective Date*

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

B. *Contact Persons*

For further information, contact Kurt Klappowski, Director, Bureau of Oil and Gas Planning and Program Management, Rachel Carson State Office Building, 15th Floor, 400 Market Street, P. O. Box 8765, Harrisburg, PA 17105-8765, (717) 772-2199; or Trisha Salvia, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposed rulemaking appears in Section J of this preamble. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department's web site at www.dep.state.pa.us (DEP Search/Keyword: Public Participation).

C. *Statutory Authority*

This proposed rulemaking is authorized under 58 Pa.C.S. § 3274 (relating to regulations), which directs the Board to adopt regulations necessary to implement 58 Pa.C.S. Chapter 32 (relating to development), 58 Pa.C.S. § 3211(d) (relating to well permits), which authorizes the Board to establish permit fees that bear a reasonable relationship to the cost of administering 58 Pa.C.S. Chapter 32, and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which authorizes the Board to promulgate regulations of the Department.

D. *Background and Purpose*

Applicants for permits to drill oil and gas wells in this Commonwealth shall pay the permit fee established by the Board. These permits fees fund the entire operation of the Department's Office of Oil and Gas Management (Oil and Gas Program), which is responsible for Statewide oil and gas conservation and environmental programs to facilitate the safe exploration, development and recovery of Pennsylvania's oil and gas reservoirs in a manner that will protect this Commonwealth's natural resources, the environment and public health, safety and welfare. The permit fees are placed in the Well Plugging Fund.

The Department prepared and presented to the Board a 3-Year Regulatory Fee and Program Cost Analysis Report (Report) as part of this proposed rulemaking. A copy of the Report is available from the persons listed in Section B. The conclusions of the Report are outlined in this section of the preamble.

The Well Plugging Fund balance is declining as the Department's expenses to operate the Program have exceeded permit fee revenues for the past several fiscal years. Fiscal Year (FY) 2011-12 revenues totaled \$13.5 million and expenditures exceeded \$16.6 million. The Program is projected to have increasing expenditures with declining revenues in future fiscal years, which will continue to deplete the existing fund reserves. At current permit fee and expenditure levels, with projected permitting levels, the Department expects a \$1.8 million deficit of the Well Plugging Fund by the end of FY 2015-16.

In addition to declining Well Plugging Fund balances, the Program is facing increasing operational expenditures due to increased activity in the area of oil and gas exploration associated with previously unexplored unconventional gas formations, as well as the development of

natural gas infrastructure throughout this Commonwealth. These expenditures are only expected to increase as exploration of other unconventional formations and infrastructure development expands.

The proposed rulemaking increases the well permit fee to provide adequate revenue to support the ongoing operations of the Program as well as to meet future Program needs, including permitting, inspection, enforcement and information technology needs. Compounding the problem of declining funds due to increasing expenditures is the decrease of well permit applications. Since 2010, the Department has experienced a 22% decrease in the number of unconventional well permit applications received. The decline in permit applications is met with declining revenues but with the passage of the act of February 2, 2012 (P. L. 67, No. 9) and the act of February 14, 2012 (P. L. 87, No. 13), the overall responsibility of the Program has increased. It is imperative that the Department has the resources and technology necessary to ensure industry compliance and environmental protection as Office of Oil and Gas Management responsibilities in this area continue to expand.

This increase in workload coupled with declining permit revenues creates a situation where the incoming permit revenue is insufficient to cover the current operational costs of the Program, not allowing any room for flexibility in terms of future staff and resource needs. As the oil and gas industry continues to expand in this Commonwealth, additional Department staff and technology will be critical to ensure the Department's proper oversight of the industry.

Two areas where this increased workload and expenditures make the proposed permit fee increase critical are streamlined electronic review and staffing.

Streamlined electronic review

The Department will allocate a substantial portion of the increased fee revenue to Information Technology projects for the Program, such as electronic permitting, mobile digital inspections, upgrades to existing reporting systems and modernization of forms and databases. This investment in technology will yield efficiencies for both the Department and the regulated community in terms of more predictable and timely permit issuance, more effective site inspections, increased availability of staff for compliance assistance, and more streamlined reporting to and communication with the Department. It will also make the Department's work more transparent to the public as electronic documents can be easily made available on the Internet. The two key initiatives on the forefront of information technology priorities for the Department are the ePermitting initiative and enabling staff with devices and the capability to conduct mobile digital inspections.

The ePermitting system will provide the ability to process applications for oil and gas permits online. The new system will replace the manual process that requires applicants to complete paper forms and deliver multiple copies of documentation to a Department district office. This change should reduce data transcription errors from entering data on paper forms into the Department's databases. The new ePermitting system is designed to increase review efficiency through electronic workflow and to significantly decrease the time from initial application submission to permit issuance. It will enable applicants to submit online payment and provide for permit review transparency as an applicant will be able to closely follow a permit through the approval process and receive automatic notifications as it completes the out-

lined benchmarks. Upon approval, the system will deliver the permit electronically to the applicant, thereby eliminating the lag time from permit issuance to receipt by the applicant.

Electronic receipt and storage of the permitting documents will also result in significant savings in terms of storage and of staff time and costs associated with related Right-to-Know requests. The Department is second in the Commonwealth in terms of Right-to-Know requests, much of which is attributed to the Program. The public will enjoy greater access to timely data as the Department receives it.

Creation and deployment of a mobile digital inspection platform and mobile devices will create marked improvement and efficiencies in terms of how the organization conducts site inspections. Current paper based inspection forms necessitate staff spending at least 1 day a week in the office to manually enter data from paper inspection reports and mail the resulting inspection report and findings to operators. Mobile digital inspections will allow entry of data into the system while onsite, eliminate the need to return to the office for data entry and enable employees to spend their time where they are needed, on location for inspections and compliance assistance.

Staffing needs

Currently, there are 202 full time equivalents (FTE) assigned to the Office of Oil and Gas Management. The Program has grown considerably; in 2004 the Program had 64 FTEs. Approximately 80% of the current staff is assigned to engineering, scientific or permit/inspection-related work, as oil and gas inspectors or oil and gas inspector supervisors. Another 20% are assigned to clerical, administrative or legal work to support the Program.

The Department is proposing that additional positions are needed within the Office of Oil and Gas Management to implement the additional responsibilities required under 58 Pa.C.S. Chapter 32 to review well pad and pipeline development permit applications in an efficient and timely manner and to support the Bureau of Oil and Gas Planning and Program Management.

Chapter 32 of 58 Pa.C.S. comprehensively amended the Oil and Gas Act of 1984 and established a number of new responsibilities on the oil and gas industry as well as the Department. Under 58 Pa.C.S. Chapter 32, the Department must inspect well sites before drilling can begin and well drillers must now notify the Department prior to cementing all strings of casing and before hydraulic fracturing operations begin. These new requirements have stretched thin the current staff and therefore necessitate additional inspectors to fulfill the increased inspection requirements and expectations of 58 Pa.C.S. Chapter 32. Absent additional inspection staff, well sites will not be inspected at the frequency envisioned by 58 Pa.C.S. Chapter 32.

In addition to responding to new requirements, additional staff is needed to timely review the increase in permits received by the Department due to substantial natural gas infrastructure development throughout this Commonwealth. Failure to review permit applications within a reasonable time period can result in substantial cost increases for these projects and ultimately prevents natural gas from reaching consumers, thus increasing commodity costs.

Finally, as a result of the Department's 2011 reorganization, the Office of Oil and Gas Management was created to unify the planning and program management staff with the permitting, inspection and enforcement

staff under a common Deputate. As a result of this reorganization, additional staff is necessary to support the Office of Oil and Gas Management's Bureau of Oil and Gas Planning and Program Management. These additional staff will enable the Office of Oil and Gas Management to better develop new regulations, policies and technical guidance documents pertaining to well construction and surface activities on a timely basis. Failure to promptly develop these rules and policies can lead to uncertainty and inconsistent application of 58 Pa.C.S. Chapter 32. Additional staff will better serve the public as well as the industry by making more transparent how the Department interprets and implements 58 Pa.C.S. Chapter 32.

Without additional revenue provided by a regulatory fee package, additional staff complement will not be possible, which will jeopardize the Department's ability to provide high quality compliance assistance, ensure timely permitting, ensure adequate inspection and enforcement operations, and leverage existing technology to streamline inspection and permitting activities.

The Department consulted with the Oil and Gas Technical Advisory Board (TAB) in the development of this proposed rulemaking. The Department presented the draft proposed rulemaking to TAB at its April 23, 2013, meeting. Because the proposed rulemaking does not address technical issues relating to oil and gas, TAB did not take a formal action relative to the proposed rulemaking.

E. Summary of Regulatory Requirements

Current fee structure

The current permit fee structure is outlined in § 78.19 and establishes three classes of wells. Two are based on the type of wellbore that will be used to produce oil or natural gas—vertical or nonvertical (deviated or horizontal) and the third is based on the Marcellus Shale being the target formation. Permit fees for an individual well are determined by use of a sliding scale based on the total well bore length in feet. The sliding scales for the nonvertical and Marcellus wells are identical and are roughly two to three times the fee paid for a vertical well of the same total well bore length. As an example, an applicant requesting a permit for a 5,000-foot vertical well pays a fee of \$550, while an applicant for a nonvertical or Marcellus Shale well of the same well bore length would pay \$1,600. The current average nonvertical unconventional well permit fee is approximately \$3,200 and the current average vertical unconventional well permit fee is \$2,000.

Proposed fee structure

The proposed rulemaking amends § 78.19 to create two classes of wells for permit fee purposes. These classes are “conventional wells” and “unconventional wells.” This part of the proposed rulemaking follows the general structure of 58 Pa.C.S. Chapter 32, which established the “conventional vs. unconventional well” distinction in a number of different areas. For example, 58 Pa.C.S. § 3215 (relating to well location restrictions) establishes differing setback requirements for the two classes of wells and 58 Pa.C.S. § 3218 (relating to protection of water supplies) establishes differing presumptions of liability for the two classes of wells.

It is important to be clear that the proposed rulemaking does not include any changes to the current permit fee structure for applicants for permits to drill “conventional” oil and gas wells. Although “conventional” wells and formations are not defined in 58 Pa.C.S. § 3203

(relating to definitions), proposed amendments to § 78.1 would define those terms with reference to definitions in 58 Pa.C.S. § 3203 of “unconventional well” and “unconventional formation.”

By reviewing the “unconventional” definitions, “conventional wells” include: (1) any wells drilled to produce oil; (2) wells drilled to produce natural gas from formations other than shale formations; (3) wells drilled to produce natural gas from shale formations located above the base of the Elk Group or its stratigraphic equivalent; and (4) wells drilled to produce natural gas from shale formations located below the base of the Elk Group where natural gas can be produced at economic flow rates or in economic volumes without the use of vertical or nonvertical well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore. For permit applicants to drill these wells, this proposed rulemaking will not have an impact.

Permit applicants for conventional wells will not see an impact from this proposed rulemaking because the rulemaking retains the current “vertical well” fee structure as the new “conventional well” fee structure. Typically, “conventional wells,” as defined in this proposed rulemaking, would currently pay the “vertical well” fee.

For “unconventional nonvertical wells” and “unconventional vertical wells,” the proposed rulemaking establishes flat permit fees of \$5,000 and \$4,200, respectively, regardless of the total well bore length of the well. The Department determined that this increase will enable the Department to operate the Program in the manner contemplated by the current rules and regulations, as well as undertake the initiatives previously described.

F. *Benefits, Costs and Compliance*

Benefits

The increased oil and gas permit fee revenue would be used to adequately fund the Department’s Office of Oil and Gas Management. Revenue to the Department from the fee increase would be used solely to operate the regulatory program overseeing the responsible development of this Commonwealth’s oil and natural gas resources. In addition, the Department will be able to pursue streamlined electronic review initiatives and increase the Office of Oil and Gas Management staffing levels to meet the challenges of increased responsibilities and timely oversight, responsiveness and transparency. Finally, the proposed rulemaking reduces the burden on the regulated community and the Department because it replaces the sliding scale permit fees, which require proper calculation and review, with flat fees that are easy to understand and implement.

Compliance Costs

Nonvertical unconventional wells

The average permit fee paid for a nonvertical unconventional well or Marcellus Shale well during 2012 was approximately \$3,200 per well. The proposed rulemaking establishes a fixed \$5,000 fee for each nonvertical unconventional well which is an increase of \$1,800 per well. The Department projects that approximately 2,600 well permit applications will be received annually following this adoption of this proposed rulemaking. This would result in an additional annual incremental permit cost of \$4.68 million to the regulated community.

Vertical unconventional wells

The proposed rulemaking establishes a fixed \$4,200 fee for each vertical unconventional well. The Department

projects that approximately 80 well permit applications for vertical unconventional wells will be received annually following this adoption of these proposed amendments. This would result in an additional annual incremental permit cost of \$176,000 to the regulated community.

No new legal, accounting or consulting procedures would be required.

Compliance Assistance Plan

The Department plans to educate and assist the public and regulated community in understanding the proposed requirements and how to comply with them. This outreach initiative will be accomplished through the Department’s ongoing compliance assistance program. Permit application forms and instructions would be amended to reflect the new permit fee structure.

Paperwork Requirements

There are no additional paperwork requirements associated with this proposed rulemaking with which the industry would need to comply.

G. *Pollution Prevention*

The Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance. The anticipated increased revenues would allow the Department to continue providing adequate oversight of the oil and gas industry in this Commonwealth, ensuring continued protection of the environment and the public health and welfare of the citizens of this Commonwealth.

H. *Sunset Review*

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended. In addition, in accordance with § 78.19(f), the Department will evaluate these fees and recommend regulatory changes to the Board to address any disparity between the Program income generated by the fees and the Department’s cost of administering the Program with the objective of ensuring fees meet all Program costs and programs are self-sustaining. This report and any proposed regulatory changes will be presented to the Board no later than 3 years after the promulgation of the final-form rulemaking.

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 4, 2013, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

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

mendations 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.

J. Public Comments

Written comments. Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by October 15, 2013. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by October 15, 2013. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

Electronic comments. Comments may be submitted electronically to the Board at RegComments@pa.gov and must also be received by the Board by October 15, 2013. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission. If the sender does not receive an acknowledgement of electronic comments within 2 working days, the comments should be retransmitted to ensure receipt.

E. CHRISTOPHER ABRUZZO,
Acting Chairperson

Fiscal Note: 7-483. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

**Subpart C. PROTECTION OF NATURAL
RESOURCES**

ARTICLE I. LAND RESOURCES

CHAPTER 78. OIL AND GAS WELLS

Subchapter A. GENERAL PROVISIONS

§ 78.1. Definitions.

[(a) The words and terms defined in section 103 of the act (58 P. S. § 601.103), section 2 of the Coal and Gas Resource Coordination Act (58 P. S. § 502),

section 2 of the Oil and Gas Conservation Law (58 P. S. § 402), section 103 of the Solid Waste Management Act (35 P. S. § 6018.103) and section 1 of The Clean Stream Law (35 P. S. § 691.1), have the meanings set forth in those statutes when the terms are used in this chapter.

(b)] The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise, or as otherwise provided in this chapter:

* * * * *

Conductor pipe—A short string of large-diameter casing used to stabilize the top of the wellbore in shallow unconsolidated formations.

***Conventional formation*—A formation that is not an unconventional formation.**

***Conventional well*—A bore hole drilled or being drilled for the purpose of or to be used for the production of oil or gas from a conventional formation.**

Deepest fresh groundwater—The deepest fresh groundwater bearing formation penetrated by the wellbore as determined from drillers logs from the well or from other wells in the area surrounding the well or from historical records of the normal surface casing seat depths in the area surrounding the well, whichever is deeper.

* * * * *

L.E.L.—Lower explosive limit.

[*Marcellus Shale well*—A well that when drilled or altered produces gas or is anticipated to produce gas from the Marcellus Shale geologic formation.]

Noncementing material—A mixture of very fine to coarse grained nonbonding materials, including unwashed crushed rock, drill cuttings, earthen mud or other equivalent material approved by the Department.

* * * * *

Nonvertical unconventional well—

(i) [**A**] **An unconventional well** drilled intentionally to deviate from a vertical axis.

(ii) The term includes wells drilled diagonally and wells that have [**horizontal**] **horizontal** bore holes.

* * * * *

Vertical unconventional well—[**A**] **An unconventional well** with a single vertical well bore.

* * * * *

Subchapter B. PERMITS, TRANSFERS AND OBJECTIONS

PERMITS AND TRANSFERS

§ 78.19. Permit application fee schedule.

(a) An applicant for a conventional well shall pay a permit application fee according to the following schedule:

[<i>Vertical</i>] <i>Conventional Wells</i>		[<i>Nonvertical Wells</i>]		[<i>Marcellus Shale Wells</i>]	
Total Well Bore Length in Feet	Total Fee	[Total Well Bore Length in Feet	Total Fee]	[Total Well Bore Length in Feet	Total Fee]
0 to 2,000	\$250	[0 to 1,500	\$900]	[0 to 1,500	\$900]
2,001 to 2,500	\$300	[1,501 to 2,000	\$1,000]	[1,501 to 2,000	\$1,000]
2,501 to 3,000	\$350	[2,001 to 2,500	\$1,100]	[2,001 to 2,500	\$1,100]
3,001 to 3,500	\$400	[2,501 to 3,000	\$1,200]	[2,501 to 3,000	\$1,200]

[Vertical] Conventional Wells		[Nonvertical Wells]		[Marcellus Shale Wells]	
Total Well Bore Length in Feet	Total Fee	[Total Well Bore Length in Feet	Total Fee]	[Total Well Bore Length in Feet	Total Fee]
3,501 to 4,000	\$450	[3,001 to 3,500	\$1,300]	[3,001 to 3,500	\$1,300]
4,001 to 4,500	\$500	[3,501 to 4,000	\$1,400]	[3,501 to 4,000	\$1,400]
4,501 to 5,000	\$550	[4,001 to 4,500	\$1,500]	[4,001 to 4,500	\$1,500]
5,001 to 5,500	\$650	[4,501 to 5,000	\$1,600]	[4,501 to 5,000	\$1,600]
5,501 to 6,000	\$750	[5,001 to 5,500	\$1,700]	[5,001 to 5,500	\$1,700]
6,001 to 6,500	\$850	[5,501 to 6,000	\$1,800]	[5,501 to 6,000	\$1,800]
6,501 to 7,000	\$950	[6,001 to 6,500	\$1,900]	[6,001 to 6,500	\$1,900]
7,001 to 7,500	\$1,050	[6,501 to 7,000	\$2,000]	[6,501 to 7,000	\$2,000]
7,501 to 8,000	\$1,150	[7,001 to 7,500	\$2,100]	[7,001 to 7,500	\$2,100]
8,001 to 8,500	\$1,250	[7,501 to 8,000	\$2,200]	[7,501 to 8,000	\$2,200]
8,501 to 9,000	\$1,350	[8,001 to 8,500	\$2,300]	[8,001 to 8,500	\$2,300]
9,001 to 9,500	\$1,450	[8,501 to 9,000	\$2,400]	[8,501 to 9,000	\$2,400]
9,501 to 10,000	\$1,550	[9,001 to 9,500	\$2,500]	[9,001 to 9,500	\$2,500]
10,001 to 10,500	\$1,650	[9,501 to 10,000	\$2,600]	[9,501 to 10,000	\$2,600]
10,501 to 11,000	\$1,750	[10,001 to 10,500	\$2,700]	[10,001 to 10,500	\$2,700]
11,001 to 11,500	\$1,850	[10,501 to 11,000	\$2,800]	[10,501 to 11,000	\$2,800]
11,501 to 12,000	\$1,950	[11,001 to 11,500	\$2,900]	[11,001 to 11,500	\$2,900]
		[11,501 to 12,000	\$3,000]	[11,501 to 12,000	\$3,000]

(b) An applicant for a [vertical] conventional well exceeding 12,000 feet in total well bore length shall pay a permit application fee of \$1,950 + \$100 for every 500 feet the well bore extends over 12,000 feet. Fees shall be rounded to the nearest 500-foot interval **under this subsection.**

(c) An applicant for [a nonvertical well or Marcellus Shale well exceeding 12,000 feet in total well bore length] an unconventional well shall pay a permit application fee [of \$3,000 + \$100 for every 500 feet the well bore extends over 12,000 feet. Fees shall be rounded to the nearest 500-foot interval.] according to the following:

- (1) \$4,200 for a vertical unconventional well.
- (2) \$5,000 for a nonvertical unconventional well.

(d) If, when drilled, the total well bore length of the conventional well exceeds the length specified in the permit application **due to target formation being deeper than anticipated at the time of application submittal**, the operator shall pay the difference between the amount paid as part of the permit application and the amount required by subsections [(a)—(c)] (a) and (b).

(e) An applicant for a [vertical] conventional well with a well bore length of 1,500 feet or less for home use shall pay a permit application fee of \$200.

* * * * *

[Pa.B. Doc. No. 13-1666. Filed for public inspection September 13, 2013, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE. CH. 51]

Administrative Provisions; Resident and Nonresident Fishing Licenses

The Fish and Boat Commission (Commission) proposes to amend Chapter 51 (relating to administrative provisions). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The proposed amendments

modify and update the Commission's general regulations pertaining to fishing licenses.

A. Effective Date

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on the proposed rulemaking, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

The proposed amendment to § 51.32 (relating to resident and nonresident licenses) is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. *Purpose and Background*

The proposed rulemaking is designed to improve, enhance and update the Commission’s administrative regulations. The specific purpose of the proposed amendment is described in more detail under the summary of proposal.

E. *Summary of Proposal*

Under § 51.32(d), a Senior Resident Lifetime Fishing License becomes invalid when the holder establishes residency in another state. While not as specific as § 51.32(d), § 51.32(a) and (c) have been interpreted to mean that other fishing licenses become invalid upon a change in residency.

With the advent of multiyear fishing licenses, the Commission anticipates some confusion arising among anglers who purchase a multiyear license, move out-of-State and expect to be able to continue fishing with the multiyear license. The Commission believes that the benefits of providing clarity to anglers and encouraging fishing outweigh revenue to be gained by requiring license holders to purchase a new fishing license after they change their state of residence. License holders will still be required to display their license and possess a positive means of identification as required under section 2703(a) of the code (relating to possession and display of licenses).

The Commission proposes to amend § 51.32 to read as set forth in Annex A.

F. *Paperwork*

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. Fiscal impacts to the Commission will be nominal.

The proposed rulemaking will not impose new costs on the private sector or the general public. It will result in a cost savings to anglers who purchase a resident license and then move out of this Commonwealth prior to the expiration of the license. These anglers will not be required to purchase a nonresident license until their current license expires.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the

comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-250. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter D. ISSUING AGENTS

§ 51.32. Resident and nonresident licenses.

(a) Only bona fide residents of this Commonwealth who establish their resident status by producing a Pennsylvania motor vehicle driver’s license or other positive means of identification are entitled to **obtain** one of the various forms of a resident fishing license.

* * * * *

(d) **[A Senior Resident Lifetime Fishing License is valid only so long as the holder is a bona fide resident of this Commonwealth. A holder of a Senior Resident Lifetime Fishing License who establishes residence in another state and continues to fish in this Commonwealth without purchasing a Nonresident Fishing License may be charged with violating sections 923(c) and 2703 of the code (relating to additional penalty for fishing without license; and possession and display of licenses).] A resident fishing license will remain valid for the year or years for which it is issued regardless of whether the holder is no longer a bona fide resident of this Commonwealth.**

[Pa.B. Doc. No. 13-1667. Filed for public inspection September 13, 2013, 9:00 a.m.]

[58 PA. CODE CH. 93]

Boating; Registration and Numbering

The Fish and Boat Commission (Commission) proposes to amend Chapter 93 (relating to boat registration and numbering). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The proposed amendments modify and update the Commission’s boating regulations.

A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect on April 1, 2014, or upon final-form publication in the *Pennsylvania Bulletin*, whichever occurs later.

B. *Contact Person*

For further information on the proposed rulemaking, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission’s web site at www.fish.state.pa.us.

C. Statutory Authority

The proposed amendments to § 93.2 (relating to permanent and temporary registration) are published under the statutory authority of section 5122 of the code (relating to registrations, licenses, permits, plates and statistics). The proposed amendments to § 93.13 (relating to issuing agents) are published under the statutory authority of section 5304 (relating to issuing agents).

D. Purpose and Background

The proposed rulemaking is designed to improve, enhance and update the Commission's boating regulations. The specific purpose of the proposed amendments is described in more detail under the summary of proposals. On May 8, 2013, the Commission's Boating Advisory Board considered the proposal and recommended that the Commission approve the publication of a proposed rulemaking.

E. Summary of Proposals

Currently, the Commission and authorized issuing agents issue temporary boat registrations to persons applying for the registration of boats in this Commonwealth. Temporary boat registration is used for boats that are new or were not previously registered in this Commonwealth, boats being transferred between owners and boats currently registered in this Commonwealth as unpowered that are being changed to a power boat registration status. Under current regulations, applicants complete Form REV-336, Application for Pennsylvania Boat Registration and/or Title, and are issued a Temporary Validation Decal (T-decal) to affix to the boat.

The annual cost to the Commission to produce, distribute and account for the T-decals is estimated to be \$42,000. The Commission proposes to eliminate the use of the T-decal to save approximately \$42,000 annually in decal production costs, postage for mailing decals to issuing agents and personnel costs associated with accounting and inventorying of the decals. Elimination of the T-decals will also result in time and cost savings to issuing agents in that they will no longer have to issue T-decals, maintain a supply or pay \$52 for each lost decal.

Issuing agents will continue to collect currently required registration information on Form REV-336. Form REV-336 is a carbonless, three-copy form used in the registration process. The green copy, or customer copy, is provided to the applicant upon completion of the registration process by the issuing agent. Boaters will continue to be required to produce the green customer copy of Form REV-336 to verify a temporary registration but will no longer be required to display T-decals on the side of the boat that has been registered.

Currently, boaters shall remove previously issued or expired registration decals from boats. With the elimination of the T-decals, an empty space following the registration number sequence on the hull of the boat will indicate that the boat may have a temporary registration status. Upon request by a waterways conservation officer (WCO), a boater will be required to produce the green customer copy of Form REV-336 as proof of the temporary registration. Elimination of the T-decal will not change the current requirement to carry and produce the customer copy of Form REV-336. It is also expected that elimination of the T-decal may increase customer contact between boaters and WCOs and provide WCOs with an opportunity to share additional educational information with boaters.

The Commission therefore proposes to amend §§ 93.2 and 93.13 to read as set forth in Annex A

F. Paperwork

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will result in cost savings to the Commission in the amount of approximately \$42,000 per year in decal production costs, postage for mailing decals to issuing agents and personnel costs associated with accounting and inventorying of the decals. The proposed rulemaking will not impose new costs on the private sector or the general public. The proposed rulemaking will result in cost savings to issuing agents in that they will no longer have to issue T-decals, maintain a supply or pay \$52 for each lost decal.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-247. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 93. BOAT REGISTRATION AND NUMBERING

Subchapter A. REGISTRATION OF BOATS

§ 93.2. Permanent and temporary registration.

(a) *Boat not previously registered in this Commonwealth.*

(1) A person acquiring a boat which has not been previously registered in the person's name in this Commonwealth shall complete an application for boat registration as set forth in § 93.3 (relating to application for boat registration). The applicant will receive a copy of the completed application which will be recognized as the boat's certificate of registration for [**a period specified in subsection (e)**] **60 days including the date of issuance**. This temporary certificate of registration shall be carried on the boat when the boat is in operation and shall be available for inspection by an authorized officer. [**The new owner will receive a set of temporary validation decals from the authorized issuing agent who will enter the expiration date (month/day/year), calculated in accordance with subsection (e), on the decal. Before the boat is operated, these temporary validation decals shall be displayed on**

each side of the bow—the front half—of the boat in a position to provide for maximum visibility.]

(2) The owner or operator shall [remove and replace the temporary validation decals with] apply the biannual validation decals when received from the Commission. The biannual validation decals shall be displayed on the boat in accordance with § 93.5 (relating to display of registration number and validation decal). The Commission will assign a registration number to the boat which shall be displayed in accordance with § 93.5. This assigned registration number will remain with this boat as long as the boat is registered in this Commonwealth. The new owner will also receive, from the Commission, a biannual certificate of registration card which shall be carried onboard the boat while it is being operated.

(b) *Boat previously registered in this Commonwealth but having expired registration.*

(1) A person acquiring a boat which has been previously registered in another person's name in this Commonwealth and possesses an expired registration shall complete an application for boat registration as set forth in § 93.3. The applicant will receive a copy of the completed application which will be recognized as the boat's certificate of registration for [a period specified in subsection (e)] 60 days including the date of issuance. This temporary certificate of registration shall be carried on the boat when the boat is in operation and shall be available for inspection by an authorized officer. [The new owner will receive a set of temporary validation decals from the authorized issuing agent who will enter the expiration date (month/day/year), calculated in accordance with subsection (e), on the decal. Before the boat is operated, these temporary validation decals shall be displayed on each side of the bow—the front half—of the boat in a position to provide for maximum visibility.] If the boat is displaying expired validation decals, the owner or operator shall remove the expired validation decals [and replace them with the temporary validation decals]. The previously assigned registration number currently on the boat will remain with the boat as long as the boat is registered in this Commonwealth.

(2) The owner or operator shall [remove and replace the temporary validation decals with] apply the biannual validation decals when received from the Commission. The biannual validation decals shall be displayed on the boat in accordance with § 93.5. The new owners will also receive from the Commission a biannual certificate of registration card which shall be carried onboard the boat while it is being operated.

(c) *Boat previously registered in this Commonwealth having current registration.*

(1) A person acquiring a boat which has been previously registered in another person's name in this Commonwealth displaying current biannual validation decals shall complete an application for boat registration as set forth in § 93.3. The applicant will receive a copy of the completed application which will be recognized as the boat's certificate of registration for [a period specified in subsection (e)] 60 days including the date of issuance. This temporary certificate of registration shall be carried on the boat when the boat is in operation and shall be available for inspection by an authorized officer. [The new owner will receive a set of temporary validation decals from the authorized issuing agent

who will enter the expiration date (month/day/year), calculated in accordance with subsection (e), on the decal.] Before operating the boat on the waters of this Commonwealth, the owner or operator shall remove the prior validation decals [and replace them with the temporary validation decals]. The previously assigned registration number will remain with the boat as long as the boat is registered in this Commonwealth. It is unlawful for a person acquiring a boat described in this subsection to operate the boat on the waters of this Commonwealth until the registration is transferred to the new owner as provided in this section.

* * * * *

(e) [*Temporary decals.* The temporary validation decals are valid for 60 days including the date of issuance. The owner or operator shall ensure that the temporary validation decals are removed and the biannual validation decals, when received from the Commission, are displayed in place of the temporary validation decals. The temporary validation decal shall display the date on which it expires in the following format: "Expires (month)/(day)/(year)." The authorized issuing agent shall enter the expiration date (month/day/year) on the decal.

(f) *Temporary Internet registration renewals.* Temporary Internet registration renewals shall be valid for [30] 60 days from the date of issuance. A temporary Internet registration renewal shall be available at all times for inspection on the boat for which it was issued whenever the boat is in operation and shall be carried so that it can be presented upon request to an officer authorized to enforce the code.

§ 93.13. Issuing agents.

* * * * *

(b) *Maintaining an agency.*

* * * * *

(2) To maintain an agency, the agent or a designee who is routinely involved in the issuance of temporary [validation decals or the registration of boats] boat registrations shall successfully complete, at least once every 2 years, training offered by the Commission at a location designated by the Executive Director.

* * * * *

(e) *Operation of an agency.*

* * * * *

(3) [Issuing agents shall store temporary validation decals and related documentation in a secure location within the agent's premises and may not remove the decals or related documentation from the agent's premises without the Commission's written permission.

(4) Issuing agents shall retain copies of all applications and related documentation for the current calendar year and the 2 previous years.

[(5)] (4) Issuing agents shall have access to nonpublic information concerning holders of boat registrations and titles, including their home addresses. Issuing agents who are provided nonpublic information about boat registration holders or boat owners in the course of their duties may not release or disclose the nonpublic information except for official purposes.

[(6)] (5) Issuing agents shall permit the inspection during regular business hours of the agent's premises and business records by Commission employees designated by the Executive Director or officers authorized to enforce the code.

(f) *Issuance of temporary boat registrations.*

* * * * *

(6) [**An issuing agent shall issue temporary validation decals in numerical sequence, beginning with the lowest number.**] An issuing agent shall enter the expiration date (month/day/year) on the completed application which will be recognized as the boat's temporary registration.

(7) [**An issuing agent shall indicate on temporary validation decals the month, day and year the temporary registration expires, using a black waterproof permanent ink marker or paint marker. The agency may not place any other marks on the decal.**]

(8)] Within 10 days of the issuance of a temporary boat registration, the issuing agent shall submit to the Commission a properly completed "[**T-Sticker**] **Temporary Registration Summary Report**" (Form PFBC-725) along with all applications, related documentation, applicable fees and Sales and Use Tax as required by the code, this chapter and the *Handbook for Issuing Pennsylvania Boat Registrations and Titles*.

(g) [**Inventory of decals.** Upon the Commission's request, an issuing agent shall submit an inventory report on the form prescribed by the Commission, accounting for all temporary validation decals in the agent's possession. The agent shall submit a complete and accurate inventory within 10 days of the agent's receipt of the Commission's request.

(h) *Voided decals.* When an issuing agent voids a temporary validation decal, the agent shall forward to the Commission the voided decal along with a report on the form prescribed by the Commission, explaining why the decal was voided. The agent shall forward the voided decal and the report within 10 days of the decal being voided.

(i) *Lost, stolen or missing decals.* An issuing agent shall notify the Commission in writing of any lost, stolen or missing temporary validation decal within 48 hours of the agent's discovery of the lost, stolen or missing decal. The Commission may charge the agent a fee that is two times the highest annual boat registration fee for each decal that is lost, stolen or missing.

(j) *Replacement decals.* An issuing agent may not issue a replacement temporary validation decal without the Commission's approval.

(k)] *Used boats sold by dealers.* An issuing agent may not submit to the Commission a Form REV-336 and related documentation from an applicant who purchased a used boat from a dealer and does not possess a properly completed "Dealer Notification of Boat Trade-In" (Form PFBC-TS1).

[(l)] (h) *Acceptance of applications for permanent registrations or titles.* Within 10 days of the acceptance of the Form REV-336 and related documentation for a permanent registration or title, the issuing agent shall forward to the Commission, using the "[**T-Sticker**] **Temporary Registration Summary Report**" (Form

PFBC-725), all applications, related documentation, applicable fees and Sales and Use Tax as required by the code [**or**], this chapter **and the Handbook for Issuing Pennsylvania Boat Registrations and Titles**.

[(m)] (i) *Commission offices.* The Commission will collect and deposit in the Boat Fund the \$2 issuing agent fee for all temporary boat registrations issued by Commission offices and boat registration renewals issued online.

[(n)] (j) *Recall of agency.* The Commission may recall the agency of an issuing agent who violates the code or this chapter. A conviction of an offense under the code or this chapter is not a prerequisite to initiating an action to recall an agency. The Executive Director or a designee may initiate action to recall an agency by serving an order to show cause on the agent, which order will describe the alleged violation of the code or this chapter. Proceedings to recall an agency shall be governed by 1 Pa. Code Part II (relating to general rules of administrative practice and procedure).

[(o)] (k) *Renewal of boat registrations.* It is unlawful for a person, other than the Commission, Commission offices and on-line messenger services approved by the Department of Transportation, to issue renewals for boat registrations or collect the applicable fees.

[Pa.B. Doc. No. 13-1668. Filed for public inspection September 13, 2013, 9:00 a.m.]

[58 PA. CODE CH. 63]

Fishing; Authorized Devices

The Fish and Boat Commission (Commission) proposes to amend Chapter 63 (relating to general fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the proposed rulemaking, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

The proposed amendments to § 63.6 (relating to authorized devices for game fish, baitfish and fishbait) are published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. *Purpose and Background*

The proposed rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the proposed amendments is described in more detail under the summary of proposal.

E. *Summary of Proposal*

Section 63.6(a) limits the number of hooks per line to three (a single hook, as defined in this Commonwealth, may contain up to three points). Recently, several individuals and a representative from a tournament angling

organization requested that the Commission accommodate use of the "Alabama rig." The Alabama rig is an umbrella type rig that contains five lures on short wire lines that merge to one point for attachment to a fishing line. The Alabama rig has been observed to be used in this Commonwealth by the Division of Fisheries Management staff as fished with three hooked lures and two "teaser" lures not containing hooks. After the Bureau of Fisheries and the Bureau of Law Enforcement explored the issue, a sound biological or enforcement reason was not found to change the regulation to allow for this type of tackle.

Although initial interest to change the regulation came from a black bass organization, changes to the regulation would affect other species as well. Striped bass anglers also use this type of device.

With respect to black bass, it appears that use of the rig in other states has been directed to a rather small component of black bass populations, that is, bass that occupy habitats that were lightly exploited or that were previously not vulnerable to capture using conventional gear types. Where habitats exist and are occupied by black bass in this Commonwealth, the Commission might expect an increase in catch. The fraction of catch that is harvested is typically low for black bass, 7% as measured in the 2007 Susquehanna River Creel survey. Likewise, the percentage of released bass that perish is typically low (10-12%) as measured in reservoirs in this Commonwealth and elsewhere using conventional tackle. Commission staff presume that catch and release loss associated with the Alabama Rig will likewise be low.

Commission staff looked at the regulations of surrounding states and found that there is not a real consensus in terms of a limit on hooks. Several states allow more than three hooks or do not have a limit on hooks. New Jersey allows up to nine hooks or three treble hooks per line while New York allows five baits/lures. Virginia and West Virginia do not have limits on rods or hooks except for trout fishing. Ohio is the only state that has a regulation that closely mirrors the Commonwealth's with a two-rod/three-hook maximum.

The Commission therefore proposes to amend § 63.6 to read as set forth in Annex A.

F. Paperwork

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the

comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-249. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.6. Authorized devices for game fish, baitfish and fishbait.

(a) It is unlawful to fish for game fish with more than three lines of any description, whether fished by rod or by hand, at one time except while ice fishing in accordance with § 63.10 (relating to ice fishing). **[No more than three hooks may be attached to line used in fishing for game fish.]** There is not a restriction on the number of hooks used for fishing for game fish. Rods, lines and hooks shall be under the immediate control of the person using them. A fishing device shall be deemed to be under the immediate control of the person using it if, when the terminal device (hook, bait or lure) is taken by a fish, the person using the device has direct control over it and it is not connected at that point to a casting or depth placement aid such as a casting boat or downrigger. Casting or depth placement aids such as downriggers or small remote controlled boats are not prohibited by this chapter.

(b) It is unlawful to fish for baitfish with more than three lines of any description, whether fished by rod or by hand, at one time **[with not more than three hooks attached to each line]**; a dip-net or minnow seine not over 4 feet square or 4 feet in diameter, and a minnow trap, with not more than two openings, which may not exceed 1 inch in diameter. **There is not a restriction on the number of hooks used for fishing for baitfish.** Rods, lines, hooks, nets and seines used in fishing for fishbait and baitfish shall be under the immediate control of the person using the same. For the purposes of this subpart, gizzard shad (*Dorosoma cepedianum*) 8 inches or less in length are considered baitfish.

* * * * *

[Pa.B. Doc. No. 13-1669. Filed for public inspection September 13, 2013, 9:00 a.m.]

[58 PA. CODE CH. 69]
Fishing; Lake Erie and Boundary Lakes

The Fish and Boat Commission (Commission) proposes to amend Chapter 69 (relating to fishing in Lake Erie and boundary lakes). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

A. Effective Date

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on the proposed rulemaking, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fish.state.pa.us.

C. Statutory Authority

The proposed amendments to § 69.12 (relating to seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters) are published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. Purpose and Background

The proposed rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the proposed amendments is described in more detail under the summary of proposal.

E. Summary of Proposal

At the October 2012 Commission meeting, 45 waters were moved from the Early Season Trout Stocked Waters Program to the Approved Trout Waters Open to Year-Round Fishing Program. Included in these changes were the Water Works Ponds (East Basin Pond and West Basin Pond) on Presque Isle Bay. Regulations under the Approved Trout Waters Open to Year-Round Fishing Program permit fishing for trout year-round, except from March 1 through the opening day of trout season, when only catch and release fishing is permitted for trout. The current regulations on Lake Erie tributary streams and the Waters Works Ponds prohibit fishing from 12:01 a.m. on the Friday before the first Saturday after April 11 until 8 a.m. on the first Saturday after April 11. This was irrelevant under the Early Season Trout Stocked Waters Program since fishing was not permitted from April 1 to the opening day. However, with the change in designation to approved trout waters open to year-round fishing, fishing is permitted during the period that is currently closed to fishing immediately prior to the opening day.

The Commission therefore proposes to amend § 69.12 to read as set forth in Annex A.

F. Paperwork

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The proposed rulemaking will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed rulemaking will not impose new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-248. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 58. RECREATION****PART II. FISH AND BOAT COMMISSION****Subpart B. FISHING****CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES****Subchapter B. SPORT FISHING AND ANGLING**

§ 69.12. Seasons, sizes and creel limits—Lake Erie, Lake Erie tributaries and Presque Isle Bay including peninsula waters.

* * * * *

(d) It is unlawful to fish in or along any Lake Erie tributary stream [**or the Water Works Ponds at Presque Isle State Park**] from 12:01 a.m. on the Friday before the first Saturday after April 11 until 8 a.m. on the first Saturday after April 11.

(e) It is unlawful to possess trout or salmon in or along any Lake Erie tributary stream [**or the Water Works Ponds at Presque Isle State Park**] from 12:01 a.m. on the Friday before the first Saturday after April 11 until 8 a.m. on the first Saturday after April 11.

(f) [**Subject to the provisions of**] **Except as otherwise provided in** subsections (d) and (e) **and this subpart**, the following seasons, sizes and creel limits apply to Lake Erie, Lake Erie tributaries and Presque Isle Bay, including peninsula waters:

* * * * *

[Pa.B. Doc. No. 13-1670. Filed for public inspection September 13, 2013, 9:00 a.m.]

STATEMENTS OF POLICY

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 57]
Class A Wild Trout Streams

The Fish and Boat Commission (Commission) proposes to amend § 57.8a (relating to Class A wild trout streams). Although not required to publish a proposed statement of policy to adopt revisions to a statement of policy, the Commission is publishing the proposed amendments and seeking public comments because of the heightened public interest in this issue. The Commission is publishing this proposed statement of policy under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

A. *Effective Date*

The proposed statement of policy, if approved, will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the proposed statement of policy, contact Wayne Melnick, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed statement of policy is available on the Commission's web site at www.fish.state.pa.us.

C. *Statutory Authority*

The proposed statement of policy are published under the statutory authority of section 321 of the code (relating to administration and enforcement) that provides that the Commission shall administer and enforce the code and other laws of the Commonwealth regarding the protection, propagation and distribution of fish.

D. *Purpose and Background*

In October 2009, the Commission approved the Strategic Plan for Management of Trout Fisheries in Pennsylvania 2010-2014 (plan). The plan was developed based on input provided by a work group that consisted of Commission staff, anglers affiliated with a variety of sportsmen's organizations and independent trout anglers that are not affiliated with an organized group. This plan has guided the direction of trout management for the Commission since that time.

The plan identifies opportunities for improvement of trout management in this Commonwealth, issues that affect the improvements and strategies for addressing those issues. One of the key issues addressed in the plan is the protection of Class A wild trout waters. Issue 2 of the plan states "There are a number of streams that may hold Class A biomass trout populations that have not been officially designated as Class A streams by the [Commission]. This leads to inadequate water quality protection for these waters and inconsistent application of fisheries management strategies." The identified strategy to address this specific issue is "By 2014, sample waters identified by [Commission] staff as likely to support a Class A wild trout biomass and designate appropriately." These evaluations have been ongoing. It should be noted that this issue is separate from the identification of unassessed Class A waters, which the Commission has been addressing since adoption of the plan. The waters to which Issue 2 of the plan applies are waters for which

historical data is present but which have not been officially designated as Class A.

A work group, comprised of several Commissioners and Commission staff, was formed to gather background information related to the Class A issue. Using this information, the Commission identified several changes to the current policy that should be made so that Class A waters can be properly identified and protected.

E. *Summary of Proposed Revisions*

One proposed change to § 57.8a addresses the criteria that must be met to designate a stream section with a mixed wild brown trout/rainbow trout or wild brook trout/rainbow trout population as a Class A water. These populations are not addressed in the current policy.

Another proposed change addresses the criteria for removing a water from the Class A list. With the proposed change, removal of a water from Class A status will be limited to those waters in which some environmental or human induced physical change has occurred that is highly unlikely to be reversible and thus renders the stream incapable of sustaining a Class A trout population.

The Commission proposes the amendments to § 57.8a as set forth in Annex A.

F. *Paperwork*

The proposed statement of policy will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

The proposed statement of policy will not have adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed statement of policy will not impose new costs on the private sector or the general public.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about the proposed statement of policy to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 30 days after publication in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-251. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART II. FISH AND BOAT COMMISSION
Subpart A. GENERAL PROVISIONS
CHAPTER 57. STATEMENTS OF POLICY
Subchapter A. FISHERIES POLICIES

§ 57.8a. Class A wild trout streams.

It is the policy of the Commission to manage self-sustaining Class A wild trout populations as a renewable

natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. These stream sections are managed solely for the perpetuation of the wild trout fishery with no stocking.

* * * * *

(2) Wild Trout Abundance Class Criteria include provisions for:

* * * * *

(iv) *Wild rainbow trout fisheries.* Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

(v) *Mixed wild brook and rainbow trout fisheries.*

(A) Combined brook and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brook trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass.

(vi) *Mixed wild brown and rainbow trout fisheries.*

(A) Combined brown and rainbow trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(C) Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lbs/acre).

(D) Brown trout biomass shall comprise less than 75% of the total trout biomass.

(E) Rainbow trout biomass shall comprise less than 75% of the total trout biomass

(3) [For a water to] A water will not be removed from the Class A Wild Trout Streams designation [, total trout biomass shall be documented below the set criteria for two consecutive stream examinations] unless the cause leading to the reduction in the wild trout population has been clearly identified and it has been determined that the water is beyond remediation to re-establish the Class A wild trout population. Possible reasons include the following:

(i) Human caused conditions or sources of pollution prevent the attainment of a Class A wild trout fishery and cannot be remedied or will cause more environmental damage to correct than to leave in place.

(ii) Dams, diversions or other types of hydrologic modifications preclude the attainment of a Class A wild trout fishery, and it is not feasible to restore the water body to its original condition or to operate the modification in a way that will result in the attainment of a Class A wild trout fishery.

[Pa.B. Doc. No. 13-1671. Filed for public inspection September 13, 2013, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 3, 2013.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-30-2013	Mifflin County Savings Bank Lewistown Mifflin County	108 East Main Street Allensville Mifflin County	Filed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
8-29-2013	Prudential Savings Bank Amendment to the Bank's Articles of Incorporation to add a new Section 12 which establishes and maintains a liquidation account for the benefit of certain Eligible Account Holders and Supplemental Eligible Account Holders as defined in the Plan of Conversion and Reorganization of Prudential Mutual Holding Company, Prudential Bancorp, Inc. of Pennsylvania, the Corporation and Prudential Savings Bank.	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-3-2013	White Rose Credit Union York York County	1001 Carlisle Street Hanover York County	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-22-2013	Hidden River Credit Union Pottsville Schuylkill County	<i>To:</i> 629 West Market Street Orwigsburg Schuylkill County <i>From:</i> 705 West Market Street Orwigsburg Schuylkill County	Filed

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 13-1672. Filed for public inspection September 13, 2013, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Allegheny Headwaters Watershed Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Allegheny Headwaters Watershed Conservation Plan (Plan) and is placing the Allegheny Headwaters Watershed covered in the Plan in Cameron, McKean and Potter Counties on the Pennsylvania Rivers Conservation Registry (Registry).

The Western Pennsylvania Conservancy submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The watershed area of Allegheny Headwaters (Cameron, McKean and Potter Counties) from the headwaters to the New York-Pennsylvania Border—893 square miles.

This action becomes effective September 14, 2013. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at the Western Pennsylvania Conservancy web site at www.wpconline.org/26/projects and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1673. Filed for public inspection September 13, 2013, 9:00 a.m.]

Brokenstraw Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Brokenstraw Creek Watershed Conservation Plan (Plan) and is placing the Brokenstraw Creek Watershed and all tributaries covered in the Plan in Crawford, Erie and Warren Counties on the Pennsylvania Rivers Conservation Registry (Registry).

The Western Pennsylvania Conservancy submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The watershed area of Brokenstraw Creek (Crawford, Erie and Warren Counties) from the New York-Pennsylvania Border to its confluence with the Allegheny River—257 square miles.
- All tributary streams within the Brokenstraw Creek Watershed.

This action becomes effective September 14, 2013. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at the Western Pennsylvania Conservancy web site at www.wpconline.org/26/projects and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1674. Filed for public inspection September 13, 2013, 9:00 a.m.]

Catawissa Creek Watershed River Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Catawissa Creek Watershed River Conservation Plan (Plan) and is placing the Catawissa Creek Watershed and all tributaries covered in the Plan in Carbon, Columbia, Luzerne and Schuylkill Counties on the Pennsylvania Rivers Conservation Registry (Registry).

The Pennsylvania Environmental Council submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The watershed area of Catawissa Creek (Carbon, Columbia, Luzerne and Schuylkill Counties) from the headwaters to its confluence with the North Branch of the Susquehanna River—153 square miles.
- All tributary streams within the Catawissa Creek Watershed.

This action becomes effective September 14, 2013. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at Eastern Pennsylvania Coalition for Abandoned Mine Reclamation, 101 South Main Street, Ashley, PA 18706, www.epcamr.org/storage/watersheds/Catawissa_Creek_Watershed_Rivers_Conservation_Plan_120910.pdf and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1675. Filed for public inspection September 13, 2013, 9:00 a.m.]

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednes-

day, September 25, 2013, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Joe Graci at (717) 787-9293.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Lauren Adair directly at (717) 787-9293 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1676. Filed for public inspection September 13, 2013, 9:00 a.m.]

Lower Mahoning Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Lower Mahoning Creek Watershed Conservation Plan (Plan) and is placing the Lower Mahoning Creek Watershed, all tributaries and adjacent watersheds (Hays Run Watershed, Pine Creek Watershed and an unnamed tributary located in Pine Township, Armstrong County) covered in the Plan in Armstrong, Indiana and Jefferson Counties on the Pennsylvania Rivers Conservation Registry (Registry).

The Western Pennsylvania Conservancy submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The watershed area of Mahoning Creek (Jefferson County) from its confluence with the Foundry Run Watershed in Porter Township, Armstrong County to its confluence with the Mahoning Creek in Wayne Township, Armstrong County to the Mahoning Creek Watersheds' confluence with the Allegheny River in Armstrong County—276 square miles.

- All tributary streams within the Lower Mahoning Watershed Area (Armstrong, Indiana and Jefferson Counties).

- The watershed area of Pine Creek (Armstrong County) from the headwaters to its confluence with the Allegheny River.

- All tributary streams within the Pine Creek Watershed Area (Armstrong County).

- The watershed of Hays Run (Armstrong County) from the headwaters to its confluence with the Allegheny River.

- An unnamed tributary from its headwaters in Valley Township, Armstrong County to its confluence with the Allegheny River in Rayburn Township in Armstrong County.

This action becomes effective September 14, 2013. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at the Western Pennsylvania Conservancy web site at www.wpcnline.org/26/projects and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 787-7672.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1677. Filed for public inspection September 13, 2013, 9:00 a.m.]

Mahanoy Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Mahanoy Creek Watershed Conservation Plan (Plan) and is placing the Mahanoy Creek Watershed and all tributaries covered in the Plan in Columbia, Northumberland and Schuylkill Counties on the Pennsylvania Rivers Conservation Registry (Registry).

The Northern Schuylkill Council of Governments submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The watershed area of Mahanoy Creek (Columbia, Northumberland and Schuylkill Counties) from the headwaters to its confluence with the Susquehanna River—157 square miles.

- All tributary streams within the Mahanoy Creek Watershed.

This action becomes effective September 14, 2013. Projects identified in the Mahanoy Creek Watershed River Conservation Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at the Mahanoy Creek Watershed Association, 15 Barry Road, Ashland, PA 17921 and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

Maps and supporting data are available by contacting the Mahanoy Creek Watershed Association.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1678. Filed for public inspection September 13, 2013, 9:00 a.m.]

Newtown Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Newtown Creek Watershed Conservation Plan (Plan) and is placing the Newtown Creek Watershed and all tributaries covered in the Plan in Bucks County on the Pennsylvania Rivers Conservation Registry (Registry).

Newtown Borough submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The watershed area of Newtown Creek (Bucks County) from the headwaters to its confluence with the main stem of Neshaminy Creek—6.3 square miles.
- All tributary streams within the Newtown Creek Watershed.

This action becomes effective September 14, 2013. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at The Borough of Newtown, 23 North State Street, Newtown, PA 18940, (215) 968-2109 and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

Maps and supporting data are available by contacting Newtown Borough.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1679. Filed for public inspection September 13, 2013, 9:00 a.m.]

Request for Bids

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

FDC-123-7768.1—Visitors Center Entrance Road Reconstruction, Sinnemahoning State Park, Wharton and Grove Townships, Potter and Cameron Counties. Work included under this contract consists of removing and replacing cross pipes and inlets, widening and paving of the Park Road and miscellaneous roadway improvements.

FDC-012-7828.1—Pedestrian Bridge Construction, Structure No. 12-0053, Black Forest Trail Over Slate Run, Tiadaghton State Forest, Brown Township, Lycoming County. Work included under this contract consists of design, fabrication and construction of a single span steel pedestrian truss bridge and construction of reinforced concrete pier supports, architectural surface treatment and rock protection.

FDC-411-7766.2—Replace McConnell's Hall Heating System, Nolde Forest Environmental Education Center, Cumru Township, Berks County. Work included under this contract consists of replacing the HVAC system and associated controls, replacing the concrete HVAC equipment pad outdoors and replacing the bathroom exhaust fans and their controls and wiring.

Bid documents will be available on or after September 11, 2013. The bid opening will be held on October 15, 2013.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1680. Filed for public inspection September 13, 2013, 9:00 a.m.]

Slippery Rock Creek Watershed Conservation Plan

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation has approved the Slippery Rock Creek Watershed Conservation Plan (Plan) and is placing the Slippery Rock Creek Watershed and all tributaries covered in the Plan in Beaver, Butler, Lawrence, Mercer and Venango Counties on the Pennsylvania Rivers Conservation Registry (Registry).

Stream Restoration, Incorporated submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The watershed area of Slippery Rock Creek (Beaver, Butler, Lawrence, Mercer and Venango Counties) from the headwaters to its confluence with the Connoquenessing Creek—408.4 square miles.
- All tributary streams within the Slippery Rock Creek Watershed.

This action becomes effective September 14, 2013. Projects identified in the Plan become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at the Stream Restoration Incorporated web site at www.streamrestorationinc.org/ and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

ELLEN FERRETTI,
Acting Secretary

[Pa.B. Doc. No. 13-1681. Filed for public inspection September 13, 2013, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Calvary Baptist Theological Seminary for Approval to Amend Its Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Calvary Baptist Theological Seminary to amend its Articles of Incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 by 4 p.m. on or before the due date prescribed by this notice. Persons wishing to review the application should call (717) 783-8228 or write to the previous address to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

WILLIAM E. HARNER, Ph.D.,
Acting Secretary

**Restated Articles of Incorporation
Calvary Baptist Theological Seminary,
Lansdale, Pennsylvania**

A Domestic Nonprofit Corporation

In compliance with the requirements of Section 5916 of the Nonprofit Corporation Law of 1988 (15 Pa.C.S.A. section 5916), the undersigned, desiring to amend and restate the amended Articles in their entirety, hereby certifies that:

1. The name of the corporation is Calvary Baptist Theological Seminary, Lansdale, Pennsylvania.

2. The address of the corporation's registered office is 1380 S. Valley Forge Road, Lansdale, Montgomery County, PA 19446.

3. The corporation is incorporated under the Nonprofit Corporation Law of the Commonwealth of Pennsylvania for the following purpose or purposes:

The objects and purposes of this corporation shall be non-profit, educational, religious and scientific:

(a) To promote theological education; to train for the Christian Ministry; to properly equip preachers, missionaries, directors of Christian education, and other Christian workers for the performance of their respective duties to the glory of God and in order that the Work of God may be speedily proclaimed to all the nations of the earth;

(b) To edit and publish such texts, pamphlets and other literature as shall grow out of or be in any manner connected with its objects and purposes and/or shall be of advantage or benefit thereto;

(c) To send out deputations to study missions and other Christian efforts first hand upon the field;

(d) To do such other and further things in connection with or appertaining to the objects and purposes above outlined as may be consistent therewith and/or as may be reasonably necessary or proper in furthering the Christian religion and spreading the Gospel.

The corporation does not contemplate pecuniary gain or profit, incidental or otherwise.

4. The term for which the corporation is to exist is perpetual.

5. The corporation is organized upon a non-stock basis.

6. The corporation shall have members.

7. Intentionally left blank.

8. The name and address of the original incorporators were: Calvary Baptist Church of Lansdale, Pennsylvania,

Valley Forge Road, Lansdale, Pennsylvania; Rev. E. Robert Jordan, 1450 Valley Forge Road, Lansdale, Pennsylvania

9. This organization is organized exclusively for and will be operated exclusively for one or more of the purposes set forth in Paragraph 3, being educational, religious and scientific in nature.

10. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 3 hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in any political campaign on behalf of any candidate for public office.

11. **Upon dissolution of the corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation by distributing such assets to Calvary Baptist Church of Lansdale Pennsylvania, as long as said organization is and remains a 501(c)(3) tax exempt organization. Should the aforestated organization not be in existence at the time of the dissolution of the corporation or should it not be, or remain, a 501(c)(3) tax exempt organization as of that time, then all assets of the corporation shall be disposed of exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), which shall be of like faith and practice as the corporation, as the Board of Trustees shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the County in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine which are organized and operated exclusively for such purposes.**

12. This organization will not discriminate against applicants and students on the basis of race.

13. This Seminary is authorized by the Commonwealth of Pennsylvania, Department of Education to award the professional degree of Master of Divinity (M. Div.) to students who successfully complete the prescribed program of study, and such other degrees as may be approved from time to time by the duly constituted legal authority.

14. The corporation shall have at all times a minimum protective endowment, or contributed services of financial support equivalent in value to such endowment, of not less than Five Hundred Thousand (\$500,000.00) Dollars, beyond all indebtedness and assets invested in buildings and apparatus, for the exclusive purpose of promoting instruction in the Seminary.

15. The faculty of the Seminary shall consist of at least three (3) regular professors who devote all their time to

instruction in the special branch for which the Seminary is established, and two (2) or more instructors or fellows in that particular branch, who shall be provided to assist in the instruction to be given the students, for the promotion of original investigation and in the development and growth of the special branch of science to which the Seminary is devoted.

16. The qualifications for admission of students to the Seminary and the courses of study to be pursued in the Seminary shall be as prescribed in the most recent catalogue of the Seminary issued from time to time.

17. Calvary Baptist Theological Seminary of Lansdale, Pennsylvania shall be under the management, direction, government and control of a Board of Trustees, which shall consist of no less than sixteen (16) and no more than thirty-two (32) members. These members shall be elected and serve as provided in the By-Laws. Meetings of the Board of Trustees shall be called, constituted and conducted at such times and in such manner as the By-Laws provide.

18. These Articles of Incorporation may be amended or altered at any regular or special meeting by the consent of two-thirds (2/3) of the Board of Trustees, provided that such amendment or alteration shall have been given to each member of said Board at least two weeks prior to such meeting when the amendment shall be acted upon,

setting forth the substance of the amendment or alteration provided.

[Pa.B. Doc. No. 13-1682. Filed for public inspection September 13, 2013, 9:00 a.m.]

Index Calculation Required by the Taxpayer Relief Act

Under section 333(l) of the Taxpayer Relief Act (53 P. S. § 6926.333(l)), the Department of Education (Department) has calculated the index for Fiscal Year (FY) 2014-2015.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For FY 2014-2015, the base index is 2.1%.

For school districts with a market value/income aid ratio greater than 0.4000, an adjusted index will be posted on the Department's web site at www.education.state.pa.us by September 30, 2013.

CAROLYN C. DUMARESQ,
Acting Secretary

[Pa.B. Doc. No. 13-1683. Filed for public inspection September 13, 2013, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and

other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0085537 IW	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601	Blair County Antis Township	Tipton Run / 11-A	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0044032 (Industrial Waste)	Upper Spring Creek State Fish Hatchery Spring Creek Road Bellefonte, PA 16823	Centre County Benner Township	Spring Creek (9-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0210803 (Sewage)	Star Route Estates MHP 11012 Star Route Guys Mills, PA 16327	Crawford County East Mead Township	Unnamed Tributary to Little Sugar Creek (16-D)	Y

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

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

PA0011681, IW, SIC Code 4932, **PECO Energy Co.**, 300 Front Street, West Conshohocken, PA 19428-2723. Facility Name: PECO West Conshohocken Gas Plant. This existing facility is located in West Conshohocken Borough, **Montgomery County**.

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

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

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Instant. Minimum	Daily Average	XXX	
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	Report	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.026 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Instant. Minimum	Daily Average	XXX	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Oxidants	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX

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

I.

A. Property Rights

B. Sludge Disposal

C. BAT/BCT

II. Stormwater Requirements

III. Chemical Additives

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.

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

PA0062341, Sewage, SIC Code 4952, **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Woodloch Springs Wastewater Treatment Facility. This existing facility is located in Lackawaxen Township, **Pike 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, Teedyuskung Creek, is located in State Water Plan watershed 1-B and is classified for High Quality Waters—Cold Water Fishes, Migratory Fishes and, 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 0.150 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	XXX	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.20	XXX	0.46
CBOD ₅	12.5	XXX	XXX	10	XXX	20
Total Suspended Solids	12.5	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N	17.5	XXX	XXX	Geo Mean 14.0	XXX	28.0
Ammonia-Nitrogen						
May 1 - Oct 31	3.75	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	11.25	XXX	XXX	9.0	XXX	18.0
Total Phosphorus	0.63	XXX	XXX	0.5	XXX	1.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

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

- Maximizing use of wastewater effluent for spray irrigation
- Reporting of volumes of wastewater effluent and stormwater used for golf course irrigation.

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

The EPA Waiver is in effect.

PAS202211, Storm Water, SIC Code 3399, **Silberline Manufacturing Company, Inc.**, P.O. Box B, Tamaqua, PA 18252. Facility Name: Silberline Manufacturing—Hometown Facility. This existing facility is located in Rush Township, **Schuylkill County**.

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

The receiving stream, Unnamed Tributary to Nesquehoning Creek, is located in State Water Plan watershed 02B and is classified for High Quality—Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for stormwater Outfall 001 are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater Outfalls.

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

The EPA Waiver is in effect.

PA0065463, Storm Water, SIC Code 2448, **Millwood, Inc. & Liberty Technologies**, 3708 International Boulevard, Vienna, OH 44473. Facility Name: CHEP-Millwood Allentown Service Center. This proposed facility is located in Lower Macungie Township, **Lehigh County**.

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

The receiving stream, Swabia Creek, is located in State Water Plan watershed 2-C and is classified for High Quality Waters—Cold Water Fishes, Migratory Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 002 (stormwater) are:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements applicable to stormwater outfalls.

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

The EPA Waiver is in effect.

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

PA0229211, SIC Code 2869, **PA Grain Processing LLC**, 250 Technology Drive, Clearfield, PA 16830-2663. Facility Name: Clearfield Borough Plant. This proposed facility is located in Clearfield Borough, **Clearfield County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 8-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 002 are:

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

The proposed effluent limits for Outfall 003 are:

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

The proposed effluent limits for Outfall 004 are:

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

The proposed effluent limits for Outfall 101 are based on a design flow of 0.081 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	XXX
Total Iron	XXX	XXX	XXX	2.0	4.0	XXX
Total Manganese	XXX	XXX	XXX	1.0	2.0	XXX

The proposed effluent limits for Outfall 102 are based on a design flow of 0.142 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Halogens	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F)	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

- Disposal of Sludge.
- Using Approved list of Chemical Additives.
- Stormwater Outfalls Maintenance and inspection.
- No net addition of pollutants to non-contact cooling water.

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

The EPA Waiver is in effect.

PA0008451, Industrial Waste, SIC Code 4911, **Sunbury Generation LP**, PO Box 517, 2384 Old Trail Road, Shamokin Dam, PA 17876-0517. Facility Name: Sunbury Generation LP. This existing facility is located in Monroe Township, **Snyder County**.

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

The receiving stream(s), Rolling Green Run and Susquehanna River, are located in State Water Plan watershed 6-A and 6-B and are 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 030 are based on a design flow of 251.7 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD) (Final)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Halogens	XXX	XXX	XXX	XXX	XXX	0.2
Temperature (°F)						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	Report	XXX
Heat Rejection Rate (MBTUs/day)						
Jan 1-31 (Interim)	XXX	209600	XXX	XXX	XXX	XXX
Feb 1-29 (Interim)	XXX	229200	XXX	XXX	XXX	XXX
Mar 1-31 (Interim)	XXX	550100	XXX	XXX	XXX	XXX
Apr 1-15 (Interim)	XXX	609000	XXX	XXX	XXX	XXX
Apr 16-30 (Interim)	XXX	609000	XXX	XXX	XXX	XXX
May 1-15 (Interim)	XXX	400800	XXX	XXX	XXX	XXX
May 16-31 (Interim)	XXX	668000	XXX	XXX	XXX	XXX
Jun 1-15 (Interim)	XXX	510800	XXX	XXX	XXX	XXX
Jun 16-30 (Interim)	XXX	510800	XXX	XXX	XXX	XXX
Jul 1-31 (Interim)	XXX	267200	XXX	XXX	XXX	XXX
Aug 1-15 (Interim)	XXX	238400	XXX	XXX	XXX	XXX
Aug 16-31 (Interim)	XXX	234800	XXX	XXX	XXX	XXX
Sep 1-15 (Interim)	XXX	187300	XXX	XXX	XXX	XXX
Sep 16-30 (Interim)	XXX	187300	XXX	XXX	XXX	XXX
Oct 1-15 (Interim)	XXX	188600	XXX	XXX	XXX	XXX
Oct 16-31 (Interim)	XXX	167700	XXX	XXX	XXX	XXX
Nov 1-15 (Interim)	XXX	209600	XXX	XXX	XXX	XXX
Nov 16-30 (Interim)	XXX	167700	XXX	XXX	XXX	XXX
Dec 1-31 (Interim)	XXX	157200	XXX	XXX	XXX	XXX
Jan 1-31 (Final)	XXX	43405	XXX	XXX	XXX	XXX
Feb 1-29 (Final)	XXX	70996	XXX	XXX	XXX	XXX
Mar 1-31 (Final)	XXX	186262	XXX	XXX	XXX	XXX
Apr 1-15 (Final)	XXX	246457	XXX	XXX	XXX	XXX
Apr 16-30 (Final)	XXX	184843	XXX	XXX	XXX	XXX
May 1-15 (Final)	XXX	170670	XXX	XXX	XXX	XXX
May 16-31 (Final)	XXX	409609	XXX	XXX	XXX	XXX
Jun 1-15 (Final)	XXX	224333	XXX	XXX	XXX	XXX
Jun 16-30 (Final)	XXX	224333	XXX	XXX	XXX	XXX
Jul 1-31 (Final)	XXX	106993	XXX	XXX	XXX	XXX
Aug 1-15 (Final)	XXX	99253	XXX	XXX	XXX	XXX
Aug 16-31 (Final)	XXX	109178	XXX	XXX	XXX	XXX
Sep 1-15 (Final)	XXX	103511	XXX	XXX	XXX	XXX
Sep 16-30 (Final)	XXX	79624	XXX	XXX	XXX	XXX
Oct 1-15 (Final)	XXX	94783	XXX	XXX	XXX	XXX
Oct 16-31 (Final)	XXX	103400	XXX	XXX	XXX	XXX
Nov 1-15 (Final)	XXX	112338	XXX	XXX	XXX	XXX
Nov 16-30 (Final)	XXX	56169	XXX	XXX	XXX	XXX
Dec 1-31 (Final)	XXX	49405	XXX	XXX	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total PCBs (µg/L)	XXX	XXX	XXX	XXX	XXX	0.065

The proposed effluent limits for Outfall 031 are based on a design flow of 4.6 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	130
Oil and Grease	XXX	XXX	XXX	15	20	30

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Copper (µg/L)	Report	Report	XXX	Report	Report	XXX
Dissolved Iron	11.89	18.41	XXX	0.31	0.48	0.77
Total Thallium (µg/L)	0.009	0.014	XXX	0.25	0.39	0.62
Total PCBs (µg/L)	XXX	XXX	XXX	XXX	XXX	0.065

The proposed effluent limits for Outfall 032 are based on a design flow of 0.022 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 130 are based on a design flow of 1.21 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD) (Final)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	50
Oil and Grease	XXX	XXX	XXX	15	20	30
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total PCBs (µg/L)	XXX	XXX	XXX	XXX	XXX	0.065

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 031.

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

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 130.

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

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

- Outfall Meter Installation and Operation
- Cooling Water Intake Structures
- Heat Rejection Limitations

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.

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

PA0254673, Storm Water, SIC Code 2899, **Henwil Corporation**, 899 Third Street, Newell, PA 15466. Facility Name: Henwil/Newell Works. This proposed facility is located in Newell Borough, **Fayette County**.

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

The receiving stream, the Monongahela River is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a precipitation based design flow.

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	XXX	XXX	9
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Selenium	XXX	XXX	XXX	Report	Report	XXX
Sulfate (Interim)	Report	Report	XXX	Report	Report	XXX
Sulfate (Final)	Report	Report	XXX	Report	250	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a precipitation based design flow

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	XXX	XXX	9
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Sulfate	Report	Report	XXX	Report	Report	XXX
Chloride (lbs/min)	Report	Report	XXX	Report	Report	XXX
Bromide (lbs/min)	Report	Report	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 003 are based on a precipitation based design flow

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	XXX	XXX	9
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	2.0	4.0	XXX
Total Iron	XXX	XXX	XXX	3.5	7.0	XXX
Sulfate	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 004 are based on a precipitation based design flow.

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	XXX	XXX	9
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Aluminum	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Mercury	XXX	XXX	XXX	Report	Report	XXX
Total Nickel	XXX	XXX	XXX	Report	Report	XXX
Total Selenium	XXX	XXX	XXX	Report	Report	XXX
Sulfate (Interim)	Report	Report	XXX	Report	Report	XXX
Sulfate (Final)	Report	Report	XXX	Report	250	XXX

The proposed effluent limits for Outfall 006 are based on a precipitation based design flow

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Total Aluminum	XXX	XXX	XXX	2.0	4.0	XXX
Total Iron	XXX	XXX	XXX	3.5	7.0	XXX
Sulfate	Report	Report	XXX	Report	Report	XXX

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

The EPA Waiver is in effect.

PA0216739, SIC Code 4953, **Allegheny Ludlum LLC**, 100 River Road, Brackenridge, PA 15014. Facility Name: Route 356 Landfill. This existing facility is located in Allegheny Township, **Westmoreland County**.

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

The receiving stream, Unnamed Tributary to Allegheny River, is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	10	20	XXX
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Total Aluminum	XXX	XXX	XXX	0.5	1.0	XXX
Total Chromium (III)	XXX	XXX	XXX	Report	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	0.011	0.022	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	1.5	3.0	XXX
Total Molybdenum	XXX	XXX	XXX	0.18	0.36	XXX
Total Nickel	XXX	XXX	XXX	0.054	0.11	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.003 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	0.013	0.026	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Molybdenum	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

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

PA0222631, Sewerage, SIC Code 4952, 8811, **Gray Wendy A**, 17242 Enterprise Road, Titusville, PA 16354-9532. Facility Name: Wendy A Gray SRSTP. This proposed facility is located in Oilcreek Township, **Venango County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of treated sewage from household operations.

The receiving stream is an unnamed tributary of Pine Creek, located in State Water Plan watershed 16-E and classified for High Quality—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 2313402, Sewage, **Nether Providence Township**, 214 Sykes Lane, Wallingford, PA 19086.

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

Description of Action/Activity: Construction of a new gravity sanitary sewer to serve 6 residential properties.

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

WQM Permit No. 4009407 T-1, Sewage, **Little Washington WW Co.**, 1031 Valley Of Lks, Hazleton, PA 18202.

This existing facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: Transfer of an existing Water Quality Management Permit from Eagle Rock Resort Company to Little Washington Wastewater Co. for sewage collection and conveyance facilities in the Ridge View, Ridge View West, North Ridge, Valley View & JA East sections and the Valley View Interceptor sewer.

WQM Permit No. 4009405 T-1, Sewage, **Little Washington WW Co.**, 1031 Valley Of Lakes, Hazleton, PA 18202.

This existing facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: Transfer of an existing Water Quality Management Permit from Eagle Rock Resort Company to Little Washington Wastewater Co. for low pressure sewage collection system for Laurel Valley and Highlands sections of Eagle Rock, Laurel Valley Pump Station No. 1, No. 2, The Highlands Pump Station plus the Butler and the Valley View Interceptors.

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

WQM Permit No. 3694404 Amendment No. 1, Sewerage, **Earl Township Sewer Authority**, 517 North Railroad Avenue, New Holland, PA 17557.

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

Description of Proposed Action/Activity: Application for the construction of new headworks facilities, new SBR tanks, chemical feed facilities, a new filter and a new UV system.

WQM Permit No. WQG02221302, Sewerage, **Halifax Area Water & Sewer Authority**, PO Box 443, Halifax, PA 17032.

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

Description of Proposed Action/Activity: Seeking permit approval for the rehabilitation of Boyer Street pump station.

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

WQM Permit No. 0213405, Sewerage, **Ohio Township Sanitation Authority**, 1719 Roosevelt Rd., PGH, PA 15237

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

Description of Proposed Action/Activity: Application for construction and operation of two pump stations.

WQM Permit No. 6313400, Sewerage, **Peters Creek Sanitation Authority**, 3502 Lincoln Ave., Finleyville, PA 15332

This proposed facility is located in Nottingham Township, **Washington County**

Description of Proposed Action/Activity: Application for the construction and operation of sewer lines.

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

WQM Permit No. WQG01251312, Sewage, **Kenneth A. Pollard**, 8150 Franklin Road, Girard, PA 16417.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace an existing malfunctioning on-lot system.

WQM Permit No. WQG01251313, Sewage, **David L. Crane**, 7233 Crane Road, Edinboro, PA 16412.

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

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

WQM Permit No. 4391413, Sewage, **Sunnyview MHC, LLC**, P.O. Box 382, Berwick, PA 18603.

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

Description of Proposed Action/Activity: Transfer of existing WQM permit from Eagle Development Corporation to Sunnyview MHC LLC.

IV. NPDES Applications for Stormwater Discharges from MS4

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

PAI130545, MS4, **Delaware County**, Rose Tree Park-Hunt Club, 1521 N. Providence Road, Media, PA 19063. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Media Borough, **Delaware County**. The receiving stream(s), Chester Creek, Crum Creek, Darby Creek, Green Creek, Hermesprota Creek, Little Crum Creek, Rocky Run, Stony Creek, Unnamed Tributary to Crum Creek, Unnamed Tributary to Ridley Creek and West Branch Chester Creek, are located in State Water Plan watershed 3-G and are classified for Trout Stocking, Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes, Trout Stocking, Migratory Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect.

PAI130024, SIC 9199, MS4, **Ontelaunee Township Berks County**, 35 Ontelaunee Drive, Reading, PA 19605. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Ontelaunee Township, **Berks County**. The individual permit replaces a general permit. The receiving streams, Willow Creek, Maiden Creek, Schuylkill River and Lake Ontelaunee, are located in State Water Plan watershed(s) 3-C and 3-D, and are classified for High Quality Waters, Warm Water Fishes, Migratory Fishes, Cold Water Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect.

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

PAI132214, MS4, **Bethlehem Township Northampton County**, 4225 Easton Avenue, Bethlehem, PA 18020. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Bethlehem Township, **Northampton County**. The receiving stream(s), Nancy Run, Unnamed Tributary #03342 to Lehigh River, and Unnamed Tributary #03340 to Lehigh River are located in State Water Plan watershed 2-C and 20-C and are classified for High Quality—Cold Water Fishes and Migratory Fishes, Cold Water Fishes and Migratory Fishes, and Cold Water Fishes and Migratory Fishes respectively.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

PAI132215, MS4, **Bath Borough Northampton County**, 215 E Main Street Suite 1, Bath, PA 18014-1597. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Bath Borough, **Northampton County**. The receiving stream(s), Monocacy Creek, is located in State Water Plan watershed 2-C and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is not in effect.

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010913005	Milford Business Center P.O. Box 116 Township Line Road Hatfield, PA	Bucks	Milford Township	Unami Creek HQ
PAI011513021	Southdown Homes, L.P. 55 Country Club Drive Downingtown, PA 19335	Chester	West Nantmeal Township	French Creek EV
PAI01 5113010	JARYNN, LP 1151 Walton Road Blue Bell, PA 19422	Philadelphia	City of Philadelphia	Delaware River WWF-MF
PAI01 5113011	Frankford Valley Foundation for Literacy II 13000 Lincoln Drive West Suite 302 Marlton, NJ 08053	Philadelphia	City of Philadelphia	Delaware River WWF

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

Lehigh County. Conserve District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown PA 18104, 610-391-9583

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913005	Steven R. Money maker 416 Grange Road Allentown, PA 18106-9383	Lehigh	Lowhill Township	Cherith Brook (HQ-CWF, MF) Unnamed Tributary to Jordan Creek (HQ-CWF, MF)

Carbon County Conservation District, 5664 Interchange Rd., Lehighton PA 18235-5114, 610-377-4894

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021313003	New Enterprise Stone & Lime Co. P.O. Box 77 New Enterprise, PA 16664	Carbon	Kidder Township	UNT to Lehigh River (HQ-CWF, MF)

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

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041413006	PA Dept of Transportation 2-0 PO Box 342 Clearfield PA 16830	Centre	Potter Township	Spring Creek HQ-CWF, MF Cedar Run CWF, MF Sinking Creek CWF, MF

Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI046013002	Abram Zimmerman 600 Conley Rd Mifflinburg PA 17844	Union	West Buffalo Township	UNT to Rapid Run HQ-CWF

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056313005	South Strabane Township 550 Washington Road Washington, PA 15301	Washington	South Strabane Township	UNT to Little Chartiers Creek (HQ-WWF)

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

PAG-12 CAFOs

STATE CONSERVATION COMMISSION

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
CVFF—Willow Hill Farm 12958 Creek Rd. Fannettsburg, PA17221 Business address = 1301 Fulling Mill Rd. Suite 3000 Middletown, PA 17057	Franklin	120 0 for manure	1,523.38	Swine	NA	Renewal
Hillandale Gettysburg, LP 370 Spicer Road Gettysburg, PA 17325	Adams	1,152.5	16,189.1	Layers and Pullets	None	Renewal

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a

concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Central Office: Bureau Director, Safe Drinking Water, P. O Box 8467, Harrisburg, PA 17105-8467

Permit No. [9996434], Public Water Supply.

Applicant	[Creekside Springs, LLC]
[Township or Borough]	[Salineville, Ohio]
Responsible Official	[Dave Carlson, Vice President Sales and Marketing]
Type of Facility	[Out of State Bottled Water System]
Application Received Date	[August 27, 2013]
Description of Action	[Applicant requesting Department approval to use two additional spring water sources (Hillside Spring and Creekside Spring). Bottled water to be sold in Pennsylvania under the brand names: Creekside Springs Distilled Water, Creekside Springs Drinking Water, Creekside Springs Spring Water, Giant Eagle Natural Spring Water, Food Club Drinking Water, Food Club Spring Water, Food Club Distilled Water, Great Value Spring Water, Culligan Drinking Water, Culligan Distilled Water, Water Transport Drinking Water and Creekside Springs Purified Water.]

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

Permit No. 3613509, Public Water Supply.

Applicant	Advent Ventures, Inc.
Municipality	Clay Township

County	Lancaster
Responsible Official	Larry L Miller, Water System Operator 2021 Horseshoe Road Lancaster, PA 17602
Type of Facility	Public Water Supply
Consulting Engineer	David Lewis, P.E. 337 Furnace Hill Road Elizabethtown, PA 17022
Application Received:	8/21/2013
Description of Action	Wahtneys Inn and Pub— Installation of nitrate treatment system, a sodium hypochlorite disinfection system, chlorine contact tanks and demonstration of 4-log treatment of viruses.

Application No. 6713512 MA, Minor Amendment, Public Water Supply.

Applicant	The York Water Company
Municipality	Spring Garden Township
County	York
Responsible Official	Mark S Snyder, Engineering Manager 130 East Market Street PO Box 15089 York, PA 17405-7089
Type of Facility	Public Water Supply
Consulting Engineer	Mark S Snyder, P.E. The York Water Company 130 East Market Street PO Box 15089 York, PA 17405-7089
Application Received:	8/6/2013
Description of Action	Upgrade of underdrains and air scour system for the filters at the Grantley Road Water Treatment Plant

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

Permit No. 3013510, Public Water Supply.

Applicant	Carmichaels Borough Municipal Authority
[Township or Borough]	Carmichaels Borough
Responsible Official	Dennis McCann, President, Board of Directors Carmichaels Borough Municipal Authority 104 North Pine Street Carmichaels, PA 15320
Type of Facility	Water system
Consulting Engineer	KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205
Application Received Date	August 14, 2013

Description of Action Installation of an aeration system and chlorine booster system at Tank #4.

Permit No. 0213528, Public Water Supply.

Applicant **Moon Township**
Municipal Authority
1700 Beaver Grade Road
Moon Township, PA 15108

[Township or Borough] Moon Township

Responsible Official John F. Riley, P.E.,
General Manager
Moon Township
Municipal Authority
1700 Beaver Grade Road
Moon Township, PA 15108

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date August 14, 2013

Description of Action Construction of a pump station and interconnection between Moon Township Municipal Authority and Creswell Heights Joint Authority (Purdy Road Interconnection).

Permit No. 0213529, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] City of McKeesport

Responsible Official William Castelli,
Distribution Facility
Superintendent
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility MAWC—McKeesport Water system

Consulting Engineer Gibson-Thomas Engineering
Company, Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date July 18, 2013

Description of Action Painting and installation of a mixing system at the Alpine #2 water storage tank.

Permit No. 0213530, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] City of McKeesport

Responsible Official William Castelli, Distribution
Facility Superintendent
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility MAWC-McKeesport Water system

Consulting Engineer Gibson-Thomas Engineering
Company, Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date July 18, 2013

Description of Action Painting and installation of a mixing system at the Renzie water storage tank.

Permit No. 2613505, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] Forward Township

Responsible Official William Castelli, Distribution
Facility Superintendent
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility MAWC-Indian Creek Water system

Consulting Engineer Gibson-Thomas Engineering
Company, Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date July 18, 2013

Description of Action Installation of the new Williamsport pump station.

Permit No. 2613506, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] Unity Township

Responsible Official William Castelli, Distribution
Facility Superintendent
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility MAWC-Indian Creek Water system

Consulting Engineer Gibson-Thomas Engineering
Company, Inc.
1004 Ligonier Street
Box 853 Latrobe, PA 15650

Application Received Date July 18, 2013
 Description of Action Installation of the new Charter Oaks #2 pump station.

Permit No. 2613507, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] North Huntingdon Township
 Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility MAWC-Indian Creek Water system
 Consulting Engineer Gibson-Thomas Engineering Company, Inc.
 1004 Ligonier Street
 Box 853 Latrobe, PA 15650
 Application Received Date July 18, 2013
 Description of Action Construction of the new 1.5 million gallon Ardara #2 water storage tank with a mixing system.

Permit No. 2613508, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] North Versailles Township
 Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility MAWC-Indian Creek Water system
 Consulting Engineer Gibson-Thomas Engineering Company, Inc.
 1004 Ligonier Street
 Box 853
 Latrobe, PA 15650
 Application Received Date July 18, 2013
 Description of Action Painting and installation of a mixing system at the Naser Road #2 water storage tank.

Permit No. 2613509, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] North Huntingdon Township

Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility MAWC-Indian Creek Water system
 Consulting Engineer Gibson-Thomas Engineering Company, Inc.
 1004 Ligonier Street
 Box 853
 Latrobe, PA 15650

Application Received Date July 18, 2013
 Description of Action Painting and installation of a mixing system at the Ardara #1 water storage tank.

Permit No. 2613510, Public Water Supply.
 Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] Hempfield Township
 Responsible Official William Castelli, Distribution Facility Superintendent
 Municipal Authority of Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Type of Facility MAWC-Indian Creek Water system
 Consulting Engineer Gibson-Thomas Engineering Company, Inc.
 1004 Ligonier Street
 Box 853
 Latrobe, PA 15650
 Application Received Date July 18, 2013
 Description of Action Installation of the new Hempfield Industrial Park pump station.

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

Permit No. 3713504, Public Water Supply
 Applicant **Pennsylvania American Water Company**
 Township or Borough Lancaster Township
 County **Butler**
 Responsible Official David R. Kaufman Type of Facility

Public Water Supply Consulting Engineer Jerry Hankey
 Pennsylvania American Water Company
 1909 Oakland Avenue
 Indiana, PA 15701

Application Received Date August 23, 2013

Description of Action Construct a booster station to provide water service along SR 0019 in portions of Lancaster Township, Butler.

Permit No. 2013505, Public Water Supply
 Applicant **Guys Mills Mutual Water Association**
 Township or Borough Randolph Township
 County **Crawford**
 Responsible Official William Collins
 Type of Facility Public Water Supply
 Consulting Engineer Mark J. Corey, P.E.
 Mark J. Corey & Associates
 P.O. Box 268
 Harborcreek, PA 16421

Application Received August 23, 2013
 Date

Description of Action Installation of nitrate removal filters.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 3213519GWR, Minor Amendment.

Applicant **Crystal Waters Personal Care Home**
 4639 Highway 119 North
 Home, PA 15747
 [Township or Borough] Rayne Township
 Responsible Official Thomas Loughry, Owner
 Crystal Waters Personal
 Care Home
 4639 Highway 119 North
 Home, PA 15747

Type of Facility Water system
 Consulting Engineer
 Application Received August 16, 2013
 Date

Description of Action Demonstration of 4-log treatment for groundwater sources

Application No. 4110032-T1, Minor Amendment.

Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714
 [Township or Borough] Northern Cambria Borough;
 Barr and Susquehanna
 Townships
 Responsible Official Paul Weaver, Chairman
 Northern Cambria Municipal
 Authority
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714

Type of Facility Water system

Consulting Engineer
 Application Received August 8, 2013
 Date

Description of Action Transfer of the water supply permits held by Spangler Municipal Authority.

Application No. 1113514MA, Minor Amendment.

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

[Township or Borough] Portage Township
 Responsible Official Stephen F. Koval, President
 Municipal Authority of the
 Borough of Portage
 606 Cambria Street
 Portage, PA 15946

Type of Facility Water system

Consulting Engineer
 Application Received August 2, 2013
 Date

Description of Action Installation of 6-inch and 8-inch diameter waterlines along SR 0053, Sportsman Road and Twin Lakes Road.

Application No. 3013511MA, Minor Amendment.

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

[Township or Borough] Franklin and West Bethlehem Township

Responsible Official John W. Golding, Manager
 Southwestern Pennsylvania
 Water Authority
 PO Box 187
 1442 Jefferson Road
 Jefferson, PA 15344

Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Indianola, PA 15051

Application Received August 20, 2013
 Date

Description of Action Bulk water load-out points at fire hydrants on W. Roy Furman Highway/PA18/PA21 and on Beallsville Road.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment 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:

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

Villa Maria Community Center, 225 Villa Maria Road, Pulaski Township, **Lawrence County**. Flynn Environmental, Inc., 5640 Whipple Avenue NW, Suite 1, North Canton, OH 44720, on behalf of Sisters of the Humility of Mary, 225 Villa Maria Road, Villa Maria, PA 16155, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Cumene, MTBE, Naphthalene, 1,2,4 Trimethylbenzene, and 1,3,5 Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

NLMK Pennsylvania Corporation (Fmr. Dufenco Farrell Corporation Facility), 15 Roemer Boulevard, City of Farrell, **Mercer County**. Cummings/Riter Consultants, Inc., 300 Penn Center Boulevard, Suite 800, Pittsburgh, PA 15235 on behalf of NLMK Pennsylvania Corporation, 15 Roemer Boulevard, Farrell, PA 16121, submitted a Final Report concerning the remediation of site soils contaminated with Arsenic, Barium, Cadmium, Chromium, Iron, Lead, Selenium, Silver, Zinc, PCB—Aroclor 1254, PCB—Aroclor 1260, and Mercury. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

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

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

46-0281: Matheson Tri-Gas (1700 Scepter Road, Waverly, TN 37185) for installing a new distillation process and a thermal oxidizer to control volatile organic compound (VOC) emissions from a gas purification and cylinder filling operation in its Palm facility in Upper Hanover Township, **Montgomery County**. This facility is a synthetic minor facility. The facility wide volatile organic compound (VOC) emissions and combined hazardous air pollutant (HAP) emissions will be limited to below 25 tons per year. Individual HAP emissions will be limited to below 10 tons per year. The Plan Approval and Operating Permit will contain emission limitations, operating restrictions, work practice, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

06-05081A: Delaware County Solid Waste Authority (583 Longview Road, Boyertown, PA 19512) for the construction of a leachate distillation system at the Rolling Hills Landfill in Earl Township, **Berks County**.

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

Plan Approval No. 06-05081A will provide for the construction of a leachate distillation system that will be powered by a 150 HP boiler that will be operated by the use of landfill gas that will be diverted from the enclosed ground flare. Along with the existing emission limits, the plan approval will contain monitoring, recordkeeping, reporting and work practice standards to ensure the facility complies with all applicable air quality requirements. The estimated air emissions from the project are less than 1 ton per year of all criteria pollutants, and 12 tons per year of ammonia.

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

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

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

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

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

38-03057A: Porterfield-Scheid Funeral Directors & Cremation Services, Ltd. (980 Isabel Drive, Lebanon, PA 17042) for operation of their crematory at the Porterfield-Scheid Funeral Directors & Cremation Services, Ltd. in North Cornwall Township, **Lebanon 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 #38-03057A is for the operation of a Matthews, Model IE43-PPII, Crematory for human cremation. The secondary combustion chamber will control the emissions. The company shall be subject to and comply with 25 Pa. Code § 123.21 for sulfur emission limits. 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 1.0 tpy of PM, 1.4 tpy of CO, 0.4 tpy of NO_x and 0.4 tpy of VOC.

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

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

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

Tom Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at 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 § 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.

21-03075A: Mellott Co. (100 Mellott Drive, Warfordsburg, PA 17267) for the construction of four diesel-powered reciprocating internal combustion engines at Pennsy Supply's Newville quarry in Penn Township, **Cumberland 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 an operating permit at a later date.

Plan Approval 21-03075A authorizes the installation of four diesel-powered engines to power portable limestone crushing equipment at the above-mentioned quarry. The portable crushing plant equipment is permitted separately under GP3-21-03075. Operation of the engines will be voluntarily limited to 1,300 hours of operation per calendar year. Estimated emissions from the engines operating 1,300 hours are: nitrogen oxides (NO_x)—15.31 tons, particulate matter (PM)—4.56 tons, carbon monoxide (CO)—3.30 tons and sulfur oxides (SO_x)—1.01 tons. Actual operation of the engines is expected to fall well below the established 1,300 hours per year limit. The Plan Approval and Operating permit will contain emission limits, along with monitoring, recordkeeping and reporting requirements to ensure the plant complies with the 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 Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

William R. Weaver, Regional Air Quality Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

22-05050B: Dauphin Meadows Inc.—Waste Management (425 Perinton Parkway, Fairport, NY 14450) for installation of an open/candlestick (i.e., utility) flare (DEP ID No. C002) to handle reduced landfill gas (LFG) flows at their closed landfill in Washington Township, **Dauphin County**.

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

The source that the proposed flare will control will remain. The existing enclosed ground flare (i.e., DEP Control Device ID No. C001) will remain on-site as a backup to control LFG emissions if necessary. The plan approval will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The maximum controlled emission rates for PM, SO_x, CO, NO_x, VOC and HAPs are 1.8, 3.1, 38.6, 7.1, 0.2 and 0.8 tpy, respectively.

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

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

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

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

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

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

43-270H: CCL Container Corp. (1 Llodio Drive, Hermitage, PA 16148-9015) for the replacement of the existing Regenerative Catalytic Oxidizer (RCO) (C01A). The existing RTO (C05), which presently controls volatile organic compound (VOC) emissions from sources 106 through 109, will be modified to control emissions from sources 101 through 105. A new RTO will control the VOC emissions from existing coating process lines 6 through 9 (Sources 106 through 109). This facility is located in the City of Hermitage, **Mercer County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue Plan Approval 43-270H to CCL Container Corporation for the replacement of the control device for Sources 106 through 109 and the replacement of the control device for sources 101 through 105. This facility is located in City of Hermitage, Mercer County. The Plan Approval will subsequently be incorporated into the facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 43-270H is for the replacement of the control device for Sources 106 through 109 and the replacement of the control device for sources 101 through 105. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources

will have the projected actual emissions of approximately 27.59 tons per year (tpy) of VOC, 11.75 tpy of Hazardous Air Pollutants (HAPS), 4.12 tpy of nitrogen oxides, 3.5 tpy of carbon monoxide, 0.317 tpy of particulate matter, 0.133 tpy of ammonia, 0.025 tpy of sulfur oxides and 0.000021 tpy of lead.

The Plan Approval will contain emission restrictions, along with, testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. CCL Plan approval #43-270H and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a **Plan Approval #39-00099A to Delta Thermo Energy A LLC**, 112 W Union Street, Allentown, PA 18102-4912, for their plant to be located in the City of Allentown, **Lehigh County**.

Plan Approval No. 39-00099A is for the construction and operation of an energy production facility. The facility will utilize municipal solid waste (MSW) and sludge from the City of Allentown's Wastewater Treatment Plant as feedstock to produce a fuel to generate 4 gross megawatts (MW) of electricity for internal use and sale. The facility will be designed with equipment capable of processing an average of 120 tons/day of Municipal Solid Waste (MSW) and 47 tons/day sewage sludge as feedstock. Feedstock for the facility will be prepared onsite from MSW and sludge. The facility will use presorting of the MSW to increase the recovery of recyclables and state-of-the-art technology Resource Recovery System (RRS) to convert feedstock to a renewable clean fuel that will be combusted using an improved Stoker-type combustor to generate steam, which in turn will power a turbine to generate a green, renewable source of electricity.

The facility will consist of the following processes. Receiving & Sorting, Shredding, Feedstock Pit, Five (5) Resource Recovery System Units, Dryer, Combustor (CCC), Boiler, Turbine/Generator and Wastewater Treatment System (WTS).

The facility will emit Clean Air Act-regulated pollutants, including PM₁₀, NO_x, CO, SO₂, VOC, acid gases and metals. The emission control system consists of the following devices in series: twin cyclones for primary PM removal, selective catalytic reduction (SCR) system with urea injection for NO_x control, economizer, flue gas recirculation for NO_x control, fabric filter for control of PM and metals control, wet packed tower with caustic solution recirculation for control of SO₂, HCl, and HF, 2-stage carbon adsorption system for VOC and mercury control.

After control, the following are estimated emissions from the facility.

<i>Pollutant</i>	<i>Control Efficiency %</i>	<i>Controlled Emissions</i>	
		<i>Lb/hr</i>	<i>Tons/yr</i>
NO _x	85.1	1.3	5.0
SO ₂	97.5	1.04	4.0
SO ₃	—	0.85	3.3
HCl	99.1	0.13	0.5
HF	85	0.12	0.46
CO	—	3.5	13.4
VOC	40.6	1.04	4.0
PM	99.8	0.39	1.5
Hg	90	0.0015	0.006
CO ₂	—	16382	62,907

The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. The facility also subject to Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5). The emissions

from the sources will be controlled by the various air pollution control equipment to meet or exceed the BAT requirements for the sources. 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 Department will include following conditions in the plan approval limiting emissions.

1. Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5), the Owner or Operator shall limit the emissions from the facility to the following:

a. PM- 0.39 lb/hr, 1.5 tons/yr. in any 12-month period, rolling monthly.

b. NO_x- 1.3 lb/hr, 5.0 tons/yr. in any 12-month period, rolling monthly.

c. HCl- 0.13 lb/hr, 0.5 tons/yr. in any 12-month period, rolling monthly.

d. CO- 3.5 lb/hr, 13.4 tons/yr. in any 12-month period, rolling monthly.

e. VOCs- 1.04 lb/hr, 4.0 tons/yr. in any 12-month period, rolling monthly.

f. SO_x- 1.89 lb/hr, 7.3 tons/yr. in any 12-month period, rolling monthly.

g. Hg- 0.0015 lb/hr, 0.006 tons/yr. in any 12-month period, rolling monthly.

h. HF- 0.12 lb/hr, 0.46 tons/yr. in any 12-month period, rolling monthly.

2. Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5), the Owner or Operator shall limit the emissions from the facility to the following:

a. Lead—0.20 milligrams/dscm at 7% O₂.

b. Dioxins/Furans (total mass basis)—13 nanograms/dscm at 7% O₂

c. Arsenic and compounds—7.2 ug/dscm at 7% O₂

d. Beryllium and compounds—0.2 ug/dscm at 7% O₂

e. Cadmium and compounds—15.8 ug/dscm at 7% O₂

f. Hexavalent chromium and compounds—2.3ug/dscm at 7% O₂

g. Nickel and compounds—25.0 ug/dscm at 7% O₂

3. Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5), the Owner or Operator shall limit the emission of ammonia for selective catalytic reduction (SCR) system exhaust to 5 ppmvd, measured dry volume corrected to 15% oxygen.

4. Pursuant to the Best Available Technology provision of 25 Pa. Code §§ 127.1 and 127.12(a)(5), visible emissions shall not exceed 10 percent opacity for periods aggregating more than 3 minutes in any 60-minute period, except during startup, when visible emissions may not exceed 20 percent opacity for periods aggregating more than 3 minutes in any 60-minute period. Visible emissions may not equal or exceed 30 percent opacity at any time.

5. The storage and handling of the material associated with the aforementioned source(s) shall not at any time result in the emission of fugitive air contaminants in excess of the limitations specified in Section 123.1 of Chapter 123 of the Rules and Regulations of the Department of Environmental Protection.

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 Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit no. 39-00099A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

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

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

15-00025: Transwall Office System, Inc. (1220 Wilson Drive, West Chester, PA 19380) for operation of an office furniture manufacturing plant in West Goshen Township, **Chester County**. The permit is for a non-Title V (State-only) facility. The facility has elected to cap their VOCs and HAPs to Minor Source threshold levels; the facility is a Synthetic Minor. This action is a renewal of the State-only Operating Permit. There are no new sources at the facility; Source ID 105 and 106 (Paint Booths) have been permanently dismantled and decommissioned. The surface coating regulation applicable to the paint spray booths (Source ID 101—104) has been revised to include metal furniture surface coating processes (25 Pa. Code § 129.52a). Adhesives applied at Source ID 109 and 110 (Glue Spray Booths 1 & 2) are subject to the requirements of 25 Pa. Code § 129.77. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

40-00116: The Ohio Mattress Co. (25 Elmwood Road, Mountaintop, PA 18707-2136) for the operation of mattress manufacturing facility in Wright Township, **Luzerne County**. The sources consists of two (2) boilers and three (3) foam production lines with two (2) scrubbers for emission control. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and test-

ing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

48-00062: Haines and Kibblehouse, Inc. (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474) for the operation of a stone crushing and screening operation in Lower Mount Bethel Township, **Northampton County**. The operation consists of crushers and screens with water sprays for particulate control. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

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

01-05018: McClarin Plastics, Inc. (15 Industrial Drive, Hanover, PA 17331) for its thermoformed plastic and fiberglass-reinforced plastic products manufacturing facility in Conewago Township, **Adams County**.

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

The subject facility had the following estimated actual emissions in 2012: 9.1 tons VOC; 0.2 ton NO_x; 0.2 ton CO; 6.8 tons styrene; 229.3 tons CO₂; and 229.3 tons CO₂e. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

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

William R. Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

36-05099: Pennsy Supply Inc. (2743 Lancaster Road, Manheim, PA 17545) for the asphalt paving manufacturing facility in East Hempfield Township, **Lancaster County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has

received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The subject facility has potential emissions with a 400,000 tpy asphalt limit of 24 tpy of NO_x, 80 tpy of CO, 18 tpy of SO_x, 8 tpy of PM, 7 tpy of VOC and 11,100 tpy of CO₂. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart I—Standards of Performance for Hot Asphalt Facilities.

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 name, address and telephone number of the person submitting the comment, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

67-03151: Kenworthy Roth Funeral Home, Inc. (269 Frederick Street, Hanover, PA 17331) for operation of a human crematory facility in Hanover Borough, **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 estimate potential emissions in year are: 1.4 tons per year of CO, 0.4 ton per year of NO_x, 1.0 ton per year of PM, 0.4 ton per year of SO₂, and 0.4 ton per year of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

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

19-00009: Deluxe Building Systems, Inc. (499 West Third Street, Berwick, PA 18603-2936) for renewal of the State Only (Synthetic Minor) Operating Permit for their Berwick Plant located in Berwick Borough, **Columbia County**. The subject facility has the following potential emissions: 2.13 TPY of CO; 5.0 TPY of NO_x; 0.032 TPY of SO_x; 1.48 TPY of PM; 0.64 TPY of PM₁₀; <50 TPY of VOCs; <25 TPY of HAPs; <10 TPY of any individual HAP and 6,413 TPY of CO₂e. The facility's sources include one (1) plumbing operation, one (1) sealant operation, one (1) adhesive operation, three (3) surface coating operations, three (3) petroleum storage tanks, one (1) cold degreaser, one (1) welding operation, one (1) concrete panel operation and miscellaneous space heaters.

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

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

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

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 19-00009) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of

Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to: David M. Shimmel, P.E., Chief, New Source Review Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

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

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

24-00001: Buehler Lumber Co. (260 West Main Street, Ridgway, PA 15853) to issue a renewal of the State Only Operating Permit for the sawmill in Ridgway Boro, **Elk County**. The facility is a Natural Minor. The facility primary sources include a biomass boiler rated at 20 mmbtu/hr controlled by a multi cyclone, miscellaneous woodworking operations, stockpiling, lumber grading operation controlled by a cyclone, and a wood moulder controlled by a baghouse. The boiler is subject to the requirements of 40 CFR 60, Subpart Dc—NSPS for Industrial, Commercial, and Institutional Steam Generating Units and 40 CFR 63, Subpart JJJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The PM, SO_x, NO_x, CO, and VOC and HAP emissions are less than major thresholds. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

33-00174: Brownlee Lumber Co. (2652 Hazen Richardsville Road, Brookville 15825) to renew a State Only Operating Permit for the facility located in Warsaw Township, **Jefferson County**. The primary sources at the facility are a 125 hp wood boiler and saw mill operations. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The boiler is subject to 40 CFR Part 63 Subpart JJJJJJ, the NESHAP for Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00309: Bucks Fabricating, Inc. (3547 Perry Highway, Hadley, PA 16130) to renew a State Only Operating Permit for the roll-off container fabricating facility located in Sandy Creek Township, **Mercer County**. The primary sources at the facility are cleaning and coating operations, two paint booths, and a 13 kW propane-fueled emergency generator. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

OPERATING PERMITS

PUBLIC HEARINGS

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Airlite Plastic Company**,

(2860 Bath Pike, Nazareth, PA 18064-8898) for their facility located in Upper Nazareth Township, **Northampton County**.

Plan Approval No. 48-00101A is for the construction and operation of expanded polystyrene foam (EPS) molding equipment capable of processing 2,000 lb/hr expandable polystyrene beads. Only VOC emissions will be generated from this operation and will be less than 50 TPY on a 12-month rolling sum.

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 Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00101A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **ASSA ABLOY Service Center, Inc. Northeast** (1000 Conroy Place, Easton, PA 18040) for their facility located in Northampton Twp., **Northampton County**. This **Plan Approval No. 48-00092A** will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 48-00092A is for the increase in coating usage. VOC emissions from the plant will remain under 50 TPY threshold limit, 12-month rolling sum. Particulate emissions will not exceed 0.04 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 129.52 for VOC emission limits. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of a dry filters. These limits will meet BAT requirements for this source. 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 Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00092A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

PLAN APPROVALS

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

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

45-00015A: Tarheel Quarry, LLC—Tarheel Quarry (PO Box 900, Blakeslee, PA 18610) for their facility in Tobyhanna Township, **Monroe County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Tarheel Quarry, LLC (Tarheel Quarry) (PO Box 900, Blakeslee, PA 18610) for their facility located in Tobyhanna Twp, Monroe County. This Plan Approval No. 45-00015A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 45-00015A is for (1) Impact Crusher Model Number 38-TEC. The crushing operation is subject to NSPS Subpart OOO requirements. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. 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 Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 45-00015A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the

requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

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

Permit No. 11860104 and NPDES No. PA0597724. Cooney Brothers Coal Co., P.O. Box 246, Cresson, PA 16630, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Conemaugh Township, **Cambria County**, affecting 456.0 acres. Receiving streams: Bear Run and unnamed tributaries to/and Little Conemaugh River classified for the following use: cold water fisheries. There are no portable water supply intakes within 10 miles downstream. Application received August 9, 2013.

Permit No. 11850107 and NPDES No. PA 0597341. AMFIRE Mining Co., LLC, ONE Energy Place, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface mine in Portage Township, **Cambria County**, affecting 85.7 acres. Receiving streams: unnamed tributaries to/and Spring Run and unnamed tributaries to/and Trout Run, classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh River SWI. Application Received August 20, 2013.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

43020103 and NPDES Permit No. PA0242136. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface and sandstone removal mine in Sandy Lake Township, **Mercker County** affecting 95.4 acres. Receiving streams: Unnamed tributary B to Sandy Creek classified for the following uses: There are no potable surface water supply intakes within 10 miles downstream. Application received: August 20, 2013.

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

17900143 and NPDES PA0206458. AMFIRE Mining Company, LLC (One Energy Place Latrobe, PA 15650). Transfer of an existing bituminous surface mine from Rob Holland Enterprises located in Penn and Brady Townships, **Clearfield County** affecting 342.5 acres. Receiving stream(s): Irish Run and an Unnamed Tributary to Irish Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 19, 2013.

17970106 and NPDES PA0220612. Junior Coal Contracting, Inc. (2330 Six Mile Road Philipsburg, PA 16866). Transfer of an existing bituminous surface mine from Forcey Coal, Inc. located in Decatur Township, **Clearfield County** affecting 119.9 acres. Receiving streams: Big Run to Moshannon Creek classified as the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 20, 2013.

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

54980103C9. Gale Coal Co., Inc., (1441 Oak Road, Pottsville, PA 17901), correction to an existing anthracite surface mine and coal refuse disposal operation to update the post-mining land use from forestland to unmanaged natural habitat and forestland in Frailey Township, **Schuylkill County** affecting 431.5 acres, receiving stream: Middle Creek, classified for the following uses:

cold water and migratory fishes. Application received: August 5, 2013.

54980103R3. Gale Coal Co., Inc., (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse disposal operation in Frailey Township, **Schuylkill County** affecting 431.5 acres, receiving stream: Middle Creek, classified for the following uses: cold water and migratory fishes. Application received: August 5, 2013.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

* The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity*		greater than 6.0; less than 9.0	
pH*			

* The parameter is applicable at all times.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation—Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

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

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0234591 (Mining permit no. 11970106), Laurel Sand and Stone, Inc., P.O. Box 556, 210 East Main Street, Ligonier, PA 15658 renewal of an NPDES permit for surface mining activities in Jackson Township, **Cambria County**, affecting 85.2 acres. Receiving streams: Unnamed tributary to South Branch of Blacklick Creek; unnamed tributaries to Hinkston Run; and Bracken Run, classified for the following use: cold water fisheries. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received December 3, 2012.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The stormwater outfalls listed below discharge to: Unnamed tributary to South Branch Blacklick Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
006	N

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Settleable Solids (ml/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall listed below discharges to: Unnamed tributary to Bracken Run

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
007	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Settleable Solids (ml/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

NPDES No. PA0258555 (Permit No. 24080101). RES Coal, LLC (P.O. Box 228, Armagh, PA 15920) Renewal of an existing NPDES permit for a bituminous surface and auger mine in Fox Township, **Elk County**, affecting 41.1 acres. Receiving streams: Unnamed tributary to Kyler Run and Kyler Run, classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: March 1, 2013.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributary to Kyler Run and Kyler Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
Pond E	N
Pond F	N
Pond G	N
Pond H	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		0.75	1.5	1.88
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90

¹ The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributary to Kyler Run and Kyler Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SPA	N
SPB	N
SPC	N
SPD	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity ¹				
Total Settleable Solids (ml/l)				0.5

Noncoal NPDES Draft Permits

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

NPDES Permit No. PA0595543 on Surface Mining Permit No. 38870301. Pennsy Supply, Inc., (PO Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in Annville Borough, North Londonderry, North and South Annville Townships, **Lebanon County**, affecting 1,039.9 acres. Receiving streams: Killinger and Quittapahilla Creeks (TMDL—no WLA for sediment), classified for the following use: trout stock fishes. Application received: September 27, 2011.

The outfall(s) listed below discharge to Killinger and Quittapahilla Creeks.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	O.D. (groundwater)
002	No	O.D. (groundwater)
003	No	O.D. (groundwater)
004	No	O.D. (groundwater)
005	No	E&S (stormwater)
006	No	E&S/O.D (stormwater/groundwater)
007	No	E&S (stormwater)

NPDES Permit No. PA0595349 on Surface Mining Permit No. 8274SM6. Pennsy Supply, Inc., (PO Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in East Hempfield Township, **Lancaster County**, affecting 241.0 acres. Receiving stream: unnamed tributary to Little Conestoga Creek, classified for the following use: trout stock fishes. Application received: September 24, 2012.

The outfall(s) listed below discharge to Little Conestoga.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	N	O.D. (groundwater)

NPDES Permit No. PA0124028 on Surface Mining Permit No. 7675SM1. Pennsy Supply, Inc., (PO Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in South Annville and West Cornwall Townships, **Lebanon County**, affecting 195.93 acres. Receiving stream: Bachman's Run (TMDL Quittapahilla Creek—No WLA for sediment), classified for the following use: trout stock fishes. Application received: June 27, 2013.

The outfall(s) listed below discharge to Bachman's Run.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	O.D. (groundwater)
002	No	O.D. (groundwater)

NPDES Permit No. PA0613827 on Surface Mining Permit No. 7175SM1. Pennsy Supply, Inc., (PO Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in South Hanover Township, **Dauphin County**, affecting 205.0 acres. Receiving stream: Swatara Creek, classified for the following use: warm water fishes. Application received: July 19, 2013.

In addition to the Noncoal BAT Effluent Limits, Instantaneous Maximum Limits of 0.5 mg/l, Total Dissolved Aluminum and 0.7 mg/l Total Aluminum are carried over.

The outfall(s) listed below discharge to Swatara Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	O.D. (groundwater)
002	No	O.D. (groundwater)

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

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

E05-372: Broad Top Township, PO Box 57, Defiance, PA 16633 in Broad Top Township, **Bedford County**, Baltimore ACOE District

To (1) place and maintain 595 cubic yard of fill over 15,596 square feet in the floodway of Six Mile Run (WWF, MF) (2) place and maintain 693 cubic yard of fill over 8,664 square feet in the floodplain of Six Mile Run (WWF, MF), for the purpose of constructing access roads and non-jurisdictional Acid Mine Drainage treatment basins.

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

F19-010. Orange Township, 2028 State Route 487, Bloomsburg, PA 17815. Floodplain encroachment demolition in Orange Township, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle Latitude: 41° 4' 41.56"; Longitude: -76° 25' 49.62").

Orange Township is seeking authorization to restore flood damaged property located at 466 Mt. Pleasant Road, Orangeville, PA 17859. The property is located within the floodplain of Fishing Creek.

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

E02-1676. PennDOT Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Baldwin Borough, **Allegheny County**; ACOE Pittsburgh District

Applicant proposes to construct and maintain a replacement of the existing SR 3098, 9.5 ft. wide, 48 ft. long, 4.8 ft underclearance, single span bridge, by a 12.0 ft. wide, 125.5 ft. long, 5.5 ft. underclearance box culvert depressed one foot on Glass Run (WWF) with a drainage area of 429 acre. In addition construct and maintain associated 100 ft of bank stabilization adjacent to the culvert; stormwater outfalls; and construct and remove temporary encroachments for construction. This project is located in Baldwin Borough (Pittsburgh East Quadrangle, North 2.7 inches and West 11.4 inches; Latitude: 40° 23' 29" and Longitude: 79° 57' 28"), Allegheny County.

Southwest District Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

E63-07-005 CNX Gas Company, LLC, 1000 CONSOL Energy Drive Canonsburg, PA 15317. To construct and install 0.62 mile of 12-inch diameter high density polyethylene waterline to connect Washington Reservoir Nos. 3 and 4 to the existing Paris Waterlines; to construct and install an intake structure within Washington Reservoir No. 3; to construct and install an intake and outfall structure within Washington Reservoir No. 4; and the construction of two permanent and one temporary access roads, in North Franklin Township, **Washington County**; for purposes of transporting water to be used in CNX's Marcellus shale activities, Pittsburgh ACOE District, State Water Plan Basin 20-F, (Washington West, PA Quadrangle; Start at Latitude: N 40° 8' 40.442"; Longitude: W 80° 15' 47.048"; End at N 40° 8' 8.806"; Longitude: W 80° 15' 59.828"), Chartiers Creek Watershed. The intake structures will consist of a pump pad, stabilized gravel access road, a cat walk, and an intake pump. The discharge structure will consist of a cement endwall and a rip rap channel within Reservoir 4.

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

E20-591, City of Titusville, 107 N Franklin Street, Titusville, PA 16354. Titusville Sewage Treatment Plant Upgrades, Phase 3, in City of Titusville, **Crawford County**, ACOE Pittsburgh District (Titusville South, PA Quadrangle N: 41°, 37', 23"; W: 79°, 39', 19").

To construct and maintain an expansion of the existing sewage treatment plant consisting of a fifth SBR tank, blower building, flow splitter box and other modifications and repairs to the existing plant and access roadway improvements within the 100-year flood plain of Oil

Creek impacting an additional area of approximately 9,028 square feet (0.2 acre) of the flood plain.

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

E0829-078: Appalachia Midstream, LLC, 100 IST Center, Horseheads, NY 14845, Albany Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter natural gas line and a temporary timber mat bridge impacting 193 linear feet of Ladds Creek (CWF, MF) and impacting 9,478 square feet of an adjacent Palustrine Scrub-Shrub Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41°35'46", Longitude: -76°28'11");

The project will result in 193 linear feet or 1,939 square feet of temporary stream impacts and 9,478 square feet (0.22 acre) of PSS wetland all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Albany Township, Bradford County.

DAM SAFETY

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

D14-112. PA Fish & Boat Commission, 1601 Elmer-ton Avenue, Harrisburg, PA 17106. To modify Colyer Lake Dam across Sinking Creek for the purpose of modifying the embankment and spillway to safely control the Probable Maximum Flood (PMF). (Centre Hall, PA Quadrangle 40°46'41" N; 77°40'54" W) in Potter Township, **Centre County**.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to

Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0011762 (IW)	American Nickeloid 131 Cherry Street Walnutport, PA 18088-1689	Northampton County Walnutport Borough	Lehigh River (2-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0087769— IW	Texas Eastern Transmission, LP— Shermans Dale Compressor Station 2601 Market Place, Ste 400 Harrisburg, PA 17110	Perry County / Carroll Township	UNT Sherman Creek / 7-A	Y
PA0008893— IW	Team Ten LLC 1600 Pennsylvania Avenue Tyrone PA 16686-1758	Blair County Tyrone Borough	Bald Eagle Creek / 11-A	Y
PA0248185— Sew	Jackson Township Authority 60 North Ramona Road Myerstown, PA 17067-2149	Lebanon County Jackson Township	UNT to Tulpehocken Creek / 3-C	Y
PA0085600 IW	Ono Industries Inc. Route 22 West, PO Box 150 Ono, PA 17077	Lebanon County East Hanover Township	UNT to Reeds Creek / 7-D	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0113298 (Sewage)	Elkland Borough Wastewater Treatment Plant Ellison Road Elkland, PA 16920	Tioga County Elkland Borough	Cowanesque River (4-A)	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0217719 Sewage	Riviera MHC 295 Tunnel Rd Smithfield, PA 15478-1471	Greene Cnty Dunkard Twp	Monongahela River	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0239224 (Sewage)	Keystone Charter School 425 South Good Hope Road, Greenville, PA 16125	Mercer County West Salem Township	Big Run (20-A)	Y

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

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

NPDES Permit No. PA0029912 Amendment 1, Sewage, **Embreeville Redevelopment GP, LLC**, 1522 Tattersall Way, West Chester, PA 19380.

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

Description of Proposed Action/Activity: Approval for the transfer of an NPDES permit to discharge treated Sewage from a facility known as Embreeville Complex STP to West Branch Brandywine Creek in Watershed 3H.

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

NPDES Permit No. PA0261963, Industrial Waste, **Shinn Spring Water Co.**, 2 East Pointe Drive, Birdsboro, PA 19508.

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

Description of Proposed Action/Activity: Authorization for the East Pointe Bottling Plant to discharge to the Schuylkill River in Watershed 3-C.

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

PABIG 4801. Robinson Septic Service, Walker Township, **Centre County**. Robinson Septic Service; 306 Runville Road, Bellefonte, PA 16823 is approved to use their biosolids for beneficial use by land applications.

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

NPDES Permit No. PA0026212, Sewage, **Washington E Washington Jt Auth.**, PO Box 510, Washington, PA 15301-4514

This existing facility is located in S Strabane Twp, **Washington Cnty**

Description of Existing Action/Activity: Permit issuance to discharge treated sewage.

NPDES Permit No. PA0026778, Sewage, **Windber Area Auth**, 1700 Stockholm Ave., Windber, PA 15963

This existing facility is located in Richland Twp, **Cambria Cnty**

Description of Existing Action/Activity: Permit issuance to discharge treated sewage.

NPDES Permit No. PA0036609, Sewage, **Conway Boro**, 1208 Third Ave., Conway, PA 15027

This existing facility is located in Conway Boro, **Beaver Cnty**

Description of Existing Action/Activity: Permit issuance to discharge treated sewage.

NPDES Permit No. PA0218413, Sewage, **Economy Boro Muni Auth.**, 2860 Conway Wallrose Rd., Baden, PA 15005-2306

This existing facility is located in Economy Boro, **Beaver Cnty**

Description of Existing Action/Activity: Permit issuance to discharge treated sewage.

NPDES Permit No. PA0038181, Sewage, **Hempfield Twp Muni Auth.**, 1146 Woodward Dr., Greensburg, PA 15601-6416

This existing facility is located in Hempfield Twp, **Westmoreland Cnty**

Description of Existing Action/Activity: Permit issuance to discharge treated sewage.

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

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W THIRD ST STE 101, Williamsport, PA 17701-6448. Phone: 570.327.3664.

WQM Permit No. 1981402 T-3, Sewage, **Welkom Norman F**, 677 Numidia Dr, Catawissa, PA 17820.

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

Description of Proposed Action/Activity: WQM Permit Transfer 1981402 T-3 is for a change of ownership of a Single Residence Sewage Treatment Plant (SR STP).

WQM Permit No. 4909403 A-1, Sewage, SIC Code 4952, **Ralpho Township Municipal Authority**, 206 S Market Street, Elysburg, PA 17824-9782.

This existing facility is located in Shamokin Township, **Northumberland County**.

Description of Proposed Action/Activity: Modify operational freeboard of the sequencing batch reactors from 24-inches to 18-inches to increase hydraulic capacity of the plant by 0.1 MGD to 0.819 MGD.

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

WQM Permit No. 0474204-A4, Industrial Waste, **FirstEnergy Generation, LLC**, PO Box 128, Shippingport, PA 15077

This existing facility is located in Shippingport Boro, **Beaver Cnty**

Description of proposed Action/Activity: Permit amendment issuance.

WQM Permit No. 3213400, Sewerage, **Saltsburg Boro**, 320 Point St., Saltsburg, PA 15681

This proposed facility is located in Saltsburg Boro, **Indiana Cnty**

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

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

WQM Permit No. WQG01371301, Sewage, **Nathaniel D. Hunter**, 620 Wilson Mill Road, New Castle, PA 16105.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace an existing malfunctioning on-lot system.

WQM Permit No. WQG018356, Sewage, **Transfer No. 2, David W. & Stacey J. Morgan**, 45 W Methodist Road, Greenville, PA 16125.

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

Description of Proposed Action/Activity: Transfer of an existing permit for a Single Residence Sewage Treatment Plant from Nadeana L. Bielobocky to David W. & Stacey J. Morgan.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

Facility Location

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
East Caln Township Chester County	PAI130536	East Caln Township Chester County 110 Bell Tavern Lane Downingtown, PA 19335-3353	Unnamed Tributary to East Branch Brandywine Creek and Valley Creek—3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI01 151036	Jerrehian, a PA General Partnership 101 West Washington Street Conshohocken, PA 19428	Chester	West Goshen Township	Taylor's Run TSF-MF
PAI01 2312008	SVP/CFO Elwyn, Inc. 111 Elwyn Road Elwyn, PA 19063	Delaware	Middletown Township	Ridley Creek HQ-TSF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI024806010R	3 Twin Realty Partners 287 Park Avenue Bangor, PA 18013	Northampton	Plainfield Township	Bushkill Creek (HQ-CWF, MF)
PAI024513005	447 Cornerstone Products, Inc. 2089 Paradise Trail East Stroudsburg, Pa 18301	Monroe	Stroud Township	UNT to Brodhead Creek (HQ-CWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025411002(2)	Eagle Rock Resort Company 1 Country Club Road Hazle Township, PA 18202	Schuylkill	North Union Township, East Union Township	Little Tomhicken Creek (CWF, MF), Little Crooked Run (HQ-CWF, MF)
PAI024512006	Hott PA, Inc. 5 Pondview Lane Flanders, NJ 07836	Monroe	Middle Smithfield Township	Pond Creek (HQ-CWF, MF)

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

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041413004	Columbia Gas of PA Inc 4000 Energy Dr Bridgeville PA 15017	Centre	College Township State College Boro	Thompson Run HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI053012001	CONSOL PA Coal Company, LLC. 1525 Pleasant Grove Road Claysville, PA 15323	Greene	Morris Township	Patterson Creek (HQ-WWF)
PAI056512007	Ligonier Township Municipal Authority One Municipal Park Drive Ligonier, PA 15658	Westmoreland	Ligonier Township and Fairfield Township	Fourmile Run (TSF), Macks Run (TSF), and Hess Run (HQ)
PAI056513003	North Huntingdon Township 11279 Center Highway North Huntingdon, PA 15642	Westmoreland	North Huntingdon Township	Long Run (HQ-TSF)

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

General Permit Type—PAG-02

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Butler Township Schuylkill County	PAG02005413006	Wal-Mart Store East L.P. 2001 S.E. 10th Street Mailstop 5570 Bentonville, Arkansas 72716	Ratting Run (CWF, MF)	Schuylkill County Conservation District 570-622-3742
West Mahanoy Township Schuylkill County	PAG02005405-005(1)R	G.C.C. Realty 10 Gilberton Road Gilberton, PA 17934	Mill Creek (CWF, MF) Stony Creek (CWF, MF) Mahanoy Creek (WWF, MF)	Schuylkill County Conservation District 570-622-3742
New Castle Township Schuylkill County	PAG02005413007	UGI Utilities, Inc. 225 Morgantown Road Reading, PA 19612	Mill Creek (CWF, MF)	Schuylkill County Conservation District 570-622-3742
Hanover Township Luzerne County	PAG02004013008	Medley Investments, LLC c/o Frank Nockley, Jr. P. O. Box 1474 Kingston, PA 18704	Solomon Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
City of Allentown, Lehigh County	PAG02003913005	Allentown Classic Motor Cars., Inc. c/o Keith Flickinger 808 N. Fenwick Street Allentown, PA 18109	Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Perry Township, Berks County	PAG02000613036	Carl & Carolyn Hollenbach 6188-A Old Route 22 Bernville, PA 19506	Maidencreek Creek	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Borough of Wyomissing, Berks County	PAG02000613029	Marti Heim-Hozey Borough of Wyomissing 22 Reading Boulevard Wyomissing, PA 19610	Wyomissing Creek	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Warwick Township, Lancaster County	PAG02003613051	Traditions of America, Inc. 201 King of Prussia STE 370 Radnor, PA 19087	Bachman Run (TSF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Bethel Township, Lebanon County	PAG02003813021	154 West Main Street Fredericksburg, PA 17026	Elizabeth Run (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Annville Township & North Annville Township, Lebanon County	PAG02003813016	Eugene S. Martin 519 West Main Street Annville, PA 17003	Quittapahilla Creek (TSF, MF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Union Township, Lebanon County	PAG02003809011 16	Jerry Beck Training Sit Headquarters (FTIG-GC) Building T-0-1, FTIG Annville, PA 17003	Vesle Run (WWF, MF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Londonderry Township, Lebanon County	PAG02003813026	Chad Weaver 47 Palmyra-Bellgrove Road Annville, PA 17003	Killinger Creek (TSF, MF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
North Lebanon Township, Lebanon County	PAG02003813017	Anthony Pariti 10 Keyland Court Bohemia, NY 11716	Quittapahilla Creek (TSF, MF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Jackson Township, Lebanon County	PAG02003813018	Dylan Layser 120 South Fort Zellers Road Newmanstown, PA 17073	Tulpehocken Creek (TSF, MF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Londonderry Township, Lebanon County	PAG02003813002	Andrew Panko 99 Laurel Ridge Road Hershey, PA 17033	Killinger Creek (TSF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Bethel Township, Lebanon County	PAG02003813031	Bruce Light 791 Greble Road Lebanon, PA 17046	Tributary 09893 to Elizabeth Run (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
North Cornwall Township, Lebanon County	PAG02003813005	William W. Smeltzer 1316 King Street Lebanon, PA 17042	Snitz Creek (TSF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Manchester Township York County	PAG02006706054R	Brandywine Crossings LP Richard Poole 950 Smile Way York PA 17404	UNT to Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township Newberry Township York Haven Boro York County	PAG02006713027	The York Water Co 130 E Market Street Box 15089 York PA 17401	West Conewago Creek, Musser Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

NOTICES

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Fairview Township York County	PAG02006711004R	Deer Run Associates 4075 Market Street Camp Hill PA 17011	Fishing Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG02006713014	Crosswinds Associates Development Co 336 West King Street Lancaster PA 17603	Oil Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG02006713035	Stone Ridge Development Corp 330 Dubs Church Road Hanover PA 17331	WB Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAG02006713028	FedEx Ground Package System Inc. 1000 FedEx Drive Moon Township PA 15108	UNT to Fishing Creek/CWF-TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG02006713016	Trone Rental Properties Inc. 350 Third Street Hanover PA 17331	UNT to Oil Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Windham Township Bradford County	PAG02000813011	Tracy J Yeagle 12592 Learaysville Rd Rome PA 18837	Wappasening Creek CWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Muncy Creek Twp Lycoming County	PAG02004113006	John Legarski Kellogg Company 572 Industrial Park Rd Muncy PA 17756	Muncy Creek TSF Wolf Run CWF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Mahoning Township and Madison Township Armstrong County	PAG02000313007	Peoples TWP, LLC. 834 Butler Road Kittanning, PA 16201	UNT to Mahoning Creek (CWF)	Armstrong County CD 124 Armsdale Road Kittanning, PA 16201 (724) 548-3425

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Cecil Township Washington County	PAG02006313014	W. Ryan Davis 450 Ironwood Drive Canonsburg, PA 15317	McPherson Run/Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301
<i>General Permit Type—PAG-03</i>				
<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Wilmot Township Bradford County	PAR604813	Vernon Ambrosius 2587 Ambrosius Road New Albany, PA 18833	Unnamed Tributary of North Branch Mehoopany Creek—4-G	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Bradford Township Clearfield County	PAR704815	Midland Asphalt Materials Inc. 640 Young Street Tonawanda, NY 14150	Unnamed Tributary to Roaring Run—8-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Boggs Township Centre County	PAR234822	Hilex Poly Co. LLC 606 Old Curtin Road Milesburg, PA 16853	Bald Eagle Creek—9-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Brady Township Clearfield County	PAR604812	Richard Cherico 2608 Carbon Hill Road Du Bois, PA 15801	Pentz Run—17-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Franklin Twp Greene Cnty	PAR806295	Greene Cnty Airport 93 E High St Waynesburg, PA 15370	UNT of Humms Run and UNT to S Fork Tenmile Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Cranberry Township Venango County	PAR808386	Advantage Tank Lines LLC Suite 400 2001 Spring Road, Oak Brook, IL 60523	Unnamed Tributaries to the Lower Twomile Run 16-G	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*Facility Location:
Municipality &
County*

Warren City
Warren County

Permit No.
PAR808385

*Applicant Name &
Address*
Advantage Tank Lines LLC
Suite 400
2001 Spring Road,
Oak Brook, IL 60523

Receiving Water/Use
Glade Run
16-B

*Contact Office &
Phone No.*
DEP
NWRO
Clean Water Program
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

General Permit Type—PAG-4

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

*Facility Location:
Municipality &
County*

Wilmington Township
Lawrence County

Permit No.
PAG041112

*Applicant Name &
Address*
Nathaniel D. Hunter
620 Wilson Mill Road,
New Castle, PA 16105

*Receiving
Water/Use*
Unnamed Tributary
to Little Neshannock
Creek
20-A

*Contact Office &
Phone No.*
DEP
NWRO
Clean Water Program
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

General Permit Type—PAG-8

*Facility Location:
Municipality &
County*

Upper Providence Twp
Montgomery County

Permit No.
PAG080011

*Applicant's Name &
Address*
Lower Perkiomen Valley
Regional Sewer Authority
Oaks Treatment Plant
P. O. Box 297
101 Station Avenue
Oaks, PA 19456

*Contact Office &
Telephone No.*
Southeast Region
Clean Water
484-250-5970

General Permit Type—PAG-12

*Facility Location
Municipality &
County*

Franklin Township
Lycoming County

Permit No.
PAG124816 T-1

*Applicant Name &
Address*
Robert Boyles
258 Mountain Road
Muncy Valley, PA 17758

*Receiving
Water / Use*
Unnamed Tributary
to Beaver Run—10-D

*Contact Office &
Phone No.*
DEP Northcentral
Regional Office
Clean Water Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.3664

Spring Township
Snyder County

Permit No.
PAG124804 A-1

*Applicant Name &
Address*
Stones Hog Production, LLC
12547 Stage Road
McClure, PA 17841

*Receiving
Creek—CWF*
UNT to Middle
Creek—CWF

*Contact Office
Regional Office
Clean Water Program
208 W Third Street
Suite 101,
Williamsport, PA
17701-6448
570.327.3664*

General Permit Type—PAG-13

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

*Facility Location:
Municipality &
County*

Folcroft Borough
Delaware County

Permit No.
PAG130015

*Applicant Name &
Address*
Folcroft Borough
Delaware County
1555 Elmwood Avenue
Folcroft, PA 19032

*Receiving
Water / Use*
Hermesprot
Creek—3-G

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

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Critter Hill Farm, LLC Mike and Dorothy Hare 224 Quaker Run Road Biglerville, PA 17307	Adams	39	328.25	Turkeys and Beef Cattle	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

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

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once.

Persons who cannot afford a lawyer may qualify for 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. 5013505 , Public Water Supply.	
Applicant	Stonebridge Health & Rehabilitation Center
Municipality	Penn Township
County	Perry
Responsible Official	Daniel Dietzel III, Administrator 102 Chandra Drive Duncannon, PA 17020
Type of Facility	Installation of an arsenic treatment system and revised 4-log treatment of viruses.
Consulting Engineer	Stephen R. Morse, P.E. Skelly & Loy, Inc. 449 Eisenhower Boulevard Harrisburg, PA 17111
Permit to Construct Issued:	8/27/2013

Permit No. 3613506, Public Water Supply.
 Applicant **Hobo Hollow Campground LLC**
 Municipality Martic Township
 County **Lancaster**
 Responsible Official William F Gring, Owner
 65 Nissley Lane
 Holtwood, PA 17532
 Type of Facility Installation of anion exchange
 for nitrate treatment.
 Consulting Engineer Charles A Kehew II, P.E.
 James R. Holley & Associates,
 Inc.
 18 South George Street
 York, PA 17401
 Permit to Construct 8/22/2013
 Issued:

Permit No. 3613507, Public Water Supply.
 Applicant **Peifer Brothers**
 Municipality Warwick Township
 County **Lancaster**
 Responsible Official Jay R Peifer, General Partner
 PO Box 247
 Silver Springs, PA 17575
 Type of Facility Application for the consolidation
 of the treatment plants at the
 Plateau Village Mobile Home
 Park water system. A new
 treatment building will be
 constructed that will provide
 treatment to both of the wells
 in the system.
 Consulting Engineer Charles A Kehew II, P.E.
 James R. Holley & Associates,
 Inc.
 18 South George Street
 York, PA 17401
 Permit to Construct 8/21/2013
 Issued:

Operations Permit issued to: **Harmony Estates Mobile Home Park**, 7210003, North Middleton Township, **Cumberland County** on 8/27/2013 for the operation of facilities approved under Construction Permit No. 2112514 MA.

Operations Permit issued to: **Geisinger MHP**, 3060005, District Township, **Berks County** on 8/21/2013 for the operation of facilities approved under Construction Permit No. 0613503.

Operations Permit issued to: **Acorns MHP**, 3060015, Earl Township, **Berks County** on 8/8/2013 for the operation of facilities approved under Construction Permit No. 0613506 MA.

Operations Permit issued to: **Blue Rocks Inc.**, 3060447, Greenwich Township, **Berks County** on 8/22/2013 for the operation of facilities submitted under Application No. 3060447.

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

Permit No. 1113504, Public Water Supply.

Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714
 [Borough or Township] Northern Cambria Borough
 County **Cambria**
 Type of Facility Water system
 Consulting Engineer Stiffler McGraw and Associates
 1731 North Juniata Street
 Hollidaysburg, PA 16648
 Permit to Construct August 21, 2013
 Issued

Permit No. 1113507, Public Water Supply.
 Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714
 [Borough or Township] Northern Cambria Borough
 County **Cambria**
 Type of Facility Water system
 Consulting Engineer Stiffler McGraw and Associates
 1731 North Juniata Street
 Hollidaysburg, PA 16648
 Permit to Construct August 21, 2013
 Issued

Permit No. 1113508, Public Water Supply.
 Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714
 [Borough or Township] Northern Cambria Borough
 County **Cambria**
 Type of Facility Water system
 Consulting Engineer Stiffler McGraw and Associates
 1731 North Juniata Street
 Hollidaysburg, PA 16648
 Permit to Construct August 21, 2013
 Issued

Permit No. 0213514, Public Water Supply.
 Applicant **Pittsburgh Water & Sewer Authority**
 Penn Liberty Plaza I
 1200 Penn Avenue
 Pittsburgh, PA 15222
 [Borough or Township] City of Pittsburgh
 County **Allegheny**
 Type of Facility Water system
 Consulting Engineer
 Permit to Construct August 15, 2013
 Issued

Permit No. 0213515, Public Water Supply.
 Applicant **Pittsburgh Water & Sewer Authority**
 Penn Liberty Plaza I
 1200 Penn Avenue
 Pittsburgh, PA 15222
 [Borough or Township] City of Pittsburgh

County **Allegheny**
 Type of Facility Water system
 Consulting Engineer
 Permit to Construct August 15, 2013
 Issued

Operations Permit issued to: **H Manor, LLC**, 1379 Peninsula Drive Central City, PA 15926, (PWSID #4560053) Somerset Township, **Somerset County** on August 15, 2013 for the operation of facilities approved under Construction Permit # 5613504.

Operations Permit issued to: **Brighton Township Municipal Authority**, 1300 Brighton Road, Beaver, PA 15009, (PWSID #5040017) Brighton Township, **Beaver County** on August 23, 2013 for the operation of facilities approved under Construction Permit # 0413503MA.

Operations Permit issued to: **Ohioville Borough Municipal Authority**, 6268 Tuscarawas Road, Industry, PA 15052, (PWSID #5040044) Ohioville Borough, **Beaver County** on August 23, 2013 for the operation of facilities approved under Construction Permit # 0410513MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (PWSID #5020039) Liberty Borough, **Allegheny County** on August 23, 2013 for the operation of facilities approved under Construction Permit # 0212526MA.

Permit No. 3013502MA, Minor Amendment. Public Water Supply.

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

[Borough or Township] Franklin Township
 County **Greene**
 Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Indianola, PA 15051

Permit to Construct August 15, 2013
 Issued

Permit No. 1113509MA, Minor Amendment. Public Water Supply.

Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714

[Borough or Township] Northern Cambria Borough
 County **Cambria**
 Type of Facility Water system
 Consulting Engineer Stiffler McGraw and Associates
 1731 North Juniata Street
 Hollidaysburg, PA 16648

Permit to Construct August 21, 2013
 Issued

Permit No. 1113510MA, Minor Amendment. Public Water Supply.

Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714

[Borough or Township] Northern Cambria Borough
 County **Cambria**
 Type of Facility Water system
 Consulting Engineer Stiffler McGraw and Associates
 1731 North Juniata Street
 Hollidaysburg, PA 16648

Permit to Construct August 21, 2013
 Issued

Permit No. 5613505MA, Minor Amendment. Public Water Supply.

Applicant **Glades Pike Estates**
 4035 Glades Pike
 Somerset, PA 15501

[Borough or Township] Somerset Township
 County **Somerset**
 Type of Facility Water system
 Consulting Engineer Musser Engineering, Inc.
 7785 Lincoln Highway
 Central City, PA 15926

Permit to Construct August 23, 2013
 Issued

Permit No. 3213515MA, Minor Amendment. Public Water Supply.

Applicant **Central Indiana County Water Authority**
 30 East Wiley Street
 Homer City, PA 15748

[Borough or Township] Center Township
 County **Indiana**
 Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 Indianola, PA 15051

Permit to Construct August 19, 2013
 Issued

Permit No. 6513502MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of the City of New Kensington**
 920 Barnes Street
 PO Box 577
 New Kensington, PA 15068

[Borough or Township] Cities of New Kensington, Arnold and Lower Burrell
 County **Westmoreland**
 Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Permit to Construct August 21, 2013
Issued

Permit No. 6513504MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of the City of New Kensington**
920 Barnes Street
PO Box 577
New Kensington, PA 15068

[Borough or Township] Allegheny Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.
1004 Ligonier Street
PO Box 853
Latrobe, PA 15650

Permit to Construct August 21, 2013
Issued

Permit No. 0213521MA, Minor Amendment. Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**
Penn Liberty Plaza I
1200 Penn Avenue
Pittsburgh, PA 15222

[Borough or Township] City of Pittsburgh

County **Allegheny**

Type of Facility Water system

Consulting Engineer

Permit to Operate August 22, 2013
Issued

Permit No. 0213520MA, Minor Amendment. Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**
Penn Liberty Plaza I
1200 Penn Avenue
Pittsburgh, PA 15222

[Borough or Township] City of Pittsburgh

County **Allegheny**

Type of Facility Water system

Consulting Engineer

Permit to Operate August 22, 2013
Issued

Permit No. 6587502-T3, Minor Amendment. Public Water Supply.

Applicant **Pine Gardens Realty Associates, L.P.**
11 Glenview Avenue
Greensburg, PA 15601

[Borough or Township] Loyalhanna Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer

Permit to Operate August 23, 2013
Issued

Permit No. 6587502A1-T3, Minor Amendment. Public Water Supply.

Applicant **Pine Gardens Realty Associates, L.P.**
11 Glenview Avenue
Greensburg, PA 15601

[Borough or Township] Loyalhanna Township

County **Westmoreland**

Type of Facility Water system

Consulting Engineer

Permit to Operate August 23, 2013
Issued

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

Operation Permit issued to **Timothy C. Shield d/b/a Valley View Village Mobile Home Park**, PWSID #6620005, Pittsfield Township, **Warren County**. Permit Number 6286502-T1-MA2 issued August 27, 2013 for the operation of 4-Log treatment of viruses for Entry Points 110 and 120. This action is taken under the requirements of the Groundwater Rule.

Permit No. 2713501 Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**
Township or Borough Jenks Township
County **Forest**

Type of Facility Public Water Supply

Consulting Engineer William A. LaDieu, P.E.
CET Engineering Services—GHD
1240 North Mountain Road
Harrisburg, PA 17112

Permit to Construct August 27, 2013
Issued

Operation Permit issued to **Rhett B. Walls d/b/a Pinehurst Manor Mobile Home Park**, PWSID #5100015, Center Township, **Butler County**. Permit Number 1012504 issued August 27, 2013 for the operation of the Pinehurst Manor MHP upgrades to the water treatment system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 23, 2013.

Operation Permit issued to **Pennsylvania American Water Company**, PWSID #5100012, Connoquenessing Township, **Butler County**. Permit Number 1077501-T1-MA1 issued August 28, 2013 for the operation of the 250,000 gallon elevated steel water storage tank known as the "Connoquenessing Tank" located in Connoquenessing Township, PA. This permit is issued in response to the submission on August 26, 2013 of the Certificate of Construction/Modification Completion form, bacteriological test results and VOC test results.

Permit No. 2513501 Public Water Supply

Applicant **Old Orchard Subdivision**
Township or Borough Fairview Township
County **Erie**

Type of Facility Public Water Supply

Consulting Engineer Steven R. Halmi, P.E.
Deiss & Halmi Engineering, Inc.
105 Meadville Street
Edinboro, PA 16412

Permit to Construct August 28, 2013
 Issued

Permit No. 1606502-MA1 Public Water Supply

Applicant **Redbank Valley Municipal Authority**

Township or Borough New Bethlehem Borough
 County **Clarion**

Type of Facility Public Water Supply

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

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Municipal Authority of Hazle Township	79 Harleigh Boulevard P. O. Box 502 Harleigh, PA 18225	Luzerne

Plan Description: The approved Hazle Township Act 537 Update Revision / Component 3M / Green Ridge Area Sewer Project, received May 29, 2013, provides for the construction / installation of: gravity sanitary sewers; low pressure sewer main; grinder pumps; and manholes, connections, and lateral lines in the Green Ridge Area of the township.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required General NPDES Permit for Stormwater Discharges associated with Construction Activities must be obtained in the name of the Authority.

Plan Location: Glenn & Joy Herbert

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Saucon Township	5500 Camp Meeting Road Center Valley, PA 18034	Lehigh

Plan Description: The approved plan provides for a proposed Official Plan Revision consisting of a single family residence on a 1.0 acre tract with sewage flows of 400 GPD. This project proposes a small flow treatment facility to repair a malfunctioning on-lot sewage disposal system, which currently serves the residence. The residence has experienced two failed on-lot septic systems. The proposed treatment facility will include a septic tank, a Zabel filter, a peat filter dosing tank, peat filter chambers, under drain, a UV disinfection unit, and a lift pump station converted from the existing drain field dosing station. A 2" SCH 40 PVC force main will run approximately 69 feet to a drainage swale on the property. A pipe and stone level spreader will reduce the velocity and reduce erosive conditions on the drainage swale. The intermittent drainage swale flows for approximately 150 feet before discharging into an unnamed tributary to Tumble Brook. Tumble Brook is designated as Cold Water Fishes (CWF) in Chapter 93.9d.

A Maintenance Agreement has been executed by the Herberts and Upper Saucon Township for the Small Flow Treatment Facility.

A private well provides water to the residence.

The proposed development is located at 3033 Teakwood Drive, Upper Saucon Township, Lehigh County.

Any required NPDES Permits or WQM Permits must be obtained in the name of Glenn & Joy Herbert.

Plan Location: Cabot Oil and Gas New Office Building

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Dimock Township	P. O. Box 65 Dimock, PA 18816	Susquehanna

Plan Description: The approved plan provides for a proposed Official Plan Revision consisting of a small flow treatment facility with flows of 1900 GPD. The proposed project involves the demolition of one of the office buildings and the construction of a new office building in its place. The warehouse and second office building will

Permit to Construct August 29, 2013
 Issued

Operation Permit issued to **Geraldine Gardner d/b/a Woodmere Estates**, PWSID #6370047, Slippery Rock Township, **Lawrence County**. Permit Number 3787502-MA1 issued August 29, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Permit No. 2013502 Public Water Supply

Applicant **Meadville Area Water Authority**

Township or Borough Vernon Township
 County **Crawford**

Type of Facility Public Water Supply

Consulting Engineer David R. Knapton
 Gannett Fleming, Inc.
 601 Holiday Drive
 Pittsburgh, PA 15220

Permit to Construct August 30, 2013
 Issued

STORMWATER MANAGEMENT

Action on plans submitted under the Stormwater Management Act (32 P. S. § 680.9)

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19140

The Act 167 Stormwater Management Plan for **Poquessing Creek Watershed**, submitted by Philadelphia Water Department, Bucks County, and Montgomery County was approved on August 28, 2013. This plan applies to the Poquessing Creek Watershed in the **Counties of Philadelphia, Bucks, and Montgomery.**

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hazle Township	101 West 27th St. P. O. Box 506 Harleigh, PA 18225	Luzerne

remain in use. The existing sand mound absorption area will be taken out of service and replaced with a small flow sewage treatment facility (SFTF) that will have the capacity to handle the projected sewage flows from the entire site. A small flow treatment facility is proposed for this project since soil testing demonstrated that there were no suitable sites on the property for an expanded onlot sewage system. The proposed treatment facility will include two 2,500 gallon single compartment concrete septic tanks connected in series, a 1,000 gallon concrete dosing tank, a 2,850 square foot subsurface sand filter, a tablet chlorinator, a 1,000 gallon concrete chlorine contact tank, and a tablet dechlorinator. The discharge from the SFTF will be to an unnamed tributary to the Burdick Creek, which is designated as CWF, MF, in 25 Pa. Code 93.9i. The projected sewage flows for the facility are 1,900 gallon per day.

A Maintenance Agreement has been proposed by Cabot Oil and Gas Corporation and Dimock Township for the Small Flow Treatment Facility.

The facility is currently served by a private well.

The proposed project is located at 8279 State Route 29, in Dimock Township, Susquehanna County.

Any required NPDES Permits or WQM Permits must be obtained in the name of Cabot Oil and Gas Corporation.

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:

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

Latshaw Property Hydraulic Oil Release Cleanup, 38 Reedy Road, White Deer Township, **Union County**. Mr. David Bogovich, President, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Northridge Group, Inc. submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Latshaw Property, 38 Reedy Road, White Deer Township, **Union County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Edward Masser, 531 Saegers Rd, Montgomery, PA 17752, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Anthracene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Chrysene, Pyrene, Fluorene, and Phenanthrene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on August 21, 2013.

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

Slag Bank 4 Bethlehem Commerce Center (Lot 1), 530 East Third Street, City of Bethlehem, **Northampton County**, James Koval, HDR Engineering, Inc., has submitted a Final Report on behalf of his client, Kerry Wrobel, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Bethlehem, PA 18015-2164, concerning the remediation of soil. The entire parcel has been capped with physical barriers such as buildings, parking lots, roads, soil covers, etc., which ultimately eliminates the potential for any long-term direct contact exposure pathways. The property includes the remediation of volatiles, semi-volatile, and inorganic constituents found to be present in soils. The report was submitted to document attainment of the Site Specific Standard for soil.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Winebrenner Transfer, Inc., I-81 Spill, 1217 Willow Mill Road, Mechanicsburg, PA 17055, Silver Spring Township, **Cumberland County**. URS Corporation, 4507 North Front Street, Suite 200, Harrisburg, PA 17110, on behalf of Winebrenner Transfer, Inc., 15109 National Pike, Hagerstown, MD 21740, submitted a Final Report concerning remediation of site soils contaminated with

diesel fuel. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

Frank Gurish Residence, 103 Slover Road, Mechanicsburg, PA 17055, Upper Allen Township, **Cumberland County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Mr. Frank Gurish, 103 Slover Road, Mechanicsburg, PA 17055, submitted a Final Report concerning remediation of site soil contaminated with kerosene from a vandalized AST. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

Bally Medical Center, 1311 Route 100 South, Bally, PA 19504, Washington Township, **Berks County**. Barry Isett & Associates, 1003 Egypt Road, Phoenixville, PA 19460, on behalf of Bally Investors, LLP, PO Box 620, Bala Cynwyd, PA 19004 and Lewis Environmental, 155 Railroad Plaza, Royersford, PA 19468, submitted a Final Report concerning remediation of site soils contaminated with gasoline released from a car's ruptured fuel tank. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

CNH America Former UST L31 Area, 120 Brubaker Avenue, New Holland, PA 17557, New Holland Borough, **Lancaster County**. Brown & Caldwell, 110 Commerce Drive, Allendale, NJ 07401, on behalf of CNH America LLC, 700 State Street, Racine, WI 53404, submitted a Final Report concerning remediation of site soils and groundwater contaminated with #2 fuel oil. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health standard.

Rose Marie Allison Estate, 2070 Enfield Street, Camp Hill, PA 17011, Camp Hill Borough, **Cumberland County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of William Allison, Executor, Rose Marie Allison Estate, 2070 Enfield Street, Camp Hill, PA 17011, submitted a Final Report for site soils and groundwater contaminated with #2 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific and Residential Statewide Health standards.

REC-Oil / former Sunoco Bulk Storage Facility, 280 North East Street, York PA 17403, City of York, **York County**. EnviroTrac, Ltd, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of REC Oil, 280 North East Street, York, PA 17403 submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with VOCs, PAHs and lead. The report is intended to document remediation of the site to meet the Site-Specific and Nonresidential Statewide Health standards.

Conestoga Wood Specialties, 245 Reading Road, East Earl Township, **Lancaster County**. Hafer Environmental Services, Inc., PO Box 4418, Reading, PA 19606, on behalf of Conestoga Wood Specialties, PO Box 158, Earl, PA 17519-0158, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific and Nonresidential Statewide Health standards.

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

Marathon Petroleum Company, LP Floreffe Terminal, Jefferson Hills Borough, **Allegheny County**. URS Corporation, Inc. Foster Plaza 4, 501 Holiday Drive, Suite

300, Pittsburgh PA 15220 on behalf of Marathon Petroleum Company, LP, 539 South Main Street, Findlay, OH 45840 has submitted a Final Report concerning remediation of the site impacted by a January 2 1988 diesel fuel release. Residual impacts are limited to isolated locations of soil and groundwater at the Site and consist of petroleum based organics. The remediator is pursuing a combination of Statewide Health and Site Specific Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the

appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Camp Rock Hill Facility, Route 739 (Dingman's Turnpike), Dingman Township, **Pike County**. Phillip Getty, Boucher & James, Inc., 2738 Rim Rock Road, Stroudsburg, PA 18360 has submitted Final Report on behalf of his client, Boy Scouts of America, P. O. Box 670, Oakland, NJ 07436, concerning the remediation of soil found to have been impacted by lead as a result of historical rifle range activities at the Boy Scout camp. The report documented attainment of the Site-Specific Standard for soil and was approved on August 15, 2013.

Slag Bank 4 Bethlehem Commerce Center (Lot 1), 530 East Third Street, City of Bethlehem, **Northampton County**, James Koval, HDR Engineering, Inc., had submitted a Final Report on behalf of his client, Kerry Wrobel, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Bethlehem, PA 18015-2164, concerning the remediation of soil. The entire parcel has been capped with physical barriers such as buildings, parking lots, roads, soil covers, etc., which ultimately eliminates the potential for any long-term direct contact exposure pathways. The property includes the remediation of volatiles, semi-volatile, and inorganic constituents found to be present in soils. The report documented attainment of the Site-Specific Standard for soil and was approved on August 21, 2013.

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

Trinity Industries Plant 102N RR Cars Manufacturing, 60 Union Street, Borough of Greenville and Hempfield Township, **Mercer County**. Golder & Associates, Inc., Spring Mill Corporate Center, 555 North Lane, Suite 6057, Mt. Laurel, NJ 08054 on behalf of Trinity Industries, Inc., 2525 Stemmons Freeway, Dallas, TX 75207 submitted a Cleanup Plan concerning remediation of site soil contaminated with Ethylbenzene, Trichloroethene, Total Xylenes, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzo[a]pyrene, Lead, Manganese, Arsenic, Alpha-BHC, Iron, Selenium, Methylene Chloride, Naphthalene, Antimony, Bromomethane, Mercury, 2,4-Dinitrotoluene, Aroclor 1232, Hexavalent Chromium, cis-1,2-Dichloroethene, Tetrachloroethene, Vinyl Chloride, Gamma-BHC, and groundwater contaminated with dissolved and total Manganese, dissolved and total Arsenic, total Lead, Chlorinated Volatile Organic Compounds including methylene chloride, PCE, TCE, and Vinyl Chloride. The Plan was approved by the Department on March 28, 2013.

Bradford Mall, 1001 East Main Street, Foster Brook Township, **McKean County**. Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of Brixmor Properties Group, 420 Lexington Avenue, Seventh Floor, New York, NY 10170, submitted a Risk Assessment Report concerning the remediation of site soil contaminated with cis-1,2-Dichloroethene, Tetrachloroethene, Trichloroethene, 1,1-Dichloroethene, Trans-1,2-Dichloroethene, Vinyl Chloride and site groundwater contaminated with cis-1,2-Dichloroethene, Trans-1,2-Dichloroethene, Tetrachloroethene, Trichloroethene,

and Vinyl Chloride. The Report was approved by the Department on August 29, 2013.

Former CSX Bayfront Site, West Sassafras Street approximately 1,600 feet on north side of Bayfront Highway, City of Erie, **Erie County**. AMEC Environment & Infrastructure, Inc., 800 North Bell Avenue, Suite 200, Pittsburgh, PA 15106, on behalf of Erie County Convention Center Authority, submitted a Remedial Investigation/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with Aluminum, Antimony, Arsenic, Cadmium, Chromium, Cobalt, Iron, Manganese, Thallium, Zinc, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Carbazole, Dibenz[a,h]anthracene, Indeno[1,2,3-cd]pyrene, Phenanthrene and site groundwater contaminated with Arsenic, Barium, Chromium, Cobalt, Iron, Lead, Manganese, Thallium, Acenaphthylene, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, 1,1'-Biphenyl, Carbazole, Dibenz[a,h]anthracene, Dibenzofuran, Di-n-octylphthalate, Indeno[1,2,3-cd]pyrene, 2-Methylnaphthalene, Naphthalene, Phenanthrene, Benzene, cis-1,2-Dichloroethene, Ethylbenzene, and Methylcyclohexane. The Report/Plan was disapproved by the Department on August 28, 2013.

JMC Steel Group (Fmr. John Maneely Company)—Wheatland Tube Cold Draw Facility, 200 Clinton Street, Wheatland Borough, **Mercer County**. ENVIRON International Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103 on behalf of JMC Steel Group, 1 Council Avenue, Wheatland, PA 16161 submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil contaminated with VOCs, Arsenic and site groundwater contaminated with VOCs, SVOCs, PCBs, Metals, nitrate, nitrite, sulfate, vinyl chloride and TCE. The Report was approved by the Department on August 29, 2013.

EXCO Resources (PA) LLC. Lougee 4H Pad, 6716 Church Road, Washington Township, **Jefferson County**. Hull & Associates, Inc., 300 Business Center Drive, Suite 320, Pittsburgh, PA 15205 on behalf of EXCO Resources (PA), LLC., 3000 Ericsson Drive, Suite 200, Warrendale, PA 15086 has submitted a Remedial Investigation / Final Report concerning the remediation of site soils contaminated with Barium, Boron, Calcium, Magnesium, Manganese, Potassium, Sodium, Strontium, and Chloride. The Final Report demonstrated attainment of the Site-Specific, Statewide Health, and Background Standards and was approved by the Department on August 29, 2013.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

#1 Cochran Automotive—2723, 2725, 2737, 2747, 2756, 2766, 2772 & 2809 West Liberty Avenue, Dormont Borough, Allegheny County. Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, Pa 17111 on behalf of Cochran South Hills, Inc., 4520 William Penn Highway, Monroeville, PA 15146 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with gasoline constituents. The Final Report demonstrated attainment of the non-residential statewide health standard for soils and groundwater and was approved by the Department on August 28 2013.

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

Former Robertshaw Controls Facility (phase 3), Hillis Street and Third, Youngwood Borough, **Westmoreland County**. American Geosciences, Inc., 3925 Reed Blvd, Suite 400, Murrysville PA 15668-1848 on behalf of Robertshaw Controls Company c/o Invensys Foxboro, 33 Commercial Street, C41-2#, Foxboro, MA 02035 has submitted a Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with TCE and its degradation products. Remediation to a Site-specific standard is being sought. The Risk Assessment and Cleanup Plan was approved by the Department on August 19 2013.

William Platt #1 Property, 1181 Yankee Hill Road, Blacklick Township, **Indiana County**, Environmental Products & Services of Vermont, Inc. 5100 Paxton Street, Harrisburg, PA 17111, on behalf of XTO Energy, Inc., submitted a Final Report on July 29 2013 concerning remediation of site soils contaminated with VOC's and SVOC's. The Final Report demonstrated attainment of the Residential Statewide Health Standard for soils, and was approved by the Department on August 28 2013.

City of Jeannette—300 Block, 300 block of South 6th Street (except 310 & 312), City of Jeannette, Westmoreland County. Cribbs & Associates, Inc., PO Box 44, Delmont, PA 15626 on behalf of City of Jeannette, 110 South 2nd Street, Jeannette, PA 15644 has submitted a Final Report to remediate site soil contaminated with Arsenic. Future use of the property will continue to be residential. The Final Report demonstrated attainment of the Background standard, and was approved by the Department on August 28 2013.

GetGo #3003-Parcel F-2, LTV South Side, 3247 East Carson Street, Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Pasquale D. Avolio, P.E. and Giant Eagle Inc., 261 Kappa Drive, Pittsburgh, PA 15238 has submitted a Final report regarding site soil and groundwater contaminated with VOCs, SVOCs and Metals attributed to the historical use of the site. The Final Report demonstrated attainment of the site specific standard for soil, and was approved by the Department on August 29 2013.

City of Jeannette—400 Block, (even numbers of) 400 block of South 6th Street, City of Jeannette, **Westmoreland County**. Cribbs & Associates, Inc., PO Box 44, Delmont, PA 15626 on behalf of City of Jeannette, 110 South 2nd Street, Jeannette, PA 15644 has submitted a Final Report which documents remediation of site soils contaminated with arsenic that meet the statewide health standard. The Final Report demonstrated attainment of the residential statewide health standard, and was approved by the Department on August 30 2013.

RESIDUAL WASTE GENERAL PERMITS

Permit(s) Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.

General Permit No. WMGR130. Waste Recovery Solutions, Inc., 343 King Street, Myerstown, PA 17067. The permit authorizes the beneficial use of alternative fuels produced from the processing of residual wastes. The processed residual wastes for beneficial use include wastes that have a fuel value from the following categories: combustion residues, metallurgical process residues, sludges, chemical wastes, generic manufacturing wastes, oil and gas wastes, special handling wastes, and non-coal mining wastes. The permit was issued by Central Office on July 23, 2013.

Persons interested in reviewing the general permit may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701

Permit No. 101315. Millville Transfer Station, 388 Jerseytown Rd, Millville, PA 17846, Madison Township, **Columbia County**. Permit Renewal of Municipal Waste Transfer Station. The permit was issued by Northcentral Regional Office on August 29, 2013.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP11-46-0067: Mountain Mulch Co. (224 Sassamansville Road, Sassamansville, PA 19472) on August 26, 2013, authorized to operate (two) 2 nonroad engine(s) Douglass Township, **Montgomery County**.

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

GP3-45-002: E. F. Possinger & Sons, Inc. (2251 Rimrock Road, Bartonsville, PA 18321) on August 26, 2013, to construct and operate a portable stone crushing plant at their facility in Hamilton Township, **Monroe County**.

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

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

GP11-21-05049A: Pennsy Supply, Inc. (PO Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331) on August 27, 2013, for a portable diesel engine, under GP11, to power a shingle shredder at their stone quarry operation in Penn Township, **Cumberland County**.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636

GP4-25-996B: Advanced Finishing USA (7401 Klier Drive East, Fairview, PA 16415) on August 26, 2013, to operate a burn off oven, Pollution Control Products, Model No. PRC-150 (BAQ/GPA/GP-4) in Fairview Township, **Erie County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

67-05007D5: Adhesives Research, Inc. (PO Box 100, Glen Rock, PA 17327-0100) on August 27, 2013, to incorporate relevant provisions from 40 CFR 63, Subpart DDDDD, into the air quality permit for their adhesives manufacturing facility in Springfield Township, **York County**.

06-05002D5: Lehigh Cement Co., LLC (537 Evansville Road, Fleetwood, PA 19522-8541) on August 26, 2013, to incorporate relevant provisions from 40 CFR 63, Subpart DDDDD, into the air quality permit for their Portland cement manufacturing facility in Maiden creek Township, **Berks 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

32-00427A: Rosebud Mining Co.—Blairsville Coal Processing Facility (301 Market Street, Kittanning, PA 16201) on September 03, 2013, to allow construction and operation of a coal prep plant at their facility in Burrell Township, **Indiana County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

GP3-45-002: E. F. Possinger & Sons, Inc. (2251 Rimrock Road, Bartonsville, PA 18321) on August 26,

2013, to construct and operate a portable stone crushing plant at their facility in Hamilton Township, **Monroe County**.

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

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

06-05040B: East Penn Manufacturing Co., Inc. (Deka Road, PO Box 147, Lyon Station, PA 19536) on August 23, 2013, to modify the secondary lead smelting facility in Richmond Township, **Berks County**. The plan approval was extended. The approved modifications to the facility are as follows:

1. Construction of a new structure “Smelter Annex” one-half housing equipment associated with Lead Smelting Operations under 06-05040 and the other half housing equipment associated with Battery Manufacturing Operations under 06-05069.

2. Physical relocation of existing slag storage operations (Source 111) from the Secondary Lead Smelting Facility to the proposed Smelter Annex. The slag storage operations will be Source 711.

3. Installation of a new 70,000 CFM fabric filter dust collector (C711) equipped with secondary HEPA filtration (C711A) to capture and control exhaust emissions from the relocated slag storage operation.

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

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

18-00021A: Avery Dennison Performance Polymers (171 Draketown Road, Mill Hall, PA 17751) on July 31, 2013, to extend the authorization to operate a new recuperative thermal oxidizer to control the air contaminant emissions from eight (8) existing reactor systems incorporated in Source ID P102 at their facility in Bald Eagle Township, **Clinton County**, on a temporary basis to February 2, 2014. The plan approval has been extended.

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

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

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

34-05002: Texas Eastern Transmission, LP (PO Box 1642, Houston, TX 77251-1642) on August 23, 2013, the Title V permit was renewed for the Perulack Compressor Station in Lack Township, **Juniata County**.

21-05026: Carlisle Syntec, Inc. (PO Box 7000, Carlisle, PA 17013-0925) on August 23, 2013, for their rubber sheet roofing manufacturing facility in Carlisle Borough, **Cumberland County**. The Title V permit was renewed.

22-05014: Ames True Temper, Inc. (1500 South Cameron Street, Harrisburg, PA 17104-3143) on August 27, 2013, for their wheelbarrow manufacturing facility in Harrisburg City, **Dauphin County**. The Title V permit was renewed.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131

33-00055: Glen-Gery Corp.—Hanley Plant (12637 Harrison Street, Route 28, Summerville, PA 15864) on August 26, 2013, to renew a Title V Permit to operate a brick and tile manufacturing facility in Summerville Borough, **Jefferson County**. The facility's major emission sources include raw material stockpiles, primary crushers for shale and clay, hammermill for shale, grinding and screening operation with storage, transportation fugitives, miscellaneous natural gas usage, ceric tunnel kiln and dryer. The facility is a major facility due to its potential to emit particulate matter less than ten microns in diameter, sulfur oxides, nitrogen oxides and carbon monoxide. Source ID # 113: Ceric Tunnel Kiln is subject to CAM for hydrogen Fluoride (HF) and Source ID #104A: Grinding / Screening / Storage is subject to CAM for Total Suspended Particulate (TSP). No other emissions units are subject to the requirement of CAM. Thus, no new CAM plan has included in the renewal permit. The facility is not subject to Boiler MACT or RICE MACT because the facility does not have any boiler or reciprocating engine. The actual emissions for 2012 reported from the facility are: PM-10: 31.21 TPY; SO₂: 99.1 TPY; CO: 78.6 TPY; VOC: 9.7 TPY; NO_x: 11.4 TPY; HF: 0.47 TPY and, HCL: 0.17 TPY. The facility also reported 10,386 TPY of Carbon Dioxide.

33-00140: Dominion Transmission, Inc. (501 Martindale Street, Suite 400, Pittsburgh, PA 15212) on August 23, 2013, to modify the Title V Operating Permit for their Punxsutawney Compressor Station in Perry Township, **Jefferson County**. The modification is in accordance with 25 Pa. Code § 127.463. The permit expires October 31, 2017. The Punxsutawney Compressor Station is a major facility and is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapters F and G. The facility is subject to multiple State and Federal Regulations. The modification involves the incorporation of the requirements of 40 CFR 63 Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. These requirements became effective April 1, 2013. The Department is required to revise the permit because the expiration date of the current permit is more than 3 years from the effective date of Subpart DDDDD. The facility has an Ajax boiler rated 5.5 mmtu/hr and a Line Heater rated 2.8 mmbtu/hr. Both units are fired with natural gas. These units are subject to the tune-up and energy assessment work practice standards of Subpart DDDDD. Minor changes were also made to the permit to reflect the amended language of 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Engines.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

58-00012: Blue Ridge School District (5058 School Road, New Milford, PA 18834) on August, 28, 2013, to operate a wood-fired boiler in New Milford Township,

Susquehanna County. The particulate emissions from the boiler will be controlled by a cyclone. This is a new state-only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

38-03029: Martin's Wood Products (650 Houtztown Road, Myerstown, PA 17067-2196) on August 15, 2013, for their wood furniture manufacturing facility in Jackson Township, **Lebanon County**. The State-only permit was renewed.

21-03007: Purina Mills, LLC (1080 County Road F West, Shoreview, MN 55126) on August 14, 2013, for the Shiremanstown animal feed manufacturing facility in Hampden Township, **Cumberland County**. The State-only permit was renewed.

05-03020: Northern Bedford County School District (152 NBC Drive, Loysburg, PA 16659-9549) on August 28, 2013, for the school district facility in South Woodbury Township, **Bedford County**.

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

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

17-00020: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on July 15, 2013, was issued a state only operating permit for their drum mix asphalt plant located in Sandy Township, **Clearfield County**. The facility's main air contaminations sources are drum mix plant, recycle asphalt paving equipment and parts washer. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

14-00014: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on July 25, 2013, was issued a state only operating permit for their Pleasant Gap facility in Spring Township, **Centre County**. The facility's main sources include one 500 ton per hour counter flow drum mix asphalt concrete plant, one 350 tons per hour counter flow drum mix asphalt plant, a primary crushing operation, a secondary crushing operation, a limestone conveying system, a railcar loading operation, one 33,000-gallon oil tank, two 30,000 gallon storage tanks, two 4.8 million gallon asphalt liquid tanks, three diesel powered portable crushing and screening plants and two water pumps. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

17-00036: Stella-Jones Corp. (392, Larkeytown Road, Dubois, PA 15801) on July 31, 2013, was issued a State Only operating permit for their wood preserving facility in Sandy Township, **Clearfield County**. The facility's main sources include a wood preserving operation, one (1) waste wood-fired boiler, wood tie storage area, wood working equipment and a trim-grade operation. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

55-00018: Cherry Hill Hardwoods, Inc. (3150 Middle Road, Richfield, PA 17086) on July 23, 2013, was issued a state only operating permit for their Richfield Lumber Mill in West Perry Township, **Snyder County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

30-00166: Greene Team Pellet Fuel (PO Box 74, Garards Fort, PA 15334) on August 26, 2013, to issue a Natural Minor State Only Operating Permit for operation of a wood pelletizing plant in Greene Township, **Greene County**. The subject facility uses a 26 mmbtu/hr, wood waste-fired rotary dryer to reduce the moisture content of raw sawdust from approximately 50% to about 8%. The dried sawdust is processed into wood pellets for use in residential pellet burning stoves. The dryer is controlled by a high efficiency multi-clone dust collector. The pellet production process includes crushing the dried saw dust with a hammer mill, screening the saw dust, forming the pellets, and then sorting the pellets by size. These processes are controlled by a 10,000 acfm baghouse. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Semi-annual preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. The facility is subject to the applicable requirements of Pa. Code Title 25 Chapters 121 through 145. The final Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

11-000325: Maple Coal Co. (254 Interpower Drive, Colver, PA 15927) on August 20, 2013, to issue the State Only Operating Permit for operation of their Colver Coal Refuse Processing Plant, in Barr and Blacklick Townships, **Cambria County**.

The facility contains air contamination sources consisting of screens, conveyer, storage piles, and plant roads. Particulate emissions from the screens, conveyer, and storage piles are controlled by limiting minimum coal moisture. Particulate emissions from road dust are controlled by watering from a pressurized water truck and a road sweeper.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Parts 52 and 60 and Pa. Code Title 25, Article III, Chapters 121 through 145.

65-00621: Kennametal, Inc.—Kingston Plant (P. O. Box 231, Latrobe, PA 15650) on August 30, 2013, for a State Only Operating Permit (SOOP) to Kennametal, Inc. to authorize the continued operation of their Kingston Plant in Derry Township, **Westmoreland County**.

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

Contact: Matthew M. Williams, Environmental Program Manager—Telephone: 814-332-6636

16-00122: Northwestern PA Crematory (330 Wood Street, Clarion, PA 16214-1341) on August 22, 2013,

issued a renewal of the Natural Minor Operating Permit to operate a human cremator in Clarion Borough, **Clarion County**. The facility's primary emission source is a cremator installed in June 1982. The conditions of the previous plan approval and operating permit were incorporated into the renewal permit.

20-00303: Crawford Central School District (11280 Mercer Pike, Meadville, PA 16335-6260) on August 27, 2013, for an initial natural minor operating permit to operate combustion units at the Middle and High School at the City of Meadville, **Crawford County**. The facility's major emitting sources include, Biomass Combustion Unit, Hot Water Boilers (3), Miscellaneous Natural Gas Usage and, Emergency Generator. The Biomass Boiler is subject to Boiler MACT, 40 CFR Part 63, Subpart JJJJJJ. All application conditions of Subpart JJJJJJ have been included in the permit. The emergency generator is not subject to the Reciprocating Internal Combustion Engine (RICE) MACT, 40 CFR Subpart ZZZZ because the generator is located in an institution which is an exception of the applicability of Subpart ZZZZ as stated in § 63.6685 (f)(3). The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. The potential emissions from the three hot water boilers, which were stated in the permit application are, NO_x: 7.09 Tons per year (TPY), CO: 5.95 TPY, SO₂: 0.04 TPY, PM (Total): 0.54 TPY, PM (Filterable): 0.13 TPY, VOC: 0.39 TPY.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

23-00012: Braskem America, Inc. (750 W 10th St. Marcus Hook, Pennsylvania, 19061-4500) on August 27, 2013, for their polypropylene manufacturing plant in Marcus Hook Borough, **Delaware County**. The Title V permit was administratively amended to correct the applicable regulatory requirements. The amended Title V Operating Permit contains the applicable regulatory requirements including testing, monitoring, recordkeeping, reporting and emission limits.

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

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

06-05079: United Corrstack LLC (720 Laurel Street, Reading, PA 19602-2718) on August 26, 2013, for their roll stock paper manufacturing facility in Reading City, **Berks County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval Nos. 06-05079E and 06-05079F.

36-05159: Covance Research Products, Inc. (310 Swamp Bridge Road, Denver, PA 17517-8723) on August 27, 2013, for their biomedical research facility in West Cocalico Township, **Lancaster County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval No. 36-05159A.

28-03025: Wengers Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570-0026) on August 27,

2013, for their animal feed mill in Southampton Township, **Franklin County**. The State-only permit was administratively amended to incorporate the provisions of Plan Approval No. 28-03025C.

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

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

32-00040: NRG Wholesale Generation LP (121 Champion Way, Canonsburg, PA 15317) on August 28, 2013, to issue an Administrative Amendment to change the name of the owner of the Seward Generating Station to NRG Wholesale Generation LP from GenOn Wholesale Generation, LP in East Wheatfield Township, **Indiana County**.

32-00055: Homer City Generation, LP (1750 Power Plant Road, Homer City PA 15748) on August 28, 2013, for continued operation of their Homer City Generating Station in Black Lick and Center Townships, **Indiana County**

In accordance with 25 Pa. Code §§ 127.424, 127.425, 127.521 and 127.541, the Department of Environmental Protection (DEP) significantly modified a Title V Operating Permit renewal previously issued on November 16, 2012 for the continued operation of the Homer City Generating Station located in Black Lick and Center Townships, Indiana County. The significant modification added the following applicable requirement to the TVOP: 25 Pa. Code § 121.7, Prohibition of air pollution, "No person may permit air pollution as that term is defined in the act." No other changes to the TVOP, emissions or equipment were approved by this action.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

Permit No. 32980101 and NPDES No. PA0234656, MB Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, revision of an existing bituminous surface mine to change land use from forestland to unmanaged natural habitat in Brushvalley Township, **Indiana County**, affecting 140.0 acres. Receiving streams: unnamed tributaries to Yellow Creek and Brush Creek classified for the following use: cold water fishery. There are no potable

water supply intakes within 10 miles downstream. Application received April 25, 2013. Permit issued August 28, 2013.

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

PAG-02-253013001. Mather Recovery Systems LLC (1620 Locust Avenue, Fairmont, WV 26554). Issued general NPDES permit for stormwater discharges associated with the existing Crucible Government Financed Construction Contract, located in Cumberland Township, **Greene County**, affecting 18.7 acres. Receiving streams: Monongahela River and unnamed tributaries to Monongahela River. Application received: June 27, 2013. Permit issued: August 28, 2013.

63120104 and NPDES Permit No. PA0252255. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Permit issued for commencement, operation and reclamation of a bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 212.5 acres. Receiving streams: unnamed tributaries to Fishpot Run and Black Dog Run. Application received: October 22, 2012. Permit issued: August 29, 2013.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

24880103 and NPDES Permit No. PA0104779. Energy Resources, Inc. (c/o Murray Energy Corporation), 46226 National Road, St. Clairsville, OH 43950) Renewal of an existing bituminous surface mine in Horton Township, **Elk County** affecting 541.0 acres. Receiving streams: Unnamed tributary to Mead Run, unnamed tributary to Vineyard Run, two unnamed tributaries to Laurel Run, two unnamed tributaries to West Branch Walburn Run. This renewal is issued for reclamation only. Application received: March 26, 2013. Permit Issued: August 27, 2013.

33020104. AMFIRE Mining Company, LLC (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing bituminous surface mine in Snyder Township, **Jefferson County** affecting 207.4 acres. Receiving streams: Unnamed tributaries to Walburn Run and Walburn Run. This renewal is issued for reclamation only. Application received: June 24, 2013. Permit Issued: August 29, 2013.

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

14030101 and NPDES No. PA0243493. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface mine in Snow Shoe Township, **Centre County**, affecting 218.9 acres. Receiving streams: Unnamed Tributary to Sandy Run and Sandy Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received April 18, 2013. Permit issued August 16, 2013.

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

54830207GP104. Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54830207 in Mahanoy Township, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: July 8, 2011. Permit issued: August 28, 2013.

Noncoal Permits Issued

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

37132802. S & S Processing, Inc. (P. O. Box 373, West Pittsburgh, PA 16160) Commencement, operation and restoration of a small industrial minerals surface mine in Pulaski Township, **Lawrence County** affecting 5.0 acres. Receiving streams: Shenango River. Application received: May 6, 2013. Permit Issued: August 27, 2013.

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

58122515. Tri City Highway Products, Inc. (PO Box 338, Binghamton, NY 13902), commencement, operation and restoration of a General Permit for Bluestone Quarry in New Milford Township, **Susquehanna County** affecting 10.0 acres, receiving stream: Nine Partners Creek. Application received: October 9, 2012. Permit issued: August 28, 2013.

58122515GP104. Tri City Highway Products, Inc. (PO Box 338, Binghamton, NY 13902), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58122515 in New Milford Township, **Susquehanna County**, receiving stream: Nine Partners Creek. Application received: October 9, 2012. Permit issued: August 28, 2013.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

42134003. Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823). Blasting activity permit to blast at the **McKean County** Landfill in Hamlin Township, McKean County. This blasting activity permit will expire on July 1, 2014. Permit Issued: August 26, 2013.

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

08134125. Holbert Explosives, Inc. (237 Mast Hope Plank Rd, Lackawaxen, PA 18435). Blasting for construction of a pipeline located in Wilmot Township, **Bradford County** with an expiration date of August 15, 2014. Permit issued: August 28, 2013.

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

09134104. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Hilltown Walk in Hilltown Township, **Bucks County** with an expiration date of August 31, 2014. Permit issued: August 26, 2013.

09134105. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Warrington Glen in Warrington Township, **Bucks County** with an expiration date of August 30, 2014. Permit issued: August 26, 2013.

46134113. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Thorndale Development in Towamencin Township, **Montgomery County** with an expiration date of August 31, 2014. Permit issued: August 26, 2013.

58134146. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Talisman Well Pad in Apolacon Township, **Susquehanna County** with an expiration date of August 23, 2014. Permit issued: August 27, 2013.

66134120. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Porter Natural Gas Well Pad in North Branch Township, **Wyoming County** with an expiration date of February 28, 2014. Permit issued: August 27, 2013.

38134122. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Jim Ulrich dwelling in Heidelberg Township, **Lebanon County** with an expiration date of October 30, 2013. Permit issued: August 29, 2013.

58134148. Doug Wathen, LLC, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Starzec Gas Pad in Bridgewater Township, **Susquehanna County** with an expiration date of August 24, 2014. Permit issued: August 29, 2013.

58134149. Doug Wathen, LLC, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Keeves Gas Pad in Brooklyn Township, **Susquehanna County** with an expiration date of August 23, 2014. Permit issued: August 29, 2013.

58134150. Doug Wathen, LLC, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Mead Gas Pad in Bridgewater Township, **Susquehanna County** with an expiration date of August 23, 2014. Permit issued: August 29, 2013.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also

available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-1915, Telephone 570-826-2511.

E35-445. Xiang Wang, 8 Phillene Drive, Norwalk, CT 06851, Clifton Township, **Lackawanna County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 6-foot by 16-foot floating dock in Big Bass Lake (EV). The project is located along Lake Drive West approximately 1000 feet north of its intersection with Cardinal Road along the western shore of Big Bass Lake of the Big Bass Lake Community Association (Sterling, PA Quadrangle, Latitude: 41°15'25"; Longitude: -75°29'40"). Subbasin: 2A.

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

E18-485. DCNR-Forestry, 262 Sizerville Road, Emporium, PA 15834. Snowmobile Trail on West Branch of Lick Run, in Gallagher Township, **Clinton County**, ACOE Baltimore District (Glen Union, PA Quadrangle N: 41°19'53.3"; W: -77°32'37.9").

To construct and maintain a 36-foot clear span wood deck—steel superstructure bridge set on gabion basket/concrete beam seats set on the top of the stream bank across the West Branch of Lick Run to provide a stream crossing for a snowmobile trail over the West Branch of Lick Run. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E02-1688. Industrial Scientific Corporation (ISC), 1001 Oakdale Road, Oakdale, PA 15701, Robinson Township, **Allegheny County**; ACOE Pittsburgh District.

Applicant has been given consent to place and maintain fill in approximately 0.04 acre of wetlands (PEM); to construct and maintain approximately 90 linear feet of riprap in the channel and along the left and right banks of an unnamed tributary to Campbell's Run (WWF); and to construct and maintain an 8" PVC sanitary utility line

crossing under the bed and across the channel of Campbell's Run (WWF), for the purpose of constructing Industrial Scientific Corporation's new global headquarters, located just north from the intersection of Greer Road and Ridge Road (N: 11.79 inches; W: 4.54 inches; Latitude: 40° 26' 23.76", Longitude: 80° 09' 27.36"), in Robinson Township, Allegheny County.

E32-500. GenOn Northeast Management Company, 121 Champion Way, Suite 300, Canonsburg, PA 15317, West Wheatfield Township, **Indiana County**; ACOE Pittsburgh District.

Applicant has been given consent to place and maintain approximately 700 cubic yards (CY) of fill and concrete, and to remove approximately 12,600 CY of material from the floodplain of the Conemaugh River (WWF), with a net volume of approximately 11,900 CY of material to be removed from the floodplain, for the purpose of replacing an existing stormwater pond and constructing a new, reinforced concrete sump to facilitate the collection and use of stormwater in the flue gas desulfurization scrubber or ash handling system, at the Conemaugh Generating Station, which is a coal-fired, steam electric generating station. The project is located on the grounds of the existing generating station at 1442 Power Plant Road, (USGS New Florence, PA quadrangle; N: 1.26 inches, W: 8.58 inches; Latitude: 40° 22' 55"; Longitude: 79° 03' 44") in West Wheatfield Township, Indiana County.

E65-956. Pennsylvania Department of Transportation—District 12-0, P O Box 459, 825 North Gallatin Avenue, Uniontown, PA 15401, Unity Township, **Westmoreland County**; ACOE Pittsburgh District.

Applicant has been given consent to remove the existing SR 2027 two lane, 34 foot wide by 30 foot long single span bridge having a minimum underclearance of 9.5 feet with a skew of 45 degrees; construct and maintain a replacement 31.4 foot wide 67.5 foot long 8 foot underclearance bridge with a skew of 45 degrees; and relocate 150 feet of adjacent stream channel with a drainage area of 3.15 square miles, Ninemile Run (WWF). In addition, the project includes temporary encroachments for construction and demolition; construction and maintenance of associated stormwater outfalls; and fill and maintain a de minimis 0.043 acre of wetland. The project is located in Unity Township (Mammoth PA Quadrangle, North 20.9 inches and West 4.6 inches; Latitude 40° 14' 24.5" and Longitude 79° 24' 27"), Westmoreland County.

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

E5729-057: PVR NEPA Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Davidson Township, **Sullivan County**, ACOE Baltimore District. To construct, operate, and maintain:

1) a 12 inch natural gas line impacting 5 linear feet of an unnamed tributary to Elk Run (EV) (Elk Grove, PA Quadrangle 41°20'51"N, 76°25'37"W);

2) a 12 inch natural gas line impacting 30 linear feet of Elk Run (EV) (Elk Grove, PA Quadrangle 41°20'51"N, 76°25'36"W);

3) a temporary road crossing using a timber mat bridge impacting 434 square feet of a palustrine emergent (PEM) wetland (Elk Grove, PA Quadrangle 41°21'08"N, 76°24'52"W);

4) a temporary road crossing using a timber mat bridge impacting 1,700 square feet of a palustrine emergent (PEM) wetland (Elk Grove, PA Quadrangle 41°21'09"N, 76°24'51"W);

5) a temporary road crossing using timber mat bridge and a 12 inch steel gas line impacting 61 linear feet of an unnamed tributary to Elk Run (EV) (Elk Grove, PA Quadrangle 41°21'23"N, 76°25'21"W);

6) a temporary road crossing using a timber mat bridge 255 square feet of a palustrine emergent (PEM) wetland (Elk Grove, PA Quadrangle 41°21'51"N, 76°24'40"W);

7) a temporary road crossing using a timber mat bridge impacting 41 square feet of a palustrine emergent (PEM) wetland (Elk Grove, PA Quadrangle 41°21'51"N, 76°24'41"W);

8) a 12 inch steel gas line impacting 64 square feet of a palustrine emergent (PEM) wetland (Elk Grove, PA Quadrangle 41°21'51"N, 76°24'41"W);

9) a temporary wetland fill impacting 5 square feet of a palustrine emergent (PEM) wetland (Elk Grove, PA Quadrangle 41°21'51"N, 76°24'41"W);

10) a temporary road crossing using a timber mat bridge and a 12 inch steel gas line impacting 73 linear feet of an unnamed tributary to Heberly Run (HQ-CWF) and 264 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Elk Grove, PA Quadrangle 41°21'51"N, 76°24'40"W);

11) a 12 inch steel gas line impacting 14 linear feet of an unnamed tributary to Heberly Run (HQ-CWF) (Elk Grove, PA Quadrangle 41°21'51"N, 76°24'40"W);

12) a temporary road crossing using a timber mat bridge and a 12 inch steel gas line impacting 64 linear feet of an unnamed tributary to Heberly Run (HQ-CWF) (Elk Grove, PA Quadrangle 41°21'51"N, 76°24'39"W);

13) a temporary road crossing using a timber mat bridge and a 12 inch steel gas line impacting 114 linear feet of South Branch Rock Run (EV) (Elk Grove, PA Quadrangle 41°22'01"N, 76°24'01"W);

14) a 12 inch natural gas line impacting 4 linear feet of an unnamed tributary to South Branch Rock Run (EV) and 360 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Elk Grove, PA Quadrangle 41°22'02"N, 76°23'56"W);

15) a temporary road crossing using a timber mat bridge impacting 38 linear feet of an unnamed tributary to Muncy Creek (EV) (Elk Grove, PA Quadrangle 41°22'03"N, 76°23'20"W);

16) a temporary road crossing using timber mat bridge impacting 12 linear feet of an unnamed tributary to Muncy Creek (EV) (Elk Grove, PA Quadrangle 41°22'06"N, 76°23'13"W);

17) a temporary road crossing using timber mat bridge and a 12 inch steel gas line impacting 83 linear feet of an unnamed tributary to Sullivan Branch (HQ-CWF) (Red Rock, PA Quadrangle 41°22'18"N, 76°21'35"W).

The project will result in 3,123 square feet (0.07 acre) of temporary wetland impacts and 498 linear feet of temporary stream impacts will result from the installation of a 12 inch steel gas line and associated access roadways in Davidson Township, Sullivan County. The permittee will provide 9,636 square feet (0.22 acre) of

compensatory mitigation at the Hershberger Mitigation Site (Washingtonville, PA Quadrangle 41°05'6"N, 76°42'43"W) in Limestone Township, Montour County.

DAM SAFETY

Southwest Regional Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Permit # 95-7-37312-21, NV North #4 Centralized Pit. **CNX Gas Company LLC**, 200 Evergreene Drive, Waynesburg PA 15370.

Applicant CNX Gas Company LLC proposes to construct, operate and maintain a 5.1 million gallon Centralized Impoundment to collect, store and reuse wastewater for fracturing natural gas wells, NV-34A-HS permit No. 37-125-24923-00.01 and other permitted wells listed in the application, as well as future wells as reported to the Department. Project is located on Cabin Road (T-538) in Morris Township, **Washington Co** (USGS PA Quadrangle: Prosperity). Project will disturb 18.85 acres. The stormwater runoff drains to Short Creek, a Trout Stocked Fishery and unnamed tributaries to Short Creek, State Water Plan Basin 19B Tenmile Creek.

Quadrangle: Prosperity N: 40° 01' 57.23"; W: -80° 19' 35.00" in Morris Township, Washington County. ACOE: Pittsburgh District

Chapter 93 Type: Short Creek, Trout Stocked Fishery

Permit # 95-7-37312 -19, NV North #3 Centralized Pit. **CNX Gas Company LLC**, 200 Evergreene Drive, Waynesburg PA 15370.

Applicant CNX Gas Company LLC proposes to construct, operate and maintain a 5.6 million gallon Centralized Impoundment to collect, store and reuse wastewater for fracturing natural gas wells, MOR-10_ASH permit No. 37-059-25421-0 and other permitted wells listed in the application. Project is located on Cabin Road (T-538) in Morris Township, **Washington Co** (USGS PA Quadrangle: Prosperity). Project will disturb 14.29 acres. The stormwater runoff drains to Short Creek, a Trout Stocked Fishery and unnamed tributaries to Short Creek, State Water Plan Basin 19B Tenmile Creek.

Quadrangle: Prosperity N: 40° 02' 13.51"; W: -80° 19' 57.78" in Morris Township, Washington County. ACOE: Pittsburgh District

Chapter 93 Type: Short Creek, Trout Stocked Fishery

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

dures may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-1 #ESX13-065-0003—Horizon Project
Applicant EQT Production Company
Contact John Hudak
Address 455 Racetrack Road Suite 101
City Washington State PA Zip Code 15301
County Jefferson Township(s) Washington and Snyder(s)
Receiving Stream(s) and Classification(s) UNT to Rattlesnake Run (CWF), Rattlesnake Run (CWF) and UNT to Curry Run (CWF)

ESCGP-1 #ESX13-073-0008—Pulaski Artman Well Pad
Applicant Hilcorp Energy Company
Contact Stephanie McMurray
Address 1201 Louisiana Street, Suite 1400
City Houston State TX Zip Code 77002
County Lawrence Township(s) Pulaski(s)
Receiving Stream(s) and Classification(s) UNT to Shenango River—WWF, Shenango River—WWF

OIL AND GAS MANAGEMENT

The following Well Permits have been issued with a waiver under 58 Pa.C.S. § 3215(b)(4) (relating to well location restrictions).

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

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

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

Northwest Region District Oil and Gas Operations, Program Manager, 230 Chestnut St., Meadville, PA 16335

Well Permit #: 115-21402-00-00
Well Farm Name Rosiemar SUS 1H
Applicant Name: Chesapeake Appalachia, LLC.
Contact Person: Eric Haskins
Address: 14 Chesapeake Lane, Sayre, PA 18840
County: Susquehanna
Municipality Auburn Township:
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Auburn Center, UNT Nick Creek

Well Permit #: 131-20348-00-00
Well Farm Name Sharpe Wyo 1H
Applicant Name: Chesapeake Appalachia, LLC.
Contact Person: Eric Haskins
Address: 14 Chesapeake Appalachia, LLC.
County: Wyoming
Municipality Windham Township:
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Jenningsville, UNT Sugar Run Creek

Well Permit #: 081-21194-00-00
Well Farm Name Stubler Pad A 1H
Applicant Name: Atlas Resources, LLC.
Contact Person: Carla L. Suszkowski
Address: 1000 Commerce Drive, Suite 400, Pittsburgh, PA 15275
County: Lycoming
Municipality Gamble Township:
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Bodines, Murray Run

Well Permit #: 081-21195-00-00
Well Farm Name Stubler Pad A 2H
Applicant Name: Atlas Resources, LLC.
Contact Person: Carla L. Suszkowski
Address: 1000 Commerce Drive, Suite 400, Pittsburgh, PA 15275
County: Lycoming
Municipality Gamble Township:
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Bodines, Murray Run

Well Permit #: 081-21196-00-00
Well Farm Name Stubler Pad A 3H
Applicant Name: Atlas Resources, LLC.
Contact Person: Carla L. Suszkowski
Address: 1000 Commerce Drive, Suite 400, Pittsburgh, PA 15275
County: Lycoming
Municipality Gamble Township:
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Bodines, Murray Run

**STORAGE TANKS
SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
13-06-009	Reading Terminals Corporation P. O. Box 2621 Harrisburg, PA 17105-2621 Attn: Stephen Carten	Berks	Spring Township	1 AST storing petroleum products	4,060,000 gallons

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of August 2013 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Ronald Black	PO Box 20323 Lehigh Valley, PA 18002	Testing
James Budzeak	2822 Golden Mile Hwy. Pittsburgh, PA 15237	Testing
Anthony Carrozza, Jr.	369 Nottingham Rd. Quarryville, PA 17566	Testing
George Curry	505 Philmar Ct. "B" Springfield, PA 19064	Mitigation
Richard Delaney, Jr.	275 Pioneer Rd. Franklin, PA 16323	Testing
Tony Domingues Integra Home Inspections	5477 Reppert Ln. Allentown, PA 18106	Testing
James Gagnon	PO Box H Avis, PA 17721	Testing & Mitigation
Joseph Hancaviz	PO Box 354 Nazareth, PA 18064	Testing
Ross Hartley	115 Hospital Road Gettysburg, PA 17325	Testing
Brian Kampi	2175 Ridge Dr. Mars, PA 16046	Testing
Kevin Kerr	363 Hill Rd. Honey Brook, PA 19344	Testing
Keystone Building Inspections	PO Box 15811 Pittsburgh, PA 15244	Testing
Anthony LaMastra A.B.E. Radiation Measurement Labs	1005 Old 22 Lenhartsville, PA 19534	Testing & Laboratory Analysis
Stephen Maurer	3633 Buttonwood Dr. Doylestown, PA 18902	Testing
Robert Meyer, Jr. Central Penn Radon, Inc.	247 Mine Bank Rd. Wellsville, PA 17365	Testing
Lawrence Nies	11021 May Rd. Wattsburg, PA 16442	Testing
Rachelle Painter	4821 Havana Dr. Pittsburgh, PA 15239	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Dominick Peda	40 N. Feathering Rd. Media, PA 19063	Testing
Kyle Rupp	121 S. Spruce St. Lititz, PA 17543	Testing
Lynne Russell	80 Cedar Ridge Hawley, PA 18428	Testing
Martin Smith U.S. Inspect, LLC	3650 Concorde Pkwy., #100 Chantilly, VA 20151	Laboratory Analysis
SWAT of Eastern PA	8020 Mine St. Fogelsville, PA 18051	Mitigation
SWAT of PA	8020 Mine St. Fogelsville, PA 18051	Mitigation
Edward Verna	1703 S. 5th Ave. Lebanon, PA 17042	Mitigation
William Wright, IV	768 State Rt. 307, Ste. 101 Spring Brook Twp., PA 18444	Testing

DRINKING WATER STATE REVOLVING FUND SPECIAL NOTICE

Special Notice Under the Federal Safe Drinking Water Act (SDWA) (42 U.S.C.A. 300f, et. seq.)

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

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Emporium Water Company	174 Nicker Road Emporium PA 15834	Cameron

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Emporium Water Company proposes to construct two water storage tanks, approximately 1,700 feet of water line and a pump station. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

[Pa.B. Doc. No. 13-1684. Filed for public inspection September 13, 2013, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. 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.

Draft Technical Guidance—New Guidance

DEP ID: 393-3130-108. *Title:* New Source Sampling Requirements for Surface Water Sources. *Description:* Department regulations in 25 Pa. Code Chapter 109 (relating to safe drinking water) require all new surface water sources that intend to serve as a public water system (PWS) to monitor for United States Environmental Protection Agency (EPA) regulated contaminants in the raw water source. Monitoring of these contaminants is necessary for public health and compliance with the Safe Drinking Water Act (SDWA). As a result, this guidance is intended to establish the sampling requirements for contaminants to be monitored by all new PWSs that intend to use surface water as the source. The scope of this policy includes a detailed list of all contaminants to be monitored for and guidance and direction on how and when the source water samples should be collected. Finally, this policy reflects and supplements the Department's regulations in 25 Pa. Code Chapter 109.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by October 15, 2013. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by electronic mail must include the

originator's name and address. Written comments should be submitted to Chad Reisch, Facility Permits and Source Protection Section, Bureau of Safe Drinking Water, Department of Environmental Protection, P. O. Box 8467, Harrisburg, PA 17105-8467, creisch@pa.gov.

Contact: Questions regarding this action should be directed to Chad Reisch at (717) 772-4061 or creisch@pa.gov.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

Draft Technical Guidance—New Guidance

DEP ID: 393-3130-208. *Title:* New Source Sampling Requirements for Groundwater Sources for Community and Noncommunity Systems. *Description:* Department regulations at 25 Pa. Code Chapter 109 require all new groundwater sources that intend to serve as a PWS to monitor for EPA regulated contaminants in the raw water source. Monitoring of these contaminants is necessary for public health and compliance with the SDWA. As a result, this guidance is intended to establish the sampling requirements for contaminants to be monitored by all new PWSs that intend to use groundwater as the source. The scope of this policy includes a detailed list of all contaminants to be monitored for and guidance and direction on how and when the groundwater samples should be collected. Finally, this policy reflects and supplements the Department's regulations in 25 Pa. Code Chapter 109.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by October 15, 2013. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by electronic mail must include the originator's name and address. Written comments should be submitted to Chad Reisch, Facility Permits and Source Protection Section, Bureau of Safe Drinking Water, Department of Environmental Protection, P. O. Box 8467, Harrisburg, PA 17105-8467, creisch@pa.gov.

Contact: Questions regarding this action should be directed to Chad Reisch at (717) 772-4061 or creisch@pa.gov.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

Draft Technical Guidance—New Guidance

DEP ID: 393-3130-308. *Title:* New Source Sampling Requirements for Transient Noncommunity Groundwater Sources. *Description:* Department regulations at 25 Pa. Code Chapter 109 require all new groundwater sources that intend to serve as a PWS to monitor for EPA regulated contaminants in the raw water source. Monitoring of these contaminants is necessary for public health and compliance with the SDWA. As a result, this guidance is intended to establish the sampling requirements for contaminants to be monitored by all transient noncommunity systems that do not require a Department-issued construction permit and that intend to use groundwater as the source. The scope of this policy includes a detailed list of all contaminants to be monitored for and guidance and direction on how and when the groundwater samples should be collected. Finally, this policy reflects and supplements the Department's regulations in 25 Pa. Code Chapter 109.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by October 15, 2013. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by electronic mail must include the

originator's name and address. Written comments should be submitted to Chad Reisch, Facility Permits and Source Protection Section, Bureau of Safe Drinking Water, Department of Environmental Protection, P. O. Box 8467, Harrisburg, PA 17105-8467, creisch@pa.gov.

Contact: Questions regarding this action should be directed to Chad Reisch at (717) 772-4061 or creisch@pa.gov.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-1685. Filed for public inspection September 13, 2013, 9:00 a.m.]

Bid Opportunity

OOGM 13-7R, Cleaning Out and Plugging 22 Abandoned Oil and Gas and Gas Wells (Mr. and Mrs. Derek J. Weiland, Mr. and Mrs. Bernard J. Rodgers, Mr. and Mrs. David J. Cox, Mr. and Mrs. Scott Wissinger, Donald J. Atwood, Mr. and Mrs. Todd Doverspike, Lynda Tanaka, June Doran Sotzin, Mary E. Rodgers, Vernon A. Long, Mr. and Mrs. Dennis E. Wessell, Mr. and Mrs. David A. Cheritt, Calvin E. Crooks, Mr. and Mrs. Henry E. Nicholson, William J. Painter, Jean M. Headley, Michael E. Renato and Mr. and Mrs. Charles Coppinger Properties), Heath and Union Townships, Jefferson County. The principal items of work and approximate quantities are to clean out and plug 22 abandoned oil and gas and gas wells, estimated to be 3,200 feet in depth, to Department of Environmental Protection specifications; to prepare and restore well sites/site; and to mobilize and demobilize plugging equipment. This project issues on September 13, 2013, and bids will be opened on October 8, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will not be held since this is a rebid project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@pa.gov for more information on this bid.

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-1686. Filed for public inspection September 13, 2013, 9:00 a.m.]

Oil and Gas Technical Advisory Board Special Meetings Cancellation

The September 18 and 19, 2013, meetings of the Oil and Gas Technical Advisory Board (Board) Subcommittees have been cancelled. The previously scheduled Board meeting on September 19, 2013, will not be held in light of this cancellation. The next meeting will take place on December 4, 2013, at 10 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning this cancellation can be directed to Kurt Klappkowski, (717) 772-2199 or kklappkowski@pa.gov. The Board schedule is available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Darek Jagiela at (717) 783-9645 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-1687. Filed for public inspection September 13, 2013, 9:00 a.m.]

Water Resources Advisory Committee Meeting Change

The Water Resources Advisory Committee (Committee) meeting scheduled for November 20, 2013, has been rescheduled for Wednesday, November 13, 2013, at 9:30 a.m. in Susquehanna Room B, Department of Environmental Protection Southcentral Regional Office Building, 909 Elmerton Avenue, Harrisburg, PA.

Questions concerning the meeting of the Committee can be directed to Sean Gimbel, (717) 783-4693, sgimbel@pa.gov. The agenda and meeting materials for the November 13, 2013, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-4693 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-1688. Filed for public inspection September 13, 2013, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Easton Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Easton Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1689. Filed for public inspection September 13, 2013, 9:00 a.m.]

Application of Geisinger Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Medical Center 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 standards contained in this publication: 2.2-3.3.3.4 Phase II Recovery (relating to general).

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@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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 (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1690. Filed for public inspection September 13, 2013, 9:00 a.m.]

Application of Good Shepherd Rehabilitation Network for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Good Shepherd Rehabilitation Network has requested an exception to the requirements of 28 Pa. Code § 107.62(a) and (b) (relating to oral orders).

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@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1691. Filed for public inspection September 13, 2013, 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 § 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 standards contained in this publication: 3.1-7, 3.1-7.2 and 3.1-7.2.2.3(b) (relating to design and construction requirements; architectural details, surfaces and furnishings; and if the outpatient facility serves patients confined to stretchers or wheelchairs).

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@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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 (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1692. Filed for public inspection September 13, 2013, 9:00 a.m.]

Application of Soldiers-Sailors Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Soldiers-Sailors Memorial 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 standards contained in this publication: 3.6-3.6.6, 3.6-3.6.10, 3.6-3.6.8.2, 3.6-3.6.11.1 and 3.6-3.2.3.

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@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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 (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1693. Filed for public inspection September 13, 2013, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.26(e) (relating to laundry):

Beaver Elder Care and Rehabilitation Center
616 Golf Course Road
Aliquippa, PA 15001

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526,

Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail, or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone numbers listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 13-1694. Filed for public inspection September 13, 2013, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Medical Assistance Reliant Hospital Supplemental Payment

The purpose of this notice is to announce that the Department of Public Welfare (Department) intends to amend the Commonwealth's Title XIX State Plan to authorize supplemental payments to certain acute care general hospitals that provide a large portion of their services to Pennsylvania (PA) Medical Assistance (MA) consumers. These hospitals provide critical services to the MA population as well as to uninsured individuals, and they rely almost entirely on MA revenue for their ongoing operations.

Background

Hospitals with a patient population consisting mainly of MA consumers provide access to hospital services that otherwise may not be available to these individuals. To assure that these hospitals can continue their participation in the MA Program and provide needed services to the MA population, the Department intends to make supplemental payments to these facilities.

To qualify for the supplemental payments, a hospital enrolled in the PA MA Program as an acute care general hospital must provide at least 80% of its inpatient days of care to PA MA (managed care and fee for service) consumers as evidenced by the hospitals' Fiscal Year (FY) 2009-2010 MA cost report (MA 336).

Payments will be divided proportionately among qualifying hospitals based on the percentage of each qualifying hospital's PA MA inpatient days to the total PA MA inpatient days for all qualifying hospitals. All payment limitations are still applicable, including that payments to a qualifying hospital may not exceed its hospital specific limit as defined by section 1923 of the Social Security Act (42 U.S.C.A. § 1396r-4).

Fiscal Impact

The FY 2013-2014 impact, as a result of the funding allocation for this payment is \$0.300 million (\$0.139

million in State general funds and \$0.161 million in Federal funds upon approval by the Centers for Medicare and Medicaid Services).

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered by the Department.

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

BEVERLY D. MACKERETH,
Secretary

Fiscal Note: 14-NOT-842. (1) General Fund; (2) Implementing Year 2013-14 is \$139,000; (3) 1st Succeeding Year 2014-15 is \$0; 2nd Succeeding Year 2015-16 is \$0; 3rd Succeeding Year 2016-17 is \$0; 4th Succeeding Year 2017-18 is \$0; 5th Succeeding Year 2018-19 is \$0; (4) 2012-13 Program—\$268,112,000; 2011-12 Program—\$325,685,000; 2010-11 Program—\$243,809,000; (7) MA—Inpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 13-1695. Filed for public inspection September 13, 2013, 9:00 a.m.]

Payment for Nursing Facility Services Provided by County Nursing Facilities; County Nursing Facility Supplementation Payment

This announcement provides advance notice that the Department of Public Welfare (Department) intends to make an additional payment to certain county nursing facilities in Fiscal Year (FY) 2013-2014.

Background

Act 71 of 2013 (Act 71) was enacted in the Commonwealth on July 18, 2013. Act 71, among other things, directs the Department to distribute \$2 million in additional funds from the funds appropriated for Medical Assistance—Long-Term Care to certain county nursing facilities in FY 2013-2014.

Proposed Payment

The Department will make a county nursing facility supplementation payment to each qualified county nursing facility. As directed by Act 71, a county nursing facility must have a Medical Assistance (MA) occupancy rate of at least 85% and be located in a home rule county that was formerly a county of the second class A to qualify for this supplementation payment. The MA occupancy rate will be determined using the latest acceptable annual cost report as of September 30, 2013, in accordance with 55 Pa. Code § 1189.71(b) (relating to cost reporting).

The Department will calculate each qualified county nursing facility's supplementation payment for FY 2013-2014 by dividing total funds by the number of qualified county nursing facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS). If CMS approves the SPA, the total funds will

consist of both State and Federal funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

Fiscal Impact

This change will result in a cost of \$2 million in State funds for FY 2013-2014.

Public Comment

Interested persons are invited to submit written comments regarding these proposed changes to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

BEVERLY D. MACKERETH,
Secretary

Fiscal Note: 14-NOT-844. (1) General Fund; (2) Implementing Year 2013-14 is \$2,000,000; (3) 1st Succeeding Year 2014-15 is \$0; 2nd Succeeding Year 2015-16 is \$0; 3rd Succeeding Year 2016-17 is \$0; 4th Succeeding Year 2017-18 is \$0; 5th Succeeding Year 2018-19 is \$0; (4) 2012-13 Program—\$770,903,000; 2011-12 Program—\$737,356,000; 2010-11 Program—\$728,907,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 13-1696. Filed for public inspection September 13, 2013, 9:00 a.m.]

Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities; Medical Assistance Day One Incentive Payments to Nonpublic Nursing Facilities for Fiscal Year 2013-2014

This announcement provides advance notice that the Department of Public Welfare (Department) intends to make Medical Assistance Day One Incentive (MDOI) payments to qualified nonpublic nursing facilities for Fiscal Year (FY) 2013-2014. The MDOI payments to nonpublic nursing facilities will provide incentives to nonpublic nursing facilities to provide services to individuals who are Medical Assistance (MA) eligible on the day of admission. The MDOI payments are intended to encourage nonpublic nursing facilities to increase access to care for the poor and indigent citizens of this Commonwealth.

Background

Act 55 of 2013 (Act 55) was enacted in this Commonwealth on July 9, 2013. Act 55, among other things, directs the Department to make quarterly MDOI payments for FY 2013-2014 to qualified nonpublic nursing facilities. The Department will use the Total Pennsylvania Medical Assistance (PA MA) days and Total Resident Days as reported by nonpublic nursing facilities under Article VIII-A of the Public Welfare Code (62 P. S. §§ 801-A—815-A), regarding nursing facility assessments to, determine eligibility and calculate payments.

To qualify for MDOI payments, the nursing facility must be a nonpublic nursing facility for the full Resident Day quarter prior to the applicable quarterly reporting

due dates of October 31, January 31, April 30 and July 31. In addition, the nonpublic nursing facility shall have an overall occupancy rate of at least 85% and an MA occupancy rate of at least 65% during the Resident Day quarter. A nursing facility's overall occupancy rate for these payments will be determined as follows: Overall occupancy rate = (Total Resident Days ÷ (licensed bed capacity at the end of the quarter × the number of calendar days in the quarter)). A nursing facility's MA occupancy rate for these payments will be determined as follows: MA occupancy rate = Total PA MA days ÷ Total Resident Days.

Using the nursing facility assessment quarterly resident day reporting forms available on October 31, January 31, April 30 and July 31, the Department will calculate each qualified nonpublic nursing facility's MDOI quarterly payment based on the following formula:

(i) The MDOI quarterly per diem will be 1/4 of the total funds appropriated for the rate year divided by the Total PA MA days as reported by all qualifying nonpublic nursing facilities.

(ii) Each qualified nonpublic nursing facility's quarterly MDOI payment will be the quarterly per diem multiplied by a nonpublic nursing facility's Total PA MA days.

The MDOI payments for each quarter of the rate year will be paid in the following quarter. The Department will not retroactively revise an MDOI payment amount based on a nursing facility's late submission or revision of its report related to the previously listed dates. The Department may recoup payments based on an audit of a nursing facility's report.

The Department will submit a Medicaid State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS). If CMS approves the SPA, the Department will have the authority to make MDOI payments to nonpublic nursing facilities for FY 2013-2014.

Fiscal Impact

The estimated increase in annual aggregate expenditures for FY 2013-2014 is \$8 million in State funds.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P. O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

BEVERLY D. MACKERETH,
Secretary

Fiscal Note: 14-NOT-843. (1) General Fund; (2) Implementing Year 2013-14 is \$8,000,000; (3) 1st Succeeding Year 2014-15 is \$0; 2nd Succeeding Year 2015-16 is \$0; 3rd Succeeding Year 2016-17 is \$0; 4th Succeeding Year 2017-18 is \$0; 5th Succeeding Year 2018-19 is \$0; (4) 2012-13 Program—\$770,903,000; 2011-12 Program—\$737,356,000; 2010-11 Program—\$728,907,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 13-1697. Filed for public inspection September 13, 2013, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cauldron Of Cash 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 Cauldron Of Cash.

2. *Price:* The price of a Pennsylvania Cauldron Of Cash instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Cauldron Of Cash instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions printed in black ink and 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 printed in orange ink and 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 printed in black ink and 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 Cauldron (CLDRN) symbol. The play symbols and their captions printed in orange ink and 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) and 20 (TWENT).

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$1.⁰⁰ (ONE DOL), FREE (TICKET), \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$8.⁰⁰ (EGT DOL), \$9.⁰⁰ (NIN DOL), \$10.⁰⁰ (TEN DOL), \$13.⁰⁰ (THRTN), \$20.⁰⁰ (TWENTY), \$25.⁰⁰ (TWY FIV), \$30.⁰⁰ (THIRTY), \$45.⁰⁰ (FRY FIV), \$100 (ONE HUN), \$300 (THR HUN), \$900 (NIN HUN), \$3,000 (THR THO) and \$31,000 (TRYONETHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, Free \$2 Ticket, \$2, \$3, \$4, \$5, \$8, \$9, \$10, \$13, \$20, \$25, \$30, \$45, \$100, \$300, \$900, \$3,000 and \$31,000. The player can win up to 10 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct one Halloween 13 second-chance drawing for which non-winning Pennsylvania Cauldron Of Cash instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,600,000 tickets will be printed for the Pennsylvania Cauldron Of Cash instant lottery game.

8. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$31,000 (TRYONETHO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$31,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$3,000 (THR THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$900 (NIN HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$900.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$300 (THR HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, 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.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cauldron (CLDRN) symbol and a prize symbol of \$100 (ONE HUN) appears under that Cauldron (CLDRN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in orange ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in orange ink, and a prize symbol of \$25.⁰⁰ (TWY FIV) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$45.⁰⁰ (FRY FIV) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$45.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cauldron (CLDRN) symbol and a prize symbol of \$5.00 (FIV DOL) appears under that Cauldron (CLDRN) symbol, on a single ticket, shall be entitled to a prize of \$5.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$4.00 (FOR DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cauldron (CLDRN) symbol and a prize symbol of \$4.00 (FOR DOL) appears under that Cauldron (CLDRN) symbol, on a single ticket, shall be entitled to a prize of \$4.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in orange ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in orange ink, and a prize symbol of \$2.00 (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$3.00 (THR DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(gg) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cauldron (CLDRN) symbol and a prize symbol of \$3.00 (THR DOL) appears

under that Cauldron (CLDRN) symbol, on a single ticket, shall be entitled to a prize of \$3.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$2.00 (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(ii) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cauldron (CLDRN) symbol and a prize symbol of \$2.00 (TWO DOL) appears under that Cauldron (CLDRN) symbol, on a single ticket, shall be entitled to a prize of \$2.

(jj) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of FREE (TICKET) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Cauldron Of Cash instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(kk) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols, with the symbol and caption printed in black ink, matches any of the “WINNING NUMBERS” play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1.00 (ONE DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match
Either Winning Number, Win Prize
Shown Under The Matching
Number. Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets</i>
FREE \$2 TICKET	12.50	528,000
\$2	107.14	61,600
\$2	250	26,400
\$3	30	220,000
\$3	75	88,000
\$2 w/ ORANGE MATCH	150	44,000
\$4 w/ CAULDRON	150	44,000
\$4	150	44,000
(\$2 w/ ORANGE MATCH) + \$1	100	66,000
\$5 w/ CAULDRON	150	44,000
\$5	300	22,000
\$2 x 4	1,500	4,400
\$4 w/ ORANGE MATCH	166.67	39,600
\$8 w/ CAULDRON	166.67	39,600
\$8	1,500	4,400
\$3 x 3	750	8,800
(\$2 w/ ORANGE MATCH) + \$5	500	13,200
\$9 w/ CAULDRON	500	13,200
\$9	750	8,800
(\$3 x 3) + \$4	500	13,200
\$9 + \$4	750	8,800
\$8 + \$5	500	13,200
(\$5 w/ ORANGE MATCH) + \$3	375	17,600
\$13 w/ CAULDRON	375	17,600

When Any Of Your Numbers Match
Either Winning Number, Win Prize
Shown Under The Matching
Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,600,000 Tickets
\$13	\$13	375
\$2 × 10	\$20	1,000
\$4 × 5	\$20	1,000
\$5 × 4	\$20	1,000
(\$9 w/ ORANGE MATCH) + \$2	\$20	750
\$20 w/ CAULDRON	\$20	750
\$20	\$20	1,000
\$5 × 5	\$25	3,429
(\$3 × 5) + (\$2 × 5)	\$25	2,667
(\$10 w/ ORANGE MATCH) + \$5	\$25	2,667
\$25 w/ CAULDRON	\$25	2,667
\$25	\$25	4,000
\$3 × 10	\$30	2,667
(\$13 × 2) + \$4	\$30	3,429
(\$10 w/ ORANGE MATCH) + \$10	\$30	2,667
\$30 w/ CAULDRON	\$30	2,667
\$30	\$30	4,000
\$5 × 9	\$45	4,000
(\$5 × 8) + \$3 + \$2	\$45	4,000
(\$13 × 3) + (\$3 × 2)	\$45	4,800
(\$20 w/ ORANGE MATCH) + \$5	\$45	4,800
\$45 w/ CAULDRON	\$45	4,800
\$45	\$45	4,800
\$20 × 5	\$100	3,429
(\$9 × 8) + \$20 + \$8	\$100	6,000
(\$25 w/ ORANGE MATCH) × 2	\$100	3,429
\$100 w/ CAULDRON	\$100	6,000
\$100	\$100	8,000
\$30 × 10	\$300	60,000
(\$25 w/ ORANGE MATCH) × 6	\$300	120,000
\$300	\$300	120,000
\$300 × 3	\$900	120,000
\$900	\$900	120,000
\$300 × 10	\$3,000	220,000
\$3,000	\$3,000	660,000
\$31,000	\$31,000	660,000

When matching numbers are orange, win double the prize shown under the matching number.
Reveal a "CAULDRON" (CLDRN) symbol, win prize shown under it automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. Pennsylvania Lottery's Halloween 13 Second-Chance Drawing Requirements:

(a) To be eligible for the Pennsylvania Lottery's Halloween 13 second-chance drawing, players must enter non-winning PA-1053 Jack-O-Lantern Jackpot '13 (\$5) or PA-1055 Cauldron Of Cash (\$2) instant lottery tickets via the Lottery's website (palottery.com). To enter non-winning tickets players must visit the Lottery's website, click on the Halloween 13 promotional link, follow the instructions to establish an entry account and enter the identifying information from at least one PA-1053 Jack-O-Lantern Jackpot '13 (\$5) or PA-1055 Cauldron Of Cash (\$2) instant lottery ticket.

(1) Players must be members of the Pennsylvania Lottery VIP Players Club to submit entries.

(2) The contents of the entry account must be accurate and complete. Incomplete entry accounts cannot be submitted.

(3) Only one claimant per entry allowed.

(4) Claimant must be 18 years of age or older.

(5) Entries will be limited to VIP Players Club members that indicate, at the time of submitting an entry, that their entry is being submitted from an internet connected device located within Pennsylvania.

(6) The only entry method for the Pennsylvania Lottery's Halloween 13 second-chance drawing is via the Pennsylvania Lottery's website. Entries mailed to the Pennsylvania Lottery will be disqualified.

(b) The purchase price of each non-winning PA-1053 Jack-O-Lantern Jackpot '13 (\$5) or PA-1055 Cauldron Of Cash (\$2) instant ticket entered will determine the number of entries a player will receive for the Halloween 13 second-chance drawing. Accordingly, entering a non-winning PA-1053 Jack-O-Lantern Jackpot '13 (\$5) ticket will entitle the player to five entries and entering a non-winning PA-1055 Cauldron Of Cash (\$2) will entitle the player to two entries.

11. Pennsylvania Lottery's Halloween 13 Second-Chance Drawing:

(a) The Lottery will conduct one second-chance drawing as part of the Pennsylvania Lottery's Halloween 13 promotion. All time references in this section are Eastern Time.

(l) All Pennsylvania Lottery's Halloween 13 second-chance drawing entries received after 11:59:59 p.m. September 15, 2013, through 11:59:59 p.m. October 23, 2013, will be entered in the Pennsylvania Lottery's Halloween 13 second-chance drawing, which will be held between October 24, 2013 and October 30, 2013.

(2) The winners of the Pennsylvania Lottery's Halloween 13 second-chance drawing will be announced during the Pennsylvania Lottery's live drawing show on October 30, 2013 and after the live drawing show via social media. A list of winners will be posted to the Pennsylvania Lottery's website once the winners have been verified. Winners selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing will be contacted via email by the Pennsylvania Lottery Winner Services.

(3) The odds of an entry being selected in a Pennsylvania Lottery's Halloween 13 second-chance drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's Halloween 13 second-chance drawing, entries must have complied with the requirements of section 10.

(c) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Pennsylvania Lottery's Halloween 13 second-chance drawing.

(d) If a Pennsylvania Lottery's Halloween 13 second-chance drawing entry is rejected during or following a Pennsylvania Lottery's Halloween 13 second-chance drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(e) A computer-generated randomizer will be used to select the winners.

(f) A player may only win the prize for which they are first selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing. Subsequent entries, from the same individual, selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing will be disqualified and a replacement entry will be selected.

(g) If any discrepancy exists between the Pennsylvania Lottery's Halloween 13 second-chance drawing rules and any material describing the Pennsylvania Lottery's Halloween 13 second-chance drawing, the Pennsylvania Lottery's Halloween 13 second-chance drawing rules shall govern.

(h) Employees of the Pennsylvania Lottery and its agents, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Pennsylvania Lottery's Halloween 13 second-chance drawing. Offer void where prohibited or restricted.

(i) If, for any reason, the Pennsylvania Lottery's Halloween 13 second-chance drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawings, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Pennsylvania Lottery's Halloween 13 second-chance drawing.

(j) All entries shall be subject to verification by the Pennsylvania Lottery.

(k) The Pennsylvania Lottery's Halloween 13 second-chance drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(l) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

(m) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(n) The payment of a prize awarded in the Pennsylvania Lottery's Halloween 13 second-chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

12. *Description of Pennsylvania Lottery's Halloween 13 second-chance drawing prizes:* The first through the thirteenth winners selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing, held between October 24, 2013 and October 30, 2013, shall each be entitled to a prize of \$13,000, less required federal withholding. This prize shall be paid as a lump-sum cash payment.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Cauldron Of Cash instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Cauldron Of Cash, prize money from winning Pennsylvania Cauldron Of Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Cauldron Of Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

15. *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.

16. *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 Cauldron Of Cash or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-1698. Filed for public inspection September 13, 2013, 9:00 a.m.]

Pennsylvania Jack-O-Lantern Jackpot '13 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 Jack-O-Lantern Jackpot '13.

2. *Price:* The price of a Pennsylvania Jack-O-Lantern Jackpot '13 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Jack-O-Lantern Jackpot '13 instant lottery game ticket will contain one play area featuring 15 play symbols and their captions. The play symbols and their captions, located in the play area are: Broom (BROOM) symbol, Candelabra (CNDLBR) symbol, Candy Corn (CANDY) symbol, Cat (CAT) symbol, Cauldron (CAULDRN) symbol, Coins (COINS) symbol, Fog (FOG) symbol, Frog (FROG) symbol, Hat (HAT) symbol, Skull (SKULL) symbol, Haunted House (HOUSE) symbol, Monster (MONSTR) symbol, Moon (MOON) symbol, Owl (OWL) symbol, Pumpkin (PUMPKIN) symbol, Snake (SNAKE) symbol, Ghost (GHOST) symbol, Bat (BAT) symbol, Spider (SPIDER) symbol and a Spooky Eyes (SPKYEYES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$20^{.00} (TWENTY), \$25^{.00} (TWY FIV), \$40^{.00} (FORTY), \$50^{.00} (FIFTY), \$75^{.00} (SVY FIV), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$75, \$100, \$400, \$500, \$1,000 and \$50,000. The player can win up to 15 times on the ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct one Halloween 13 second-chance drawing for which non-winning Pennsylvania Jack-O-Lantern Jackpot '13 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Jack-O-Lantern Jackpot '13 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$50,000 (FTY THO) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$1,000 (ONE THO) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$500 (FIV HUN) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a Spooky Eyes (SPKYEYES) symbol in the play area and a prize symbol of \$50^{.00} (FIFTY) appears in five of the "prize" areas and a prize symbol of \$25^{.00} (TWY FIV) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$400 (FOR HUN) in the

"prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets with a Spooky Eyes (SPKYEYES) symbol in the play area and a prize symbol of \$25^{.00} (TWY FIV) in 14 of the "prize" areas and a prize symbol of \$50^{.00} (FIFTY) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a Spooky Eyes (SPKYEYES) symbol in the play area and a prize symbol of \$10^{.00} (TEN DOL) in five of the "prize" areas and a prize symbol of \$5^{.00} (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$75^{.00} (SVY FIV) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$75.

(j) Holders of tickets with a Spooky Eyes (SPKYEYES) symbol in the play area and a prize symbol of \$5^{.00} (FIV DOL) in all 15 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$75.

(k) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$50^{.00} (FIFTY) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$40^{.00} (FORTY) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$25^{.00} (TWY FIV) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$20^{.00} (TWENTY) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets with a Spider (SPIDER) symbol in the play area, and a prize symbol of \$20^{.00} (TWENTY) in the "prize" area under that Spider (SPIDER) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$10^{.00} (TEN DOL) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets with a Bat (BAT) symbol in the play area, and a prize symbol of \$5^{.00} (FIV DOL) in the "prize" area under that Bat (BAT) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A "BAT" (BAT) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$5	\$5	8.57	560,000
\$5 × 2	\$10	30	160,000
\$10	\$10	30	160,000

Reveal A "BAT" (BAT) Symbol,
Win Prize Shown Under That
Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
\$20 w/ SPIDER	\$20	120	40,000
\$20	\$20	120	40,000
\$5 × 5	\$25	200	24,000
(\$20 w/ SPIDER) + \$5	\$25	150	32,000
\$25	\$25	200	24,000
\$5 × 8	\$40	600	8,000
\$10 × 4	\$40	600	8,000
(\$20 w/ SPIDER) × 2	\$40	300	16,000
\$40	\$40	600	8,000
\$5 × 10	\$50	600	8,000
\$10 × 5	\$50	600	8,000
(((\$20 w/ SPIDER) × 2) + \$10)	\$50	300	16,000
\$50	\$50	600	8,000
SPOOKY EYES w/ (\$5 × 15)	\$75	600	8,000
\$50 + \$25	\$75	1,200	4,000
\$75	\$75	1,200	4,000
SPOOKY EYES w/ ((\$10 × 5) + (\$5 × 10))	\$100	4,000	1,200
\$20 × 5	\$100	4,000	1,200
\$25 × 4	\$100	3,429	1,400
\$50 × 2	\$100	3,429	1,400
(\$20 w/ SPIDER) × 5	\$100	3,429	1,400
\$100	\$100	3,429	1,400
SPOOKY EYES w/ ((\$25 × 14) + \$50)	\$400	6,000	800
\$50 × 8	\$400	20,000	240
\$100 × 4	\$400	15,000	320
\$400	\$400	20,000	240
SPOOKY EYES w/ ((\$50 × 5) + (\$25 × 10))	\$500	17,143	280
\$50 × 10	\$500	24,000	200
\$100 × 5	\$500	24,000	200
\$500	\$500	40,000	120
\$500 × 2	\$1,000	40,000	120
\$1,000	\$1,000	120,000	40
\$50,000	\$50,000	480,000	10

Reveal a "SPIDER" (SPIDER) symbol, win \$20 automatically.

Reveal a "SPOOKY EYES" (SPKYEYES) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. Pennsylvania Lottery's Halloween 13 Second-Chance Drawing Requirements:

(a) To be eligible for the Pennsylvania Lottery's Halloween 13 second-chance drawing, players must enter non-winning PA-1053 Jack-O-Lantern Jackpot '13 (\$5) or PA-1055 Cauldron Of Cash (\$2) instant lottery tickets via the Lottery's website (palottery.com). To enter non-winning tickets players must visit the Lottery's website, click on the Halloween 13 promotional link, follow the instructions to establish an entry account and enter the identifying information from at least one PA-1053 Jack-O-Lantern Jackpot '13 (\$5) or PA-1055 Cauldron Of Cash (\$2) instant lottery ticket.

(1) Players must be members of the Pennsylvania Lottery VIP Players Club to submit entries.

(2) The contents of the entry account must be accurate and complete. Incomplete entry accounts cannot be submitted.

(3) Only one claimant per entry allowed.

(4) Claimant must be 18 years of age or older.

(5) Entries will be limited to VIP Players Club members that indicate, at the time of submitting an entry, that their entry is being submitted from an internet connected device located within Pennsylvania.

(6) The only entry method for the Pennsylvania Lottery's Halloween 13 second-chance drawing is via the Pennsylvania Lottery's website. Entries mailed to the Pennsylvania Lottery will be disqualified.

(b) The purchase price of each non-winning PA-1053 Jack-O-Lantern Jackpot '13 (\$5) or PA-1055 Cauldron Of Cash (\$2) instant ticket entered will determine the number of entries a player will receive for the Halloween 13 second-chance drawing. Accordingly, entering a non-winning PA-1053 Jack-O-Lantern Jackpot '13 (\$5) ticket will entitle the player to five entries and entering a non-winning PA-1055 Cauldron Of Cash (\$2) will entitle the player to two entries.

11. Pennsylvania Lottery's Halloween 13 Second-Chance Drawing:

(a) The Lottery will conduct one second-chance drawing as part of the Pennsylvania Lottery's Halloween 13 promotion. All time references in this section are Eastern Time.

(1) All Pennsylvania Lottery's Halloween 13 second-chance drawing entries received after 11:59:59 p.m. September 15, 2013, through 11:59:59 p.m. October 23, 2013, will be entered in the Pennsylvania Lottery's Halloween 13 second-chance drawing, which will be held between October 24, 2013 and October 30, 2013.

(2) The winners of the Pennsylvania Lottery's Halloween 13 second-chance drawing will be announced during

the Pennsylvania Lottery's live drawing show on October 30, 2013 and after the live drawing show via social media. A list of winners will be posted to the Pennsylvania Lottery's website once the winners have been verified. Winners selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing will be contacted via email by the Pennsylvania Lottery Winner Services.

(3) The odds of an entry being selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing depend upon the number of entries received for that drawing.

(b) To be eligible to participate in the Pennsylvania Lottery's Halloween 13 second-chance drawing, entries must have complied with the requirements of section 10.

(c) The Lottery assumes no responsibility for late, lost or misdirected entries not entered into the Pennsylvania Lottery's Halloween 13 second-chance drawing.

(d) If a Pennsylvania Lottery's Halloween 13 second-chance drawing entry is rejected during or following a Pennsylvania Lottery's Halloween 13 second-chance drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(e) A computer-generated randomizer will be used to select the winners.

(f) A player may only win the prize for which they are first selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing. Subsequent entries, from the same individual, selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing will be disqualified and a replacement entry will be selected.

(g) If any discrepancy exists between the Pennsylvania Lottery's Halloween 13 second-chance drawing rules and any material describing the Pennsylvania Lottery's Halloween 13 second-chance drawing, the Pennsylvania Lottery's Halloween 13 second-chance drawing rules shall govern.

(h) Employees of the Pennsylvania Lottery and its agents, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Pennsylvania Lottery's Halloween 13 second-chance drawing. Offer void where prohibited or restricted.

(i) If, for any reason, the Pennsylvania Lottery's Halloween 13 second-chance drawing is not capable of running as planned due to, without limitation, errors in these rules or advertising, tampering, unauthorized intervention, fraud, technical failures, human error or any other cause beyond the control of the Pennsylvania Lottery that, in the sole judgment of the Pennsylvania Lottery, could corrupt or affect the administration, security, fairness, integrity or proper conduct of the drawings, the Pennsylvania Lottery reserves the right, at its sole discretion, to cancel, terminate, modify or suspend the Pennsylvania Lottery's Halloween 13 second-chance drawing.

(j) All entries shall be subject to verification by the Pennsylvania Lottery.

(k) The Pennsylvania Lottery's Halloween 13 second-chance drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(l) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won.

(m) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(n) The payment of a prize awarded in the Pennsylvania Lottery's Halloween 13 second-chance drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

12. *Description of Pennsylvania Lottery's Halloween 13 second-chance drawing prizes:* The first through the thirteenth winners selected in the Pennsylvania Lottery's Halloween 13 second-chance drawing, held between October 24, 2013 and October 30, 2013, shall each be entitled to a prize of \$13,000, less required federal withholding. This prize shall be paid as a lump-sum cash payment.

13. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Jack-O-Lantern Jackpot '13 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Jack-O-Lantern Jackpot '13, prize money from winning Pennsylvania Jack-O-Lantern Jackpot '13 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 Jack-O-Lantern Jackpot '13 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.

15. *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.

16. *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 Jack-O-Lantern Jackpot '13 or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-1699. Filed for public inspection September 13, 2013, 9:00 a.m.]

Pennsylvania Match for Cash 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 Match for Cash.

2. *Price:* The price of a Pennsylvania Match for Cash instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Match for Cash instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3," "GAME 4," "GAME 5," "GAME 6," "GAME 7," "GAME 8," "GAME

9," "GAME 10," "GAME 11," and "GAME 12." The play symbols and their captions located in the play 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 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), MATCH (MATCH) symbol and a 2X (2TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the play area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$250 (TWOHUNFTY), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$250, \$400, \$500, \$1,000, \$10,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,200,000 tickets will be printed for the Pennsylvania Match for Cash instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$250 (TWOHUNFTY)

appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$250.

(n) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$250 (TWOHUNFTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$250.

(o) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(y) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$25.

(bb) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(gg) Holders of tickets with a 2X (2TIMES) symbol in a "GAME" and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(hh) Holders of tickets with two matching play symbols in the same "GAME" and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(ii) Holders of tickets with a MATCH (MATCH) symbol in a "GAME" and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

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>Reveal Two Like Numbers In The Same Game, Win Prize Shown For That Game. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,200,000 Tickets:</i>
\$5 w/ MATCH	\$5	15	680,000
\$5	\$5	20	510,000
\$5 × 2	\$10	60	170,000
\$5 w/ 2X	\$10	60	170,000
\$10 w/ MATCH	\$10	60	170,000
\$10	\$10	60	170,000
\$5 × 4	\$20	150	68,000
\$10 × 2	\$20	150	68,000
\$10 w/ 2X	\$20	150	68,000
\$20 w/ MATCH	\$20	150	68,000
\$20	\$20	150	68,000
\$5 × 8	\$40	600	17,000
\$10 × 4	\$40	600	17,000
\$20 w/ 2X	\$40	600	17,000
\$40 w/ MATCH	\$40	600	17,000
\$40	\$40	600	17,000
\$10 × 5	\$50	600	17,000
\$25 × 2	\$50	600	17,000
\$25 w/ 2X	\$50	600	17,000
\$50 w/ MATCH	\$50	600	17,000
\$50	\$50	600	17,000
\$25 × 4	\$100	1,600	6,375
(\$25 × 2) + (\$5 × 10)	\$100	685.71	14,875
\$50 w/ 2X	\$100	1,200	8,500
\$100 w/ MATCH	\$100	1,600	6,375
\$100	\$100	1,600	6,375
(\$50 × 2) + (\$10 × 10)	\$200	8,000	1,275
\$100 w/ 2X	\$200	12,000	850
\$200 w/ MATCH	\$200	12,000	850
\$200	\$200	3,429	2,975
\$50 × 5	\$250	30,000	340
(\$100 × 2) + \$50	\$250	30,000	340
(\$25 × 2) + (\$20 × 10)	\$250	15,000	680
\$250 w/ MATCH	\$250	30,000	340
\$250	\$250	30,000	340
(\$100 × 2) + (\$20 × 10)	\$400	20,000	510
\$200 w/ 2X	\$400	40,000	255
\$400 w/ MATCH	\$400	40,000	255

Reveal Two Like Numbers In The Same Game, Win Prize Shown For That Game. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,200,000 Tickets:
\$400	\$400	40,000	255
\$50 × 10	\$500	120,000	85
\$100 × 5	\$500	120,000	85
(\$50 × 2) + (\$40 × 10)	\$500	40,000	255
\$250 w/ 2X	\$500	120,000	85
\$500 w/ MATCH	\$500	120,000	85
\$500	\$500	120,000	85
\$100 × 10	\$1,000	60,000	170
\$500 w/ 2X	\$1,000	60,000	170
\$1,000 w/ MATCH	\$1,000	60,000	170
\$1,000	\$1,000	60,000	170
\$10,000 w/ MATCH	\$10,000	680,000	15
\$10,000	\$10,000	680,000	15
\$100,000	\$100,000	1,020,000	10

Reveal a "MATCH" (MATCH) symbol in any GAME, win prize shown for that game automatically.
Reveal a "2X" (2TIMES) symbol in any GAME, win 2 times the prize shown for that game.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Match for Cash 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 Match for Cash, prize money from winning Pennsylvania Match for Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Match for Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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 Match for Cash or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-1700. Filed for public inspection September 13, 2013, 9:00 a.m.]

Pennsylvania Win Win Win 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 Win Win Win.

2. *Price:* The price of a Pennsylvania Win Win Win instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Win Win Win instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), WIN Burst (WIN) symbol and a Comet (COMET) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Win Win Win 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 \$300,000 (THRHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$10,000 (TEN THO) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$1,000 (ONE THO) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Comet (COMET) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas, and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$500 (FIV HUN) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Comet (COMET) symbol, and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in two of the "prize" areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in eleven of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Comet (COMET) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "prize" areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$200 (TWO HUN) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Comet (COMET) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$100 (ONE HUN) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Comet (COMET) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "prize" areas, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50⁰⁰ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WIN) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears

under the WIN Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
\$10 w/ WIN BURST	\$10	12	700,000
\$10	\$10	12	700,000
\$10 × 2	\$20	60	140,000
\$20 w/ WIN BURST	\$20	30	280,000
\$20	\$20	40	210,000
\$10 × 4	\$40	300	28,000
\$20 × 2	\$40	300	28,000
(\$10 w/ WIN BURST) × 4	\$40	300	28,000
\$40 w/ WIN BURST	\$40	300	28,000
\$40	\$40	300	28,000
\$10 × 5	\$50	300	28,000
(\$20 × 2) + \$10	\$50	300	28,000
(\$10 w/ WIN BURST) × 5	\$50	300	28,000
\$50 w/ WIN BURST	\$50	300	28,000
\$50	\$50	300	28,000
COMET w/ ((\$10 × 5) + (\$5 × 10))	\$100	600	14,000
\$20 × 5	\$100	600	14,000
(\$20 × 4) + (\$10 × 2)	\$100	600	14,000
\$100 w/ WIN BURST	\$100	600	14,000
\$100	\$100	600	14,000
COMET w/ ((\$20 × 5) + (\$10 × 10))	\$200	1,500	5,600
\$40 × 5	\$200	6,000	1,400
\$50 × 4	\$200	6,000	1,400
(\$20 w/ WIN BURST) × 10	\$200	4,000	2,100
\$200 w/ WIN BURST	\$200	4,000	2,100
\$200	\$200	6,000	1,400
COMET w/ ((\$40 × 10) + (\$20 × 5))	\$500	4,000	2,100
COMET w/ ((\$100 × 2) + (\$40 × 2) + (\$20 × 11))	\$500	4,000	2,100
\$100 × 5	\$500	12,000	700
(\$50 w/ WIN BURST) × 10	\$500	6,000	1,400
\$500 w/ WIN BURST	\$500	6,000	1,400
\$500	\$500	12,000	700
COMET w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	6,000	1,400
\$200 × 5	\$1,000	24,000	350
(\$100 w/ WIN BURST) × 10	\$1,000	12,000	700
\$1,000 w/ WIN BURST	\$1,000	12,000	700
\$1,000	\$1,000	24,000	350
\$10,000 w/ WIN BURST	\$10,000	280,000	30
\$10,000	\$10,000	280,000	30
\$300,000	\$300,000	840,000	10

Reveal a "WIN BURST" (WIN) symbol, win prize shown under it automatically.

Reveal a "COMET" (COMET) symbol, win all 15 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Win Win Win 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 Win Win Win, prize money from winning Pennsylvania Win Win Win 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 Win Win Win 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 Win Win Win or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 13-1701. Filed for public inspection September 13, 2013, 9:00 a.m.]

DEPARTMENT OF STATE

Bureau of Corporations and Charitable Organizations; Proposed Official Forms

The Department of State (Department), Bureau of Corporations and Charitable Organizations (Bureau) proposes to amend 19 Pa. Code Appendix B (relating to official forms) to read as set forth in the Annex A.

A. Effective Date

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

B. Statutory Authority

The Department has the authority to promulgate Bureau sample forms and instructions under 15 Pa.C.S. § 133 (relating to powers of Department of State). Section 133(a)(1) of 15 Pa.C.S. specifies that sample filing forms shall not be agency regulations and are therefore explicitly excluded from section 612 of The Administrative Code of 1929 (71 P. S. § 232) and review under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506) and the Regulatory Review Act (71 P. S. §§ 745.1—745.12a). Section 133(a)(1) of 15 Pa.C.S. does, however, require that the forms and instructions be subject to the opportunity for public comments under section 201 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1201), known as the Commonwealth Documents Law (CDL).

C. Description of Proposed Revisions

This proposal introduces two new forms and revises two of the existing forms and instructions promulgated by the Department and currently published in the *Pennsylvania Code*. The need for these revisions is based on the act of July 9, 2013 (P. L. _____, No. 67) (Act 67), effective in part on September 7, 2013. Act 67 authorizes a new type of filing for unincorporated nonprofit associations, relating naming, amending and cancelling an agent for service of process. Act 67 also revises the information required on annual benefit reports and decreases the fee for change of registered office address. The new forms and alterations to existing forms implement these changes.

Form DSCB:15-9120 (Unincorporated Nonprofit Association—Agent for Service of Process)

This form is created in response to the new option for unincorporated nonprofit associations to appoint an agent to receive service of process, amend that appointment and cancel that appointment. The appointment, if elected by an unincorporated nonprofit association, is to be filed with the Department. The Department has created a form which comports with 15 Pa.C.S. § 9120 (relating to

appointment of agent to receive service of process), which requires that both the unincorporated nonprofit association and the agent sign the appointment, amendment and cancellation.

Form DSCB:15-9120D (Unincorporated Nonprofit Association—Agent for Service of Process—Resignation of Agent)

This form is created in response to the new option for unincorporated nonprofit associations to appoint an agent to receive service of process. As part of this process, the agent may resign by delivering a resignation to the Department for filing and giving notice to the unincorporated nonprofit association. The Department has created a form which comports with 15 Pa.C.S. § 9120, which requires only the agent execute a resignation and is assigned a lower statutory fee than appointing, amending or cancelling an agent for service of process.

Form DSCB:15-3331 (Annual Benefit Report)

This form is amended in response to changes made by Act 67, which deleted the requirement to report the names of persons who own 5% or more of the outstanding shares of the benefit corporation on the annual benefit filed by benefit corporations. The Department has updated the form which comports with 15 Pa.C.S. § 3331 (relating to annual benefit report).

DSCB:15-1507/4144/5507/6144/8506/8906 (Statement or Certificate of Change of Registered Office)

This form exists to assist registered businesses in this Commonwealth to comply with the requirement that they notify the Department of any change in their registered office addresses. To encourage compliance with this obligation, Act 67 reduced the filing fee for change of registered office filings from \$70 to \$5. The Department also takes this opportunity to combine this form with DSCB:15-8906 (Certificate of Change of Registered Office—Limited Liability Company) so that there is one form for domestic associations and most foreign entities. The use of form DSCB:15-8906 will be discontinued.

The forms DSCB:15-3331, 15-1507/4144/5507/6144/8506 and DSCB:15-8906 and corresponding instructions, which are codified in 19 Pa. Code (relating to corporations and business associations), are being deleted and replaced with the revised forms DSCB:15-3331 and DSCB:15-1507/4144/5507/6144/8506/8906. Forms DSCB:15-9120 and DSCB:15-9120D are new. All the forms are set forth in Annex A. Even though Rule 2.10(a) of the *Pennsylvania Code and Bulletin Style Manual* recommends that forms be referenced in regulations rather than adopted in regulations, 15 Pa.C.S. § 133 requires that the forms and instructions be published in the *Pennsylvania Code*.

D. Fiscal Impact

Although this proposal would not have measurable fiscal impact upon the Commonwealth, its political subdivisions or the private sector, a formal fiscal analysis was not conducted because these forms are exempt from section 612 of The Administrative Code of 1929.

E. Paperwork Requirements

This proposal would not create new paperwork other than that required by the act of October 24, 2012 (P. L. 1228, No. 152).

F. Regulatory Review

Under 15 Pa.C.S. § 133(a), sample forms are exempt from the requirements of the Regulatory Review Act but shall be subject to the opportunity of public comment requirement under section 201 of the CDL.

G. Public Comment

Under 15 Pa.C.S. § 133(a)(1), which requires that publication of these forms be subject to the opportunity for public comment, the Department invites interested

persons to submit written comments, suggestions or objections regarding this proposal to Martha H. Brown, Assistant Counsel, Department of State, 301 North Office Building, Harrisburg, PA 17120, within 30 days following publication of this notice in the *Pennsylvania Bulletin*. Reference Corporation Bureau—Official Forms when submitting comments.

CAROL AICHELE,
Secretary

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

Unincorporated Nonprofit Association
 Agent for Service of Process (15 Pa.C.S. § 9120)
 Statement appointing agent
 Amendment of statement
 Cancellation of statement

Name		

Address		

City	State	Zip Code
_____	_____	_____

Document will be returned to the name and address you enter to the left.
 ←

Fee: \$70

In compliance with the requirements of 15 Pa.C.S. § 9120 (relating to appointment of agent to receive service of process), the undersigned unincorporated nonprofit association and/or agent hereby states that:

Complete boxes 1-3 for appointment, amendment and cancellation filings

1. The name of the unincorporated nonprofit association is: _____
--

2. The address, if any, in this Commonwealth of the above-named association is: _____
Number and Street City State Zip County

3. The name and address in this Commonwealth of the person authorized to receive service of process for the above-named association is: _____
Name

Number and Street City State Zip County

DSCB:15-9120-2

For amendment of statement appointing agent only

4. The name and address in this Commonwealth of the person authorized to receive service of process for the above-named association is changed to:

Name

Number and Street	City	State	Zip	County
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For cancellation of statement appointing agent only

5. ___ The status of the agent [named in box 3] authorized to receive service of process for the above-named association has been cancelled by the association.

IN TESTIMONY WHEREOF, the undersigned have caused this Statement, Amendment or Cancellation of agent for service of process to be executed this

_____ day of _____, _____.

_____	_____
Name of Unincorporated Nonprofit Association	Name of Agent
_____	_____
Signature	Signature
_____	_____
Title	Title

DSCB:15-9120-3



Department of State
Bureau of Corporations and Charitable Organizations
P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
Web site: www.dos.state.pa.us/corps

Instructions for Completion of Form:

- A. Typewritten is preferred. If not, the form shall be completed in black or blue-black ink in order to permit reproduction. The filing fee for this form is \$70 and is made payable to the Commonwealth of Pennsylvania. Checks must contain a commercially pre-printed name and address.
- B. Agents resigning must use Resignation of Agent form (DSCB:15-9120D).
- B. Under 15 Pa.C.S. § 135(c) (relating to addresses) an actual street or rural route box number must be used as an address, and the Department of State is required to refuse to receive or file any document that sets forth only a post office box address.
- C. Appointment, amendment and cancellation of agent for service of process must be signed by both (i) a person authorized to manage the affairs of the nonprofit association; and (ii) the person appointed as the agent.
- D. This form and all accompanying documents shall be mailed to the address stated above.

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

**Unincorporated Nonprofit Association
Agent for Service of Process (15 Pa.C.S. § 9120)
Resignation of Agent**

Name		
Address		
City	State	Zip Code

Document will be returned to the name and address you enter to the left.
←

Fee: \$40

In compliance with the requirements of 15 Pa.C.S. § 9120(d) (relating to resignation of agent to receive service of process), the undersigned agent hereby states that:

1. The name of the unincorporated nonprofit association is:

2. The last known address, if any, in this Commonwealth of the above-named association is:					
<table style="width: 100%; border: none;"> <tr> <td style="width: 35%; border: none;">Number and Street</td> <td style="width: 20%; border: none;">City</td> <td style="width: 15%; border: none;">State</td> <td style="width: 10%; border: none;">Zip</td> <td style="width: 20%; border: none;">County</td> </tr> </table>	Number and Street	City	State	Zip	County
Number and Street	City	State	Zip	County	

3. The name and address in this Commonwealth of the resigning agent (the person currently authorized to receive service of process for the above-named association) is:					
Name					
<table style="width: 100%; border: none;"> <tr> <td style="width: 35%; border: none;">Number and Street</td> <td style="width: 20%; border: none;">City</td> <td style="width: 15%; border: none;">State</td> <td style="width: 10%; border: none;">Zip</td> <td style="width: 20%; border: none;">County</td> </tr> </table>	Number and Street	City	State	Zip	County
Number and Street	City	State	Zip	County	

4. I resign as the person authorized to receive service of process for the above-named association.

IN TESTIMONY WHEREOF, the undersigned Agent has caused this Resignation of Agent for Service of Process to be executed this _____ day of _____, _____.
Name of Agent
Signature
Title

DSCB:15-9120D-2



**Department of State
Bureau of Corporations and Charitable Organizations
P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
Web site: www.dos.state.pa.us/corps**

Instructions for Completion of Form:

- A. Typewritten is preferred. If not, the form shall be completed in black or blue-black ink in order to permit reproduction. The filing fee for this form is \$40 and is made payable to the Commonwealth of Pennsylvania. Checks must contain a commercially pre-printed name and address.
- B. Under 15 Pa.C.S. § 135(c) (relating to addresses) an actual street or rural route box number must be used as an address, and the Department of State is required to refuse to receive or file any document that sets forth only a post office box address.
- C. Resignation of an agent for service of process must be signed by the person resigning as the agent. In addition to filing this form with the Department, the resigning agent must also give notice of the resignation to the nonprofit association.
- D. This form and all accompanying documents shall be mailed to the address stated above.

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

Annual Benefit Report
(15 Pa.C.S § 3331)

Name
Address
City State Zip Code

Document will be returned to the name and address you enter to the left.
←

Fee: \$70

In compliance with the requirements of the provisions relating to the filing of an annual benefit report, the undersigned benefit corporation hereby states that:

- The name of the corporation is:

- The (a) address of this corporation’s current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (complete (a) or (b), not both):

(a) Number and Street	City	State	Zip	County
-----------------------	------	-------	-----	--------

(b) Name of Commercial Registered Office Provider	County
---	--------

c/o: _____

- A narrative description of:
 - the ways in which the benefit corporation pursued general public benefit during the year and the extent to which general public benefit was created;

- the ways in which the benefit corporation pursued any specific public benefit that the articles state is the purpose of the benefit corporation to create and the extent to which that specific public benefit was created;

- any circumstances that have hindered the creation by the benefit corporation of general or specific public benefit; and

- the process and rationale for selecting or changing the third-party standard used to prepare the benefit report.

DSCB:15-3331 – 2

- 4. An assessment of the overall social and environmental performance of the benefit corporation against a third-party standard applied consistently with any application of that standard in prior benefit reports or accompanied by an explanation of the reasons for any inconsistent application.

- 5. The name of the benefit director and the benefit officer, if any, and the address to which correspondence to each of them may be directed.

- 6. The compensation paid by the benefit corporation during the year to each director in that capacity.

- 7. The annual compliance statement of the benefit director described in section 3322(c) (relating to benefit director).
Check applicable statements and strikeout inapplicable statements.

___ In the opinion of the benefit director, the benefit corporation acted in accordance with its general and any specific public benefit purpose in all material respects during the period covered by this report.

___ In the opinion of the benefit director, the directors and officers complied with sections 3321(a) (relating to standard of conduct for directors) and 3323(a) (relating to standard of conduct for officers), respectively.

___ In the opinion of the benefit director, the benefit corporation or its directors or officers failed so to act. Following is a description of the ways in which the benefit corporation or its directors or officers failed so to act:

- 8. A statement of any connection between the organization that established the third-party standard, or its directors, officers or any holder of 5% or more of the governance interests in the organization, and the benefit corporation or its directors, officers or any holder of 5% or more of the outstanding shares of the benefit corporation, including any financial or governance relationship which might materially affect the credibility of the use of the third-party standard.

- 9. If the benefit corporation has dispensed with, or restricted the discretion or powers of, the board of directors, a description of:
 - (i) the persons that exercise the powers, duties and rights and who have the immunities of the board of directors; and

(ii) the benefit director, as required by section 3322(e).

DSCB:15-3331 – 3

IN TESTIMONY WHEREOF, the undersigned registrant has caused this Annual Benefit Report to be signed by a duly authorized officer this _____ day of _____, 20__.

Name of Benefit Corporation

Signature

Title

DSCB:15-3331 – 4



**Department of State
Bureau of Corporations and Charitable Organizations
P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
Web site: www.dos.state.pa.us/corps**

Instructions for Completion of Form:

- A. Typewritten is preferred. If not, the form shall be completed in black or blue-black ink in order to permit reproduction. The filing fee for this form is \$70 made payable to the Department of State.
- B. Under 15 Pa.C.S. § 135(c) (relating to addresses) an actual street or rural route box number must be used as an address, and the Department of State is required to refuse to receive or file any document that sets forth only a post office box address.
- C. Additional pages may be attached as needed.
- D. The information in box 6 (relating to compensation paid to directors) may be omitted from the benefit report as filed with the Department of State.
- E. This form and all accompanying documents shall be mailed to the above stated address.

Revised 8/2013

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

Statement or Certificate of Change of Registered Office (15 Pa.C.S.) for
(check one):

- Domestic Business Corporation (§ 1507)
 Foreign Business Corporation (§ 4144)
 Domestic Nonprofit Corporation (§ 5507)
 Foreign Nonprofit Corporation (§ 6144)
 Domestic Limited Partnership (§ 8506)
 Domestic Limited Liability Company (§ 8906)

Name		

Address		

City	State	Zip Code
_____	_____	_____

Document will be returned to the name and address you enter to the left.

←

Fee: \$5

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to change of registered office), the undersigned corporation, limited partnership or limited liability company, desiring to effect a change of registered office, hereby states that:

1. The name is:

2. Current address as registered with the Department of State. *Complete part (a) or (b) – not both:*

(a) The address of its current registered office in this Commonwealth is:

Number and street City State Zip County

(b) The name of its current commercial registered office provider and the county of venue is:

c/o: _____

Name of Commercial Registered Office Provider County

3. New address. *Complete part (a) or (b) – not both:*

(a) The address in this Commonwealth to which the registered office of the corporation, limited partnership or limited liability company is to be changed is:

Number and street City State Zip County

(b) The registered office of the corporation, limited partnership or limited liability company shall be provided by:

c/o: _____

Name of Commercial Registered Office Provider County

Revised 8/2013

DSCB:15-1507/4144/5507/6144/8506/8906-2

4. *For corporations only:*

Such change was authorized by the Board of Directors of the corporation.

IN TESTIMONY WHEREOF, the undersigned has caused this Statement or Certificate of Change of Registered Office to be signed by a duly authorized officer, general partner, member or manager thereof this

_____ day of _____, _____.

Name of Corporation/Limited Partnership/
Limited Liability Company

Signature

Title



**Department of State
Bureau of Corporations and Charitable Organizations
P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
Web site: www.dos.state.pa.us/corps**

Instructions for Completion of Form:

- A. Typewritten is preferred. If not, the form shall be completed in black or blue-black ink in order to permit reproduction. The filing fee for this form is \$5. The fee is made payable to the Commonwealth of Pennsylvania. Checks must contain a commercially pre-printed name and address.
- B. This form may be used by a domestic Limited Partnership which has elected to register as a Limited Liability Partnership pursuant to 15 Pa.C.S. § 8201. A General Partnership which has elected to register as a Limited Liability Partnership pursuant to 15 Pa.C.S. § 8201 must use form DSCB:15-8201B (Domestic Registered Limited Liability Partnership-Statement of Amendment) to amend the address of its principal place of business.
- C. This form may not be used by a Foreign Limited Partnership, Foreign Limited Liability Partnership or Foreign Limited Liability Company which desires to amend its certificate of registration in order to reflect a change in address of registered office, change of name or other arrangements or facts that have changed. Foreign Limited Partnerships, Foreign Limited Liability Partnerships and Foreign Limited Liability Companies must use form DSCB:15-8585 (Certificate of Amendment of Registration-Foreign).
- D. If Paragraph 3(a) is completed, the actual street address or rural route box number must be used as the address. The Department is required to refuse to receive or file under Paragraph 3(a) a form that fails to set forth an address or sets forth only a post office box address. See 19 Pa. Code § 19.2 (relating to Change of Commercial Registered Office Provider).
- E. In the case of a corporation, if the change in registered office was authorized by a body other than the board of directors, Paragraph 4 should be modified accordingly.
- F. This form and all accompanying documents shall be mailed to the address stated above.

Revised 8/2013

[Pa.B. Doc. No. 13-1703. Filed for public inspection September 13, 2013, 9:00 a.m.]

Election for the Office of Judge of the Court of Common Pleas of Philadelphia County

On August 30, 2013, the Secretary of the Commonwealth received written notice that Judge D. Webster Keogh has revoked his declaration of candidacy for retention as a Judge of the Court of Common Pleas of Philadelphia County. Under the Constitution and laws of the Commonwealth, an election for the judicial office held by Judge Keogh will occur as part of the Municipal Election to be held November 5, 2013.

In the Municipal Election, the electors of the Commonwealth will elect seven Judges of the Court of Common Pleas of Philadelphia County. Each elector will be entitled to vote for up to seven candidates, with the seven candidates receiving the largest number of valid votes being elected.

In the Municipal Primary held May 21, 2013, the electors of the Republican Party and the Democratic Party had the opportunity to nominate six candidates for the office of Judge of the Court of Common Pleas of Philadelphia County. By law, each of the certified State-wide political parties of this Commonwealth—the Republican Party, the Democratic Party and the Libertarian Party—will be permitted to nominate one additional candidate for the Court of Common Pleas of Philadelphia County by submitting to the Secretary of the Commonwealth, no later than September 16, 2013, a nomination certificate in the form prescribed by law and prepared in accordance with the applicable rules of the political party. See sections 978.3, 993 and 994 of the Pennsylvania Election Code (25 P. S. §§ 2938.3, 2953 and 2954). Political bodies will be permitted to nominate a candidate by filing with the Secretary of the Commonwealth, no later than September 16, 2013, nomination papers prepared and submitted in accordance with the requirements of sections 978.3, 993 and 994 of the Pennsylvania Election Code.

CAROL AICHELE,
Secretary

[Pa.B. Doc. No. 13-1702. Filed for public inspection September 13, 2013, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Louis Casagrande, et al. v. DEP and First Industrial Acquisition, Inc., Permittee; EHB Doc. No. 2013-125-M (Consolidated with 2013-126-M) through 2013-152-M

Louis Casagrande, et al. have appealed the issuance by the Department of Environmental Protection of an NPDES permit to First Industrial Acquisition, Inc., for Stormwater Discharges Associated with Construction Activities in Covington Township, Lackawanna County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal

business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 13-1704. Filed for public inspection September 13, 2013, 9:00 a.m.]

Township of Covington, Lackawanna County v. DEP and PPL Electric Utilities Corporation, Permittee; EHB Doc. No. 2013-156-M

Township of Covington, Lackawanna County has appealed the issuance by the Department of Environmental Protection of an NPDES permit to PPL Electric Utilities Corporation for Stormwater Discharges Associated with Construction Activities in Covington Township, Lackawanna County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 13-1705. Filed for public inspection September 13, 2013, 9:00 a.m.]

FISH AND BOAT COMMISSION

Qualified Endangered and Threatened Species; Surveyor Requirements

Contemporaneous with the publication of this notice, the Fish and Boat Commission (Commission) is publishing an order adopting a new regulation in 58 Pa. Code § 75.5 (relating to qualified surveyors for endangered and threatened species and their habitat). This new regulation will go into effect on January 1, 2014.

Under 58 Pa. Code § 75.5, a surveyor must first be deemed qualified by the Commission to conduct surveys

for endangered or threatened species or their habitat in connection with an application for a proposed or planned development activity. Individuals who wish to be qualified by the Commission to conduct surveys for endangered or threatened species must demonstrate to the Commission's satisfaction that they meet the qualified surveyor requirements as approved by the Executive Director and published in the *Pennsylvania Bulletin*. The Executive Director has approved the following qualified surveyor requirements.

JOHN A. ARWAY,
Executive Director

(*Editor's Note:* For a final-form rulemaking relating to this notice, see 43 Pa.B. 5453 (September 14, 2013).)

Qualified Endangered and Threatened Species Surveyor Requirements

Overview

The Pennsylvania Fish and Boat Commission (PFBC) reviews projects to be permitted in or near habitats that may be occupied by endangered or threatened species. Site-specific surveys are a component of the project review process when a project activity potentially conflicts with an endangered or threatened species and its habitat. The PFBC has assembled lists of biologists who have documented their expertise to conduct surveys for endangered or threatened species in connection with a proposed or planned development activity. These lists include the names of those individuals who have demonstrated to the PFBC that they meet the qualifications necessary to search for and successfully find and correctly identify listed species and their habitat. In order to conduct PFBC recognized surveys for endangered or threatened species or their habitat in connection with a proposed or planned development activity, a surveyor must first be deemed qualified by the PFBC and placed on its qualified surveyors list. In addition, individuals who conduct presence/absence surveys for endangered or threatened species are required to have a valid Pennsylvania fishing license, a scientific collector's permit and threatened and endangered species permit issued by the PFBC. Only individuals, not firms, organizations, or other entities, will be considered for inclusion on a qualified list because the necessary experience can only be individually developed.

Project reviews, species effects analyses, and regulatory/permitting requirements are often directly affected by the presence of state or federally listed endangered or threatened species. Therefore, it is imperative that surveyors have the skills and ability to personally find and identify these species in their natural habitat. The required level of field experience must be maintained at all times to ensure the surveyor is maintaining search skills. A qualified surveyor must have extensive knowledge of the following: taxonomy, life history and habitat requirements of the targeted species group (with particular expertise regarding the endangered or threatened species), and sampling techniques for that species group.

To become qualified and be placed on the PFBC's qualified surveyors list, one must:

1. Read and understand the overview and the species group and taxa specific requirements.
2. Submit an application using the form provided, demonstrating that the applicant satisfies all general and species group or taxa specific requirements. Surveyors on PFBC lists as of January 5, 2013 will be deemed qualified for purposes of the new regulation but will be required to

submit an application using the form provided. PFBC staff will act on applications within approximately 30 days.

a. General requirements include:

i. **Taxonomy and Natural History:** Applicants must demonstrate their mastery of species and habitat identification and natural history. A college degree in the biological sciences is preferred. Applicants must describe taxonomic coursework, workshops attended on species identification or any individualized training. Written materials (e.g., publications, reports, etc.) can be provided to demonstrate taxonomic or life history proficiency.

ii. **Sampling Techniques:** Applicants must demonstrate knowledge of sampling techniques. A college degree in the biological sciences is preferred. Applicant must describe training received in order to successfully implement species or taxa sampling protocols. This description must refer to relevant coursework (e.g., fisheries techniques, population dynamics, etc.), workshops or other training.

iii. **Field Experience:** Applicants must demonstrate that they possess a minimum of 50 days of field experience working with the targeted taxa within the preceding 10 years. Applicants must be able to find and correctly identify live endangered and threatened target species in their natural habitat as provided in the species or taxa specific requirements.

iv. The PFBC reserves the right to interview, test, and/or accompany the applicant in the field to judge the accuracy of target species and habitat identification skills, familiarity with natural history, and/or field survey techniques by the applicant.

b. Species or taxa specific requirements are set forth below.

Threatened and Endangered Species Group or Taxa Specific Qualified Surveyor Requirements

The following are descriptions of the necessary qualifications specific to certain species or groups.

1. Fishes
 2. Mussels, Interior Basin or Atlantic Slope
 3. Reptiles
 - a. Bog Turtle
 - b. Eastern Massasauga
 - c. Rough Green Snake
 - d. Eastern Redbelly Turtle
 4. Amphibians
 - a. New Jersey Chorus Frog, Southern Leopard Frog, and Northern Cricket Frog
 - b. Eastern Spadefoot
 - c. Blue-spotted Salamander
 - d. Green Salamander

Fishes Qualified Surveyor Requirements

Section 1. Experience Related to Finding and Identifying Endangered & Threatened Species.

A qualified surveyor must be proficient with fish identification techniques and maintain current knowledge of fish taxonomy and distributions. Training and experience as a research or production taxonomist (Stribling et al. 2003) should be evident in the materials submitted with the application. Access to appropriate literature, reference materials, and laboratory equipment is expected. Nomen-

clature must follow appropriate and current sources such as the Integrated Taxonomic Information System (ITIS; <http://www.itis.gov/>) and the American Fisheries Society (Nelson et al. 2004 and subsequent corrections). Surveyors must demonstrate familiarity with the Guidelines for Quality Assurance and Quality Control of Fish Taxonomic Data Collected as Part of the National Water Quality Assessment Program (Walsh and Meador 1998). Experience with endangered and threatened fishes must be demonstrated in the submitted materials.

- Submit a list of scientific names of all fish species the applicant has experience collecting and identifying. Fish identification experience must be evident within the documentation submitted.

Protocol References:

Stribling, J.B., S.R. Moulton II, and G.T. Lester. 2003. Determining the quality of taxonomic data. *Journal of the North American Benthological Society*: December 2003, Vol. 22, No. 4, pp. 621–631.

Walsh S.J. and M.R. Meador. 1998. Guidelines for Quality Assurance and Quality Control of Fish Taxonomic Data Collected as Part of the National Water Quality Assessment Program. Water-Resources Investigations Report 98-4239. USGS, Raleigh, North Carolina.

Nelson, J.S., Crossman, E.J., Espinosa-Pérez, H., Findley, L. T., Gilbert, C. R., Lea, R. N. & Williams, J. D. 2004. *Common and Scientific Names of Fishes from the United States, Canada, and Mexico*. Committee on Names of Fishes, 6th edn. Bethesda, MD: American Fisheries Society.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Include relevant certifications and certificates (Certified or Associate Fisheries Professional, USFWS Principles and Techniques of Electrofishing Certificate, USFWS Fish Identification Course, continuing education credits/courses, etc.).

Section 3. Protocol Implementation.

A qualified surveyor must be proficient with the appropriate gear types, methodologies, and protocols used to competently sample fish assemblages and their habitats. These will include, but are not limited to, the following: various electrofishing gears (Reynolds 1996), passive capture techniques (Hubert 1996), active fish capture methods especially benthic trawls and variants (Hayes et al. 1996; Herzog et al. 2005; Freedman et al. 2009), and fish community sampling protocols and methodologies (Barbour et al. 1999; Emery et al. 2003; Emery et al. 2006; Bonar et al. 2009; Miko 2011). Surveyors must be familiar with the Guidelines for the Use of Fishes in Research, specifically the Field Activities with Wild Fishes section (UFR 2004). Sampling objectives, habitat types, seasonality, and safety considerations should dictate survey planning. To be considered qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted survey protocols.

- Applicants need to demonstrate that they have conducted surveys incorporating techniques included in the protocol references below at least five times in the last 10 years and provide documentation of their role and participation in each survey. This documentation must demonstrate the applicant's experience using relevant gear types, applying methodologies, and implementing protocols. Fish identification experience must be evident within the documentation submitted.

This documentation may include final grant reports, posters, agency reports, peer reviewed publications, book chapters, thesis, dissertation, or project descriptions prepared specifically for this application (e.g., position held, support role on a project, museum experience, etc.). Experience as a fish survey crew leader must be evident within the materials submitted.

Protocol References:

Barbour, M.T., J. Gerritsen, B.D. Snyder, and J.B. Stribling. 1999. *Rapid Bioassessment Protocols for Use in Streams and Wadeable Rivers: Periphyton, Benthic Macroinvertebrates and Fish*, Second Edition. EPA 841-B-99-002. U.S. Environmental Protection Agency; Office of Water; Washington, D.C.

Bonar, Scott A., Wayne A. Hubert, and David W. Willis, editors. 2006. *Standard Methods for Sampling North American Freshwater Fishes*. American Fisheries Society, Bethesda, Maryland.

Emery, E.B., Thomas P. Simon, Frank H. McCormick, Paul L. Angermeier, Jeffrey E. Deshon, Chris O. Yoder, Randall E. Sanders, Shaliam D. Pearson, Gary D. Hickman, Robin J. Reash and Jeffrey A. Thomas. 2003. Development of a Multimetric Index for Assessing the Biological Condition of the Ohio River. *Transactions of the American Fisheries Society* 132(4):791–808.

Emery, E.B., J.A. Thomas M. Bagley, and T.R. Angradi. 2006. Fish. In Angradi, T.R. (editor) *Environmental Monitoring and Assessment Program: Great River Ecosystems, Field Operations Manual*. EPA/620/R-06/002. U.S. Environmental Protection Agency, Washington, DC.

Freedman J.A., Timothy D. Stecko, Benjamin D. Lorson, and Jay R. Stauffer Jr. 2009. Development and efficacy of an electrified benthic trawl for sampling large-river fish assemblages. *North American Journal of Fisheries Management* 29:1001–1005.

Hayes, Daniel B., C. Paola Ferreri, and William Taylor. 1996. Active Capture Methods. Pages 193–220 in B.R. Murphy and D.W. Willis, editors. *Fisheries Techniques*, 2nd edition. American Fisheries Society, Bethesda, Maryland.

Herzog, D.P., V.A., Barko, J. S., Scheibe, R.A. Hrabik, and D.E. Ostendorf. 2005. Efficacy of a benthic trawl for sampling small-bodied fishes in large river systems. *North America Journal of Fisheries Management* 25:594–603.

Hubert, W.A. 1996. Passive Capture Techniques. Pages 157–181 in B.R. Murphy and D.W. Willis, editors. *Fisheries Techniques*, 2nd edition. American Fisheries Society, Bethesda, Maryland.

Miko, D., editor. 2011. *Sampling Protocols for Pennsylvania's Wadeable Streams*. Pennsylvania Fish and Boat Commission. Harrisburg, PA.

Reynolds, J. B. 1996. Electrofishing. Pages 221–251 in B.R. Murphy and D.W. Willis, editors. *Fisheries Techniques*, 2nd edition. American Fisheries Society, Bethesda, Maryland.

UFR (Use of Fishes in Research) Committee. 2004. *Guidelines for the Use of Fishes in Research*. American Fisheries Society, Bethesda Maryland.

2. Freshwater Mussel Qualified Surveyor Requirements

Please Note: Separate lists of qualified surveyors for freshwater mussels are maintained for the two primary mussel faunal groups in Pennsylvania: the Interior Basin

(Ohio, Erie, and Genesee Watersheds) and the Atlantic Slope (Delaware, Potomac, and Susquehanna Watersheds)

Section 1. Experience Related to Finding and Identifying Endangered & Threatened Species

- Within the mussel faunal group for which qualification is sought, the applicant must have personally found at least 20 live individual Pennsylvania or federally listed mussels from seven or more unique sites within the past five years using survey methods approved by PFBC (see Section 3 for list of protocols). For the purpose of these requirements, “site” is defined as a one-mile long waterway segment. Sites sampled more than once do not count towards the total. For those seeking qualification to survey in the Ohio Basin, at least three of these seven sites must be in Pennsylvania. For those seeking qualification to survey in the Delaware, Potomac, or Susquehanna Basin, sites may be outside of Pennsylvania. Freshly dead and relic mussels, or those found by others on a survey team, do not count toward the minimum of 20 live individual endangered or threatened mussels.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Include relevant certifications and certificates (Certified or Associate Fisheries Professional, SCUBA certification, continuing education credits/courses, etc.).

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC’s satisfaction that they are familiar with accepted species survey protocols. Accepted mussel survey protocols are listed here. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

Protocol References:

Smith, D.R., Vilella, R.F., and D.P. Lemarie. 2001. Survey protocol for assessment of endangered freshwater mussels in the Allegheny River, Pennsylvania. *Journal of the North American Benthological Society* 20(1): 118–132

Smith, D.R. 2006. Survey design for detecting rare freshwater mussels. *Journal of the North American Benthological Society* 25(3): 701–711

Ohio River Valley Ecosystem Mollusk Subgroup. 2004. Draft protocol for mussel surveys in the Ohio River where dredging/disposal/development activity is proposed (clarified April 2004)

Adaptive Management Group. 2007. A mussel sampling protocol to assess potential commercial dredging sites in Pools 2,3,4,5,7,8, and 9 in the Allegheny River and the Dashields, Montgomery, and New Cumberland Pools in the Ohio River, Pennsylvania (7 May 2007)

3. Reptiles Qualified Surveyor Requirements

a. Bog Turtle

Section 1. Experience Related to Finding and Identifying Bog Turtle

Applicant must demonstrate the ability to find and identify adult and juvenile life stages of the Bog Turtle.

- The applicant must have independently found 20 Bog Turtles at a minimum of five sites within the past five years using presence/inferred-absence survey techniques. The term site refers to a discrete wetland occupied by the turtles. Sites sampled more than once do not count towards total sites. Bog Turtles found dead (e.g., dead-on-road), found in traps, or found using radio telemetry do

not count toward this criterion. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Provide documentation that within the past five years, surveyor has independently conducted or been an assistant on at least 10 habitat assessment surveys, accurately determining whether or not potential Bog Turtle habitat was present. These assessments will have taken into consideration all aspects of the species’ life history.

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC’s satisfaction that they are familiar with accepted species survey protocols. Within the past five years, surveyors must have conducted at least five presence/inferred-absence surveys in the capacity of principal investigator or ten presence/inferred-absence surveys as an assistant. Survey techniques must follow PFBC-recommended sampling methods or standard sampling methods for sampling Bog Turtles. Recognized survey protocols include the USFWS “*Guidelines for Bog Turtle Surveys*” (Revised April 2006). Variations of these or other protocols must first be reviewed and approved by the PFBC.

b. Eastern Massasauga

Section 1. Experience Related to Finding and Identifying Eastern Massasauga

Applicant must demonstrate the ability to find and identify all life stages (adults, juveniles) of the Eastern Massasauga.

- The applicant must independently have found Eastern Massasauga at a minimum of three sites within the past 10 years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats (e.g., overwintering (wetlands, seeps, streams), gestating (upland areas)) utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Sites sampled more than once do not count towards total sites. At least two of these sites must have been in Pennsylvania. Eastern Massasaugas found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Provide documentation that within the past 10 years, surveyor has independently conducted or been an assistant on at least 10 habitat assessment surveys, accurately determining whether or not potential Eastern Massasauga habitat was present. These assessments will have taken into consideration all aspects of the species’ life history.

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC’s satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC-recommended sampling methods or standard sampling methods for sampling

Massasauga rattlesnakes. Recognized survey protocols include the PFBC "Guidelines for Eastern Massasauga Rattlesnake Surveys" (Revised June 10, 2005). Variations of these or other protocols must first be reviewed and approved by the PFBC.

Protocol References:

Casper, G.S., T.G. Anton, R.W. Hay, A.T. Holycross, R.S. King, B.A. Kingsbury, D. Mauger, C. Parent, C.A. Phillips, A. Resetar, R.A. Seigel, and T.P. Wilson. 2001. Recommended Standard Survey Protocol for the Eastern Massasauga, *Sistrurus catenatus catenatus*. U.S. Fish and Wildlife Service, Endangered Species Division.

c. Rough Green Snake

Section 1. Experience Related to Finding and Identifying Rough Green Snake

Applicant must demonstrate the ability to find and identify adult and juvenile life stages of the Rough Green Snake

- The applicant must have independently found Rough Green Snakes at seven sites within the past 10 years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Sites sampled more than once do not count towards total sites. At least three sites must come from Piedmont (not Coastal Plain) sites in Pennsylvania or Maryland. Rough green snakes found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes must be available for each site.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Provide documentation that within the past 10 years, the applicant has independently conducted or been an assistant on at least 10 Phase 1 habitat surveys or their research equivalent, accurately determining whether or not potential Rough Green Snake habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for sampling Rough Green Snakes and include the following techniques: timed-constrained visual encounter surveys, opportunistic searches, and nighttime spotlight surveys. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

Protocol References:

Karns, D.R. 1986. Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota. James Ford Bell Museum of Natural History, Occasional Paper 18. Variations of these or other protocols must first be reviewed and approved by the PFBC.

d. Eastern Redbelly Turtle

Section 1. Experience Related to Finding and Identifying Eastern Redbelly Turtle

Surveyor must demonstrate the ability to find and identify adult and juvenile life stages of the Eastern Redbelly Turtle as well as nests or eggs that are potentially from Eastern Redbelly Turtles.

- The applicant must have independently found Redbelly Turtles at seven sites, by more than one survey method, within the past 10 years using presence-inferred absence survey techniques. Three of these sites must document in-hand captures (traps, dipnets, and hand collections). Redbelly Turtles found dead (e.g., dead-on-road), found live crossing roads, or found using radio-telemetry equipment do not count toward this criterion. The term site refers to a discrete section of waterway (separated from other sites by a minimum of 0.5 miles) occupied by Redbelly Turtles. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by the PFBC.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

Provide documentation that within the past 10 years, the applicant has independently conducted or been an assistant on at least 10 Redbelly Turtle habitat assessments or equivalent research studies, accurately determining whether or not potential Redbelly Turtle habitat was present. These assessments will have taken into consideration all aspects of Redbelly Turtle life history (nesting habitat versus aquatic habitat).

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Recommendations for survey techniques for Redbelly Turtles can be found in project review letters from the PFBC, which may be obtained by contacting the PFBC at (814) 359-5237. These surveys should include visual surveys, aquatic trapping, as well as nest searches. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

Protocol References:

Karns, D.R. 1986. Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota. James Ford Bell Museum of Natural History, Occasional Paper 18. Variations of these or other protocols must first be reviewed and approved by the PFBC.

4. Amphibians Qualified Surveyor Requirements

a. New Jersey Chorus Frog, Southern Leopard Frog, and Northern Cricket Frog

Section 1. Experience Related to Finding and Identifying New Jersey Chorus Frog, Southern Leopard Frog and Northern Cricket Frog

The applicant must demonstrate the ability to find and identify all life stages (adults, metamorphs, tadpoles, eggs) for each of the Northern Cricket Frog, Southern Leopard Frog, and New Jersey Chorus Frog.

- The applicant must have independently found animals of each species at seven or more sites, by more than one survey method, within the past 10 years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all

habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed occupied by the species. Sites sampled more than once do not count towards total sites. At least half of the animals located must have been in-hand captures (traps, dipnets, hand) documented with voucher specimens or photographs. At least three of the sites must be in Pennsylvania or surrounding states (DE, MD, NJ, NY). Animals found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Voucher photographs, call recordings, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Provide documentation that within the past 10 years, the applicant has independently conducted or been an assistant on at least 10 Phase 1 surveys or their research equivalent, accurately determining whether or not potential endangered frog habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for amphibians and must include the following techniques: aquatic trapping, timed-constrained visual encounter surveys, opportunistic searches, auditory surveys, drift fencing with pitfall traps, and road cruising. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

Protocol References:

Heyer, W. R., M. A. Donnelly, R. W. McDiarmid, L.C. Hayek, and M. S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

b. Eastern Spadefoot

Section 1. Experience Related to Finding and Identifying Eastern Spadefoot

The applicant must demonstrate the ability to find and identify all life stages (adults, metamorphs, tadpoles, eggs) of the Eastern Spadefoot.

- The applicant must have independently found Eastern Spadefoot at a minimum of seven sites, by more than one survey method, within the past 10 years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Sites sampled more than once do not count towards total sites. At least half of these animals must have been in-hand captures (traps, dipnets, hand) documented with voucher specimens or photographs. Because Non-Coastal Plain habitat is significantly different in Pennsylvania than in surrounding states (CT, DE, MD, NJ, NY), at least three of the capture sites must be in

Pennsylvania. Sites sampled more than once do not count towards total sites. Animals found live crossing roads may only count towards two of the required sites. Animals found dead (e.g., dead-on-road) or found using radio telemetry do not count toward this criterion. Voucher photographs, call recordings, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Provide documentation that within the past 10 years, the applicant has independently conducted at or been an assistant on at least 10 Phase 1 surveys or their research equivalent, accurately determining whether or not potential Eastern Spadefoot habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for amphibians and must include the following techniques: aquatic trapping, timed-constrained visual encounter surveys, opportunistic searches, auditory surveys, drift fencing with pitfall traps, and road cruising. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

Protocol References:

Heyer, W.R., M.A. Donnelly, R.W. McDiarmid, L.C. Hayek, and M. S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

c. Blue-Spotted Salamander

Section 1. Experience Related to Finding and Identifying Blue-Spotted Salamander

The applicant must demonstrate the ability to find and identify all life stages (adults, juveniles, eggs) of the Blue-spotted Salamander.

- The applicant must have independently found Blue-spotted Salamanders at a minimum of seven sites within the past 10 years using presence/inferred-absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life history phases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Sites sampled more than once do not count towards total sites. At least half of these animals must have been in-hand captures (traps, dipnets, hand collections) documented with voucher photographs. Animals found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Provide documentation that within the past 10 years, the applicant has independently conducted or been an assistant on at least 10 habitat assessments or their

research equivalent, accurately determining whether or not potential Blue-spotted Salamander habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for amphibians and include the following techniques: aquatic trapping, timed-constrained visual encounter surveys, opportunistic searches, drift fencing with pitfall traps, and road cruising. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

Protocol References:

Heyer, W.R., M.A. Donnelly, R.W. McDiarmid, L.C. Hayek, and M.S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

d. Green Salamander

Section 1. Experience Related to Finding and Identifying Green Salamander

The applicant must demonstrate the ability to find and identify all life stages (adults, juveniles, eggs) of the Green Salamander.

- The applicant must have independently found Green Salamanders at a minimum of seven sites within the past 10 years using presence-inferred absence survey techniques. The term site refers to a habitat complex, which includes all habitats utilized for all of the life historyphases of the species. No more than one habitat complex may be counted per HUC 12 watershed basin occupied by the species. Voucher photographs must be available. Animals found dead (e.g., dead-on-road), found live crossing roads, or found using radio telemetry do not count toward this criterion. Sites sampled more than once do not count towards total sites. Voucher photographs, site aerial photographs, site topographic maps, and field notes for each site must be available for examination by PFBC.

Section 2. Additional Education and Training Related to Identification, Habitat, and Natural History

- Provide documentation that within the past 10 years, the applicant has independently conducted at least five or been an assistant on at least 10 habitat assessments or their research equivalent, that accurately determined whether or not potential Green Salamander habitat was present. These assessments will have taken into consideration all aspects of the species' life history.

Section 3. Protocol Implementation.

To be deemed qualified by the PFBC, surveyors must demonstrate to the PFBC's satisfaction that they are familiar with accepted species survey protocols. Survey techniques must follow PFBC recommended sampling methods or standard sampling methods for amphibians and include the following techniques: Timed-constrained visual encounter surveys, opportunistic searches, and crevice sampling. Variations of these protocols or other protocols must be reviewed and approved by the PFBC.

Protocol References:

Heyer, W.R., M.A. Donnelly, R.W. McDiarmid, L.C. Hayek, and M.S. Foster, eds. 1994. *Measuring and Monitoring Biological Diversity: Standard Methods for Amphibians*. Smithsonian Institution Press, Washington.

Karns, D.R. 1986. *Field Herpetology: Methods for the Study of Amphibians and Reptiles in Minnesota*. James Ford Bell Museum of Natural History, Occasional Paper 18.

[Pa.B. Doc. No. 13-1706. Filed for public inspection September 13, 2013, 9:00 a.m.]

INSURANCE DEPARTMENT

AF&L Insurance Company; Rate Increase Filing for Several Home Health LTC Forms

AF&L Insurance Company is requesting approval to increase the premium an aggregate 41% on 811 policyholders with the following individual home health LTC policy form numbers: HHC, HHC-3 and HHC-4.

Unless formal administrative action is taken prior to November 28, 2013, 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. Under the tab "How to Find . . ." click on the link "PA Bulletin."

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 James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1707. Filed for public inspection September 13, 2013, 9:00 a.m.]

Application for Approval of a Certificate of Authority as a Preferred Provider Organization that is not a Licensed Insurance Company Submitted by UPMC Health Options, Inc.

UPMC Health Options, Inc., a domestic for profit corporation, has applied for a Certificate of Authority to operate as a preferred provider organization that is not a licensed insurance company in this Commonwealth. The filing was made under the requirements in the applicable insurance laws, including section 630 and Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 764a and 991.1401—991.1413).

Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written

statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or ra-in-company@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1708. Filed for public inspection September 13, 2013, 9:00 a.m.]

Application for Approval of the Proposed Merger of Employers Security Insurance Company with and into Eastern Alliance Insurance Company

Eastern Alliance Insurance Company, a Pennsylvania domiciled stock casualty insurance company, has filed an application for approval to merge with Employers Security Insurance Company, an Indiana stock casualty insurance company, with Eastern Alliance Insurance Company surviving the merger. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413); 15 Pa.C.S. §§ 1921—1932 (relating to merger, consolidation, share exchanges and sale of assets); and the GAA Amendments Act of 1990 (15 P. S. §§ 21101—21404).

Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 4 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, ra-in-company@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1709. Filed for public inspection September 13, 2013, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA.

Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Strawbridge & Clothier, Declaration Hearing Room 4111, 801 Market Street, Philadelphia, PA 19107.

Appeal of Kourtney Williams; file no. 13-198-142917; Omni Insurance Company; Doc. No. P13-07-010; October 31, 2013, 10 a.m.

Appeal of Caitlin Pettit; file no. 13-116-143032; GEICO; Doc. No. P13-07-005; October 31, 2013, 11 a.m.

Appeal of Aynur Douthwaite; file no. 13-188-146759; Government Employees Insurance Company; Doc. No. P13-08-025; October 31, 2013, 3 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1710. Filed for public inspection September 13, 2013, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The adminis-

trative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Jorge T. Nunez; file no. 13-188-147011; State Farm Fire and Casualty Insurance Company; Doc. No. P13-08-026; October 22, 2013, 10 a.m.

The following hearing will be held in Strawbridge & Clothier, Declaration Hearing Room 4111, 801 Market Street, Philadelphia, PA 19107.

Appeal of Man T. Vu; file no. 13-115-143753; Allstate Insurance Company; Doc. No. P13-08-010; October 31, 2013, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 13-1711. Filed for public inspection September 13, 2013, 9:00 a.m.]

PENNSYLVANIA ALZHEIMER'S DISEASE PLANNING COMMITTEE

Public Meetings

The Pennsylvania Alzheimer's Disease Planning Committee (Committee), created by Executive Order 2013-01, will be holding public regional meetings.

The northwest regional meeting will be held on Monday, September 16, 2013, from 9 a.m. to 12:30 p.m. at the Clarion Hospital, Hospital Boardroom, One Hospital Drive, Clarion, PA 16214.

The southwest regional meeting will be held on Tuesday, September 17, 2013, from 9 a.m. to 12:30 p.m. at University of Pittsburgh, William Pitt Union Building,

Pitt Ballroom, 3959 5th Avenue, Pittsburgh, PA 15260.

Residents, local government officials and interested organizations in this Commonwealth are invited to submit comments as the Committee prepares to develop a State Plan of action to address the growing crises of Alzheimer's disease and related dementias.

Individuals who wish to provide oral comments at the September 16 or September 17, 2013, meetings are encouraged to call in advance to schedule a time. Oral comments will be time-limited per person and a written copy of the comments will be requested the day of the meeting. To schedule oral comments at the meeting, contact Amy Comarnitsky at (717) 425-5115.

The facility is accessible by people with disabilities. People with a disability who require an accommodation to attend the public meeting are asked to notify Amy Comarnitsky at (717) 425-5115 at least 3 business days in advance so the appropriate accommodations can be made.

Persons wishing to submit written comments to the Committee should address it to Amy Comarnitsky, Pennsylvania Alzheimer's Disease Planning Committee, 555 Walnut Street, 5th Floor, Harrisburg, PA 17101-1919. Comments may also be submitted to alzstateplan@pa.gov.

BRIAN M. DUKE,
Chairperson

[Pa.B. Doc. No. 13-1712. Filed for public inspection September 13, 2013, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of PPL Electric Utilities Corporation

A-2013-2352732. Application of PPL Electric Utilities Corporation.

For approval to site and reconstruct in place the existing St. Johns—Freeland 69 kV transmission tie line in Butler and Foster Townships, Luzerne County.

Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

Date: Tuesday, November 5, 2013

Time: 10 a.m.

Location: Room 318
Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503

Presiding: Administrative Law Judge Ember S. Jandebeur
Room 317, Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503
(570) 963-4818
Fax: (570) 963-3310

Attention: Individuals may lose the case if they do not take part in this hearing and present facts on the issues raised.

For individuals who intend to file exhibits, two copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the presiding officer. A copy must also be provided to each party of record.

The Pennsylvania Public Utility Commission's (Commission) rules require that all parties, except for those individuals appearing on their own behalf, be represented by counsel. Therefore, individuals should have an attorney of their choice file an entry of appearance before the scheduled hearing.

Persons with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
 - Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988
- ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-1713. Filed for public inspection September 13, 2013, 9:00 a.m.]

Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources—Technical Reference Manual 2014 Update; Doc. No. M-2012-2313373

Tentative Order

The Pennsylvania Public Utility Commission (Commission) seeks comments on the proposed 2014 update to the Technical Reference Manual. In a Tentative Order adopted at its August 29, 2013, public meeting, the Commission released, for comment, the proposed 2014 version of the Energy-Efficiency and DSM Rules for Pennsylvania's Alternative Energy Portfolio Standard, Technical Reference Manual (TRM). A copy of the Tentative Order and the proposed 2014 version of the TRM and its appendices can be found on the Commission's web site at:

Tentative Order: <http://www.puc.pa.gov/pdocs/1244818.docx>

TRM: <http://www.puc.pa.gov/pdocs/1244820.docx>

Appendix C: <http://www.puc.pa.gov/pdocs/1244778.xls>

Appendix D: <http://www.puc.pa.gov/pdocs/1244774.xls>

Appendix E: <http://www.puc.pa.gov/pdocs/1244817.xls>

In implementing the Alternative Energy Portfolio Standards Act (73 P. S. §§ 1648.1—1648.8), the Commission had originally adopted the TRM in an Order entered on October 3, 2005, at Doc. No. M-00051865. Subsequently, in the Energy Efficiency and Conservation (EE&C) Program Implementation Order, entered on January 16, 2009, at Doc. No. M-2008-2069887, the Commission adopted the TRM as a component of the EE&C Program evaluation process.

In an Order entered June 1, 2009, at Doc. No. M-00051865, the Commission directed that the TRM be updated on an annual basis. In furtherance of this directive, the Commission is seeking comments on the proposed 2014 update to the TRM. Interested parties have 30 days from the date of the publication of this notice to file written comments and 40 days after publication of this notice to file reply comments with the Secretary of the Commission, referencing Doc. No. M-2012-2313373.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-1714. Filed for public inspection September 13, 2013, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 30, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-2013-2380146. Scranton Quincy Ambulance, LLC, t/a Wayne Ambulance and Lackawanna Ambulance (1000 Remington Avenue, Scranton, PA 18505)—a limited liability company of Delaware—for the right to begin to transport, by motor vehicle, in paratransit service, which is to be a transfer of all rights authorized under the certificates issued at A-00119245, F.3 and A-2011-2262613 to American Eagle Bus & Limo, Inc., subject to the same rights and limitations. *Attorney:* Andrew S. Tubbs, 17 North Second Street, Harrisburg, PA 17101.

Application of the following for the approval of the *transfer of stock* as described under the application.

A-2013-2352782. Corrected. H & S Limousine Service, Inc. (2108 Gablers Shore Court, Aberdeen, MD 21001)—for the approval of the transfer of the issued and outstanding stock, from Christopher Spinio (50 shares) and Christopher Horne (50 shares), to Stanley Thomson Huntington.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-1715. Filed for public inspection September 13, 2013, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #13-081.P, Request For Proposal—Final Design for Piers 80, 82 and 84 Timber Pile and Hardware Repairs, until 2 p.m. on Thursday, October 10, 2013. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 13-1716. Filed for public inspection September 13, 2013, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for Bid No. 13-0004 for three 12' x 14' rectangular vinyl gazebos. Bid specifications can be obtained from Nancy Froeschle, Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, froeschle@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 13-1717. Filed for public inspection September 13, 2013, 9:00 a.m.]
