

PENNSYLVANIA BULLETIN

Volume 44
Saturday, October 25, 2014 • Harrisburg, PA
Number 43
Pages 6741—6904

Agencies in this issue

The Courts
Department of Banking and Securities
Department of Drug and Alcohol Programs
Department of Environmental Protection
Department of General Services
Department of Health
Department of Public Welfare
Department of Revenue
Department of Transportation
Environmental Hearing Board
Environmental Quality Board
Executive Board
Fish and Boat Commission
Game Commission
Independent Regulatory Review Commission
Insurance Department
Milk Marketing Board
Pennsylvania Gaming Control Board
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
Philadelphia Regional Port Authority
Public School Employees' Retirement Board
State Board of Cosmetology
State Board of Nursing
State Conservation Commission
Susquehanna River Basin Commission
Thaddeus Stevens College of Technology
Detailed list of contents appears inside.



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

No. 479, October 2014

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

If information on mailing label is incorrect, please email changes to info@pabulletin.com or mail to:

FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 4 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$82.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2014 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE COURTS

LOCAL COURT RULES

Columbia and Montour Counties

Business of the courts; case no. 2014-MV-1 6750

Mercer County

Administrative order; no. 4 AD 2014 6766

Local rules of court; no. 5 AD 2014. 6766

Schuylkill County

Amend rule of civil procedure 1303(c) arbitration hearing, notice and continuances; S1985-14. 6767

Westmoreland County

Rules W1301, W1303 and W1312; no. 3 of 2014. 6767

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications (2 documents) 6797, 6798

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Notices

Pennsylvania Advisory Council on Drug and Alcohol Abuse meeting. 6799

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices. 6799

Bid opportunity. 6853

Nutrient Credit Trading Program; certification request 6853

Standards and guidelines for identifying, tracking and resolving oil and gas violations; extension of comment period. 6853

DEPARTMENT OF GENERAL SERVICES

Notices

Lease retail space to the Commonwealth 6854

State-owned real estate for sale. 6854

DEPARTMENT OF HEALTH

Notices

Applications for exception:

DLP Conemaugh Memorial Medical Center 6854

DLP Conemaugh Memorial Medical Center (Lee Ambulatory Surgery Center). 6855

Heart of Lancaster Regional Medical Center. 6855

LVHN Surgical Center—Tilghman 6855

Penn Highland DuBois. 6855

The Urologic Surgical Center, LLC. 6856

Health Policy Board annual meeting schedule for 2015 6856

Long-term care nursing facilities; request for exception 6856

Special Pharmaceutical Benefits Program Advisory Council public meeting 6857

DEPARTMENT OF PUBLIC WELFARE

Notices

Nursing Facility Assessment Program for fiscal year 2014-2015 6857

DEPARTMENT OF REVENUE

Notices

Pennsylvania \$1,000,000 Peppermint Payout instant lottery game. 6859

Pennsylvania Cookie Dough '14 instant lottery game. 6864

Pennsylvania Freezin' Greetings '14 instant lottery game. 6868

Pennsylvania Holiday Gifts '14 instant lottery game. 6873

Pennsylvania Merry & Bright instant lottery game . 6877

Pennsylvania Secret Santa '14 instant lottery game. 6881

DEPARTMENT OF TRANSPORTATION

Rules and Regulations

Roadside rest areas 6777

Proposed Rulemaking

Authorized vehicles and special operating privileges. 6780

ENVIRONMENTAL HEARING BOARD

Notices

West Pike Run Township Municipal Authority v. DEP; EHB doc. no. 2014-141-R 6886

ENVIRONMENTAL QUALITY BOARD

Proposed Rulemaking

Land reclamation financial guarantees and bioenergy crop bonding. 6781

EXECUTIVE BOARD

Statement of Policy

Reorganization of the Department of Agriculture. . . . 6794

Reorganization of the Department of Transportation 6794

FISH AND BOAT COMMISSION

Notices

Additions to list of class A wild trout waters 6886

Classification of wild trout streams; additions and adjustments 6886

Proposed special regulation redesignation; Pine Creek, Lycoming County 6886

GAME COMMISSION

Notices

Temporary closure of hunting and trapping seasons within affected portions of wildlife management unit 3D and temporary closure of affected portions of State game lands 180, 183 and 221 6887

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 6889

Notice of filing of final rulemakings 6889

Available Online at <http://www.pabulletin.com>

INSURANCE DEPARTMENT**Notices**

- Continental General Insurance Company; rate increase filing for forms 405, 420 and 432 6890
- General guidance for disclosure of prescribed differences from NAIC statutory accounting principles; notice no. 2014-12 6890
- Review procedure hearings; cancellation or refusal of insurance 6891
- Review procedure hearings under the Unfair Insurance Practices Act 6891

MILK MARKETING BOARD**Notices**

- Hearing and presubmission schedule; milk marketing area no. 1 6892
- Hearing and presubmission schedule; milk marketing area no. 2 6892
- Hearing and presubmission schedule; milk marketing area no. 3 6893

PENNSYLVANIA GAMING CONTROL BOARD**Rules and Regulations**

- High Roll Dice; temporary regulations. 6773

PENNSYLVANIA PUBLIC UTILITY COMMISSION**Notices**

- Service of notice of motor carrier applications. 6894
- Service of notice of motor carrier formal complaints. 6894
- Transfer by sale 6895

PHILADELPHIA PARKING AUTHORITY**Rules and Regulations**

- Taxicab safety cameras. 6769

Notices

- Motor carrier transfer application for limousine service in the City of Philadelphia 6895

PHILADELPHIA REGIONAL PORT AUTHORITY**Notices**

- Request for bids 6896

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD**Notices**

- Hearing scheduled 6896

STATE BOARD OF COSMETOLOGY**Notices**

- Bureau of Professional and Occupational Affairs v. Chau Nails and Spa; doc. no. 1386-45-2014. 6896

STATE BOARD OF NURSING**Notices**

- Bureau of Professional and Occupational Affairs v. Sarah E. McGahan, LPN; file no. 14-51-07405; doc. no. 1314-51-2014 6896
- Bureau of Professional and Occupational Affairs v. Wendy R. Rhone, LPN; file no. 14-51-06850; doc. no. 1312-51-2014. 6897

STATE CONSERVATION COMMISSION**Notices**

- Action on odor management plans for concentrated animal operations and concentrated animal feeding operations and volunteers complying with the Commonwealth's Facility Odor Management Program. 6897

SUSQUEHANNA RIVER BASIN COMMISSION**Notices**

- Projects approved for consumptive uses of water (2 documents) 6898, 6901
- Projects rescinded for consumptive uses of water. 6903

THADDEUS STEVENS COLLEGE OF TECHNOLOGY**Notices**

- Request for bids 6904

READER'S GUIDE TO THE *PENNSYLVANIA BULLETIN* AND THE *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 the history of regulations. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

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 a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

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

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

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

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 2014.

4 Pa. Code (Administration)

Adopted Rules

1	3924
6	2505, 2617
113	888
405	485

Statements of Policy

1	5046
9	32, 783, 1005, 1241, 1451, 2060, 2758, 3237, 3572, 3965, 5061, 5766, 5876, 6096, 6230, 6794

7 Pa. Code (Agriculture)

Adopted Rules

46	2220
76	2220

Proposed Rules

128	2058
-----	------

10 Pa. Code (Banking and Securities)

Adopted Rules

5	5010, 5463
---	------------

Proposed Rules

57	2751
----	------

Statements of Policy

5	6098
---	------

12 Pa. Code (Commerce, Trade and Local Government)

Adopted Rules

149	488
-----	-----

Proposed Rules

145	5026
-----	------

17 Pa. Code (Conservation and Natural Resources)

Proposed Rules

21	5757
23	5757

22 Pa. Code (Education)

Adopted Rules

4	1131, 1754
19	3497

Proposed Rules

18	4514
----	------

25 Pa. Code (Environmental Protection)

Adopted Rules

78	3517
121	2236, 3929
129	3929
130	3929
139	2236
208	3962
250	2975, 3235
806	2640
901	2849, 2850
1021	5328

Proposed Rules

77	6781
78	648
86	6781
87	6781

88	6781
89	6781
90	6781
121	2392
129	2392, 4502
208	5191
211	6781
250	2980

28 Pa. Code (Health and Safety)

Adopted Rules

157	6658
701	6658
709	6660
710	6658

Proposed Rules

709	1317
-----	------

31 Pa. Code (Insurance)

Adopted Rules

25	2851
----	------

34 Pa. Code (Labor and Industry)

Adopted Rules

14	1233
14a	1233
225	4483

Proposed Rules

111	996
131	996

37 Pa. Code (Law)

Adopted Rules

11	1233
13	1233
79	328
431	1313

40 Pa. Code (Liquor)

Adopted Rules

11	1233, 2056
----	------------

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

3	2242
6	5566
7	2244
15	993
16	583
18	583
25	589
37	888
43b	597
47	2863, 6557
48	6557
49	6557

Proposed Rules

5	5214
16	4364
18	4364
21	648
39	5490
43b	2247, 5487

52 Pa. Code (Public Utilities)

Adopted Rules

1 249
 3 249
 5 249
 23 249
 29 249
 32 249
 53 249
 54 249, 3522
 57 249, 3539
 59 249, 5835
 62 249, 3551
 1001 5662, 6665
 1011 5662, 5867, 6665
 1013 5017
 1015 5867
 1017 3764, 5662, 5867, 6769
 1019 5662, 6769
 1021 5662, 5867
 1027 5867
 1051 5867, 6665
 1053 5867
 1055 3764
 1057 5867
 1059 5867

Proposed Rules

5 2868
 57 1321, 1771
 75 4179
 1001 2753
 1011 2753
 1017 252, 1323
 1019 1323
 1051 2753

Statements of Policy

69 2405

55 Pa. Code (Public Welfare)

Adopted Rules

1187 3322, 3565, 4498
 1189 3565, 4498

58 Pa. Code (Recreation)

Adopted Rules

51 1762
 61 4177, 5336, 5969
 63 250, 1762, 4177, 5970
 65 1764, 5969
 69 1766, 4177, 5336
 71 4177
 73 4177
 93 1767
 131 3091
 133 1429, 5190
 135 1429, 1883
 139 3091
 141 3091, 3098, 3099, 3100, 3101
 143 1430, 1768
 147 1432, 3098, 3102
 461a 599, 619
 463a 599
 464a 599
 465a 599, 619
 525 619
 575 619
 577 619
 579 619
 581 1234

590 26
 591 1234
 592 4354
 593 6773
 603a 619
 605a 5463
 607a 599
 609a 619
 623a 619
 627a 599, 619
 629a 599, 619
 631a 599, 619
 633a 599, 619
 635a 619
 637a 619
 639a 5463
 641a 5463
 643a 5463
 647a 5463
 649a 619
 653a 5463
 655a 5463
 657a 5463
 659a 619
 661a 619
 663a 619
 665a 619

Proposed Rules

61 901
 63 901, 1769
 65 5972
 69 901
 71 901
 73 901
 95 4360
 109 4360
 111 4360
 131 1440
 133 3103
 139 1442
 141 1435, 1436, 1438, 1440, 5212
 147 1438, 1448, 5213

Statements of Policy

57 1772

61 Pa. Code (Revenue)

Adopted Rules

5 1432

67 Pa. Code (Transportation)

Adopted Rules

427 2384
 443 6777

Proposed Rules

15 6780
 47 2642
 105 4500
 511 5674

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

2 319, 1419
 19 454, 1428, 3053

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29 5180
 81 2847

82 768
 83 768, 1749, 2847
 91 3927
 303 4071

Proposed Rules

81 6070
 83 1865, 2199, 6070
 303 1967, 1969

207 Pa. Code (Judicial Conduct)

Adopted Rules

33 455, 4338, 6083, 6204
 51 6205

210 Pa. Code (Appellate Procedure)

Adopted Rules

1 8, 3493
 3 3493
 9 3493
 11 3493
 19 2053, 6223
 21 2510, 3493
 65 6223

Proposed Rules

1 471
 3 319
 5 5324
 9 319, 471
 11 471, 3054
 13 471
 15 2052
 33 471

225 Pa. Code (Rules of Evidence)

Adopted Rules

Article VI 6225
 Article VIII 1309

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 323, 2747
 1000 8
 1910 3233, 4476, 6553
 1915 3233, 4477
 1930 1749, 4168
 2220 8
 3000 1750
 4000 4996

Proposed Rules

200 323, 324, 475, 5563
 1000 5182
 1900 2199
 1910 4338, 4340
 1915 4338, 5828
 1920 4165, 4338, 4341
 1930 4338
 3000 4996

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

1 3056
 4 3056, 4168
 5 239, 477, 1309
 7 4168
 10 3056

Proposed Rules

1 769
 4 475, 577, 769, 2369
 5 778
 7 475, 2369
 9 4170
 10 769

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 781, 1868, 5447, 6087
 3 5447
 4 5447
 11 781, 5447, 6087

Proposed Rules

4 246, 3306
 11 9
 13 3307
 15 3307
 16 3307

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

100 5564
 300 13, 3310, 5183
 500 13, 14
 800 14
 1000 14

Proposed Rules

300 10, 479
 800 4477
 1000 4342

249 Pa. Code (Philadelphia Rules)

Unclassified 883, 3066, 3067, 3311, 3313, 3747, 6657

252 Pa. Code (Allegheny County Rules)

Unclassified 5830, 6554

255 Pa. Code (Local Court Rules)

Unclassified 16, 17, 18, 19, 20, 21, 23, 24, 25,
 247, 324, 325, 480, 481, 581, 991, 1123, 1124, 1428, 1752,
 1753, 1868, 1870, 1871, 1872, 1873, 1874, 1875, 1876,
 1877, 1878, 1879, 2054, 2200, 2201, 2216, 2372, 2510,
 2511, 2513, 2515, 2620, 2638, 2639, 2747, 2749, 2750,
 2847, 2848, 3086, 3088, 3089, 3319, 3321, 3495, 3759,
 3927, 4175, 4347, 4352, 4997, 4998, 5008, 5185, 5187,
 5188, 5326, 5456, 5457, 5458, 5459, 5461, 5462, 5564,
 5656, 5657, 5755, 5830, 5832, 5833, 5834, 5963, 6089,
 6091, 6093, 6094, 6226, 6227, 6228, 6229, 6555, 6750,
 6766, 6767

THE COURTS

Title 255—LOCAL COURT RULES

COLUMBIA AND MONTOUR COUNTIES

Business of the Courts; Case No. 2014-MV-1

Order

And Now, this 30th day of September, 2014, it is hereby *Ordered and Decreed* that revisions to the 26th Judicial District's Local Rules are adopted for use in both Columbia, and Montour Counties, Court of Common Pleas of the 26th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 26th Judicial District Court Administrator is Ordered and Directed to do the following:

1) File seven (7) copies of this Order and Revised Rule with the Administrative Office of Pennsylvania Courts.

2) Forward two (2) certified copies of this Order and Revised Rules together with an electronic version of the Revised Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Forward one (1) certified copy of this Order and Rule to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

4) Copies shall be kept continuously available for public inspection in the Offices of the Columbia and Montour County Prothonotaries.

By the Court

HONORABLE THOMAS A. JAMES, Jr.,
President Judge

BUSINESS OF THE COURT

L.R. No. 1.01. Title and Citation of Rules.

These rules shall be known as the Local Rules for Columbia and Montour Counties, the 26th Judicial District, and shall be cited as "L.R. No."

L.R. No. 1.02. Purpose and Scope.

The purpose of these rules is to provide procedure for practice in the Courts of Common Pleas of Columbia and Montour Counties, which shall be referred to hereinafter as "the 26th Judicial District."

L.R. No. 1.03. Interpretation.

These rules shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which they are applicable. At every stage of any such action or proceeding, the Court may, in the interests of justice, disregard any error or defect of procedure which does not affect the substantial rights of the parties.

L.R. No. 1.04. Effective Date of Rules.

These rules shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin* and all former local rules relating to practice and procedure in the 26th Judicial District shall be rescinded as of that date. (Published in *Pa. Bulletin* on or before November 1st, 2014.)

L.R. No. 1.05. Number, Gender, Tense.

The singular shall include the plural, and the plural the singular. Words used in the masculine gender shall include the feminine and neuter. Words used in the past or present tense shall include the future.

L.R. No. 1.06. Words and Phrases.

Words and phrases shall be construed according to rules of grammar and according to their common and approved usage, but technical words and phrases and such others as have acquired a particular meaning, or as are expressly defined by rule, shall be construed according to such meaning or definition.

L.R. No. 1.07. Numerals.

Roman numerals and Arabic numerals shall be given their usual meaning.

L.R. No. 1.08. Bonds.

A rule requiring a Bond or undertaking with Sureties to be posted by any person, shall be construed to permit, in lieu thereof, a Bond given by any indemnity or surety company authorized to do business in this Commonwealth, and approved by the proper authority.

L.R. No. 1.09. Computation of Time.

A. When any period of time is referred in any rule, such period in all cases, except as otherwise provided in Pa.R.C.P. 107, shall be computed as to exclude the first and include the last day of such period.

B. Whenever the last day of any such period shall fall on Saturday or Sunday, or on any day made a legal holiday by the Laws of this Commonwealth, such day shall be omitted from the computation.

L.R. No. 1.10. Time for Publication for Successive Weeks.

Whenever in any rule providing for the publishing of notices, the phrase "successive weeks" is used; weeks shall be construed as calendar weeks. The publication upon any day of such weeks shall be sufficient publication for that week, but at least five days shall elapse between each publication. At least the number of weeks specified in "successive weeks" shall elapse between the first publication and the day for the happening of the event for which publication shall be made.

L.R. No. 1.11. Notice by Publication.

A. The following are designated as newspapers of general circulation in and for Columbia County and thereby approved by the Court for legal notices, legal advertising, and related matters:

1. *Press-Enterprise*, Bloomsburg, PA

B. The following are designated as newspapers of general circulation in and for Montour County and thereby approved by the Court for purposes of legal notices, legal advertising, and related matters:

1. *The Danville News*, Danville, PA

2. *Press-Enterprise*, Bloomsburg, PA

3. *The Daily Item*, Sunbury, PA

L.R. No. 1.12. Continuances.

A. No matter scheduled by the Court for conference, hearing, argument or trial (with or without a jury), whether civil or criminal, shall be continued, rescheduled,

or stricken except upon written Motion requesting the same signed by the client and acknowledging said client's concurrence of the request.

B. A request for continuance in any matter scheduled before a district justice, special master, Board of Arbitration, hearing officer, or any other specially presiding tribunal will not be entertained by the Court. Instead, all such requests shall be addressed to the appropriate specially presiding tribunal.

L.R. No. 1.13. Court Reporter Notes Retention.

A. In the case of all Court Reporter notes taken of criminal matters where the crime charged is graded a misdemeanor of the first degree or lower, the Court Administrator is authorized to, no sooner than ten (10) years after the notes are taken, direct the destruction of any such notes.

B. In felony cases, the Court Administrator is authorized to direct the destruction of all Court Reporter notes no sooner than twenty-five (25) years after the notes were taken, or the expiration of the maximum sentence, whichever is the latter, with the exception of Homicide case notes, which shall be retained for seventy-five (75) years.

C. In all cases other than criminal cases, the Court Administrator is authorized to direct the destruction of all Court Reporter notes no sooner than ten (10) years after the date the notes were taken.

D. Notwithstanding Subsections A, B, or C of this rule in any matter where the notes or tapes have been transcribed and the transcription is approved by the Court and filed, the Court Reporter may, no sooner than thirty (30) days after filing, destroy any such notes or tapes. Any party who wishes to object to the transcription shall do so within the thirty (30) day period for serving written objection upon the Court Reporter. If the objection cannot be resolved to the satisfaction of the parties, any party may, by petition, request the Court to determine the objection. Court Reporter notes which are subject to objection shall be retained until all objections are solved.

E. Notwithstanding Subsections A, B, or C of this rule, a party may petition the Court, which may, in its discretion, order the retention of any particular Court Reporter notes for an additional period of time.

L.R. No. 1.14. Termination of Inactive Cases.

A. By the first day of September of each year, the Prothonotary and each District Justice shall assemble a list of all civil and criminal matters in which no steps or proceedings have been taken for two years or more prior thereto. The Prothonotary and each District Justice shall give notice thereof to counsel of record and to the parties for whom no appearance has been entered, as provided by Pa.R.J.A. No. 1901(c), that if a Motion as set forth below is not filed by the first day of December, the matter will be dismissed.

B. Unless a Motion to remove the matter from the dismissal list is filed by the first day of December, the Prothonotary or each District Justice will dismiss the matter without further notice to the parties.

C. The Motion to remove the matter from the list shall be filed with the appropriate Court in accordance with L.R. No. 301 et. seq. and shall set forth the following:

1. Good cause why the matter should not be dismissed.
2. A proposed Order setting forth appropriate deadlines for the filing and closing of pleadings, the completion of discovery and trial listing.

3. Any other matter necessary to move the case to its conclusion.

L.R. No. 1.15. Form of Papers.

A. All papers filed within the 26th Judicial District shall be prepared on 8 1/2 x 11 inch paper. Exhibits which have length longer than 11 inches shall be reduced. All papers shall be typewritten, double-spaced, and legible. Script and italic type are discouraged, but not prohibited. Backers are optional. All paper must be stapled at the top and not on the side.

B. All papers shall be signed by the attorney submitting the paper. Immediately beneath the signature, there shall appear the attorney's typewritten name, office address, attorney identification number, and telephone number.

L.R. No. 1.16. Filing of Papers.

A. Only papers required by the Pennsylvania Rules of Civil Procedure to be filed with the Prothonotary shall be filed with the Prothonotary.

B. Domestic Relations papers will be filed only at the Domestic Relations Office.

C. Trial Briefs, Pretrial Memoranda, and trial documents such as Points for charge, Motions in Limine, and similar documents shall be stamped "Received but NOT FILED of record."

L.R. No. 1.17. Service of Documents.

A. Unless a manner of service is specifically prescribed by statute or by the Rules of the Supreme Court of Pennsylvania, service of all papers filed within the 26th Judicial District shall be made with this rule.

B. Unless specifically prescribed by statute or by the Rules of the Supreme Court of Pennsylvania, service shall be the responsibility of the party or the party's attorney filing the paper. Unless specifically authorized by opposing counsel, leaving a paper in the attorney's mail box in the Prothonotary's Office shall not be in compliance with this rule and shall not constitute service.

C. *Service upon Attorney of Record:* All documents required to be served will be served by first class mail to all attorneys of record or by personally delivering a copy of the document to the attorney's office. All documents shall contain a certification of service indicating how service was made.

D. *Unrepresented Parties:* when a party is unrepresented by an attorney, service of all documents shall be made by both first class mail and by certified mail, return receipt requested.

L.R. No. 1.18. Endorsements.

All documents that initiate proceedings against another party or seek to alter the status of previous determinations, and which are not specifically governed by the endorsement provisions of the Pennsylvania Rules of Civil Procedure, shall contain the following endorsement prominently displayed on the first page of the paper:

TAKE NOTICE

PAPERS HAVE BEEN FILED IN COURT WHICH MAY AFFECT YOUR VALUABLE RIGHTS OR SUBSTANTIAL INTEREST. FAILURE BY YOU TO TAKE PROMPT ACTION COULD RESULT IN THE LOSS OF THESE VALUABLE RIGHTS OR SUBSTANTIAL INTEREST.

YOU SHOULD TAKE THIS PAPER TO AN ATTORNEY AT ONCE. IF YOU DO NOT HAVE AN ATTORNEY

OR CANNOT AFFORD ONE, GO TO OR PHONE THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

NORTH PENN LEGAL SERVICES
168 EAST FIFTH STREET
BLOOMSBURG, PA 17815
(570) 784-8760

PENNSYLVANIA LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
PO BOX 186
HARRISBURG, PA 17108
1-800-692-7375

MATTERS INITIATED BY COMPLAINT OR WRIT

L.R. No. 2.01. Matter Initiated by Complaint or Writ—Scope.

This Chapter shall govern practice when a matter is initiated by a Complaint, by a Writ of Summons, or by an amicable action, and shall not cover matters initiated by Petitions, Motions, Appeals, Applications, Exceptions, Preliminary Objections, or similar documents.

L.R. No. 2.02. Compulsory Arbitration.

1. Scope:

All civil cases where the amount in controversy (exclusive of interest and costs) is Fifty Thousand and 00/100 (\$50,000.00) Dollars or less shall, except those cases involving title to real estate, equity cases, mandamus, quo warranto, and mortgage foreclosure shall first be submitted to a Board of Arbitrators in accordance with Section 7361 of the Judicial Code, 42 Pa.C.S.A.

2. Listing for Arbitration:

A matter shall be listed for Arbitration by filing a Certificate of Readiness. Unless a Certificate of Readiness is complete in all regards, the Court Administrator shall not list the matter for arbitration and shall return the Certificate of Readiness to the party who submitted the Certificate of Readiness until a properly completed Certificate of Readiness is filed.

3. Selection of Arbitrators:

A. The Court Administrator shall maintain a master list of arbitrators consisting of all Attorneys actively engaged in the practice of law in the 26th Judicial District arranged in a random manner. Each case for which a Certificate of Readiness for Arbitration has been filed shall be assigned by the Court Administrator to an Arbitration Board consisting of three (3) attorneys and chosen randomly from the master list. It is the intent of this Rule that the members of the Bar serving on an arbitration panel receive an equal number of appointments.

B. The Board shall be chaired by a member of the Bar admitted to the practice of law for at least three (3) years.

C. Not more than one (1) member or associate of a firm or association of attorneys shall be appointed to the same Board.

D. If any attorney wishes to be replaced as an arbitrator in any particular arbitration hearing, the attorney shall advise the Court Administrator, in writing, no later than ten (10) days before the scheduled arbitration setting forth the reasons why the attorney cannot be present at the arbitration and the attorney can be excused from serving on the Board of Arbitration for reasonable cause. If the reason why the attorney cannot appear at the scheduled arbitration arose after the seven

(7) day period, the attorney shall immediately advise the Court Administrator of the reasons why he or she cannot attend the arbitration.

E. The Court Administrator shall excuse an attorney from an Arbitration only for the following reasons:

1. A conflict with a court appearance, except a matter before a District Justice.
2. Illness;
3. Important personal business, such as funeral, birth of a child, etc., family illness;
4. A conflict of interest with the parties to the arbitration; and/or,
5. Other reasons for just cause.

F. An attorney who has been appointed to a Board of Arbitration may not secure a substitute for his or her appearance at the Board of Arbitration. The substitute must be selected by the Court Administrator in accordance with the procedures set forth above.

G. In the event that an attorney, without leave of the Court Administrator, fails to serve as an arbitrator after having been notified of his/her appointment, the Chair of the Board of Arbitration shall advise the Court that the attorney failed to serve as required and shall send a copy to the attorney. The Court, in its discretion may impose appropriate sanctions upon the Attorney.

4. Scheduling of Hearings:

The Court Administrator shall schedule arbitration hearings by calling counsel of record and the board of arbitrators and the alternate arbitrator and shall send out a notice of the date, time and location of the arbitration and the names of the arbitrators and the alternate arbitrator.

5. Pre-hearing Memorandum:

In all matters where the amount in controversy exceeds \$25,000.00 the parties shall file a Pre-Hearing Memorandum, in the form substantially as set forth in Columbia County Rule No. 212.2 no later than five (5) days prior to the hearing. The chair of the board of arbitration, in his or her discretion, shall set up a conference call with counsel to address any unusual questions of fact or law. The chair of the board, in his or her discretion, may deny counsel who has failed to file a timely Pre-Hearing Memorandum or participate in the conference from offering exhibits or presenting testimony.

6. Conduct of Hearing-Evidence:

The conduct of hearings and evidence shall be governed by Pa.R.C.P. No. 1305.

7. Record:

A record may be made of proceedings before a Board of Arbitration at the expense of the requesting party.

8. Report and Award:

Within seven (7) days after the hearing, the chairman of the Board of Arbitration shall file a report and award with the Prothonotary who shall forthwith forward a copy to each party or his counsel and the Court Administrator. The award shall be signed by all or by a majority of the members of the Board. The Prothonotary shall enter the award on the docket.

9. Compensation:

Each member of the Board of Arbitrators who has signed the report or files a minority report shall receive as compensation for his services at a rate set by the

Court of Common Pleas. In cases requiring hearings of unusual duration or involving questions of unusual complexity, the Court, on Petition of the members of the Board and for cause shown, may allow additional compensation. The Court may also, on Petition of any party to a case, on cause shown and to prevent injustice, reduce the amount of such compensation or disallow compensation entirely. The members of a Board shall not be entitled to receive their fees until after filing a report with the Prothonotary.

(L.R. No. 2.02 Revised 4/5/11)

L.R. No. 2.04. Listing Matters for Trial.

A. Cases at issue shall be listed for trial by either party filing a Certificate of Readiness for Trial Listing with the Prothonotary and by mailing a copy to all opposing counsel and to the Court Administrator in accordance with the provisions of L.R. No. 1.17 (A Sample of the Certificate of Trial Readiness Form is attached at the end of these rules.) No matter shall be listed for trial when discovery proceedings are pending. In the event that a matter is listed for trial in which there are pending discovery proceedings, it may be stricken from the list upon Motion of a party.

B. Once a matter has been listed for trial, discovery requests or proceedings shall not be initiated except upon Order of Court or written agreement of counsel filed with the Court.

L.R. No. 2.05. Pretrial Conference.

A. In any civil action filed within the 26th Judicial District in which a Praecipe for Trial Listing has been filed, the Court shall hold a Pretrial Conference with counsel for the parties.

B. At least fifteen (15) days prior to the Pretrial Conference, counsel for Plaintiff shall contact all counsel and conduct a conference among counsel to exchange lists of witnesses to be called at trial, to resolve objections to deposition testimony, to mark all exhibits to be used at trial, to discuss the prospects for settlement and attempt to agree on the authenticity of said exhibits. Counsel who intends to try the case shall attend the attorney conference. Counsel shall make a good faith effort to agree on the authenticity and admissibility of the exhibits as well as objections to deposition testimony. If such agreement cannot be reached, the objecting party shall be prepared to state in detail the reasons for the objection together with any authorities in support of his position at the Pretrial Conference.

C. Counsel for each party shall thereafter submit a Pretrial Memorandum to the Judge before whom the case is scheduled date least ten (10) days prior to the scheduled Pretrial Conference. The Pretrial Memorandum shall contain the following:

1. A concise statement of the claim or defense on liability and damages;
2. A separate list of the issues involved on liability and damages;
3. A separate list of those attorneys present at the attorney conference with identification of the party each represents and the date of the attorney conference.
4. A separate list of witnesses on liability and on damages, showing the address of each and a concise summary of each witness's proposed testimony;
5. A separate list of exhibits on liability and damages;

6. A list of all deposition transcripts to be used in lieu of testimony and a statement of known objections thereof;

7. A statement of all stipulations sought from opposing parties;

8. A statement of any special request, such as request for a view, special time for a witness, courtroom needs, etc.;

9. A list of any special voir dire examination of prospective jurors request by counsel;

10. Identification of any unusual legal issues which counsel expect to arise in the case. Motions in Limine should be filed no later than the date for submission of the Pretrial Memorandum; and

11. State of the status of settlement negotiations to date.

D. Clients shall be consulted by counsel in advance of the Pretrial Conference as to authority with respect to settlement, including definite minimum or maximum limits of amounts of authority, and respecting such other questions as may be reasonably anticipated to be relevant.

E. At trial, each party will be limited to those witnesses, exhibits and documents set forth in the Pretrial Memorandum unless:

1. All parties affected by any change agree in writing, which shall be filed with the Court;

2. Prompt notice of changes in the list of witnesses, exhibits or documents is made by filing with the trial Judge and serving other counsel with a Supplemental Pretrial Memorandum;

F. At the conclusion of the Pretrial Conference, the Court may issue an Order deciding the action taken. The Order may reflect any amendments to the pleadings allowed, agreements between counsel, admissions of fact, notation of any exhibits which counsel stipulate may be received in evidence without formal proof, the limitation on the number of expert witnesses and other appropriate matters.

G. In all medical malpractice cases (and other cases deemed appropriate by the Court) in which a Praecipe for Trial Listing has been filed, the Court Administrator, in its discretion, or at the direction of the Court, may promptly refer the case to Mediation or a settlement conference under the direction of the Court as follows:

1. Trial counsel must attend the Mediation or Settlement Conference. No substitute counsel shall be permitted to attend in place of trial counsel.

2. Trial counsel must be authorized to discuss and conclude settlement at the Mediation or Settlement Conference. The parties or their insurance representatives shall be available either in person or by telephone if necessary to conclude settlement.

3. Notice of the date, time and place of the Mediation or Settlement Conference will be sent to counsel by the Court.

4. At least seven (7) days prior to the Mediation or Settlement Conference, counsel shall submit Pre-Conference Statements to the Court which shall contain all of the following:

a. A brief statement of the facts and events out of which the party's claim or counterclaim arose or upon which the party's defense is based.

- b. A brief summary of the known special damages that party has incurred to date, if applicable.
- c. A list of witnesses who will testify at trial.
- d. An estimate of the trial time required.
- e. A statement of unusual legal issues presented, including significant questions of evidence.
- f. A list of exhibits to be introduced at trial.
- g. A statement of settlement negotiations to date, including the Plaintiff's most recent demand and the Defendant's most recent offer.
- h. Expert reports shall be attached to the Pre-Conference Statements.

MATTERS NOT INITIATED BY COMPLAINT OR WRIT

L.R. No. 3.01. Matters Not Initiated by Complaint or Writ—Scope.

This chapter shall apply to Documents, which are defined as including, but not limited to, Petitions, Motions, Appeals, Applications, Exceptions, Objections, Preliminary Objections, and every other matter not ultimately disposed of through a jury trial, nonjury trial, Arbitration, or Master.

L.R. No. 3.02. Matters That Do Not Require the Taking of Testimony for Final Disposition.

A. This rule shall establish the procedure for listing those matters for Argument Court which do not require the taking of testimony or the creation of a factual record for disposition and which involve only a question of law.

B. The following matters will be covered by this rule:

1. Preliminary Objections;
2. Motions for Summary Judgment;
3. Post-Trial Motions;
4. Appeals where facts are found by a fact finder below;
5. Exceptions where facts are found by a fact finder below; and,
6. Any other matter that is initiated by a document other than a complaint or writ of summons.

C. The Moving Party shall make the initial determination that the taking of testimony for final disposition is not necessary, and that the disposition of the matter requires only a determination of an issue of law.

D. The Moving Party shall file with the Prothonotary's Office the following:

1. Two copies of the Document;
2. One copy of the brief in support of the document. Briefs shall not be filed, but shall be stamped "RECEIVED, BUT NOT FILED OF RECORD" by the Prothonotary or Court Administrator;
3. The party may file a certificate of service with regard to the Brief;
4. The Praeceptum for Argument shall be substantially in the following form:

**(CAPTION)
PRAECEPTUM**

TO THE PROTHONOTARY:

Please place the following case on the next Argument List for Plaintiff/Defendant's _____ to be argued.

If the Document is not accompanied by a Brief and Praeceptum, the Prothonotary shall time stamp and docket the Document. The Court Administrator will not schedule the matter until L.R. No. 3.02(D) is complied with.

E. The Prothonotary shall deliver one (1) copy of the Document, Brief, and Praeceptum to the Court Administrator's office and retain one copy of the Document for filing.

F. The Moving Party shall, within three (3) days of filing, serve a copy of the Document, Praeceptum, and Brief upon opposing counsel, as provided at L.R. No. 1.17C.

G. If the Respondent determines that the taking of testimony is necessary for disposition of the matter, and the matter does not involve only a determination of an issue of law, the Respondent shall file a Response as provided for at L.R. No. 3.03G within ten (10) days of service of the Moving Party's Document. The Respondent shall attach to the Response a Rule Returnable, as set forth at L.R. No. 3.05, and the matter shall proceed in accordance with the procedures set forth at L.R. No. 3.03. The Prothonotary shall take a copy of the Rule Returnable to the Court Administrator's office. After a return date is secured, the Prothonotary shall cause the executed Rule to be delivered to the Respondent for service upon all parties of record. The Respondent shall serve the documents upon all counsel of record within three (3) days of receipt, as provided at L.R. No. 1.17C.

If the taking of testimony is not necessary for the disposition of the matter, the document shall not be endorsed with a notice to plead.

H. All matters not requiring the taking of testimony shall be disposed of at Argument Court, and all counsel of record must be present. The Judge to whom the case is assigned shall assemble a list of cases to be heard at Argument Court and shall provide notice to counsel of record, setting forth the following:

1. The date, time, and place of Oral Argument.
2. The date upon which the Respondent's Brief shall be due.

The Moving Party may file a Reply to the Respondent's Brief within ten (10) days from service of Respondent's Brief with the Court. The Respondent shall have the right to respond to the Moving Party's Reply Brief within ten (10) days after the service of the Moving Party's Brief. The Moving Party's Reply Brief shall be limited to matters raised in the Respondent's Brief and the Respondent's Reply to the Moving Party's Reply Brief shall be limited to the Moving Party's Reply Brief.

At Argument Court, the parties shall be limited to fifteen minutes of argument. The Court, in its discretion, may direct a longer or shorter period of time for argument.

I. Principal Briefs shall contain the following information:

1. The caption of the case;
2. A brief procedural history and comprehensive statement of relevant facts;
3. The issues before the Court; and,
4. Comprehensive argument and discussion addressed to the issues with all relevant and recent authorities. The argument shall specifically cite and endeavor to distinguish all conflicting or opposing authorities. Any additional briefing shall be at the discretion and with the permission of the Court.

J. If the Respondent does not file a Brief as required by these Rules, the Court, in its discretion, may deny the opportunity to the Respondent to present oral argument.

K. A party may file a written request to the Court for a Continuance of Oral Argument or for an extension of time to file a Brief. The request shall comply with the requirements of L.R. No. 1.12 and, further, indicate the reasons for the proposed extension or continuance, and shall further state whether opposing counsel agrees or objects to said request.

L.R. No. 3.03. Matters Which Require the Taking of Testimony for Final Disposition.

A. This Rule shall establish the procedure for listing those matters which require taking of testimony or the creation of a factual record for disposition.

B. The Moving Party shall make the initial determination as to whether a matter requires taking of testimony for final disposition and shall proceed under this Rule.

C. All Documents covered by this Rule shall be signed by the attorney of record, and include a Verification as provided for in Pa.R.C.P. No. 1024.

D. The Document shall include, as a first page, a Rule Returnable substantially in the form set forth at L.R. No. 3.05 followed by an Endorsement as set forth at L.R. No. 1.18 and shall be endorsed with a Notice to Plead as follows:

An answer and affirmative defenses must be filed by the date set forth on the rule returnable issued in this case or the facts will be deemed admitted and any affirmative defenses waived.

E. The Moving Party shall file with the Prothonotary two (2) copies of the Document and one (1) copy of a Brief in support thereof. The contents of the Brief shall be in accordance with the provisions of L.R. No. 3.024.

F. The Prothonotary shall deliver one (1) copy of the Document and the Brief to the Court Administrator's office. After execution of the Rule by the Court, the Prothonotary shall return copies to the Moving Party who shall serve the Document as provided at L.R. No. 1.17C upon all counsel of record within three (3) days of receipt.

G. The Respondent shall file and serve no later than the date set forth in the Rule Returnable, a verified Response admitting or denying the well pleaded facts set forth in the Moving Party's Document. All such well pleaded facts, not specifically denied in the Response, shall be taken as admitted. The Response shall include, under a separate heading, affirmative defenses to notify the Moving Party of legal issues that need to be determined. No reply is required to the Affirmative Defenses. If no Response is filed, all well pleaded facts in the Moving Party's Document shall be taken as admitted.

H. The Respondent shall file a Brief responding to the Brief filed by the Moving Party at or before the Rule Returnable date. The contents thereof shall be in accordance with the provision of L.R. 3.02J.

I. At the time set for the Rule Returnable the Court, in its discretion, shall enter an Order setting forth the manner in which the matter shall be determined. If there are no disputed material facts, the Court may place the matter on the Argument List or hear argument on the Rule Returnable date. If questions of fact exist the Court may schedule a hearing or order the taking of depositions and require findings of fact and conclusions of law.

J. All Motions shall attach this Order:

(CAPTION)

ORDER

AND NOW, this _____ day of _____, 201 __, upon consideration of the within Motion, it is hereby ordered as follows:

(1) a Rule is issued upon the Respondent to show cause why the moving party is not entitled to the relief requested;

(2) the Respondent shall file an Answer to the Motion within twenty (20) days of service upon the Respondent;

(3) the Motion shall be decided under Pa.R.C.P. No. 206.7;

(4) a hearing/argument/pre-disposition conference shall be held on the _____ day of _____, 201 __, at _____ o'clock, _____ m, in the undersigned Judge's Chambers of the _____ County Courthouse, _____, Pennsylvania; and,

(5) Notice of entry of this Order shall be provided to all parties by the moving Party.

BY THE COURT:

_____ J.

L.R. No. 3.04. Motions Requesting Ex Parte Relief.

A. A Moving Party intending to present to the Court a Motion Requesting Injunctive Relief, a Stay of Proceedings, a Motion to Compel Discovery, or other ex parte relief shall make a diligent and conscientious effort to notify any known opposing counsel of the intent to present such a Motion at the earliest possible time.

B. Consistent with the requirement set forth in Subsection A, the Moving Party shall, at a minimum, speak with opposing counsel by telephone, or leave a specific message with his or her staff during regular business hours, or, if such notice must be delivered after the close of regular business hours, the Moving Party shall make reasonable attempts to speak with opposing counsel at his or her home, or leave a specific message with a competent adult residing therein.

C. A Motion presented to the Court pursuant to Subsection A shall include a Certificate signed by the Moving Party stating whether or not opposing counsel was notified of the time such Motion would be presented, and, if opposing counsel was not personally notified, setting forth the efforts made by the Moving Party to do so. Failure to attach a Certificate in accordance with this subsection shall be grounds for denial of the relief sought.

D. In matters in which a party is unrepresented by counsel, counsel for the Moving Party shall follow the same procedures set forth above in Subsections A, B, and C in attempting to notify an unrepresented party.

E. Upon the filing of a motion to compel written discovery, the Court shall not issue an ex parte order granting the motion in less than ten (10) days after the filing of the motion to give the opposing party time to respond to the motion.

(L.R. No. 3 Revised 11/4/11)

DISCOVERY PRACTICE

L.R. No. 4.01. Number of Interrogatories.

Interrogatories to a party, as a matter of right, shall not exceed forty (40) in number. Interrogatories inquiring as to the name and location of witnesses, or the existence, location and custodian of documents or physical evidence shall be construed as one interrogatory. All other inter-

rogatories, including subdivisions of one number interrogatory, shall be construed as separate interrogatories. If counsel for a party believes that more than 40 interrogatories are necessary, he shall consult with opposing counsel promptly and attempt to reach a written Stipulation as to a reasonable number of additional interrogatories. Counsel are expected to comply with this requirement in good faith. In the event a written Stipulation cannot be agreed upon, the party seeking to submit additional interrogatories shall file a Motion with the Court showing the necessity of relief.

L.R. No. 4.02. Number of Requests for Admissions.

Request for admissions to a party, as a matter of right, shall not exceed forty (40) in number. If counsel for a party believes that more than forty (40) requests for admissions are necessary, he shall consult with opposing counsel promptly and attempt to reach a written Stipulation as to a reasonable number of additional requests for admissions. Counsel are expected to comply with this requirement in good faith. In the event a written Stipulation cannot be agreed upon, the party seeking to submit additional requests for admission shall file a Motion with the Court showing the necessity of relief.

L.R. No. 4.03. Objections to Discovery Requests.

Any objection to an interrogatory, request for production of documents or request for admission shall be served upon opposing counsel within thirty (30) days of service of said request. Failure to serve upon opposing counsel a timely objection in accordance with the provisions of this Rule shall be deemed a waiver of objection to the interrogatory, request for production of documents or request for admission. If no answer or objections to discovery requests have been served, and if no written extensions of time for providing responses to discovery requests have been granted, a Moving Party, pursuant to L.R. No. 3.04, may present a Motion to Compel Discovery *ex parte*.

L.R. No. 4.04. Procedure in Deposition by Oral Examination.

A. A period of at least twenty (20) days is hereby determined by the Court to be "reasonable notice" required by Pa.R.C.P. 4007.1(b).

B. In the scheduling of any deposition, the party noticing the deposition is required to make reasonable efforts to first contact opposing counsel and agree upon a mutually convenient date, time and place of deposition before issuing a notice of deposition.

CUSTODY, PARTIAL CUSTODY AND VISITATION MATTERS

L.R. No. 5.01. Custody, Partial Custody and Visitation—Scope.

These rules shall, in conjunction with Pa.R.C.P. No. 1915.1 *et. seq.* govern the practice and procedure in all actions and claims for custody, partial custody and visitation of minor children within the 26th Judicial District.

L.R. No. 5.02. Request for Special Master Form.

A. Pleadings in all actions and claims for custody, partial custody and visitation of minor children shall be as provided in the Pennsylvania Rules of Civil Procedure.

B. In the event there is an existing Order for custody, partial custody, or visitation entered in Columbia or Montour County, any further actions involving any of the minor children who are the subject of such existing Order shall be designated as a Petition for Modification of Custody and shall be filed to the same term and number

as the previously entered Order. The Special Master shall dismiss any custody action which does not conform with the requirements of this rule.

C. All actions and claims for custody, partial custody and visitation of minor children shall be accompanied by referral in substantially the following form to be attached at the front of the Complaint.

(CAPTION)

REFERRAL

AND NOW, to-wit, on this ___ day of _____, 20 __, the within matter is hereby referred to _____, Special Master, for further proceedings in accordance with Rules of Court, Chapter V, dated May 23, 1990, pertaining to Special Masters in Custody and Visitation matters.

BY THE PROTHONOTARY:

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

North Penn Legal Services
168 E. 5th Street
Bloomsburg, PA 17815
(570) 784-8760

L.R. No. 5.03. Service.

A. All pleadings shall be served in accordance with the applicable Pennsylvania Rules of Civil Procedure.

B. Notices scheduling the Conference of the Special Master shall be served in accordance with the provision of L.R. No. 1.17.

L.R. No. 5.04. Special Master—Persons to be Present at Conference.

A. All actions or claims for custody, partial custody and visitation of minor children shall be referred to a Special Master, who shall be an attorney, who shall promptly fix a time and place for a Conference to be attended by all parties-in-interest and their counsel.

B. The Special Master has the discretion to exclude other persons from the conference.

C. The party having physical custody of the child(ren) who are the subject of the action shall bring the child(ren) to the Conference unless excused from doing so by the Special Master.

L.R. No. 5.05. Special Master's Conference.

A. At the Special Master's Conference, the Special Master shall hear the positions of the parties-in-interest relative to custody, partial custody and visitation of minor children.

B. The Special Master may, at his or her discretion, hear the positions of the parties in whatever manner he or she deems appropriate, including, but not limited to, statements of the parties-in-interest and their counsel, documentary evidence, medical records, records of courts and governmental agencies, and statements from the minor children involved.

C. The Special Master shall not swear in, or take testimony under oath from, any individuals at the Conference, nor shall any testimony record be made of the Conference.

D. The goal of the Special Master shall be to mediate the differences between the parties, encourage an ami-

cable resolution of their differences and, if appropriate, refer the parties to counseling or other services which may assist the parties and the minor child or children. Such referral to services, however, shall not be binding on the parties, and the mere fact of such referral by the Special Master shall not create any obligation upon the 26th Judicial District to make payment for such services.

E. In the event a settlement is reached between the parties, such settlement shall be submitted in writing by the Special Master to the Court for entry of a consent Order pursuant to Pa.R.C.P. 1915.7. However, should the Special Master find that such Agreement is not in the best interest of the minor child(ren), the Special Master shall note his or her objection and the reasons therefore in the Special Master's Report to the Court, and shall include in such Report such recommendations as the Special Master finds to be appropriate. The Court shall be the final arbiter as to the appropriateness of the entry of any Consent Order.

F. In the event the parties are unable to reach an Agreement, the Special Master shall offer to the parties and the Court a recommendation as to what the Special Master finds to be in the best interest of the minor child(ren).

G. The Special Master may recommend major changes in the status quo, including, but not limited to, a change in legal custody or primary physical custody, provided the Special Master finds such changes to be in the best interest of the minor child(ren).

L.R. No. 5.06. Time of Special Master's Conference.

A. The Special Master's Conference shall be held on the date fixed therefore by the Special Master, except that the Special Master may, in his or her discretion, continue the Conference to a date certain for cause shown. No Conference shall be continued indefinitely.

B. All claims or actions referred to the Special Master shall be concluded by him or her within sixty (60) days after such referral unless such time is extended by the Court upon the recommendation of the Special Master.

L.R. No. 5.07. Report to the Court.

A. In each case, the Special Master shall submit a Report to the Court which shall note whether an agreement has been reached, and, if so, the terms of such agreement and the Special Master's findings of whether such agreement appears to be in the best interest of the minor child or children. If no agreement has been reached, the Special Master's Report to the Court shall include the following:

1. A statement of the manner of service of the Notice of the Special Master's Conference;
2. A statement indicating the basis of the Court's jurisdiction;
3. The recommendations of the Special Master regarding Custody, Partial Custody and Visitation of the minor child or children; and
4. If a major change in the status quo is recommended, a statement of the reasons for such recommendation.

B. The Report shall be served by the Special Master upon the attorney of any represented party, or, if not represented, directly upon the party by ordinary mail.

C. Following the filing of the Master's Report, the Court shall enter an appropriate Order which may be in substantially the following form:

(CAPTION)

ORDER OF COURT

AND NOW, to-wit, on this _____ day of _____, 20 __, upon presentation of the attached Report To The Court, it is hereby ORDERED AND DECREED that the recommendations of the Master are incorporated by reference herein as an Interim Order.

If no Exceptions are filed within twenty (20) days of service of these Recommendations, this Order shall become a Final Order and shall remain in effect until further Order of Court. If Exceptions are filed this Order shall remain an Interim Order until disposition of the Exceptions, or further Order of Court.

BY THE COURT:

_____, J.

L.R. No. 5.08. Exceptions to the Special Master's Report.

A. A party may take Exceptions to the recommendations of the Special Master by filing the same within twenty (20) days after the entry by the Court of an Order pursuant to L.R. No. 5.07(C). Such Exceptions shall be filed with the Prothonotary of the appropriate county.

B. Exceptions shall be stated with particularity and shall be endorsed with a blank proposed Order for a pre-trial conference.

C. If Exceptions are not filed within twenty (20) days after the execution by the Court of an Order pursuant to L.R. No. 5.07(C), the Court may adopt any or all of the recommendations of the Special Master as a final Order.

D. In the event exceptions are timely filed, the excepting party shall state in the exceptions whether or not that party objects to the immediate implementation of the interim order pending further court hearing on the matter. If there is no objection, the matter shall proceed to a de novo custody trial in accordance with the local rules.

If there is a timely objection in the exceptions to the immediate implementation of the interim order, custody shall be governed by any prior order then in effect. If there is no such prior order or if such order has been substantially modified in writing or by circumstances, a party may request a hearing regarding the establishment of an interim order pending full de novo hearing.

If a hearing is requested regarding the interim order, the Court will forthwith schedule a hearing to establish an appropriate interim order or grant appropriate special relief. If no hearing is requested regarding the interim order, the interim order shall remain in full force and effect until further order of court. The matter shall then proceed to a de novo custody trial in accordance with the local rules.

L.R. No. 5.09. Trial on Exception.

A. The Custody Trial on any Exception shall be de novo.

B. To facilitate the mediation process and to encourage frank, open and meaningful exchanges between the parties and their respective counsel, all statements made by the parties or witnesses, including the minor child(ren), as well as any documents or reports received by the Special Master, shall not be the subject of direct or cross-examination, including, but not limited to, purposes of impeachment, at a later trial or hearing before the Court; provided, however, that documents or reports may

be received at a later trial or hearing if their admissibility is independently established at such later hearing.

C. The Special Master shall, in no event, be a witness for or against any party in any subsequent custody, partial custody, or visitation proceeding involving the minor child(ren).

D. The Court may hold such pre-trial conferences on any Exceptions as it deems appropriate.

E. The de novo trial or hearing on any Exceptions shall be held in accordance with the applicable Pennsylvania Rules of Civil Procedure and the applicable Local Rules of Civil Procedure.

L.R. No. 5.10. Home Study Investigations.

A. The Special Master shall not have the authority to direct the performance of Home Study Investigations.

B. In the event any party desires Home Study Investigations, such party must petition the Court. If the Court determines that Home Studies are appropriate, it shall also assess the costs for such Home Studies upon the parties as the Court deems appropriate.

C. A party may be excused from payment of any fees for Home Study Investigations if the Court finds, after hearing, that such party has established, by preponderance of the evidence, that he or she is indigent.

D. No request for Home Study Investigations shall be made prior to the filing of Exceptions. Requests for Home Studies may be made contemporaneously with the filing of Exceptions.

L.R. No. 5.11. Costs and Fees.

A. In all cases referred to the Special Master, he or she shall make a recommendation as to the party or parties against whom the costs and fees of the Special Master should be assessed. As such costs and fees shall be initially paid to the Special Master by Columbia County or Montour County, as applicable, such costs and fees as are assessed a party or parties pursuant to this rule shall thereafter be payable to the appropriate county.

B. The Special Master may, if appropriate, make a recommendation that a party payor reimburse the filing fee and Sheriff's service costs of the Complaint.

C. The Court may, at its discretion, direct the payment of costs and fees in accordance with the recommendation of the Special Master, or in such other manner as the Court finds to be appropriate.

L.R. No. 5.12. Prosecution of Action.

A. In addition to the information required by Pa.R.C.P. 1915.15, every Complaint for Custody, Partial Custody or Visitation shall contain the following averments:

1. Plaintiff has been advised of the requirement to attend the seminar entitled "Kids First" or the "Child-Focused Parenting" course, or such other parenting seminar as selected and approved by the Court.

2. Defendant has been advised of the requirement to attend the seminar entitled "Kids First" or the "Child-Focused Parenting" course, or such other parenting seminar as selected and approved by the Court.

B. An Information sheet concerning the Court's parenting seminar shall be attached to the Complaint.

C. All parents must register for the respective seminar within ten (10) days of service of the Complaint and attend the next available class.

L.R. No. 5.13. Child Custody Seminar.

A. Brochures and registration forms will be available from both the Prothonotary and the Court Administrator and are available online.

B. The moving party is responsible for ensuring that the opposing party received the seminar brochure and registration form.

C. Parents residing outside of Columbia/Montour counties may contact the presenter for possible alternative programs if unable to attend the seminar.

D. The Court has authorized the seminar presenter to approve individual changes to the registration, only upon a showing of good cause.

E. Parents must attend the seminar. A parent's visitation or custody may be affected by their failure to comply.

F. Parents proceeding in forma pauperis or on public assistance must provide proof of such to the presenter.

G. Upon successful completion of the seminar, the presenter will issue a certification of completion to the parties. A copy of said certificate shall also be provided by the presenter to the Court Administrator for the Prothonotary file.

H. The presenter shall provide the Court Administrator with a list of non-attendees against whom the Court may issue contempt proceedings.

I. This seminar is in addition to the Special Master's conference and parents must comply with attendance before the Special Master as governed in other local rules.

SUPPORT ACTIONS

L.R. No. 6.01. Non-Support and Related Matters—Scope.

These rules shall, in conjunction with Pa.R.C.P. 1910.1 et seq., govern the practice and procedure in all actions and claims to enforce a duty of support with the 26th Judicial District.

L.R. No. 6.02. Adoption of Alternative Hearing Procedure.

A. All actions or claims to enforce the duty of support shall proceed pursuant to the alternative hearing procedure of Pa.R.C.P. 1910.12.

B. Special Masters shall be appointed by the Court and shall be compensated at a rate to be determined by the Court.

C. Following Exceptions to a recommendation of the Domestic Relations Hearing Officer, a hearing de novo shall be promptly scheduled before a Special Master pursuant to Pa.R.C.P. 1910.12(b), at which hearing testimonial evidence shall be received and a stenographic record of the hearing shall be made. The Special Master shall then make a Report to the Court pursuant to Pa.R.C.P. No. 1910.12(d).

L.R. No. 6.03. Exceptions.

A. Any Exceptions to the recommendation of a Domestic Relations Hearing Officer shall be in writing and shall be filed directly with the Domestic Relations Section of Columbia or Montour County as applicable.

B. Any Exceptions to the Special Master's Report shall be in writing and should be filed directly with the Domestic Relations Section of Columbia or Montour County as applicable. No Exceptions shall be filed with the Prothonotary's Office.

C. Exceptions shall be stated with particularity.

D. The Court may strike improperly filed Exceptions unless it finds that the interest of justice demand otherwise.

L.R. No. 6.04. Argument on Exceptions to Special Master's Report.

A. Any Exceptions to the Special Master's Report shall be taken within the time period established by Pa.R.C.P. No. 1910.12(e).

B. Such Exceptions shall be accompanied by a Praecipe for Argument.

C. Upon receipt of Exceptions and a Praecipe for Argument, the Domestic Relations Section of Columbia or Montour County, as applicable, shall forward such Praecipe, together with a copy of the Exceptions which were filed, to the Court Administrator who shall then schedule the matter for Argument Court. Briefing and argument shall be conducted in accordance with the provisions of L.R. No. 3.02.

D. Pursuant to Pa.R.C.P. No. 1910.12(g), the filing of Exceptions shall not act as a supersedeas.

E. If no Exceptions are timely filed, the Court shall review the Special Master's Report and enter an appropriate Order.

F. The Special Master shall include in his or her report an appropriate notification of the time period within which Exceptions are to be filed and the place where Exceptions are to be filed.

L.R. No. 6.05. Non-Compliance with Prior Order of Support.

A. A Special Master shall have jurisdiction to initially hear all cases in which the Domestic Relations Offices of Columbia or Montour County, as applicable, find non-compliance with any prior support Order.

B. At such hearing, testimony and evidence shall be received and a stenographic record of the testimony shall be made.

C. Following such hearing, the Special Master shall make an appropriate Recommendation to the Court, which recommendation may include, but is not limited to, a recommendation of a finding of contempt.

D. In the event the Special Master makes a recommendation for a finding of contempt, the matter shall be promptly scheduled by the Domestic Relations Section and the Court Administrator for disposition before the Court of Common Pleas. In the event of any other recommendation by the Special Master, the parties shall have the right to file Exceptions to the Special Master's recommendations within ten (10) days after the date of the Special Master's Report. If no Exceptions are filed within such period, the Court shall review the Report and enter an appropriate final Order. Exceptions shall be stated with particularity.

E. In all non-compliance cases, the Court shall have the final authority to make a determination as to the appropriateness of any finding of contempt or any sanction against any individual found to be in a state of noncompliance with any prior Order regarding support.

L.R. No. 6.06. Alimony Pendente Lite.

A. In the event a request for alimony pendente lite is at issue in the Divorce proceeding, at the request of the proponent the matter shall be referred to the Domestic Relations Office for disposition in accordance with L.R. No. 6.01 et seq.

B. Request for referral to the Domestic Relations Office shall include the following:

1. The name, address and telephone number of the parties' attorney;

2. The address, telephone number and social security numbers of the parties; and

3. The names, addresses and telephone numbers of the parties' place of employment.

DIVORCE AND ANNULMENT ACTIONS

L.R. No. 7.01. Divorce and Annulment—Scope.

These rules shall, in conjunction with Pa.R.C.P. 1920.1 et seq., govern the practice and procedure in all actions and claims for divorce and annulment with the 26th Judicial District in which a Special Master is appointed.

L.R. No. 7.02. Appointment of Special Master.

A. A Motion for the Appointment of a Special Master shall be as provided in the Pennsylvania Rules of Civil Procedure.

B. Each party filing a Motion for Appointment of a Special Master shall deposit with the appropriate County's Prothonotary a sum which shall be determined by Order of Court. Such sum shall be applied to payment for the Special Master's and Court Reporter's services.

C. The Special Master may estimate the time required for each Special Master's Hearing, and may, in his or her discretion, require the deposit of reasonable additional sums for Court Reporter's and Special Master's fees prior to scheduling the Special Master's Hearing.

L.R. No. 7.03. Pre-Hearing Conference.

A. Following the appointment of the Special Master, such Special Master shall promptly schedule a Pre-Hearing Conference.

B. At or before the time of the Pre-Hearing Conference, each party shall file and serve upon the other party a Pre-Trial Statement as prescribed by Pa.R.C.P. 1920.33.

C. At or before the time of the Pre-Hearing Conference, each party shall file a complete Inventory pursuant to Pa.R.C.P. 1920.33.

L.R. No. 7.04. Duties of Special Master—Special Master's Hearing.

A. The Special Master shall take testimony in all contested divorce and annulment actions referred to him or her and all cases involving factual disputes arising from the action and any related claims as enumerated in the Divorce Code, and shall submit a written Report to the Court pursuant to the applicable Pennsylvania Rules of Civil Procedure.

B. The Special Master shall not direct the preparation of any transcript of the Master's Hearing unless appropriate arrangements are made to guarantee payment for the preparation of such transcript to the Court Reporter or Stenographer. Any party desiring a transcript may be required to make advance payment for the same.

L.R. No. 7.05. Duties of Special Master—Administrative Review of Divorces.

The duly-appointed Special Masters shall review all cases in which a request has been made for Entry of a Divorce Decree with the 26th Judicial District and shall submit a written Recommendation to the Court approving or disapproving each such request for a Divorce Decree. The Special Master may consider any outstanding finan-

cial obligation of the parties to the Special Master or Court Reporter or the Court in making such administrative review.

L.R. No. 7.06. Compensation of Special Masters.

A. The Special Masters shall be compensated by the Counties of Columbia and Montour, as applicable, for each review preceding an Entry for a Divorce Decree at a rate to be established by the Court.

B. The Special Masters shall be compensated for all other services at a rate to be determined by the Court. Such compensation shall be assessed as costs of litigation to be paid by the appropriate party as may be equitable and consistent with principles of prevailing law. The collection of said Master's fees shall be at the direction of the Court.

C. In the event a party is granted leave to proceed in forma pauperis, the Master shall be entitled to payment of Master's costs by the appropriate county, unless costs are assessed against a party not certified as proceeding in forma pauperis.

D. The obligation of the parties to make payment of a Special Master's and Court Reporter's costs in any Equitable Distribution action shall act as a judicial lien upon all property distributed pursuant to such action, and such lien may be reduced to judgment by the Special Master upon filing of a Praeceptum to Reduce Lien to Judgment filed with the appropriate county's Prothonotary.

L.R. No. 7.07. Administration Review Fee.

Every party filing a request for entry of a Decree in Divorce within the 26th Judicial District shall deposit such sum as directed by the Court with the Prothonotary of the appropriate county, in addition to any other costs imposed by law, to cover the Administrative Review Fee of the Special Master.

ORPHANS COURT ACTIONS

L.R. No. 8.01. Accounts.

A. All fiduciary accounts required to be filed with the Clerk of the Orphan's Court pursuant to Pa.O.C.R. 6.6. which have been on file for at least two (2) weeks, shall be advertised by the Clerk on the first and second Thursday of the following month in a newspaper designated by L.R. No. 1.11.

B. All accounts advertised in accordance with Subsection A, shall be presented to the Court by the Clerk for confirmation nisi and approval of the Statement of Proposed Distribution contained therein. If no objections are filed thereto within ten (10) days of the confirmation nisi the Clerk shall confirm absolutely the account and approval of the Statement of Proposed Distribution.

C. When Exceptions are filed to the account and/or the Statement of Proposed Distribution, on proper motion of counsel for a party in interest, the Court may refer the matter to a member of the bar as Auditor if in the opinion of the Court such reference is required.

D. All accounts on file with the Clerk of the Orphans' Court and ready for presentation to the Court, wherein an Audit is required, shall be presented to the Court by the Clerk of the Orphans' Court and the Court may appoint an Auditor, if in its opinion it is required.

E. Every Executor, Administrator, Trustee, Guardian, or other fiduciary or his attorney, shall give to every unpaid claimant, who has given written notice of his claim to the fiduciary or his attorney of record, and to every other person, firm, or corporation known to the

fiduciary to have an interest in the estate as beneficiary, heir, or next of kin, written notice of the filing of his account by letter mailed to the last known address of said unpaid claimant, person, firm, or corporation at least twenty (20) days prior to the date when said account will be presented to the Court for confirmation nisi; provided, however, that personal service of said notice may be made in such case as said fiduciary may elect. Said notice shall conform to the requirements of Pa.O.C.R. 6.3.

L.R. No. 9.01. Auditors.

A. All Auditors shall be selected and appointed by the Court. They shall be members of the Bar, not in any case holding the Offices of the Register of Wills or Clerk of the Orphan's Court.

B. When an Auditor is appointed for any purpose, he shall be given written notice of the time and place of the meeting of the audit to the Executor, Administrator, Guardian, or Trustee filing the Account to be audited, or to his attorney of record, and to every other person known to the Accountant to have an interest in the estate as beneficiary, heir, or next of kin, Guardian Ad litem, Trustee Ad litem, an unpaid claimant who has given notice of his claim to the Executor, Administrator, Guardian, or Trustee or their attorneys of record. Notice of the time and place of the meeting of the audit shall also be given by the Auditor by advertisement in two newspapers of general circulation printed in the County (one newspaper if only one is printed therein) once a week for two successive weeks, and in this notice all persons shall be required to present their claim before such Auditor or be debarred from coming in for a share of the assets or fund to be distributed.

C. Whenever any matter in the Orphans Court shall be referred to an Auditor, his/her Report shall be filed and presented to the Court. Before presenting his/her Report, every Auditor shall give at least five (5) days written notice to the parties appearing of record or their counsel, that his/her Report has been completed, is on file in his/her office, and may be examined by the parties in interest or their counsel; said notice shall also contain the date the Auditor proposes to file his/her Report with the Court. When presented, said Auditor's Report shall be confirmed nisi by the Court and marked filed by the Clerk, and unless Exceptions are filed within ten (10) days after such confirmation nisi, the Clerk shall enter the same confirmed absolutely.

D. If Exceptions are filed to a Report of an Auditor and the grounds of the Exceptions do not appear from the record or from the Report and are not purely matters of law, the facts alleged in the Exceptions shall be verified by Affidavit.

E. The Audits shall comply with the PA O.C. Rules presently 8.1 et al. as they may be amended.

F. If Exceptions are filed to a report of an Auditor, simultaneously therewith, the party filing said Exceptions shall file a Praeceptum for Argument.

L.R. No. 10.01. Adoptions.

A. Whenever a Notice of Intent to Adopt is filed within the 26th Judicial District, a copy thereof shall promptly be filed with the Clerk of Orphans' Court of Columbia or Montour County, as applicable, who shall in turn transmit said copy to the Director of Columbia or Montour County Office of Children's Services, as applicable. Said agency shall forthwith conduct a Home Investigation for each proposed adoption and shall present a report thereof to the Court prior to the scheduled date of the adoption proceeding.

B. When a Notice of Intent to Adopt is filed within the 26th Judicial District, the proposed adopting parent or parents shall pay an additional filing fee in accordance with appropriate Order of Court for the use of Columbia County or Montour County, as applicable, to defray in part the expenses which are incurred by the Court and the respective Office of Children and Youth Services in preparing the investigative report required by 23 Pa.C.S.A. § 2535.

C. No such additional filing fee will be required when the proposed adopting parent or parents are among the persons exempt from filing a Report of Intention to Adopt under 23 Pa.C.S.A. § 2531(c).

D. No such additional filing fee will be required when the intermediary is a public or voluntary child care agency other than Columbia County or Montour County Office of Children and Youth Services in which case the investigative report will be prepared by the child care agency as intermediary.

L.R. No. 11.01. Appointment of Guardians.

A. Notice of Petition for Appointment of Guardian for Incapacitated Person Form:

Each Petition for Appointment of Guardian for an Incapacitated Person shall contain the following Notice in large print:

**COURT OF COMMON PLEAS
OF _____ COUNTY,
PENNSYLVANIA
ORPHANS' COURT DIVISION**

**TO: _____
IMPORTANT NOTICE
CITATION WITH NOTICE**

A PETITION HAS BEEN FILED WITH THIS COURT TO HAVE YOU DECLARED AN INCAPACITATED PERSON. IF THE COURT FINDS YOU TO BE AN INCAPACITATED PERSON, YOUR RIGHTS WILL BE AFFECTED, INCLUDING YOUR RIGHT TO MANAGE MONEY AND PROPERTY AND TO MAKE DECISIONS. A COPY OF THE PETITION WHICH HAS BEEN FILED BY _____, PETITIONER, IS ATTACHED.

YOU ARE HEREBY ORDERED TO APPEAR AT A HEARING TO BE HELD IN COURTROOM NO. _____, AT THE _____ COUNTY COURTHOUSE, _____, PENNSYLVANIA, ON AT _____ M. TO APPOINT A GUARDIAN TO ACT ON YOUR BEHALF.

TO BE AN INCAPACITATED PERSON MEANS THAT YOU ARE NOT ABLE TO RECEIVE AND EFFECTIVELY EVALUATE INFORMATION AND COMMUNICATE DECISIONS AND THAT YOU ARE UNABLE TO MANAGE YOUR MONEY AND/OR OTHER PROPERTY, OR TO MAKE NECESSARY DECISIONS ABOUT WHERE YOU WILL LIVE, WHAT MEDICAL CARE YOU WILL GET, OR HOW YOUR MONEY WILL BE SPENT.

AT THE HEARING, YOU HAVE THE RIGHT TO APPEAR AND TO BE REPRESENTED BY AN ATTORNEY, IF YOU DO NOT HAVE AN ATTORNEY, YOU HAVE THE RIGHT TO REQUEST THE COURT TO APPOINT AN ATTORNEY TO REPRESENT YOU AND TO HAVE THE ATTORNEY'S FEES PAID FOR YOU IF YOU CANNOT AFFORD TO PAY THEM YOURSELF. YOU ALSO HAVE THE RIGHT TO REQUEST THAT THE COURT ORDER THAT AN INDEPENDENT EVALUATION BE CONDUCTED AS TO YOUR ALLEGED INCAPACITY.

IF THE COURT DECIDED THAT YOU ARE AN INCAPACITATED PERSON, THE COURT MAY APPOINT A GUARDIAN FOR YOU, BASED ON THE NATURE OF ANY CONDITION OR DISABILITY AND YOUR CAPACITY TO MAKE AND COMMUNICATE DECISIONS. THE GUARDIAN WILL BE OF YOUR PERSON AND/OR YOUR MONEY AND OTHER PROPERTY AND WILL HAVE EITHER LIMITED OR FULL POWERS TO ACT FOR YOU.

IF THE COURT FINDS YOU ARE TOTALLY INCAPACITATED YOUR LEGAL RIGHTS WILL BE AFFECTED, AND YOU WILL NOT BE ABLE TO MAKE A CONTRACT OR GIFT OF YOUR MONEY OR OTHER PROPERTY. IF THE COURT FINDS THAT YOU ARE PARTIALLY INCAPACITATED, YOUR LEGAL RIGHTS WILL ALSO BE LIMITED AS DIRECTED BY THE COURT.

IF YOU DO NOT APPEAR AT THE HEARING (EITHER IN PERSON OR BY AN ATTORNEY REPRESENTING YOU) ON THE _____ DAY OF _____, 20____, THE COURT WILL STILL HOLD THE HEARING IN YOUR ABSENCE AND MAY APPOINT THE GUARDIAN REQUESTED.

BY: _____
CLERK, ORPHANS' COURT

B. Citation for Hearing Form:

A proposed Citation for Hearing which shall include a paragraph for appointment of interim counsel shall be attached to the Petition. The proposed Citation for Hearing shall be substantially in the following form:

**(CAPTION)
CITATION**

AND NOW, this _____ day of _____, 20____, upon consideration of the verified Petition which at attached hereto, a citation is hereby issued upon the Petitioner to show cause why the requested adjudication of incapacity should not be made. A hearing will be held to determine Respondent's lack of capacity on _____, the day of _____, 20____, at _____ o'clock ____ m., before the Honorable _____. The place of the hearing will be Courtroom No. _____, of the County Courthouse, _____, Pennsylvania.

The Respondent has the right to be present and have an attorney of his or her choice. Interim Counsel, _____ is hereby appointed to represent the interests of the alleged incapacitated person pending the appearance of other counsel on behalf of the Respondent.

Personal service shall be made on the alleged incapacitated person and the contents and terms of the attached Petition shall be explained to the maximum extent possible in language and terms the alleged incapacitated person is most likely to understand.

The Petitioner is ORDERED and DIRECTED to notify the Court at least seven (7) days prior to the hearing if the aforementioned counsel has not entered his/her appearance or if substitute counsel has not been retained.

At the hearing scheduled for this matter, the Court will make a determination as to responsibility for the payment of costs and counsel fees.

This Petition shall be served no less than twenty (20) days in advance of the hearing by personal service on the alleged incapacitated person and by certified mail, return receipt requested, to all persons residing within the Commonwealth of Pennsylvania who are eigh-

teen (18) years of age or older who would be entitled to share in the estate of the alleged incapacitated person in the event of death. Service shall also be made by way of certified mail, return receipt requested, to any person or institution providing residential services to the alleged incapacitated person; to any other service providers defined in the attached Petition; to any person or entity serving as attorney-in-fact for the Respondent; and upon _____.

The alleged incapacitated person shall be present at the hearing unless the Petitioner present deposition or testimony of, or a sworn statement by a physician or licensed psychologist that the alleged incapacitates physical or mental condition would be harmed by his/her presence. The alleged incapacitated person's legal counsel may also stipulate of record that the presence of the alleged incapacitated person is not necessary.

BY THE COURT:

_____, J.

C. Contents of Petition:

Each Petition for the appointment of a guardian shall be in plain language and shall include the following information:

1. The name and address of the Petitioner, along with a statement of the Petitioner's relationship, if any, to the alleged incapacitated person.
2. The name, age, and post office address of the alleged incapacitated person.
3. The names and addresses of the spouse, parents and presumptive adult heirs of the alleged incapacitated person. (Presumptive adult heirs are those individuals having attained the age of majority who would inherit the alleged incapacitated person's estate as intestate heirs, had the alleged incapacitated person deceased on the date of the filing of the Petition.)
4. The name and address of the person or institution providing professional residential services to the alleged incapacitated person.
5. The names and addresses of all other professional service providers covering the six (6) month preceding the filing of the petition.
6. Each location at which the alleged incapacitated person has resided for the preceding three (3) year period.
7. The names and addresses of each person who at any time during the preceding three (3) years is known to have administered any of the financial affairs of the alleged incapacitated person. If a power of attorney exists and is in effect, a copy of the power of attorney is to be attached to the petition as an exhibit, if available to the petitioner.
8. A Statement of whether the alleged incapacitated person is known to have a will and whether a copy of any known will is available for production at the time of hearing.
9. The name and address of the person or entity whom petitioner asks to be appointed guardian and the qualifications of the proposed guardian.
10. An averment that the proposed guardian has no adverse to the alleged incapacitated person.
11. Concise factual averments as to why the appointment of a guardian is requested, including:

- a. A description of the functional limitations and physical and mental condition of the alleged incapacitated person.
- b. The steps taken to find a less restrictive alternative.
- c. The specific areas of incapacity over which it is requested that a guardian be assigned powers.

12. If a limited or plenary guardian of the estate of the alleged incapacitated person is sought, an inventory of the assets of the alleged incapacitated person, including estimated or known values thereof, and the net income all sources to the extent known.

13. A proposed Order of Court, to be appended on top of the Petition and beneath the Form required by L.R. No. 11.01(A) above. The proposed Order is to specify the precise scope of authority requested for the guardian and the specific areas as to which the guardian will be assigned powers.

14. The form is required to be sent to the PSP repository provided by the Petitioner to the Court for the Orphan's Court clerk at or before the time of the Hearing.

D. Form of Petition for Adjudication of Incapacitated Person Petitions for adjudication of incapacity shall be substantially in the following form:

(CAPTION)

PETITION FOR APPOINTMENT OF GUARDIAN OF THE (ESTATE) AND/OR (PERSON) OF _____

1. The Petitioner is _____, residing at _____ (Street) _____, _____ (City) _____ (County) _____, _____ (State) _____, _____ (Zip Code) _____.

2. The Respondent, an alleged incapacitate person, is of _____, who is _____ years of age and who resides at _____ (Street) _____, _____ (City) _____, _____ (County) _____, _____ (State) _____, _____ (Zip Code) _____.

3. The names and address of the spouse, parents and presumptive adult heirs of the alleged incapacitated person are as follows:

Name	Relationship	Address
------	--------------	---------

4. The names and addresses of the persons or institution providing professional residential services to the alleged incapacitated person are as follows:

5. The names and addresses of all other professional serviced providers during the last six (6) months are as follows:

6. During the last three (3) years, the alleged incapacitated person has resided at the following addresses (list all addresses):

Address	Date
---------	------

7. During the last three (3) years, the following persons are known to have administered all or part of the financial affairs of the alleged incapacitated person:

Name	Address
------	---------

8. A Power of Attorney (is/is not) in effect. A copy of the Power of Attorney in effect is attached hereto and herein by reference as Exhibit A. The name and address of the acting as attorney-in-fact for the alleged incapacitated person is:

9. The alleged incapacitated person (is/is not) known to have a Will. A copy of which (will/will not) be available for production at the time of the hearing.

10. The Guardian proposed is: _____ (Name) _____, _____ (residing at) (Street) _____, _____ (City) _____,

____ (State) ____, _____ (Zip Code) _____, or (with offices located at) _____ (Street) _____, _____ (City) _____, _____ (State) _____, _____ (Zip Code) _____. The qualifications of the proposed Guardian are as follows:

11. The proposed Guardian has no interest adverse to the alleged incapacitated person.

12. Your Petitioner believes and avers that the following steps were taken in order to find a less restrictive alternative to Guardianship:

13. Your Petitioner requests that a Guardianship as assigned powers over the person (and/or) estate of the alleged incapacitated person.

14. An inventory of the known assets of the alleged incapacitated person including estimates as to values thereof and the net income or the incapacitated person from all sources is attached hereto and incorporated herein by reference as Exhibit B. (This paragraph is required for all petitions seeking powers over the estate of the alleged incapacitated person.)

15. The alleged incapacitated person has the following functional limitations and physical and mental conditions which cause (him/her) to be an incapacitated person as defined by law:

(Add subparagraphs as necessary)

16. The best interest and welfare of the alleged incapacitated person will be served by granting the Guardianship requested because: (Set forth facts showing that the granting of the Guardianship will be in the best interest and welfare of the alleged incapacitated person.)

WHEREFORE, your Petitioner request that the Court appoint _____, Guardian of the person (and/or) estate of _____.

Attorney for Petitioner

VERIFICATION

I verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities.

Signature of Petitioner

L.R. No. 11.02. Service of Petition.

A. Service on Alleged Incapacitated Person

Each Petition seeking appointment of a guardian shall be served upon the alleged incapacitated person by personal service. The contents and terms of the Petition shall be explained to the maximum extent possible in language and terms the individual is most likely to understand. A copy of the Petition shall be left with the alleged incapacitated person. Service shall be no less than twenty (20) days in advance of the scheduled hearing and shall be made by a person trained and experienced in evaluating individuals with incapacities of the type alleged in the Petition.

B. Notice to Others

In addition to service upon the alleged incapacitated person, notice of the scheduling of the hearing shall be given to the following by United States Postal Service, certified mail, return receipt requested, to the last known address of:

1. All persons residing within the Commonwealth who are sui juris and would be entitled to share in the estate of the alleged incapacitated person if he or she died intestate at that time.

2. The person or institution providing professional residential services to the alleged incapacitated person.

3. To each person known to have a Power of Attorney who at the time of the filing of the Petition was acting pursuant to the Power of Attorney on behalf of the alleged incapacitated person.

4. To such other persons as the Court shall direct.

C. Affidavit of Service Upon Alleged Incapacitated Person Form

(CAPTION)

AFFIDAVIT OF SERVICE

I, _____, an individual residing at _____, hereby verify and state as follows:

1. I am a person trained and experienced in evaluating persons of incapacities with the type alleged in the Petition filed to the above term and number.

2. On _____, 20 __, at _____ a.m., I personally served a true and correct copy of the said Petition upon the alleged incapacitated person at (state place of service) _____.

3. At the time of service of the Petition, I left a true and correct copy of the Petition with the alleged incapacitated person. In addition, I explained the contents and terms of the Petition to the maximum extent possible in language and terms the alleged incapacitated person is most likely to understand.

4. I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties if 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities.

Signature

D. Proof of Notice Form

Proof of Notice as required under these Rules shall be substantially in the following form:

(CAPTION)

PROOF OF NOTICE

I, _____, attorney for Petitioner in the above incapacity proceeding, certify that on _____, 20 __, I served Notice of the hearing scheduled in the above captioned matter seeking an adjudication of incapacity by mailing a true and correct copy of the Petition with Order for hearing appended thereto by certified mail, return receipt requested, postage prepaid, to the following persons and/or institutions at the addresses indicated below:

Name	Address
------	---------

Attached to this Proof of Notice are return receipt cards evidencing said service of Notice.

Attorney for Petitioner

L.R. No. 11.03. Responsive Pleading.

No responsive pleading shall be required to a Petition filed seeking an adjudication of incapacity. All Averments in such a Petition shall be deemed denied.

L.R. No. 11.04. Appointment of Interim Counsel.

Upon filing of a Petition seeking an adjudication of incapacity, the Court shall appoint interim counsel to represent the interests of the alleged incapacitated person in the incapacity proceedings. Such counsel shall act as legal counsel for the alleged incapacitated person in the proceeding until such time as other legal counsel shall

have entered a written appearance on behalf of the alleged incapacitated person in accordance with these Rules.

L.R. No. 11.05. Conduct of Hearing/Trial.

A. Timing of Depositions

Any Petitioner intending to present testimony by deposition of individuals qualified by training and experience in evaluating individuals with incapacities of the type alleged shall not schedule any such deposition at a date sooner than twenty (20) days following the service of the Petition upon the alleged incapacitated person.

B. Presence of Alleged Incapacitated Person

The alleged incapacitated person shall be present at the hearing unless:

1. The Court is satisfied, upon deposition or testimony of, or sworn statement by a physician or licensed psychologist, that the physical or mental condition of the alleged incapacitated person would be harmed by his/her presence and further that such person is unable to appreciate the subject matter of the Petition and nature of the proceeding seeking an adjudication of incapacity; or

2. It is impossible for the alleged incapacitated person to be present because of his/her earlier absence from the Commonwealth.

C. Request for Hearing at Residence

A request for the hearing to be held at the residence of the alleged incapacitated person shall be presented to the Court by Motion no later than ten (10) days prior to the schedule date of the hearing. Such Motion shall set forth the basis upon which the location of the hearing shall be changed. Included in the Motion shall be the consent of all persons or entities to whom notice of the hearing shall have been given. If consent cannot be obtained because a person or entity objects to the change of location or for some other valid reason such as lack of capacity, the Moving Party shall note in the Motion that such consent could not be obtained and specify the reason therefore. Notice of the filing of the Motion shall be given to the alleged incapacitated person and to all persons and entities who received notice of the scheduling of the hearing.

D. Notification Regarding Counsel

The Petitioner shall notify the Court at least seven (7) days prior to the hearing if counsel has not been retained by or on behalf of the alleged incapacitated person. If counsel has been retained for the alleged incapacitated person, counsel shall enter a written appearance no later than seven (7) days prior to the scheduled hearing. In appropriate cases, the Court shall appoint counsel to represent the alleged incapacitated person in any matter for which counsel has not been retained by or on behalf of that individual. At the time of the hearing, the Court shall determine that alleged incapacitated person's ability to pay for counsel. If the Court finds such person is unable to make such payment, the costs of appointment of counsel shall be paid by the County.

E. Closure of Hearing; Non-Jury Nature

The hearing shall be closed to the public unless the alleged incapacitated person or his counsel objects. The hearing shall be without a jury unless written request for a jury trial is filed no later than twenty (20) days following service of the Petition upon the alleged incapacitated person.

L.R. No. 11.06. Evidentiary Standard.

No person shall be found to be incapacitated in the absence of the presentation of clear and convincing evidence.

L.R. No. 11.07. Grounds for Dismissal.

If the Court determines that the proceeding has not been instituted to aid or benefit the alleged incapacitated person, or that the Petition is incomplete or fails to provide sufficient facts to proceed, the proceeding may be dismissed.

L.R. No. 11.08. Production of Will.

The alleged incapacitated person's last known Will shall be produced by the Petitioner at the time of the hearing, if the same is available. In the event that the Court makes a determination of incapacity, the Court shall receive a copy of said Will and direct that the same be made part of the record under seal of the Court, unless the Court finds in its discretion that the nature of the incapacity does not warrant incorporation of a copy of the Will into the record. The Court may further order a guardian to present a copy of any Will of a person adjudicated incapacitated if located subsequent to the hearing, regardless of whether such Will predates or postdates a Will previously made part of the record.

L.R. No. 11.09. Submission of Proposed Findings of Fact.

On the date of the scheduled guardianship hearing, counsel for each party participating herein shall present to the Court proposed specific findings of fact concerning:

A. The nature of any condition or disability which impairs the individual's capacity to make and communicate decisions.

B. The extent of the individual's capacity to make and communicate decisions.

C. The need for guardianship services, if any, in light of such facts as the availability of family, friends, and other supports to assist the individual in making decisions, and in light of the existence, if any, of advance directives such as durable powers of attorney or trusts.

D. The type of guardian, limited or plenary, of the person or estate, needed based on the nature of any condition or disability and the capacity to make and communicate decisions.

E. The proposed duration of the guardianship.

L.R. No. 11.10. Presentation of Proposed Final Order.

Counsel for the Petitioner shall prepare and present a proposed final Order to the Court at the time of the guardianship hearing.

L.R. No. 11.11. Notices of Post-Trial Rights.

At the conclusion of a proceeding in which the person has been adjudicated incapacitated, the court shall inform the person of his right to appeal and to petition to modify or terminate the guardianship. A review hearing may be set at such time in the discretion of the Court.

L.R. No. 11.12. Production of Will Following Hearing.

Following an adjudication of incapacity in which the Court shall have ordered the production of any Will of the incapacitated person, upon locating any Will of the incapacitated person, the guardian shall present a Motion directly to the Court requesting that copies of such Will

or Wills be made a part of the record under seal. Such Motion shall contain an Order directing the filing of the copy or copies of the incapacitated person's Will as part of the record under seal of the court.

L.R. No. 11.13. Proceedings for Emergency Guardianship Form.

A. Proceedings for appointment of an emergency guardian shall be conducted in accordance with 20 Pa.C.S.A. § 5513. A Petition for the appointment of an emergency guardian is expected to be in substantially the form provided under these Rules. To the extent that compliance is not possible, the Petitioner shall aver the reason for the noncompliance, such as the lack of opportunity to ascertain the required information. In addition, the Petitioner shall aver in concise and summary form those factual averments upon which Petitioner relies in requesting the appointment of an emergency guardian.

B. Service of Petition and Citation

The Petition and Citation seeking the appointment of an emergency guardian shall be served upon the alleged incapacitated person promptly and so as to facilitate the opportunity for the incapacitated person promptly and so as to facilitate the opportunity for the incapacitated person to appear at the hearing on the Petition. In addition, notice of the proceeding to be given to such other persons as required under these Rules or in such other manner as the Court shall direct, unless the Court shall determine such notice is not feasible in the circumstances.

CRIMINAL PROCEDURE

L.R. No. 12.01. Criminal Procedure—Scope.

These Rules supplement the Pennsylvania Rules of Criminal Procedure and are applicable to all criminal proceedings within the 26th Judicial District. In the event of conflict between these rules and the Pennsylvania Rules of Criminal Procedure or any applicable statute, such Rule or statute shall prevail over these Rules. These Rules are intended to apply in matters where the statute or the Pennsylvania Rules of Criminal Procedure are silent. The numbering of these Rules is intended, so far as possible, to relate to the subject matter of relevant Pennsylvania Rules of Criminal Procedure.

L.R. No. 12.02. Filing and Service.

A. All Petitions, Motions, or other Applications seeking relief from the Court shall be in writing and shall be filed with the Clerk of Court of the respective Court where trial will be or was held. Any such documents requiring immediate attention shall be forwarded directly to the appropriate Court Administrator by the attorney filing such papers.

B. Service shall be the responsibility of the Moving Party, and shall be in accordance with applicable law and L.R. No. 1.17 and other special instructions as directed by the Court.

L.R. No. 12.03. Notice to Defendants.

At the time of Preliminary Arraignment (in cases where an Arrest Warrant is issued) or at the time a Summons is served upon the defendant (in cases where a Summons is issued) the issuing authority shall give the following Notice to the defendant:

NOTICE

To protect your legal rights, it is important that you promptly obtain an attorney to represent you at the preliminary hearing and any other proceedings in this

case. If you believe that you cannot afford an attorney, you may qualify for representation by the Public Defender's Office. To apply for representation, you should contact the following as soon as possible:

(Name, address and phone number of the appropriate Public Defender's Office to be inserted here.)

L.R. No. 12.04. Briefs and Argument.

A. Briefs shall be filed in such form and such manner as provided at L.R. No. 3.02J.

B. Argument shall be scheduled and conducted in such manner as provided at L.R. No. 3.02.

C. Failure to comply with the applicable Rules regarding argument and Briefs may be considered by the Court to be a withdrawal of the matter by the Moving Party or a withdrawal of the opposition of the Respondent, as the case may be. The Court may also, in its discretion, consider the matter upon the Brief and argument of the non-defaulting party, grant a continuance upon Motion of the non-defaulting party, or impose any sanctions the Court may deem appropriate.

L.R. No. 12.05. Supervision Fee.

A. Pursuant to 71 P.S. § 180-7.20, a monthly supervision fee in an amount as established by Order of Court shall be imposed as a condition of supervision on any offender placed on probation, parole, accelerated rehabilitative disposition, probation without verdict, or intermediate punishment.

B. The offender may request that the Court reduce, waive, or defer the fee upon showing the offender meets one of the factors as provided in 71 P.S. § 180-7.20(a).

L.R. No. 12.06. Petition for Parole, Furlough, or Work Release.

All Petitions for parole, furlough, or work release shall designate as part of the caption the name of the sentencing judge from whose sentence parole, furlough, or work release is requested.

L.R. No. 12.07. Continuances.

Request for continuances in any criminal case shall be as provided by L.R. No. 1.12.

L.R. No. 12.328. Broadcasting in the Courtroom and Its Environs.

A. Montour County

The entire second floor of the Montour County Courthouse is defined as "the courtroom or its environs." The taking of photographs or video or audio recordings or radio or television recording or broadcasting is prohibited on the said second floor during the progress of or in connection with any judicial proceedings.

B. Columbia County

The entire second floor of the Columbia County Courthouse is defined as "the courtroom or its environs." The taking of photographs or video or audio recordings or radio or television recording or broadcasting is prohibited on the said second floor during the progress of or in connection with any judicial proceedings.

L.R. No. 12.140. Post-Verdict Procedures.

A. Trial counsel shall continue to have an obligation to represent the Defendant through sentencing and post sentence motion unless permission for leave to withdraw as counsel has been granted by the Court. Trial counsel

shall also be required to brief and argue any post sentence motions (if the Court directs briefing and argument), unless succeeding counsel has entered an appearance or permission to withdraw has been granted by the Court.

B. No transcriptions of the record shall be made prior to argument on post sentence except upon petition by a party, approved by the Court.

L.R. No. 12.4006. Types of Bail.

A. *10% Cash Bail*

The Court or issuing authority may allow a sum of money, equal to ten percent (10%) of the bail fixed, to be deposited with the respective Clerk of Court of the County where trial will be held. When so allowed, the Court of issuing authority shall direct the Defendant to be responsible for the balance, and may in its discretion, require another person to also become a surety for the balance of the Defendant who is not a resident of the 26th Judicial District. Such additional surety may or may not be an individual residing with the 26th Judicial District, so long as the Court or issuing authority is satisfied that such individual is an appropriate surety.

B. *Real Estate*

Real estate shall not be accepted as surety for bail unless accompanied by:

1. A certification by an attorney licensed to practice in this Commonwealth stating the ownership of the real estate so offered and all liens against the same; and

2. An appraisal or opinion letter (at the discretion of the Court or issuing authority) of the real estate made within thirty (30) days of the bail motion by a license real estate broker or appraiser; and

3. All record owners of the real estate must execute the appropriate surety documents.

C. *Administrative Fees*

In all court cases, a non-refundable administrative fee of twenty-five dollars (\$25.00) shall be paid to the issuing authority or the Clerk of Court of the respective county where trial will be held at the time the bail bond is executed. In all court cases where the Defendant has been released on bail, the administrative fee shall be transmitted to the appropriate Clerk of Court with the transcript of the proceedings before the District Justice. The administrative fee shall be considered as earned at the time of bail undertaking is executed.

D. *Non-Appearance Before District Justice*

In all cases where there has been a non-appearance before a District Justice and a bail bond has been executed, the bail bond and the twenty-five dollar (\$25.00) administrative fee shall be immediately transmitted to the appropriate Clerk of Court along with a written statement of the details concerning the Defendant's non-appearance.

E. *Discharge*

When the conditions of a bail bond have been performed and the Defendant has made all required appearance in the case, The Clerk of Court shall return to the person posting bail, unless the Court orders otherwise, the entire amount of the cash bail deposited, less any administrative costs. In the event a Judgment has been entered on any bail bond, upon receiving an Order that the Defendant has been discharged from all obligations, the Clerk of Court shall mark the Judgment satisfied on

the record. The Clerk may require payment of the appropriate filing and satisfaction fees before marking the Judgment satisfied.

[Pa.B. Doc. No. 14-2178. Filed for public inspection October 24, 2014, 9:00 a.m.]

MERCER COUNTY

Administrative Order; No. 4 AD 2014

And Now, this 25th day of September, 2014, The Court Hereby Approves, Adopts and Promulgates Mercer County Administrative Order # 4, effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*, pursuant to Rule 103(c) of the Pennsylvania Rules of Judicial Procedure, and Rule 105 of the Pennsylvania Rules of Criminal Procedure.

It is further *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy each of these orders with the Administrative Office of Pennsylvania Courts, furnish two (2) certified copies each to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and file one certified copy with the Criminal Procedural Rules Committee.

It is further *Ordered and Directed* that Administrative Orders shall be kept continuously available for public inspection and copying in the Offices of the Clerk of Court and Prothonotary of Mercer County. Upon request and payment of reasonable costs of reproduction and mailing, these offices shall furnish to any person a copy of these Administrative Orders. This order shall be published in the *Mercer County Law Journal*.

By the Court

THOMAS R. DOBSON,
President Judge

Administrative Order #4 AD 2014

And Now, this 22nd day of September, 2014, *It Is Hereby Ordered* that an automation fee of \$5.00 shall be assessed by the Clerk of Courts to all cases referred by the Domestic Violence Program to the Cost Coordinator for collection.

By the Court

THOMAS R. DOBSON,
President Judge

[Pa.B. Doc. No. 14-2179. Filed for public inspection October 24, 2014, 9:00 a.m.]

MERCER COUNTY

Local Rules of Court; No. 5 AD 2014

And Now, this 25th day of September, 2014, The Court Hereby Approves, Adopts and Promulgates these amendments to Mercer County Local Rule of Criminal Procedure L-571. Said amendments shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*, pursuant to Rule 103(c) of the Pennsylvania Rules of Judicial Procedure, and Rule 105 of the Pennsylvania Rules of Criminal Procedure.

It is further *Ordered and Directed* that the Court Administrator of Mercer County shall file one (1) certified copy of this order and amendments with the Administra-

tive Office of Pennsylvania Courts, furnish two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, and file one certified copy with the Criminal Procedural Rules Committee.

It is further *Ordered and Directed* that Local Rules shall be kept continuously available for public inspection and copying in the Offices of the Prothonotary of Mercer County. Upon request and payment of reasonable costs of reproduction and mailing, these offices shall furnish to any person a copy of these Local Rules. These amendments shall be published in the *Mercer County Law Journal*.

By the Court

THOMAS R. DOBSON,
President Judge

Rule L-571. Arraignments.

Amendment:

(a) A defendant who is charged with crimes that do not include Driving Under the Influence shall be arraigned in Common Pleas Court on the Tuesday of the eighth week following that defendant's preliminary hearing by the Magisterial District Judge.

A defendant who is charged with at least one count of Driving Under the Influence shall be arraigned in Common Pleas Court on Tuesday of the twelfth week following the defendant's preliminary hearing by the Magisterial District Judge.

If no Common Pleas Arraignment Court is scheduled for said Tuesday, a defendant's arraignment shall take place on the next scheduled Arraignment Court.

New section to be added:

(h) ARD hearings for all eligible defendants charged with at least one count of Driving Under the Influence shall be held immediately following their arraignment. The District Attorney of Mercer County shall, at the time of arraignment, notify each defendant whether he/she is or is not eligible for admission into the ARD Program.

[Pa.B. Doc. No. 14-2180. Filed for public inspection October 24, 2014, 9:00 a.m.]

SCHUYLKILL COUNTY

Amend Rule of Civil Procedure 1303(c) Arbitration Hearing, Notice and Continuances; S1985-14

Order of Court

And Now, this 13th day of October, 2014, at 11:50 a.m., Schuylkill County Rule of Civil Procedure No. 1303(c), is amended for use in the Court of Common Pleas of Schuylkill County, Pennsylvania, Twenty-First Judicial District, Commonwealth of Pennsylvania, effective thirty days after publication in the *Pennsylvania Bulletin*.

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

1) File seven (7) certified copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts.

2) Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Forward one (1) certified copy of this Order and Rule with the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

4) Forward one (1) copy to the Law Library of Schuylkill County for publication in the *Schuylkill Legal Record*.

5) Copies shall be kept continuously available for public inspection in the Office of the Schuylkill County Prothonotary and the Schuylkill County Law Library.

It is further *Ordered* that said rule as it existed prior to the amendment is hereby repealed and annulled on the effective date of said rule as amended, but no right acquired thereunder shall be disturbed.

By the Court

WILLIAM E. BALDWIN,
President Judge

SCHUYLKILL COUNTY RULE OF CIVIL PROCEDURE

Rule 1303(c).

(c) Within 10 days of the notice of the arbitration hearing, any opposing party or opposing counsel shall submit a written report to the Court Administrator listing the names of their witnesses who will be used at the hearing and an estimate of the time required to present their case.

ONLY THOSE WITNESSES LISTED BY THE PARTIES, AND REPORTED AS REQUIRED IN THIS RULE, WILL BE PERMITTED TO TESTIFY AT THE ARBITRATION HEARING, UNLESS THE COURT DIRECTS OTHERWISE.

ANY PARTY THAT DOES NOT TIMELY PROVIDE THE ESTIMATE OF THE TIME REQUIRED TO PRESENT THEIR CASE MAY, IN THE DISCRETION OF THE BOARD OF ARBITRATION, BE LIMITED TO 30 MINUTES TO PRESENT THEIR CASE.

[Pa.B. Doc. No. 14-2181. Filed for public inspection October 24, 2014, 9:00 a.m.]

WESTMORELAND COUNTY

Rules W1301, W1303 and W1312; No. 3 of 2014

And Now this 18th day of September, 2014, it is *Hereby Ordered* that Westmoreland County Rules of Civil Procedure W1301, W1303 and W1312 are rescinded, and new Rules W1301, W1303 and W1312 are adopted effective January 1, 2015.

By the Court

RICHARD E. McCORMICK, Jr.,
President Judge

Rule W1301. Cases for Submission to Arbitration.

(a) All civil cases including Landlord/Tenant and Relplevin actions, wherein the amount in controversy at issue (exclusive of interest and costs) is \$30,000 or less, shall be heard and decided by a board of arbitration consisting of three members of the bar. Cases involving title to real estate or actions in equity are excluded from arbitration.

(b) The prothonotary shall, at the time the complaint is filed, assign a trial judge.

(c) *Complaint*

1) Every Complaint filed in Compulsory Arbitration, whether filed by a plaintiff against a defendant or by a defendant against an additional defendant, shall contain, in addition to the Notice to Defend required by Pa.R.C.P. 1018.1, a Notice of Duty to Appear at Arbitration Hearing immediately following the Notice to Defend which shall be in the form provided in Westmoreland County Rule of civil Procedure 1303(b).

2) The plaintiff shall, at the time of filing a case subject to arbitration, provide the court administrator a copy of the State Cover Sheet Complaint. The party who files an appeal of a magisterial district judge's decision shall, at the time of filing the Notice of Appeal, provide the court administrator a copy of the Notice of Appeal. Any party filing a reinstatement of any case subject to arbitration as provided in subsection (a), shall, at the time of filing the Reinstatement, serve a copy of the Reinstatement on the court administrator.

(d) Landlord/Tenant appeals shall be automatically scheduled by the court administrator upon receipt of the Cover Sheet. Parties to all other arbitration-eligible cases must file a Certificate of readiness.

(e) The court, on its own motion or on motion of either party, may by depositions, settlement conference, hearing or otherwise, determine that the amount actually in controversy does not exceed \$30,000 (exclusive of interest and costs) and enter an order referring the case to arbitration.

Note: See W1312 for form, amount, and subject matter of awards.

Rule W1303. Hearing.

(a) With the exception of Landlord/Tenant appeals, which will be scheduled on the first available date following 60 days from filing of the Complaint, the court administrator shall schedule the case for arbitration upon receipt of a Certificate of Readiness.

(b) The court administrator shall, 30 days prior to the arbitration date, provide notice of the hearing date to the parties. The Notice shall, pursuant to Pa.R.C.P. 1303(a)(2), contain the following:

Notice of Duty to Appear at Arbitration Hearing

This matter will be heard by a board of arbitrators at the time, date and place specified but, if one or more of the parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party

or parties. There is no right to a trial de novo on appeal from a decision entered by a judge.

Note: This local rule results in the loss of the right to a trial de novo on appeal. A dismissal or judgment which results from this local rule will be treated as any other final judgment in a civil action, subject to Pa.R.C.P. 227.1.

(c) A party must notify the court administrator in advance of scheduling in the event that party believes it will need more than forty-five minutes to present its case.

(d) The court shall promulgate rules of procedure and rules of conduct to be followed by various boards of arbitration. These rules shall be available through the court administrator.

(e) All requests for continuance shall be submitted on a form available through the court administrator. The court administrator may grant a maximum of two continuances provided there is no objection. Any additional continuances must be approved by the assigned judge.

Rule W1312. Award.

(a) The oath or affirmation shall be administered by the court administrator.

(b) The Report and Award shall be in the form set forth in Pa.R.C.P. 1312.

(c) Arbitrators may not award punitive damages.

(d) Arbitrators may award costs.

(e) Arbitrators may award possession in Landlord/Tenant matters.

(f) Arbitrators may award possession and monetary value of the property or special damages sustained in a replevin action.

(g) Monetary awards shall not exceed the jurisdictional limit of \$30,000 exclusive of interest and costs.

Note: A copy of the Form of Oath, Award and Notice of Entry of Award form is provided in the Forms section of the Westmoreland County Rules of Court.

Note: With regard to recovery of costs, see *Mancini v. Southwestern Pennsylvania Transportation Authority*, 756 A.2d 108, 110 (Pa. Cmwlth. 2000) and *Sillings v. Protected Home Mutual Life Ins. Co.* 84 W.L.J. 7 (2001).

Note: See: *Zelenak v. Mikula*, 911 A.2d 542 (Pa. Super. 2006) as to what is included in record costs.

Note: See: Comment to Pa.R.C.P. 1301 for awarding possession and damages in replevin cases.

[Pa.B. Doc. No. 14-2182. Filed for public inspection October 24, 2014, 9:00 a.m.]

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PHILADELPHIA PARKING AUTHORITY

[52 PA. CODE CHS. 1017 AND 1019]

Taxicab Safety Cameras

The Philadelphia Parking Authority (Authority), on June 12, 2014, adopted the final-form rulemaking order to provide for the use of safety cameras in Philadelphia taxicabs.

*Philadelphia Taxicab and Limousine Regulations;
Safety Cameras; Doc. No. 126-8*

Final Rulemaking Order

By the Authority:

The Authority is the sole regulator of all taxicab and limousine service in Philadelphia.¹ In furtherance of those regulatory functions, the Authority issued a proposed regulation at this docket number on November 25, 2013. The initial public comment period for this rulemaking proceeding concluded on April 7, 2014, the Independent Regulatory Review Commission (“IRRC”) submitted its comments on May 7, 2014. The Authority has completed its review of the comments and now issues the final-form regulation.

Purpose of the Final-Form Regulation

It has been widely recommended to the Authority on several occasions, including public comment hearings related to driver safety issues, that safety cameras be placed in all taxicabs in Philadelphia. The cameras will deter crimes and other bad acts in taxicabs by increasing the likelihood that perpetrators will be apprehended with the assistance of the photographic evidence produced by the cameras.

Discussion

The Authority has reviewed all of the comments filed under this docket and responds as set forth below.

§ 1017.5. *Basic vehicle standards.*

This section is amended to remove reference to section 5714(b) of the act from paragraph (12). Act 119 removed specific reference to a shield from that section of the act, but granted the Authority the power to select safety devices, this change will make the regulation consistent. Paragraph (26) is added to require safety cameras among the other basic vehicle standards.

Subchapter G. Safety Cameras

§ 1017.71. *Taxicab safety cameras.*

This section will provide owners with 120 days from the effective date of the regulation to present their taxicabs to the Authority for inspection with an approved and installed safety camera system. The regulation provides guidelines related to the initial inspection, sealing and posting of notices necessary to place the camera systems in operation.

Subsection (b)(3)(iii) has been amended to clarify that the Enforcement Department will post notice of the presence of the safety cameras on the interior and exterior of the vehicle. Section 1017.77(b) has also been

amended to clarify that these notices must be affixed to both the exterior and interior of the taxicab.

§ 1017.72. *Safety camera system testing.*

This section provides that camera systems inspections may be conducted by scheduling or in the field and may include the operation of the taxicab with an inspector present.

§ 1017.73. *Approved safety camera system.*

This section provides that the Authority will maintain a list of already approved safety camera systems on its website, as with meter systems in § 1017.23 (relating to approved meters).

§ 1017.74. *Safety camera requirements.*

This section will provide minimum components of what a safety camera system must include. Commentator Black Point Taxi, LLC, et al. (“BPT”) questioned the constitutionality of using safety cameras in taxicabs. IRRC asked that the Authority address this issue. BPT cites several cases related to unreasonable search and seizure, some including taxicabs.

We agree that the Fourth Amendment does not stop at a taxicab’s back door. However, the open and obvious photographing of a passenger in a government licensed taxicab that is open to public use on a public roadway is simply not an “unreasonable” search. Indeed, the first case cited by BPT, *Katz v. U.S.*, actually supports this position when it provides: “What a person knowingly exposes to the public, even in his own home or office, is not a subject of Fourth Amendment protection.”² The United States Supreme Court has specifically found that a person does not have a reasonable expectation of privacy from aerial surveillance even within his fenced-in backyard, because the yard can be seen from the air.³

BPT cites a series of inapplicable criminal cases. Each of those cases involved the surreptitious surveillance of individuals by law enforcement or trespass upon private property by law enforcement engaged in the inspection of individuals’ bags or other possessions. A search within the meaning of the Fourth Amendment of the U.S. Constitution “occurs when an expectation of privacy that society is prepared to consider reasonable is infringed.”⁴ In *Hassan* the court determined that private financial data collected through the mandated New York City taxicab meter system did not constitute an unreasonable search. Similarly, the Courts in Pennsylvania have found as follows:

“[a] person has a constitutionally-protected expectation of privacy in cases where: (1) the person has exhibited an actual (subjective) expectation of privacy; and (2) society is prepared to recognize the expectation of privacy as reasonable.”⁵

The taxicab passenger cannot demand that the driver not listen to the passenger’s conversation. A taxicab passenger cannot demand that a driver not look at the passenger. The taxicab passenger cannot demand that the world, including the government, avert its gaze while the person hails or enters a taxicab on a public street, while riding in the taxicab on a public roadway or upon exiting

² 389 U.S. 347, 351 (1967).

³ *California v. Ciraolo*, 476 U.S. 207 (1986).

⁴ *Hassan El-Nahal v. David Yassky et al* 2014 U.S. Dist. Lexis 13522 (U.S.N.Y. January 29, 2014), quoting, *Maryland v. Macon*, 472 U.S. 463, 469, 105 S. Ct. 2778, 86 L. Ed. 2d 370 (1985).

⁵ *Commonwealth v. Duncan*, 817 A.2d 455, 463 (Pa. 2003).

¹ The act of July 16, 2004, (P.L. 758, No. 94), 53 Pa.C.S. §§ 5701 et seq., as amended, (the “act”).

the taxicab. The taxicab passenger does not own the vehicle and cannot demand to be left alone in the vehicle. A taxicab passenger simply has no reasonable expectation of privacy as to his or her mere presence in a taxicab.

The final-form regulation requires notice of the presence of the safety cameras on both the exterior and interior of the taxicab. The regulation prohibits audio recordings. The images recorded will not penetrate bags or physically impact passengers at all. A potential taxicab passenger who declines taxicab service to avoid taxicab safety cameras will walk down a city street lined with public and private surveillance cameras and may board a SEPTA bus or train that likely employs these safety cameras as well. Cameras of this nature are now ubiquitous in society. Despite the presence of these safety cameras in taxicabs throughout the United States over the last 10 years, BPT is unable to identify a single case finding safety cameras to represent a violation of anyone's expectation of privacy or the Fourth Amendment.⁶

The final-form regulation merely provides for the recording of images in the public domain and does not violate any constitutional protections.

(b). This subsection requires the safety cameras to operate through the taxicab's meter system. Taxi Workers Alliance of Pennsylvania ("TWA") commented that this requirement would create some special privilege among medallion owners. IRRC asked that the Authority respond to this point.

We disagree with TWA on this issue. The meter system providers will be obligated through the Authority's system requirements to accept any conforming safety camera system. Also, neither this final-form regulation nor the existing regulations mandate the use of a particular meter system or camera system. While different medallion owners may prefer different meter systems, we do not see how this regulation has any connection to that issue.

The meter systems are a means through which the camera's images can be transmitted, time stamped, and juxtaposed with payment and GPS related information. The interaction between the cameras system and the existing communication and identification components of the meter system act as force multipliers in terms of enhanced safety for taxicab drivers and the public and reduces operational costs that may be generated from the duplication of functions.

IRRC requested additional information about the distress button presently used in taxicab meter systems. IRRC also noted the comments of TWA expressing a preference for communications emanating from the distress button to be directed to the Philadelphia Police Department. The Authority cannot require the Police Department to accept these communications. The City's standard 911 dispatch procedures mandate the use of an intermediary when communicating an emergency alarm to a "911" operator. This applies to home alarms, bank alarms, etc. That is why the taxicab distress signal goes to the dispatcher. The dispatcher has immediate access to the GPS location of the taxicab at the time the distress button is activated and will often have contemporaneous trip information.

⁶ BPT notes the opinion of a Deputy Attorney General in Nevada regarding a taxicab passenger's expectation of privacy. The opinion is nearly 10 years old and involves the analysis of the law as applied in Nevada. We disagree with the reasoning of that opinion (which ultimately did find the use of certain cameras to be constitutionally appropriate) because it presumes that a passenger's mere presence in a public place is protected. We certainly agree that a taxicab passenger is free from an unreasonable search of a handbag or wallet by the police, but the mere monitoring of the person's presence in this public place cannot rise to the level of an unreasonable search.

IRRC requested information regarding the manner in which dispatchers communicate information related to a taxicab distress signal to 911. The regulations require each dispatcher to "receive and respond to emergency or distress alerts received from taxicab drivers 24 hours a day, 7 days a week." § 1019.8 (13). Dispatchers can see the GPS location of the taxicab and will have the most recent dispatch information related to each taxicab. The Authority's dispatcher protocols require all dispatchers to immediately communicate the occurrence of a distress button activation to the Philadelphia Police Department. On at least at bi-annual basis the Authority audits each dispatcher's adherence to this requirement.

IRRC asked how the regulation sufficiently protects the driver in distress. The cameras will forward real time photographs from the taxicab at the time the distress button is pushed, which will help the dispatcher assess the emergency. But the value of this regulation is in the investigatory information it will provide to law enforcement officials. This is similar to cameras used in banks or on busses. We believe the increased likelihood of capture will dissuade bad behavior, including crimes.

(c). Subsection (c) requires the camera system to be in operation while the vehicle's engine is turned on and has been amended to also require that the camera system remain active for a minimum of 1 hour after the engine is turned off. Otherwise, the purpose of the cameras could be evaded during the driver's breaks or whenever the vehicle's engine is turned off. The camera system will simply make recordings at slower intervals when the engine is disengaged, unless one of the triggering events to accelerate the rate of interval recordings occurs.

(e). This subsection has been amended to clarify that streaming video recording is not required. Instead, sequenced or timed recordings will be employed. The camera systems will be in operation as required in subsection (d), but will not record images except at designated intervals and upon the occurrence of triggering events such as those identified in this subsection.

(f). This subsection identifies functional requirements of the safety camera system. IRRC noted the comment of BPT regarding the proposed requirement to record the entire interior of the taxicab, particularly in conjunction with the existing safety shields. The safety shields are clear and will not pose a problem in terms of recording images of the faces of people in the passenger compartment of a taxicab, particularly if positioned properly. Safety cameras systems also include the option to have a camera imbedded directly in the safety shield.

We understand the commentator's concern about the clarity of the proposed regulation in terms of the field of vision to be captured by the cameras. We have amended the regulation to specifically require that the images capture the faces of the driver and all passengers, which is a much more specific requirement that language originally proposed. Also, the obligation to record the exterior of the taxicab has been removed in order to address this issue. The images captured will include information such as the date and time of the recording, the taxicab number and the camera system's unique serial number for recall and authentication purposes.

(g). This subsection has been amended to eliminate the requirement that the camera system transmit recorded data to the Authority and parties designated by the Authority. The regulation is not intended to provide constant real-time monitoring of all taxicabs. Therefore, the regulation has been amended to require the use of a

data storage unit in each taxicab system. The data storage unit must be securely fastened to the vehicle in a place that is out of sight of passengers. This data storage unit is a standard component of every taxicab safety camera systems reviewed by the Authority and those currently in place in other cities in the United States. Upon the triggering of the distress button, the images will be transmitted immediately and wirelessly to the Authority's Taxicab and Limousine Division and the taxicab's dispatcher, as provided in subsection (h).

§ 1017.75. *One safety camera system.*

Section 1017.75 limits each taxicab to only one safety camera system for ease of monitoring and general simplicity purposes. While an owner can switch between approved systems at their own discretion, they may only use one approved system at a time that is inspected by the Authority prior to operation.

§ 1017.76. *Certificate holder responsible.*

Section 1017.16 requires the taxicab's owner to make certain that the safety camera system works each day. This standard already applies to each taxicab's overall functionality. The owner may assign a representative to confirm that the safety camera system is functioning, which is important because some certificate holders do not reside in the Philadelphia area and use business managers to supervise certain aspects of taxicab operations.

§ 1017.77. *Public notice.*

Each taxicab must display a notice of the presence of the system on the exterior and interior of the taxicab. Subsection (b) has been amended as identified above in Section 1017.71.

§ 1019.8. *Dispatcher requirements.*

Paragraph (17) provides that dispatchers must be equipped with the necessary equipment to support the safety camera system.

Affected Parties

The regulation will affect all taxicab owners by requiring the installation and operation of a safety camera system and all dispatchers by requiring the maintenance of equipment capable of interfacing with the cameras systems.

Fiscal Impact

The primary fiscal impact of the regulation will be made upon taxicab owners. However, when the cost of the safety camera equipment is extrapolated over the life span of the equipment the costs in comparison to the value of the taxicab operation and the safety of the driver and the public is small. Dispatchers will also be impacted fiscally to the extent that any modifications to existing communication devices may be necessary to support compatibility between the dispatcher system and the safety cameras system. However, we anticipate that the ability of the existing meters systems to communicate with the safety camera systems will eliminate costs increases. Also, dispatchers often mandate the use of certain equipment as a requirement of joining the dispatch association. The Authority anticipates that dispatchers will opt for one approved camera system, mandate compliance by associated taxicab owners and experience a savings through the economy of scale.

Commonwealth

The Authority does not anticipate any increase in regulatory demands associated with this regulation. The

inspection of the safety camera systems will be absorbed into the standard bi-annual inspection process.

Political subdivisions, private sector, general public

This final-form rulemaking will not have a direct fiscal impact on political subdivisions, the private sector or the general public except as previously provided.

Paperwork Requirements

This final-form rulemaking will not affect the paperwork generated by the Authority or the regulated communities.

Effective Date and Conclusion

The final-form rulemaking will become effective upon publication in the *Pennsylvania Bulletin*. Accordingly, under sections 13 and 17 of the Act (53 Pa.C.S. §§ 5722 and 5742); section 5505(d)(17), (23) and (24) of the Parking Authorities Act, act of June 19, 2001, (P. L. 287, No. 22) (53 Pa.C.S. § 5505(d)(17), (23) and (24)); sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P. S. § 732.204(b)); section 745.5 of the Regulatory Review Act (71 P. S. § 745.5); and section 612 of The Administrative Code of 1929 (71 P. S. § 232) and the regulations promulgated at 4 Pa. Code §§ 7.231—7.234, the Authority proposes adoption of the final regulations set forth in Annex A; *Therefore,*

It Is Ordered That:

1. The regulations of the Authority, 52 Pa. Code Chapters 1017 and 1019, are amended by adding §§ 1017.71—1017.77 and amending §§ 1017.5 and 1019.8 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.
2. The Executive Director shall cause this order and Annex A to be submitted to the Office of Attorney General for approval as to legality.
3. The Executive Director shall cause this order and Annex A to be submitted for review by the designated standing committees of both Houses of the General Assembly, and for formal review by the Independent Regulatory Review Commission.
4. The Executive Director shall cause this order and Annex A to be submitted for review by the Governor's Budget Office for review of fiscal impact.
5. The Executive Director shall cause this order and Annex A to be deposited with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
6. The Executive Director shall serve copies of this order and Annex A upon each of the commentators and take all other actions necessary to successfully complete the promulgation of this regulation.
7. The regulations embodied in Annex A shall become effective upon publication in the *Pennsylvania Bulletin*.
8. The contact person for this rulemaking is James R. Ney, Director, Taxicab and Limousine Division, (215) 683-9417.

VINCENT J. FENERTY, Jr.,
Executive Director

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 5420 (August 9, 2014).)

Fiscal Note: 126-8. (1) Philadelphia Taxicab and Limousine Regulatory Fund; (2) Implementing Year 2014-15 is \$44,712; (3) 1st Succeeding Year 2015-16 through 5th Succeeding Year 2019-20 are \$650; (4) none; this is a new program; (7) Philadelphia Parking Authority; (8) recommends adoption.

Annex A

TITLE 52. PUBLIC UTILITIES

PART II. PHILADELPHIA PARKING AUTHORITY

Subpart B. TAXICABS

CHAPTER 1017. VEHICLE AND EQUIPMENT REQUIREMENTS

Subchapter A. GENERAL PROVISIONS

§ 1017.5. Basic vehicle standards.

* * * * *

(b) *Standard taxicab vehicle requirements.* Each taxicab is subject to the following requirements:

* * * * *

(12) A taxicab must be equipped with a protective shield which separates the front seat from the back seat and bears the manufacturer's name. The protective shield must meet the following minimum requirements:

* * * * *

(25) The Authority may require the installation of a separate heating and air conditioning system in a taxicab if necessary to comply with paragraph (19).

(26) A taxicab must be equipped with a safety camera system approved for use as provided in § 1017.71 (relating to taxicab safety cameras).

(c) *Interstate travel.* No requirement of this subpart or any Authority regulation may be interpreted to disrupt or interfere with interstate commerce exclusively regulated by or preempted by the government of the United States.

* * * * *

Subchapter G. SAFETY CAMERAS

Sec.

- 1017.71. Taxicab safety cameras.
- 1017.72. Safety camera system testing.
- 1017.73. Approved safety camera system.
- 1017.74. Safety camera requirements.
- 1017.75. One safety camera system.
- 1017.76. Certificate holder responsible.
- 1017.77. Public notice.

§ 1017.71. Taxicab safety cameras.

(a) *Generally.* Beginning on February 23, 2015, a taxicab must be equipped with one safety camera system that satisfies the requirements in this subchapter.

(b) *Inspection and approval.*

(1) A taxicab safety camera system must be inspected by the Authority prior to use.

(2) The Authority will conduct safety camera system testing to ensure the system meets the requirements of this subchapter.

(3) Upon determining that a safety camera system functions properly, the Enforcement Department will:

(i) Download and retain a view captured by each camera lens.

(ii) Seal the data extraction port.

(iii) Post notice of the safety camera system on the taxicab as provided in § 1017.77(b) (related to public notice).

(4) A safety camera system may not be used in a taxicab unless it is sealed as provided in paragraph (3). When the seal is broken or damaged, the certificate holder shall remove the taxicab from service immediately and schedule a new safety camera system inspection by the Enforcement Department.

(5) In the event that a safety camera system is not fully operational, the taxicab shall be taken out of service and the Enforcement Department shall be notified immediately.

§ 1017.72. Safety camera system testing.

(a) Safety camera system testing may include the road operation of the taxicab with an inspector while the camera system is engaged.

(b) A safety camera system is subject to a field inspection by an inspector at any time and may be tested as part of each scheduled inspection.

§ 1017.73. Approved safety camera system.

(a) The Authority will maintain a list of safety camera systems approved for use in taxicabs. The list may be obtained from the Authority's web site at www.philapark.org/tld.

(b) A safety camera system may be added to the list maintained under this section upon request of a certificate holder and evidence of compliance with this subchapter.

§ 1017.74. Safety camera requirements.

(a) The purpose of this section is to establish certain minimum safety camera system requirements.

(b) A taxicab safety camera system must work in conjunction with the approved meter system used in the taxicab.

(c) The safety camera system must be in operation during the entire time the vehicle's engine is running and for not less than 1 hour after the engine is turned off.

(d) The safety camera system may not make an audio recording.

(e) The safety camera system must record images at designated intervals, including the following:

- (1) Vehicle door openings and closings.
- (2) Meter engagement.
- (3) Distress button activation.

(f) The safety camera system must be able to record data including:

- (1) The full face of the driver and all occupants seated in passenger seats and facing forward.
- (2) The date and time of the recording.
- (3) The taxicab number.
- (4) The safety camera serial number.

(g) The safety camera system must record and store images in a unit separate from any camera. The recording and storage unit must be concealed from view and fastened securely to the vehicle.

(h) In the event that a driver presses the distress button required under § 1017.24(d)(8) (relating to meter

activation and display), the safety camera system must immediately transmit all images to the taxicab’s dispatcher, in addition to transmission to TLD Headquarters.

§ 1017.75. One safety camera system.

A taxicab is prohibited from containing a safety camera system other than the approved safety camera system that has been inspected and approved by the Authority for use in that taxicab.

§ 1017.76. Certificate holder responsible.

The certificate holder shall inspect each taxicab safety camera system prior to service each day to ensure it is in compliance with this subchapter and is in proper working order. A certificate holder may select a person to conduct the inspections required under this section on the certificate holder’s behalf.

§ 1017.77. Public notice.

(a) The Authority will produce a standardized posting to be displayed on taxicabs to provide public notice of the presence of the safety camera system in each taxicab as provided in § 1017.12(b) (relating to required markings and information).

(b) The notice required under this section shall be affixed prominently to the exterior and interior of every taxicab that employs the use of a safety camera system.

CHAPTER 1019. DISPATCHERS

§ 1019.8. Dispatcher requirements.

(a) General requirements. A dispatcher shall continually maintain standards and equipment capable of providing prompt and adequate service to the public, including the following:

* * * * *

(16) Upon receipt of a request for wheelchair accessible vehicle (WAV) taxicab service directly from a source, including a potential customer or as provided in § 1021.16(a) (relating to service issues regarding people with disabilities), a dispatcher not authorized to dispatch WAV taxicabs shall immediately forward the potential customer’s contact information and location to a WAV taxicab dispatcher through a means of electronic communication approved by the Authority.

(17) Operate and maintain a safety camera system as provided § 1017.73 (relating to approved safety camera system), including the computer hardware and software means of wireless communication necessary.

(b) WAV taxicab dispatcher authorization and renewal.

* * * * *

[Pa.B. Doc. No. 14-2183. Filed for public inspection October 24, 2014, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CH. 593]

High Roll Dice; Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under its general authority in 4 Pa.C.S. § 13A03(b) (relating to temporary table game regulations) and the specific

authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), adds Chapter 593 (relating to High Roll Dice) to read as set forth in Annex A.

Purpose

High Roll Dice is a banked, Craps-style game in which players wager on the outcome of the ten dice thrown.

Explanation of Chapter 593

Section 593.1 (relating to High Roll Dice table; physical characteristics) contains the requirements pertaining to the table layouts and other equipment used in the play of the game.

Section 593.2 (relating to wagers; die ranking) specifies which wagers are authorized for use at the game and when those wagers are to be placed. This section also addresses the ranking of the dice.

Section 593.3 (relating to dice; shaker) provides the dice and shaker specifications.

Section 593.4 (relating to procedure for completion of each round of play) specifies the how the dice are to be shaken, how the dealer is to evaluate the winning combination of dice, and the procedures for the collection of losing wagers and paying out of winning wagers.

Sections 593.5 (relating to payout odds) addresses the payout odds for permissible wagers.

Section 593.6 (relating to surveillance coverage; minimum staffing; training) specifies surveillance coverage, minimum staffing requirements for the game and dealer training.

Affected Parties

This temporary rulemaking will allow certificate holders an additional option on how to conduct table games at their licensed facilities.

Fiscal Impact

Commonwealth. The Board does not expect that this temporary rulemaking will have fiscal impact on the Board or other Commonwealth agencies. Internal control procedures submitted by certificate holders regarding table games Rules Submissions will be reviewed by existing Board staff.

Political subdivisions. This temporary rulemaking will not have direct fiscal impact on political subdivisions of this Commonwealth. Host municipalities and counties benefit from the local share funding that is mandated by the act of January 7, 2010 (P. L. 1, No. 1).

Private sector. This temporary rulemaking will give certificate holders some additional flexibility as to how they conduct table games. It is anticipated that this temporary rulemaking will have an impact only on certificate holders, which are not small businesses.

General public. This temporary rulemaking will not have direct fiscal impact on the general public.

Paperwork Requirements

If a certificate holder elects to offer new games for play at the licensed facility, the certificate holder will be required to submit an updated Rules Submission form and gaming guide reflecting the changes.

Effective Date

This temporary rulemaking will become effective upon publication in the Pennsylvania Bulletin.

Public Comments

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how these temporary regulations might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Susan A. Yocum, Assistant Chief Counsel, Pennsylvania Gaming Control Board, P. O. Box 69060, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation #125-185.

Contact Person

The contact person for questions about this temporary rulemaking is Susan A. Yocum, Assistant Chief Counsel, (717) 346-8324.

Regulatory Review

Under 4 Pa.C.S. § 13A03(b), the Board's authority to adopt temporary regulations governing the rules of new table games does not expire. Additionally, temporary regulations adopted by the Board are not subject to sections 201—205 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201—1205), known as the Commonwealth Documents Law (CDL), the Regulatory Review Act (71 P. S. §§ 745.1—745.12a) and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P. S. §§ 732-204(b) and 732-301(10)). These temporary regulations expire 2 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13A03(b), the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the CDL and sections 204(b) and 301(10) of the Commonwealth Attorneys Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code, are amended by adding §§ 593.1—593.6 to read as set forth in Annex A.

(2) The temporary regulations are effective October 25, 2014.

(3) The temporary regulations will be posted on the Board's web site and published in the *Pennsylvania Bulletin*.

(4) The temporary regulations are subject to amendment as deemed necessary by the Board.

(5) The Chairperson of the Board has certified this order and Annex A and shall deposit them with the Legislative Reference Bureau as required by law.

WILLIAM H. RYAN, Jr.,
Chairperson

Fiscal Note: 125-185. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 58. RECREATION****PART VII. GAMING CONTROL BOARD****Subpart K. TABLE GAMES****CHAPTER 593. HIGH ROLL DICE**

Sec.	
593.1.	High Roll Dice table; physical characteristics.
593.2.	Wagers; die ranking.
593.3.	Dice; shaker.
593.4.	Procedure for completion of each round of play.
593.5.	Payout odds.
593.6.	Surveillance coverage; minimum staffing; training.

§ 593.1. High Roll Dice table; physical characteristics.

(a) High Roll Dice shall be played at a table having betting positions for five players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a High Roll Dice table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

(1) The name or logo of the certificate holder.

(2) At each betting position:

(i) For the Like Kind Boulevard Wagers, seven circles containing the numbers two of a kind through eight of a kind.

(ii) For the Millionaire Row Wagers, two circles containing the numbers nine of a kind and ten of a kind and the inscription "First Roll Side Bet."

(iii) For the Pip Street Wagers, a depiction of six dice displaying a value of one through six with the two-spot die farthest to the player's left and the one-spot die farthest to the player's right.

(iv) An inscription advising players that all Pip Street, Like Kind Boulevard and Extra Roll Wagers must be of equal value.

(v) An extra-roll sensor for the placement of the Extra Roll Wager.

(3) The payout odds, in accordance with § 593.5 (relating to payout odds), for all permissible wagers offered by the certificate holder. If the payout odds are not on the layout, a sign identifying the payout odds shall be posted at each High Roll Dice table.

(4) A throw box set into the surface of the High Roll Dice table. The throw box layout must contain an area for the placement of dice labeled "Ace" through "Six" with the "Ace" box farthest to the left of the dealer and the "Two" box farthest to the right of the dealer.

(c) The High Roll Dice table must have an electronic system for the placement of Extra Roll Wagers. The electronic system must include:

(1) A wagering device at each betting position that acknowledges or accepts the placement of the Extra Roll Wager.

(2) A device that controls or monitors the placement of Extra Roll Wagers at the gaming table, including a mechanism, such as a lock-out button, that prevents the recognition of any Extra Roll Wager that a player attempts to place after the dealer has announced "no more bets."

(d) Each High Roll Dice table must have a drop box with a tip box attached on the same side of the gaming table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g).

§ 593.2. Wagers; die ranking.

(a) All wagers shall be made before the dice are shaken by the dealer.

(b) Wagers shall be made by placing value chips or plaques on the appropriate areas of the layout. Verbal wagers accompanied by cash may not be accepted.

(c) Only players who are seated at a High Roll Dice table may place a wager at the game. Once a player has placed a wager, that player shall remain seated until the completion of the round of play.

(d) For High Roll Dice, a die with a value of 1, or ace, is the highest in rank followed by a 6, 5, 4 and 3, with a 2 being the lowest value die.

(e) The following wagers are authorized in High Roll Dice:

(1) To participate in a round of play, each player shall place a Pip Street Wager on any or all of the depictions of six dice contained at the top of the player's wagering area. For purposes of the Pip Street Wager, the player is wagering on which die face will occur the greatest number of times in the first roll. For example, if a dealer throws:

(i) Three 6s and four 4s, the 4s occurred the most during the first roll.

(ii) Three 6s and three 1s, the 1s occurred the most as an ace has a higher value than a 6 for purposes of High Roll Dice.

(2) After placing a Pip Street Wager, a player may place a Like Kind Boulevard Wager equal to the player's Pip Street Wager on any or all of the numbered circles two through eight. For purposes of the Like Kind Wager, the player is wagering on how many of the most matching dice will be rolled on the first roll. For example, if a dealer throws:

(i) Three 6s and four 1s, the result would be four matching dice, or a four-of-a-kind.

(ii) Five 2s and three 1s, the result would be five matching dice, or a five-of-a-kind.

(3) If a player placed a Like Kind Boulevard Wager, the player may also place on the extra-roll sensor an Extra Roll Wager, equal to the player's Like Kind Boulevard Wager. An Extra Roll Wager will entitle the player to an additional throw of nonmatching dice. For example, if a dealer threw two 6s and four 1s on the first throw and two additional 1s on the second roll, there would be a total of six matching dice, or a six-of-a-kind.

(4) A player may place a Millionaire Row Wager on either or both of the numbered nine or ten circles. For purposes of the Millionaire Row Wager, the player is wagering that all nine or ten dice will match on the first roll. The Millionaire Row Wager may not be more than \$1.

§ 593.3. Dice; shaker.

(a) High Roll Dice shall be played with ten 19 mm dice. Dice used in the play of the game shall comply with § 603a.12(a)(2)—(10) and (d) (relating to dice; physical characteristics) and the receipt and inspection require-

ments in § 603a.13 (relating to dice; receipt, storage, inspection and removal from use).

(b) High Roll Dice shall be played with a dice shaker, approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment), which shall be used to shake the ten dice to arrive at the winning combinations. The dice shaker shall be designed and constructed to maintain the integrity of the game and must:

(1) Be capable of effectively shaking ten dice. Dice that have been placed in a dice shaker for use in gaming may not remain on a table for more than 24 hours.

(2) Have the name or logo of the certificate holder imprinted or impressed thereon.

(c) The dice shaker is the responsibility of the dealer and may not be left unattended while at the table.

(d) A shaker and ten dice shall be present at the High Roll Dice table for gaming.

§ 593.4. Procedure for completion of each round of play.

(a) After all players have placed their wagers, the dealer shall announce "no more bets" and if any player placed an Extra Roll Wager use the electronic device to prevent the placement of additional Extra Roll Wagers. If any Extra Roll Wagers have been made, the dealer shall collect the wagers and place them in the table inventory container.

(b) The dealer shall cover and shake the shaker containing the dice at least three times to cause a random mixture of the dice. The dealer shall then simultaneously throw the dice into the throw box. A roll of the dice shall be invalid if any of the dice go off the table or if one die comes to rest on top of the other.

(c) In the event any of the dice do not land flat on the table (for example, one edge of the die is resting cocked on a stack of chips), the side directly opposite the side that is resting on the chips or other object shall be considered uppermost or skyward. If more than one side of a die is resting on a stack of chips or other object, the roll shall be void and the dice shall be placed back in the throw cup, shaken and rethrown.

(d) When the dice come to rest from a valid throw, the dealer shall call out which die of the highest value occurs the most.

(e) After the first roll, the dealer shall announce to the players the matching dice of the highest value. After announcing the winning combination, the dealer shall move all matching dice of the highest value into the corresponding box on the throw box layout. For example, if there were four 5s, three 6s and two 1s and one 4, the dealer shall move the four 5s into the box on the throw layout labeled "Five." To move the dice to the designated area on the throw box layout, the dealer shall leave the dice exposed and may not cover the dice or impede surveillance's ability to view the dice at any time the dice are on the throw box layout.

(f) The dealer shall then settle each player's first roll wagers as follows:

(1) The dealer shall collect the player's losing Pip Street Wagers and pay out all winning Pip Street Wagers in accordance with § 593.5(a) (relating to payout odds). For example, if a player placed a Pip Street Wager on the 5 die and the 2 die and the dealer threw four 5s, three 6s

and two 1s and one 4, the dealer shall collect the losing Pip Street Wager placed on the 2 die and pay out the winning Pip Street Wager placed on the 5 die.

(2) For the Like Kind Wager, if a player:

(i) Did not place an Extra Roll Wager, the dealer shall collect the player's losing Like Kind Boulevard Wagers and pay out any Like Kind Boulevard Wagers in accordance with § 593.5(b). For example, if the dealer threw four 5s, three 6s and two 1s and one 4, the dealer shall collect all Like Kind Wagers that were not placed on the four-of-a-kind circle and pay out any winning wagers that were placed on the four-of-a-kind circle.

(ii) Also placed an Extra Roll Wager, the dealer shall pay out any winning Like Kind Boulevard Wagers in accordance with § 593.5(b) and collect a player's losing Like Kind Boulevard Wagers that have no possibility of winning with an extra roll. For example, if a player wagered on the three-of-a-kind, a four-of-a-kind and a five-of-a-kind and a four-of-a-kind was thrown on the first throw, the dealer shall pay the winning four-of-a-kind, collect the Like Kind Wager placed on the three-of-a-kind and leave the player's wager on the five-of-a-kind on the table layout until it is resolved in accordance with subsection (g).

(3) The dealer shall then settle the player's Millionaire Row Wagers by collect any losing wagers and pay out any winning wagers in accordance with § 593a.5(c). For example, if nine matching dice were thrown on the first throw, the dealer shall collect all Millionaire Row Wagers that were not placed on the nine-of-a-kind and pay out any winning Millionaire Row Wagers that were placed on the nine-of-a-kind circle.

(g) If any player placed an Extra Roll Wager, the dealer shall then collect all dice except those of the highest value that were placed on a designated number on the throw box layout and place them in the shaker. For example, if the dealer threw three 6s, three 4s, two 2s and two 1s in the first throw, the three 6s would be placed on the "Six" in the throw box layout. The dealer would collect the three 4s, two 2s and the two 1s, place them in the shaker, shake and throw the remaining dice in accordance with subsections (b) and (c).

(h) When the dice come to rest from a valid throw, the dealer shall call out the number of additional dice that match the highest number of matched dice thrown in the first throw. For example, if after the first throw three 6s were placed on the "Six" in the throw box layout and on the second throw an additional two 6s were thrown, the extra roll would result in a total of a five-of-a-kind. The dealer shall collect any losing Like Kind Boulevard Wager and pay out any winning Extra Roll, or Second Roll, Wagers in accordance with § 593.5(d), provided that if a player was paid out on a winning Like Kind Wager after the first roll, the player may not be paid out on the second roll for the same number. For example, if a player placed a winning Like Kind Wager on the four-of-a-kind and if no additional matching dice were thrown on the second roll, the player may not be paid out for the four-of-a-kind for the Extra Roll Wager.

§ 593.5. Payout odds.

(a) The certificate holder shall pay out winning Pip Street Wagers at the following odds:

<i>Die Value with Most Matches</i>	<i>Payout Odds</i>
Two	6 to 1
Three	6 to 1

<i>Die Value with Most Matches</i>	<i>Payout Odds</i>
Four	5 to 1
Five	4 to 1
Six	4 to 1
One/ace	3 to 1

(b) The certificate holder shall pay out winning Like Kind Wager at the following odds:

	<i>Payout Odds</i>
Eight-of-a-kind	5,000 to 1
Seven-of-a-kind	400 to 1
Six-of-a-kind	30 to 1
Five-of-a-kind	4 to 1
Four-of-a-kind	1 to 1
Three-of-a-kind	3 to 5
Two-of-a-kind	12 to 1

(c) The certificate holder shall pay out winning Millionaire Row Wagers at the following odds:

	<i>Payout</i>
Ten-of-a-kind	\$1,000,000
Nine-of-a-kind	\$50,000

(d) The certificate holder shall pay out winning Extra Roll (Second Roll) Wagers at the following odds:

	<i>Payout Odds</i>
Eight-of-a-kind	50 to 1
Seven-of-a-kind	10 to 1
Six-of-a-kind	4 to 1
Five-of-a-kind	2 to 1
Four-of-a-kind	1 to 1
Three-of-a-kind	8 to 1

§ 593.6. Surveillance coverage; minimum staffing; training.

(a) A certificate holder offering High Roll Dice shall have at least two stationary cameras for each table with one camera covering the throw box and one camera covering the remainder of the table.

(b) A certificate holder shall maintain at least one dealer for each High Roll Dice table.

(c) A floorperson may not supervise more than four tables comprised of any combination of banking table games excluding:

- (1) Baccarat.
- (2) Midibaccarat.
- (3) Craps.
- (4) Mini-Craps.
- (5) Pai Gow.
- (6) Three Dice Football.

(d) A dealer who has completed a course of training in accordance with § 611a.3(a) (relating to employee training by certificate holders) and would like to be trained to deal High Roll Dice shall successfully complete 10 hours of training. Provided that a dealer who has successfully completed a course of training in Craps does not need to complete an additional 10 hours of training prior to dealing High Roll Dice. Dealers shall complete a table test required under § 611a.5 (relating to table test; employee personnel file) prior to dealing High Roll Dice on the gaming floor.

[Pa.B. Doc. No. 14-2184. Filed for public inspection October 24, 2014, 9:00 a.m.]

Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 443]

Roadside Rest Areas

The Department of Transportation, under the authority in section 8 of the act of June 7, 1961 (P. L. 257, No. 151) (36 P. S. § 478.18), amends Chapter 443 (relating to roadside rest areas) to read as set forth in Annex A.

Purpose of Chapter 443

The purpose of Chapter 443 is to set forth rules to ensure the comfort, convenience, cleanliness, attractiveness and safety of roadside rest areas for the benefit of the general motoring public using these facilities.

Purpose of this Final-Form Rulemaking

The purpose of this final-form rulemaking is to provide greater detail in the delineation of permissible and impermissible activities to ensure that roadside rest areas continue to exist as comfortable, convenient, clean, attractive and safe places for the general motoring public to refresh themselves along Commonwealth highways in furtherance of ensuring the safety of the motoring public.

Summary of Comments and Changes to the Final-Form Rulemaking

The Department published a proposed rulemaking at 42 Pa.B. 4702 (July 28, 2012) with a 30-day public comment period. The proposed rulemaking was also submitted to the Independent Regulatory Review Commission (IRRC) and the House and Senate Transportation Committees. The Department did not receive comments from the House and Senate Committees or the public. IRRC provided the following comments.

IRRC noted that § 443.2 (relating to prohibited activities or actions) is a list of prohibited activities and actions. IRRC further noted that § 443.2(10) is essentially a list of exceptions to the prohibition of releasing pets or unloading livestock. To make § 443.2(10) clearer, IRRC suggested that the Department include a transition to subparagraphs (i)—(iii) by adding language such as “with the following exceptions.” The Department incorporated IRRC’s recommended change.

IRRC noted that the provisions and topics in proposed § 443.4 also appear in § 443.2 or could be included there.

Regarding proposed § 443.4(a), IRRC specifically recommended this subsection be deleted as it is duplicative of § 443.2(2). The Department adopted this recommendation and deleted § 443.4(a).

Regarding proposed § 443.4(c), IRRC specifically noted that this section relates to the 2-hour limit to repair a vehicle, which is further explained in § 443.2(9). IRRC stated it may be clearer to include proposed § 443.4(c) in § 443.2(9). The Department agreed with IRRC’s recommendation and deleted § 443.4(c) and moved the language, in slightly a modified form, to the end of § 443.2(9).

Regarding proposed § 443.4(b), IRRC noted that given the possibility that § 443.4(a) and (c) may be deleted, proposed § 443.4(b), regarding unattended vehicles, could be phrased as a prohibition under § 443.2. The Department therefore deleted § 443.4(b) and moved this language to the end of § 443.2(2).

Therefore, proposed § 443.4 has been withdrawn.

Persons and Entities Affected

This final-form rulemaking will affect those members of the motoring public who use roadside rest areas.

Fiscal Impact

Implementation of this final-form rulemaking will not require the expenditure of additional funds by the Commonwealth or local municipalities. Minimal additional monitoring or enforcement will be required at roadside rest areas.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 17, 2012, the Department submitted a copy of the notice of proposed rulemaking, published at 42 Pa.B. 4702, to IRRC and the Chairpersons of the House and Senate Transportation Committees for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on September 3, 2014, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on September 4, 2014, and approved the final-form rulemaking.

Sunset Provisions

The Department is not establishing a sunset date for these regulations, since these regulations are needed to administer provisions required under the act of June 7, 1961 (P. L. 257, No. 151) (36 P. S. §§ 478.11—478.18). However, the Department will continue to closely monitor these regulations for their effectiveness.

Contact Person

The contact person for this final-form rulemaking is Diane M. Chamberlin, Director, Bureau of Office Services, Department of Transportation, 400 North Street, Harrisburg, PA 17105, dchamberli@pa.gov.

Findings

The Department finds that:

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

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

(3) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing act identified in this preamble.

Order

The Department orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 443, are amended by amending §§ 443.1—443.3 to read as set forth in Annex A.

(*Editor's Note:* Proposed § 443.4 included in the proposed rulemaking has been withdrawn by the Department.)

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

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

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

BARRY J. SCHOCH, PE,
Secretary

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 6051 (September 20, 2014).)

Fiscal Note: Fiscal Note 18-431 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart B. NONVEHICLE CODE PROVISIONS

ARTICLE III. HIGHWAYS

CHAPTER 443. ROADSIDE REST AREAS

§ 443.1. Purpose and policy.

(a) This chapter is promulgated for the purpose of providing comfortable, convenient, clean, attractive and safe places for the general motoring public and to set forth rules to insure the maximum comfort, convenience, cleanliness, health and safety of those members of the general public using the facilities.

(b) This chapter applies to all rest areas administered by the Department, including those containing information centers for the traveling public, that is, Welcome Centers.

(c) This chapter is intended to limit activities and actions in roadside rest areas to those that are consistent with the purpose of the facilities.

§ 443.2. Prohibited activities or actions.

The following specified activities or actions are prohibited in roadside rest areas:

(1) Failure to comply with posted traffic signs and markings.

(2) Parking or standing of a vehicle for more than 2 hours in a single 24-hour period or in excess of the posted time limit. Vehicles unattended for more than 24 hours will be considered abandoned and subject to removal and storage at the sole cost and expense of the owner.

(3) Driving or parking of a vehicle in areas other than those provided.

(4) Defacing or damaging buildings or other facilities.

(5) Igniting or maintaining fires for heating or cooking equipment, except in areas or facilities designed for the purpose.

(6) Depositing or disposing of refuse or waste, except picnic waste and contents of vehicle litter bags, which shall be deposited only in areas or containers provided for that purpose. Disposing of camping, sewage or household refuse in these areas is prohibited.

(7) Consumption of alcoholic beverages or the use, possession or delivery of controlled substances.

(8) Discharging or shooting of firearms or bows and arrows, hunting or fishing, or parking of vehicles for the purpose of hunting or fishing outside of the rest area.

(9) Maintenance or repairing of vehicles or attachments to vehicles—oil changes, filter replacements, draining of coolants, washing vehicles or attachments to vehicles, motor disassembly or assembly, and the like—except in emergencies or when the vehicle has been placed out of service by law enforcement after roadside inspection and the repairs needed to return the vehicle to service can be completed within 2 hours. If the repairs needed to return the vehicle to service cannot be completed within 2 hours, the vehicle should be towed for repair to an appropriate garage or repair facility.

(10) Release of pets or unloading of livestock, with the following exceptions:

(i) Animals on leashes are permitted only in areas designated as pet areas.

(ii) Pets may be permitted off-leash in designated fenced-in areas.

(iii) Seeing-eye dogs and service dogs are not restricted.

(11) Picking, cutting, breaking, damaging or abuse of plants or vegetation or parts thereof.

(12) Use of the area or facilities for bathing or washing of garments or clothing.

(13) Sale of a product or conduct of other commercial activity listed in subparagraph (i) or (ii) except when authorized by law or when, in furtherance of the needs of the traveling public, the Department authorizes, by written agreement:

(i) Commercial activities, sponsorship opportunities, or vending and communication facilities in roadside rest areas along limited access rights of way.

(ii) Commercial activities, sponsorship opportunities, or vending or communication facilities in roadside rest areas not along limited access rights of way.

(14) Driving a motor vehicle in excess of 25 miles per hour, except on entrance or exit ramps.

(15) Use of the area or facilities when closed for the season or closed for any other reason.

(16) Engaging in loud, boisterous or abusive conduct or engaging in or soliciting lewd or lascivious conduct, including, but not limited to, sexual intercourse, indecent exposure, open lewdness or prostitution.

(17) Skateboarding, rollerblading, skating, biking, sledging or riding of all-terrain vehicles.

(18) Camping overnight or setting up a tent, sleeping anywhere but in a legally parked vehicle or remaining anywhere at a roadside rest area for more than 2 hours or as otherwise posted.

(19) Smoking in areas designated as “no smoking.”

(20) Distributing written materials, except on terms and conditions the Department deems appropriate.

(21) Use of the area or facilities for special events, except for free “coffee break” events and similar nonprofit activities for the traveling public when approved by the Department and on terms and conditions the Department deems appropriate.

(22) Other potentially disruptive activities that interfere with the proper functioning of the rest area for the purposes in § 443.1 (relating to purpose and policy), including, but not limited to:

(i) Soliciting, harassing, intimidating or coercing travelers.

(ii) Impeding the movement of pedestrians or interrupting traffic flow.

(iii) Picketing, demonstrating or performing oration or similar activities.

§ 443.3. Additional prohibited activities or actions on noninterstate highways.

In addition to the activities prohibited in § 443.2 (relating to prohibited activities or actions), parking of commercial vehicles or the parking of a vehicle between dusk and dawn is prohibited in roadside rest areas along noninterstate highways unless otherwise posted by the Department.

[Pa.B. Doc. No. 14-2185. Filed for public inspection October 24, 2014, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 15]

Authorized Vehicles and Special Operating Privileges

The Department of Transportation (Department), under the authority in 75 Pa.C.S. §§ 4572(b), 6103 and 6107 (relating to visual signals on authorized vehicles; promulgation of rules and regulations by department; and designation of authorized vehicles by department), proposes to amend Chapter 15 (relating to authorized vehicles and special operating privileges) to read as set forth in Annex A.

Purpose of Chapter 15

Chapter 15 establishes the types of vehicles which are considered authorized vehicles under 75 Pa.C.S. § 102 (relating to definitions) and 75 Pa.C.S. §§ 4572(b) and 6107 and establishes special operating privileges for these authorized vehicles.

Purpose of Proposed Rulemaking

The purpose of this proposed rulemaking to designate additional Type I authorized vehicles, including vehicles used by those that carry out a governmental function or public service regarding the protection, care and control of animals. The proposed rulemaking will allow newly-authorized vehicles to be equipped with yellow flashing or revolving lights which can be activated when the vehicle is engaged in performing work within the scope of its authority.

Summary of Significant Amendments

Section 15.2(1) (relating to types of authorized vehicles) is proposed to be amended to designate the following vehicles as Type I authorized vehicles: 1) Commonwealth-owned vehicles which are used by a State dog warden employed by the Department of Agriculture; and 2) vehicles owned by a nonprofit society or association duly incorporated under 15 Pa.C.S. §§ 5301—5341 (relating to incorporation) for the prevention of cruelty to animals and used by a humane society police officer as the term is defined in 22 Pa.C.S. § 3701 (relating to scope of chapter). These proposed amendments will permit these vehicles to be equipped with yellow flashing or revolving lights which may be activated by State dog wardens or humane society police officers while in performance of their duties in the protection, care and control of animals.

Persons and Entities Affected

This proposed rulemaking will affect State dog wardens and humane society police officers in the performance of their duties. It will also affect the motoring public, which will be alerted to the presence of State dog warden and humane society police officer vehicles on or along the highways so as to encourage the motoring public to slow down and proceed with caution.

Fiscal Impact

Implementation of this proposed rulemaking will require the procurement of yellow flashing or revolving lights for State dog warden and humane society police officer vehicles. This proposed rulemaking will not impose additional costs to other entities.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 15, 2014, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Transportation 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, 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.

Sunset Provisions

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* following appropriate evaluation of comments, suggestions or objections received during the public comment period. The Department is not establishing a sunset date for these regulations, as it anticipates an ongoing value in providing State dog wardens and humane society police officers the ability to use yellow flashing or revolving lights in carrying out their respective duties. The Department, however, will continue to closely monitor these regulations for their effectiveness.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Glenn C. Rowe, PE, Acting Chief, Highway Safety and Traffic Operations Division, Bureau of Maintenance and Operations, 400 North Street, 6th Floor, Commonwealth Keystone Building, Harrisburg, PA 17105, glrowe@pa.gov within 30 days of the publication of in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions about this proposed rulemaking is Glenn C. Rowe, PE, Acting Chief, Highway Safety and Traffic Operations Division, Bureau of Maintenance and Operations, 400 North Street, 6th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0064, (717) 783-6479, glrowe@pa.gov.

BARRY J. SCHOCH, PE,
Secretary

Fiscal Note: 18-463. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 67. TRANSPORTATION

PART I. DEPARTMENT OF TRANSPORTATION

Subpart A. VEHICLE CODE PROVISIONS

ARTICLE II. TITLE

CHAPTER 15. AUTHORIZED VEHICLES AND SPECIAL OPERATING PRIVILEGES

§ 15.2. Types of authorized vehicles.

The vehicles enumerated in this section are designated as authorized vehicles of the type indicated. They may be

equipped with one or two flashing or revolving yellow lights as provided in 75 Pa.C.S. § 4572(b) (relating to [**flashing or revolving yellow lights**] **visual signs on authorized vehicles**), and as defined in Chapter 173 (relating to flashing or revolving lights on emergency and authorized vehicles), except that school buses shall be equipped with red and amber flashing lights as defined in 75 Pa.C.S. § 4552 (relating to general requirements for school buses). The flashing or revolving yellow lights on all authorized vehicles except school buses shall be activated only when the vehicle is performing the type of work which is the basis of the designation of the vehicle as an authorized vehicle, except lights on Type VI vehicles may be activated whenever an emergency condition requires police assistance. The enumeration of vehicles is as follows:

- (1) *Type I.* Type I vehicles include the following:
 - (i) Highway construction and maintenance vehicles. Such vehicles shall include, but not be limited to, traffic-line-painting trucks, sign and signal maintenance trucks, dump trucks, street sweepers, mowers, highway inspection vehicles, and vehicles involved in traffic studies or investigations or right-of-way operations.
 - (ii) Vehicles which are used in utility operations.
 - (iii) Highway service vehicles such as, but not limited to, tow trucks and road-service vehicles.
 - (iv) Vehicles used to collect money from parking meters.
 - (v) **Commonwealth-owned vehicles which are used by a State dog warden employed by the Department of Agriculture.**
 - (vi) **Vehicles owned by a nonprofit society or association duly incorporated under 15 Pa.C.S. §§ 5301—5341 (relating to incorporation) for the prevention of cruelty to animals and used by a humane society police officer as the term is defined in 22 Pa.C.S. § 3701 (relating to scope of chapter).**
- (2) *Type II.* Snowplows, snowblowers and vehicles modified or equipped for the attachment of snowplows, snowblowers or similar devices.

* * * * *

[Pa.B. Doc. No. 14-2186. Filed for public inspection October 24, 2014, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 77, 86—90 AND 211]

Land Reclamation Financial Guarantees and Bioenergy Crop Bonding

The Environmental Quality Board (Board) proposes to add §§ 86.162b and 86.162c (relating to Land Reclamation Financial Guarantees; and Bioenergy Crop Bonding) to read as set forth in Annex A. Proposed §§ 86.162b and 86.162c will implement the act of July 5, 2012 (P. L. 918, No. 95) (Act 95) and the act of October 24, 2012 (P. L. 1276, No. 157) (Act 157). Act 95 provides a financial incentive to surface mining operators reclaiming remaining sites with bioenergy crops. Act 157 establishes Land Reclamation Financial Guarantees (LRFG) to satisfy the

bonding obligations of qualifying surface mining operators. A proposed amendment to § 86.187(a)(1)(iii) (relating to use of money) will reflect the establishment of LRFGs. The financial guarantees established by Acts 95 and 157 are voluntary and intended to assist surface mining operators to satisfy their statutory bonding obligations.

As part of this proposed rulemaking, the Board also proposes to amend Chapters 77, 86—90 and 211 to correct citations to the Surface Mining Conservation and Reclamation Act (SMCRA) (52 P. S. §§ 1396.1—1396.19b), 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). These corrections are necessary to account for the addition of section 19.2 of the SMCRA (52 P. S. § 1396.19b), which was added by Act 157, and to correct citation errors in Chapters 77, 86—90 and 211.

This proposed rulemaking was adopted by the Board at its meeting of July 15, 2014.

A. *Effective Date*

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

B. *Contact Persons*

For further information, contact Thomas Callaghan, PG, Director, Bureau of Mining Programs, Rachel Carson State Office Building, 5th Floor, 400 Market Street, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5015; or Robert “Bo” Reiley, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P. O. Box 8464, 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 of Environmental Protection’s (Department) web site at www.dep.state.pa.us (select “Public Participation Center,” then select “The Environmental Quality Board”).

C. *Statutory Authority*

This proposed rulemaking is authorized under the authority of section 5 of The Clean Streams Law (35 P. S. § 691.5); sections 4(a) and 4.2 of the SMCRA (52 P. S. §§ 1396.4(a) and 1396.4b); and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20).

D. *Background and Purpose*

This proposed rulemaking will accomplish three things. First, it will correct citations to statutes as they appear in Chapters 77, 86—90 and 211. Second, it proposes regulations to implement Act 95. Third, it proposes regulations to implement Act 157.

The amendments to Chapters 77, 86—90 and 211 correct citations to the SMCRA, the Dam Safety and Encroachments Act and the Solid Waste Management Act. This is strictly a housekeeping matter.

Act 95 amended SMCRA by adding section 4.14 (52 P. S. § 1396.4n) and allows surface coal mining operators to seek reclamation bond coverage at no cost when reclaiming a remaining site with bioenergy crops. This proposed rulemaking will provide the framework for implementing Act 95’s bioenergy crop reclamation incentive. Seeking Bioenergy Crop Bonding established by Act 95 is voluntary.

Act 157 is a statutory amendment that makes LRFGs available to operators. LRFGs offer financial guarantees

to assure the bonding obligations of qualifying surface mining operators, and this rulemaking proposes the framework for providing LRFGs to surface mining operators. Seeking LRFGs established by Act 157 is voluntary.

Citation updates

Amendments to Chapters 77, 86—90 and 211 are necessary to correct certain citations to the SMCRA, the Dam Safety and Encroachments Act and the Solid Waste Management Act. These corrections account for the adoption of section 19.2 of the SMCRA, which was added by Act 157, and correct existing citation errors in Chapters 77, 86—90 and 211.

Acts 95 and 157

Acts 95 and 157 establish financial guarantees that are intended to assist surface mining operators in meeting their SMCRA bonding obligations. Accordingly, the proposed regulations implementing Acts 95 and 157 have been included in this proposed rulemaking.

By way of background, SMCRA bonding obligations ensure that surface mining sites are reclaimed which eliminates environmental and safety hazards. Prior to 2001, the Department implemented an alternate bonding system (ABS). Under the ABS, the bond amount for a surface mining site was determined by a per-acre flat rate that was supplemented by a nonrefundable per-acre "Reclamation Fee." The ABS ultimately failed to ensure adequate bonding, leaving some mine sites in an unreclaimed state. These unreclaimed sites are known as ABS legacy sites and the Department is responsible for reclaiming the ABS legacy sites and treating post-mining pollutional discharges emanating therefrom.

Due to funding deficiencies, which ultimately resulted in ABS legacy sites, the ABS was discontinued and replaced with the full-cost bonding program. Full-cost bonding guarantees that all surface mining sites will be sufficiently bonded to meet reclamation obligations. The transition from the ABS to the full-cost bonding program was facilitated through the use of financial guarantees known as Conversion Assistance. As part of Conversion Assistance, the General Assembly appropriated \$7 million to the Department through section 213 of the act of June 22, 2001 (P. L. 979, No. 6A) (Act 6A), known as the General Appropriation Act of 2001. Consistent with the SMCRA, this appropriation allowed for the use of sum-certain financial guarantees to satisfy the bonding obligations for a surface mining site. See section 4(d.2) of the SMCRA. Acts 95 and 157 establish programs that offer these financial guarantees.

Financial guarantees, such as those established in Acts 95 and 157, help surface mining operators meet their statutory bonding obligations by reducing capital costs. A reduction in capital costs means more cash is available to surface mining operators for their operations. Financial guarantees thus reduce the financial impact of statutory bonding requirements on surface mining operators.

Act 95—Bioenergy Crop Bonding

As a surface mining site is reclaimed, the bond posted to financially guarantee reclamation is released. Under Chapter 86 (relating to surface and underground coal mining: general), bond release occurs in three stages. After a surface mining site has been regraded and planted with permanent vegetation, thus satisfying Stage 2 reclamation obligations, a portion of the bond posted will be held for at least 5 years. This is the Stage 3 reclamation liability period.

Act 95 offers a sum-certain financial guarantee at no cost to a permittee to cover Stage 3 reclamation liability when the permittee reclaims a remining site with bioenergy crops such as switchgrass, camelina or canola. In the event of bond forfeiture, the financial guarantee established by Act 95 finances reclamation of the forfeited site in an amount not to exceed the sum-certain guarantee. Participation in the Bioenergy Crop Bonding program established by Act 95 is voluntary.

Act 95 permits funding of this program only to the extent funds are available from the appropriation to the Department under section 213 of Act 6A or to the extent funds are otherwise appropriated.

Proposed § 86.162c will implement the requirements of Act 95.

Act 157—Land Reclamation Financial Guarantees

Act 157 established the LRFG Account, authorized a one-time transfer of \$500,000 from Conversion Assistance moneys to the Remining Financial Assurance Fund, and authorized the transfer of the remaining Conversion Assistance moneys to the LRFG Account. The transfers were executed in 2013. The funds in the LRFG Account are to be used, in part, to underwrite LRFGs established by Act 157. At this time, more than \$12 million is available to support the LRFG program as it is structured in Act 157 and for other uses authorized by Act 157.

LRFGs are offered to assist surface mining operators achieve full-cost bonding as required by the SMCRA by making available to applicants sum-certain financial guarantees to cover reclamation obligations. This proposed rulemaking provides the framework for offering LRFGs.

Act 157 establishes eligibility guidelines to determine which surface mining operators may receive LRFGs. In determining eligibility, the Department is to consider a number of factors including the operator's long-term financial stability, compliance history, time in business and prior denial of coverage for a surety bond, if any. The Department may also consider other factors that are indicative of an operator's ability to complete reclamation and make payments under the program. Beyond these eligibility requirements, the Department is to consider the environmental hazards, safety hazards and coal reserves available at the site.

Act 157 establishes LRFGs and the LRFG fee. This fee, along with interest earned on the funds in the LRFG Account, may be transferred into the Reclamation Fee Operation and Maintenance (O&M) Trust Account established under § 86.17 (relating to permit and reclamation fees) and § 86.187 so long as the financial stability of the LRFG program is not threatened. The transfer of funds from the LRFG Account to the Reclamation Fee O&M Trust Account is intended to supplement the Reclamation Fee O&M Trust Account which is used to pay for the operation and maintenance of treatment systems at ABS legacy sites.

Furthermore, Act 157 requires the total amount of LRFGs that can be supported by the LRFG Account to be calculated. This is based on loss reserves and calculated by applying the historical rate of mine operator bond forfeiture plus a reasonable margin of safety to protect the account from the risk of forfeiture. Additionally, regulation underwriting methods adequate to ensure the account against the risk of forfeiture of the guarantees must be established. According to Act 157, the LRFG Account is to be the sole source of funds used to

underwrite LRFGs, and the Commonwealth is not obligated to expend funds beyond the amount in the LRFG Account.

Act 157 also includes a provision for the annual appropriation of up to \$2 million collected from the Gross Receipts Tax by the General Assembly to the Department for transfer into the Reclamation Fee O&M Trust Account established in § 86.17.

Finally, Act 157 permits the discontinuance of LRFGs if 25% or more of the total outstanding bond obligation for all issued LRFGs is subject to forfeiture.

The LRFGs established by Act 157 share many concepts with the reining financial guarantee (RFG) program. The experience gained from implementing the RFG program since 1996 has been useful in establishing the proposed requirements for implementing LRFGs.

Mining and Reclamation Advisory Board collaboration

The Department collaborated with the Mining and Reclamation Advisory Board's (MRAB) Regulation, Technical and Legislative Committee to develop this proposed rulemaking. The MRAB voted for the proposed rulemaking to proceed at its October 24, 2013, meeting and provided one recommendation to the portion of the rulemaking implementing Act 157. The MRAB specifically recommended the following language be added to the regulation regarding the appropriation of money from the Gross Receipts Tax as described in section 19.2(b)(7) of the SMCRA and Act 157:

No later than the date of the Department's annual budget request to the Governor's Budget Office, the Department shall report to the MRAB as to when a transfer from the Gross Receipts Tax to the Reclamation Fee O&M Trust Account is necessary to supplement the funding of the Reclamation Fee O&M Trust Account in order to offset an increase in the reclamation fee in the subsequent fiscal year.

Though not adopting this language verbatim, the Department incorporated the substance of this recommendation in a proposed amendment to § 86.17(e). Section 86.17(e) requires the Department to provide information to the MRAB on the status of the operation and maintenance of treatment facilities at ABS legacy sites and the funding status of the Reclamation Fee O&M Trust Account. In the course of fulfilling this existing obligation under § 86.17(e), the Department, as recommended by the MRAB and proposed in this rulemaking, will provide information on the appropriation from the Gross Receipts Tax by the time the Department's budget request is provided to the Governor's Budget Office. This proposed amendment to § 86.17(e) will satisfy the provision in Act 157 and the MRAB's recommendation.

E. Summary of Proposed Regulatory Requirements

SMCRA citation updates

Sections 77.1, 77.126, 77.254, 86.1, 86.6, 86.12, 86.121, 86.159, 86.185, 86.187, 86.232, 86.252, 86.358, 87.1, 87.205, 88.482, 88.505, 89.5, 90.305 and 211.121 are proposed to be amended to make minor nonsubstantive technical corrections because Act 157 added section 19.2 of the SMCRA.

This proposed rulemaking also corrects a typographical error in the citation to the SMCRA in § 86.182(h)(2) (relating to procedures).

This proposed rulemaking also includes another correction to citations of the Dam Safety and Encroachments Act and the Solid Waste Management Act in § 77.254 (relating to preservation of remedies).

This proposed rulemaking includes a correction to the citation of the Dam Safety and Encroachments Act in § 86.232 (relating to definitions).

Act 95—Bioenergy Crop Bonding

Proposed § 86.162c(a) describes conditions of eligibility to obtain Bioenergy Crop Bonding. Bioenergy Crop Bonding may be obtained where crops, including switchgrass, canola or camelina, or those grown to produce feedstock for biofuels, including biodiesel and ethanol, and biomass for electricity generation, are grown to reclaim reining sites. To obtain Bioenergy Crop Bonding, Stage 2 bond release needs to have been achieved and water treatment liability must not have been triggered under Chapter 87, Subchapter F, Chapter 88, Subchapter G or Chapter 90, Subchapter F (relating to surface coal mines: minimum requirements for reining areas with pollutional discharges; anthracite surface mining activities and anthracite bank removal and reclamation activities: minimum requirements for reining areas with pollutional discharges; and coal refuse disposal activities on areas with preexisting pollutional discharges).

Proposed § 86.162c(b) describes the application requirements of Bioenergy Crop Bonding. An application must provide: verification that the entire permitted area has achieved Stage 2 bond release consistent with § 86.174(b) (relating to standards for release of bonds); a demonstration that the crops grown are bioenergy crops; crop yield data that demonstrates that the bioenergy crops are achieving acceptable crop production; a demonstration that all temporary structures have been reclaimed; a demonstration that there are no post-mining pollutional discharges or that all liability associated with post-mining pollutional discharges is fully covered with a full-cost bond or a fully funded post-mining treatment trust; and acknowledgement that the permittee intends to apply for final release of the Bioenergy Crop Bonding in a timely manner.

Proposed § 86.162c(c) provides that upon approval of the Bioenergy Crop Bonding application, the Department will release the existing bond held for Stage 3 liability.

Proposed § 86.162c(d) establishes that the liability period under the Bioenergy Crop Bonding cannot exceed 5 years. Moreover, permits with a bond liability period greater than 5 years are not eligible because of the risk of water pollution under § 86.151(b)(1) and (c) (relating to period of liability).

Proposed § 86.162c(e) provides that the Bioenergy Crop Bonding for a permit will expire no later than 120 days after the expiration of the 5-year liability period. In the case when the final bond release cannot be accomplished upon expiration of the Bioenergy Crop Bonding, the Bioenergy Crop Bonding must be replaced.

Proposed § 86.162c(f) requires Bioenergy Crop Bonding to be replaced if the final bond release is not achieved upon the expiration of Bioenergy Crop Bonding.

Act 157—Land Reclamation Financial Guarantees

This proposed rulemaking, in part, addresses the provision in Act 157 on the annual appropriation of funds from the Gross Receipts Tax to the Reclamation Fee O&M Trust Account. In response to that provision, the MRAB suggested language to be included in this proposed rulemaking requiring the Department to issue a report to the MRAB on the Reclamation Fee O&M Trust Account. Section 86.17 currently requires an annual report from the Department which includes an update on the Reclamation Fee O&M Trust Account, a financial analysis of the revenue and expenses from the account, and estab-

lishes a process for presenting the report to the MRAB for its review and comment. The information made available through this process is the same information necessary for the Department to determine when additional funds are needed to supplement the Reclamation Fee O&M Trust Account to offset an increase in the Reclamation Fee. Offsetting an increase in the Reclamation Fee is important to operators because the Reclamation Fee impacts operating expenses.

While the exact language of the MRAB's recommendation was not used, proposed language has been added to § 86.17(e)(2) that incorporates the substance of the MRAB's recommendation. This proposed language in § 86.17 is the most effective way to assure that the MRAB is provided with the information necessary to fully implement Act 157.

Proposed amendments to § 86.17(e)(2) will incorporate the MRAB's recommendation by requiring the Department's annual report on the Reclamation Fee O&M Trust Account to include information necessary for determining the need to supplement the funding of the Reclamation Fee O&M Trust Account. The proposed amendment also provides that the need to supplement the funding of the Reclamation Fee O&M Trust Account will be based on the need to offset an increase in the reclamation fee and the need to provide for long-term operations at ABS legacy sites.

Proposed § 86.162b(a) establishes that the Department will designate funds in the LRFG Account to underwrite LRFGs.

Proposed § 86.162b(b) provides that funds in the LRFG Account will be used to cover obligations for all existing sum-certain financial guarantees needed to facilitate the implementation of full-cost bonding previously issued by the Department.

Proposed § 86.162b(c) establishes that LRFGs may be used to financially assure the bonding obligations of qualified surface coal mining operators engaged in surface mining activities under § 86.143 (relating to requirement to file a bond).

Proposed § 86.162b(d) provides that the Department will hold in reserve in the LRFG Account funds that are not designated to underwrite LRFGs. Proposed § 86.162b(d) and (e) implements the distinction drawn in Act 157 between funds in the LRFG Account designated to underwrite LRFGs (subsection (d)) and funds in the LRFG Account held in reserve (subsection (e)) for purposes such as assuring the availability of funding to cover reclamation liabilities.

Proposed § 86.162b(e) identifies the purposes for which funds held in reserve in the LRFG Account may be used. These funds may be used to: assure the availability of funds to cover reclamation liabilities in the event of forfeiture; underwrite sum-certain guarantees made available by Bioenergy Crop Bonding; and provide for transfers of available funds to the Reclamation Fee O&M Trust Account.

Proposed § 86.162b(f) places three restrictions on the amount of LRFGs the Department may issue. First, the Department may not issue LRFGs for a permit in excess of 50% of the required bond amount for that permit, which is the Permit Limit. Second, the Department may not issue LRFGs to a mine operator in excess of the Operator Limit, which is exceeded if the aggregate amount of LRFGs on permits issued to the operator exceeds 30% of the designated amount in the LRFG Account. Third, the Department may not issue additional

LRFGs in excess of the Program Limit which is when the aggregate amount of outstanding LRFGs is greater than the current designated amount in the LRFG Account divided by the historical rate of mine operator bond forfeiture under § 86.181 (relating to general), plus a margin of safety determined by the Department.

Proposed § 86.162b(g) establishes that any existing sum-certain financial guarantee needed to facilitate the implementation of full-cost bonding previously issued by the Department shall be converted into an LRFG. However, if the conversion results in the LRFG exceeding the Permit Limit established in subsection (f)(1), the LRFG amount does not need to be reduced, but the permit will be ineligible for additional LRFGs until the total for the permit is under the Permit Limit. Furthermore, if the conversion results in the LRFG for an operator exceeding the Operator Limit established in subsection (f)(2), the LRFG does not need to be reduced, but the operator will be ineligible for additional LRFGs until the total for the operator is under the Operator Limit.

Proposed § 86.162b(h) provides for the Department to prepare an evaluative report containing a financial analysis of the revenue and expenditures for the LRFG Account. The report may be prepared at the request of the MRAB and is to be provided no less than every 5 years irrespective of a request by the MRAB. During the initial implementation of this program, it is likely that more frequent evaluations will be completed.

The subsection further provides that: the report will evaluate the annual payment percentage rate referenced in subsection (m)(1), the Permit Limit, the Operator Limit and the Program Limit for the LRFG program; the report will be submitted to the members of the MRAB for their review and advice and will be published on the Department's web site; notice of the report's availability will be published in the *Pennsylvania Bulletin*; the Department will review the report at a public meeting of the MRAB; if the Department's review of the report at a public meeting of the MRAB results in a change to the Permit Limit, the Operator Limit, the Program Limit or the annual payment percentage rate, the Department will publish a notice of the changes in the *Pennsylvania Bulletin*; changes to the Permit Limit, the Operator Limit, the Program Limit or the annual payment percentage rate will become effective upon publication in the *Pennsylvania Bulletin*.

Proposed § 86.162b(i) establishes that interest earned and payments collected and deposited in the LRFG Account may be transferred by the Department into the Reclamation Fee O&M Trust Account, established under §§ 86.17 and 86.187, to be used to supplement the funding of the Reclamation Fee O&M Trust Account consistent with section 19.2(b)(5) and (6) of the SMCRA.

Proposed § 86.162b(j) states that the Department will provide to the MRAB information about proposed transfer of funds to the Reclamation Fee O&M Trust Account. The Department may solicit advice from the MRAB prior to a transfer.

Proposed § 86.162b(k) establishes the eligibility requirements for participation in the LRFG program. These requirements include being a licensed mine operator, having a good compliance record, and having a good record of making timely payments and completing reclamation obligations. The subsection further proposes requirements for new participants including having been licensed for at least 5 years and being eligible for surety bond coverage.

Proposed § 86.162b(l) provides that an application for an LRFG must include a description of the environmental and safety hazards of the site for which a guarantee is proposed, a description of the availability of coal reserves at the site and any prior denials of surety coverage.

Proposed § 86.162b(m) places certain restrictions on obtaining an LRFG including: a participating operator shall make annual payments to the Department in the amount of 1.5% of the total amount of the LRFG; the first annual payment is due upon the operator's receipt of notice of the Department's approval of the operator's application to participate in the program and payments shall be made annually thereafter concurrent with the permit anniversary date or in accordance with a schedule determined by the Department; the operator is responsible for making the annual payment as calculated by the Department until the amount of the bond is reduced or released in accordance with §§ 86.170—86.172 (relating to scope; procedures for seeking release of bond; and criteria for release of bond); payments are not refundable and will be deposited into the LRFG Account to be used in the event of mine operator forfeiture and excess payments may be transferred by the Department to the Reclamation Fee O&M Trust Account consistent with section 19.2(b)(6) of the SMCRA; the operator may not substitute LRFGs for existing collateral or surety bonds.

Proposed § 86.162b(n) provides that the Department may adjust the annual payment percentage rate to assure financial stability of the LRFGs and to cover the Department's costs to administer the guarantees, after consultation with the MRAB and publication in the *Pennsylvania Bulletin* for public comment.

Proposed § 86.162b(o) establishes that the Department will reduce or release an obligation covered by the LRFGs prior to any other bond submitted by the operator to cover the reclamation obligations of a permit, except that RFGs issued under section 4.12 of the SMCRA (52 P. S. § 1396.41) will be released before LRFGs.

Proposed § 86.162b(p) provides that if a post-mining pollutional discharge develops on a permit for which the LRFG has been obtained, the operator shall, within 90 days of receipt of written notice by the Department, provide to the Department a separate bond or alternative financial assurance mechanism to cover the long-term treatment costs associated with the discharge or replace the LRFG with other types of financial assurance mechanisms authorized for the purpose of covering the costs of treating the discharge.

Proposed § 86.162b(q) provides that upon forfeiture under § 86.181 the Department will declare forfeit the specified amount of the LRFG for the permit in the LRFG Account in addition to other bonds posted by the operator to cover the reclamation obligation on the permit.

Proposed § 86.162b(r) provides that the Department's declaration of forfeiture under this section does not discharge the operator's obligation to meet the requirements of this chapter or other requirements under the SMCRA.

Proposed § 86.162b(s) establishes that upon declaration of forfeiture, the Department will use the bond money posted by the operator and the specified amount of the LRFG and any other alternative financial assurance mechanisms to complete the reclamation of the mine site in accordance with the procedures and criteria in § 86.187 and §§ 86.188—86.190 (relating to evaluation of bond forfeiture sites; reclamation of bond forfeiture sites; and sites where reclamation is unreasonable, unnecessary or impossible; excess funds).

Proposed § 86.162b(t) provides that the Department may suspend the issuance of LRFGs upon notice in the *Pennsylvania Bulletin* when the number of participating permits declared forfeit equals the number of participating permits multiplied by the historical rate of bond forfeiture plus a margin of safety. Issuance of LRFGs may resume after the Department conducts an evaluation, taking into account advice from the MRAB, which demonstrates that adequate funding is available.

Proposed § 86.162b(u) establishes that the Department will discontinue the LRFGs and notice will be published in the *Pennsylvania Bulletin* if 25% or more of the outstanding bond obligation for the LRFGs is declared forfeit. If the LRFGs are discontinued, no additional LRFGs may be approved. Outstanding LRFGs will remain in effect until released under §§ 86.170—86.172 and §§ 86.174 and 86.175 (relating to standards for release of bonds; and schedule for release of bond).

Proposed § 86.162b(v) provides that the Department will not approve additional LRFGs if LRFGs are discontinued. Outstanding LRFGs will remain in effect until released under §§ 86.170—86.172, 86.174 and 86.175.

The proposed amendment to § 86.187 will account for the implementation of LRFGs under Act 157 by providing that the Department may deposit other moneys into the Reclamation Fee O&M Trust Account, including the fees collected for LRFGs implemented by § 86.162b needed to facilitate full-cost bonding in accordance with applicable law.

F. Benefits, Costs and Compliance

Benefits

This proposed rulemaking will improve clarity and accuracy in existing regulations by correcting statutory citations.

This proposed rulemaking also promotes the use of bioenergy crops for mine reclamation by providing a no-cost incentive to operators choosing to reclaim sites with bioenergy crops. This incentive has the potential to restore the environment and alleviate some of the financial burden on surface mining operators since bonding costs have a substantial impact on a mine operator's financial status.

Likewise, the portion of this proposed rulemaking implementing Act 157 will reduce costs to surface mining operators by providing them with a means of covering part of their bond liability at a low cost. The proposed rules implementing Act 157 also provide a discretionary source of funding for ABS legacy sites by allowing an optional transfer of interest and premiums from the LRFG Account to the Reclamation Fee O&M Trust Account. This has the potential to offset an increase in the Reclamation Fee, which is welcomed by the industry, and may help fund projects aimed at eliminating the environmental and safety hazards associated with ABS legacy sites.

More generally, bonding assistance in the form of financial guarantees is quite helpful to surface mining operators because it reduces capital costs. Unlike traditional surety and collateral bonds, which require cash or property as a security, financial guarantees provide reclamation liability coverage to surface mining operators without the need for posting a security. Securing a bond encumbers cash flow and since financial guarantees do not require securities more capital is available to surface mining operators for their operations. Financial guaran-

tees, including those offered by Acts 95 and 157, reduce the financial impact of statutory bonding obligations on surface mining operators.

Compliance costs

The citation corrections will not result in compliance costs.

Obtaining Bioenergy Crop Bonding and LRFGs is optional for coal mine operators. Bioenergy Crop Bonding is offered at no-cost, and there is only a minimal fee required to obtain an LRFG. Compliance costs will be minimal.

Compliance Assistance Plan

Compliance assistance for this proposed rulemaking will be provided through routine interaction with trade groups and individual applicants. There are about 500 licensed surface coal mining operators in this Commonwealth, most of which are small businesses that will be subject to this proposed rulemaking. It is not anticipated that the proposed rulemaking will increase costs since the proposed rulemakings provide no-cost and low-cost financial incentives to surface coal mining operators.

Paperwork requirements

Since Bioenergy Crop Bonding and LRFGs are voluntary, surface coal mining operators will experience a marginal increase in paperwork only if they choose to obtain these financial guarantees. The additional paperwork requirements associated with this proposed rulemaking for both Bioenergy Crop Bonding and LRFGs include submitting additional documents with the permit application relating to the programs.

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.

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 are intended.

I. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 7, 2014, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey 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.

J. Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Environmental Quality Board. Comments, suggestions or objections must be received by the Board by November 24, 2014. In addition to the submission of comments, 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 the Board by November 24, 2014. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final-form rulemaking will be considered.

Comments including the submission of a one-page summary of comments may be submitted to the Board online, by e-mail, by mail or by express mail as follows. If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Comments may be submitted to the Board by accessing the Board's online comment system at <http://www.ahs.dep.pa.gov/RegComments>. Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

Written comments should be mailed to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

DANA K. AUNKST,
Acting Chairperson

Fiscal Note: 7-489. (1) Surface Mining Conservation & Reclamation Fund; (2) Implementing Year 2014-15 is \$0; (3) 1st Succeeding Year 2015-16 is \$5,000; 2nd Succeeding Year 2016-17 is \$10,000; 3rd Succeeding Year 2017-18 is \$11,000; 4th Succeeding Year 2018-19 is \$12,000; 5th Succeeding Year 2019-20 is \$13,000; (4) 2013-14 Program—\$0; 2012-13 Program—\$0; 2011-12 Program—\$0; this proposed rulemaking will implement new programs that were enacted in Acts 95 and 157; (7) General Operations; (8) recommends adoption. Funds have been included in the budget to cover this increase.

Annex A

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

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE I. LAND RESOURCES

CHAPTER 77. NONCOAL MINING

Subchapter A. GENERAL PROVISIONS

§ 77.1. Definitions.

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

* * * * *

Environmental acts—The term includes the following:

* * * * *

(vi) The Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b).

* * * * *

Subchapter C. PERMITS AND PERMIT APPLICATIONS

REVIEW, PUBLIC PARTICIPATION, ITEMS AND CONDITIONS OF PERMIT APPLICATIONS

§ 77.126. Criteria for permit approval or denial.

(a) A permit, permit renewal or revised permit application will not be approved, unless the application affirmatively demonstrates and the Department finds in writing, on the basis of the information in the application or from information otherwise available, that the following apply:

* * * * *

(6) The applicant or related party, as indicated by past or continuing violations, has not shown a lack of ability or intention to comply with the act or the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b).

* * * * *

Subchapter D. BONDING AND INSURANCE REQUIREMENTS

BOND FORFEITURE

§ 77.254. Preservation of remedies.

(a) Remedies provided in law for violation of the act, the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b), The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Air Pollution Control Act (35 P. S. §§ 4001—4015), [the act of June 25, 1913 (P. L. 555, No. 355), known as the Water Obstructions Law (32 P. S. §§ 681—691) (Repealed)] the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), [the Pennsylvania Solid Waste Management Act (Repealed) (35 P. S. §§ 6001—6017)] the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21), regulations thereunder or the conditions of the permits, are expressly preserved.

(b) Nothing in this subchapter is an exclusive penalty or remedy for violations of law. Action taken under this subchapter does not waive or impair other remedies or penalties provided in law.

CHAPTER 86. SURFACE AND UNDERGROUND COAL MINING: GENERAL

Subchapter A. GENERAL PROVISIONS

§ 86.1. Definitions.

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

* * * * *

Acts—Include the following:

(i) The Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31a] 1396.19b).

* * * * *

§ 86.6. Extraction of coal incidental to government-financed construction or government-financed reclamation projects.

(a) Extraction of coal incidental to government-financed construction or government-financed reclamation projects is exempt from the permitting requirements of the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.19a] 1396.19b) and this chapter as it relates to surface mining activities and operations, and Chapters 87 and 88 (relating to surface mining of coal; and anthracite coal) if the following conditions are met:

* * * * *

Subchapter B. PERMITS

GENERAL REQUIREMENTS FOR PERMITS AND PERMIT APPLICATIONS

§ 86.12. Continued operation under interim permits.

(a) A person conducting coal mining activities under a permit issued in accordance with Chapter 13 (relating to compliance with the Surface Mining Control and Reclamation Act of 1977), who has filed an application for permit under § 86.14(a) (relating to permit application filing deadlines) for which the Department has not rendered a decision may conduct these activities under the permit beyond the period prescribed in § 86.11(c) (relating to general requirements for permits) if:

(1) A timely and complete application for a permit has been made to the Department under this chapter.

(2) The Department has not yet rendered an initial administrative decision with respect to the application.

(3) The operations are conducted in compliance with terms and conditions of the permit, Chapter 13, the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.25] 1396.19b), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), [the] The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21), the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and the Air Pollution Control Act (35 P. S. §§ 4001—4015).

* * * * *

§ 86.17. Permit and reclamation fees.

* * * * *

(e) In addition to the bond established under §§ 86.143, 86.145, 86.149 and 86.150 and subject to the exception provided for in § 86.283(c) (relating to procedures), the applicant for a permit or a permit amendment shall pay a per acre reclamation fee for surface mining activities except for the surface effects of underground mining. This reclamation fee will be assessed for each acre of the approved operational area and shall be paid by the applicant prior to the Department's issuance of a surface mining permit. If a permit amendment results in an increase in the approved operational area, the reclamation fee will be assessed on the increased acreage and shall be paid by the operator prior to the Department's issuance of the permit amendment.

(1) The reclamation fee will be deposited into a separate subaccount within the Surface Mining Conservation and Reclamation Fund called the Reclamation Fee O&M Trust Account, as a supplement to bonds forfeited from ABS Legacy Sites. The reclamation fee will be used by the Department to pay the construction costs and operation and maintenance costs associated with treating

postmining pollutional discharges at ABS Legacy Sites, and the moneys may not be used for any other purpose. The interest earned on the moneys in the Reclamation Fee O&M Trust Account will be deposited into the Reclamation Fee O&M Trust Account and will be used by the Department to pay the construction costs and operation and maintenance costs associated with treating postmining pollutional discharges at ABS Legacy Sites. The interest may not be used for any other purpose. For purposes of this section, operation and maintenance costs include recapitalization costs.

(2) After the end of each fiscal year, the Department will prepare a fiscal-year report containing a financial analysis of the revenue and expenditures of the Reclamation Fee O&M Trust Account for the past fiscal year and the projected revenues and expenditures for the current fiscal year. **[Beginning with the report for fiscal year 2008-09, the]** The report will include the Department's calculation of the required amount of the reclamation fee, **[and]** the proposed adjustment of the reclamation fee amount **and information necessary for determining the need to supplement the funding of the Reclamation Fee O&M Trust Account. The need to supplement the funding of the Reclamation Fee O&M Trust Account will be based on the need to offset an increase in the reclamation fee and the need to provide for long-term operations at ABS Legacy Sites.** The fiscal-year report will be submitted to the members of the Mining and Reclamation Advisory Board for their review and comment and will be published on the Department's web site. Notice of the report's availability will be published in the *Pennsylvania Bulletin*. The Department will review the fiscal-year report at a meeting of the Mining and Reclamation Advisory Board.

* * * * *

Subchapter D. AREAS UNSUITABLE FOR MINING CRITERIA AND PROCEDURES FOR DESIGNATING AREAS AS UNSUITABLE FOR SURFACE MINING

§ 86.121. Areas exempt from designation as unsuitable for surface mining operations.

This section and §§ 86.122—86.129 do not apply to areas on which:

- (1) Surface mining operations were being conducted on August 3, 1977.
- (2) Surface mining operations have been authorized by a valid permit issued under **[The] the** Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—**[1396.19a] 1396.19b**), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), The Clean Streams Law (35 P. S. §§ 691.1—691.1001) or The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21).
- (3) A person establishes that substantial legal and financial commitments in surface mining operations were in existence prior to January 4, 1977.

Subchapter F. BONDING AND INSURANCE REQUIREMENTS

FORM, TERMS AND CONDITIONS OF BONDS AND INSURANCE

§ 86.155. Scope.

This section and §§ 86.156—**[86.162a] 86.162c** and 86.165—86.168 establish the minimum standards for the

form of the bond for mining and reclamation activities, and the terms and conditions applicable to bonds and liability insurance.

§ 86.159. Self-bonding.

* * * * *

(k) The self-bond shall be in a form prepared and approved by the Department and may contain special conditions as the Department may require to assure the Commonwealth's interests are fully protected. The self-bond, in addition to another term or condition of forfeiture contained in a bond required by this subchapter, shall contain the following terms and conditions:

(1) The self-bond will be forfeited if either of the following occur:

(i) Ninety days after the Department is informed by or determines that the applicant is no longer eligible to self-bond and within the 90-day period the applicant fails to submit to the Department acceptable security as provided for in this subchapter to cover its self-bonded liability.

(ii) Within 90 days of the issuance of an order to abate conditions at a site covered by a self-bond which constitutes either an actual or potential risk of harm to the environment, the applicant fails to, except as provided for in § 86.211 (relating to enforcement-general), comply with the order or fails to submit to the Department acceptable security as provided for in this subchapter in an amount equal to the self-bonded liability.

(2) Liability under the self-bond shall be conditioned on:

(i) The applicant faithfully performing the following requirements:

(A) The Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—**[1396.31] 1396.19b**).

* * * * *

(Editor's Note: Sections 86.162b and 86.162c are new and printed in regular type to enhance readability.)

§ 86.162b. Land Reclamation Financial Guarantees.

(a) The Department will designate funds in the Land Reclamation Financial Guarantee Account to underwrite Land Reclamation Financial Guarantees.

(b) The funds in the Land Reclamation Financial Guarantee Account will be used to cover obligations for all existing sum-certain financial guarantees needed to facilitate the implementation of full-cost bonding previously issued by the Department.

(c) The Department may issue Land Reclamation Financial Guarantees to financially assure the bonding obligations of qualified surface coal mining operators engaged in surface mining activities under § 86.143 (relating to requirement to file a bond).

(d) The Department will hold in reserve in the Land Reclamation Financial Guarantee Account funds that are not designated to underwrite Land Reclamation Financial Guarantees.

(e) The Department will use funds held in reserve in the Land Reclamation Financial Guarantee Account to:

(1) Assure the availability of funds to cover reclamation liabilities when there is a mine operator bond forfeiture under § 86.181 (relating to general).

(2) Underwrite sum-certain financial guarantees available under Bioenergy Crop Bonding implemented by § 86.162c (relating to Bioenergy Crop Bonding).

(3) Transfer funds available in the Land Reclamation Financial Guarantee Account to the Reclamation Fee O&M Trust Account.

(f) In administering the Land Reclamation Financial Guarantee Account, the Department will not issue:

(1) Land Reclamation Financial Guarantees for a permit in excess of 50% of the required bond amount for that permit, which is the Permit Limit.

(2) Additional Land Reclamation Financial Guarantees to a surface mining operator in excess of the Operator Limit, which is exceeded if the aggregate amount of Land Reclamation Financial Guarantees on permits issued to the operator exceeds 30% of the designated amount in the Land Reclamation Financial Guarantee Account.

(3) Additional Land Reclamation Financial Guarantees in excess of the Program Limit, which is exceeded when the aggregate amount of outstanding Land Reclamation Financial Guarantees is greater than the current designated amount in the Land Reclamation Financial Guarantee Account divided by the historical rate of mine operator bond forfeiture under § 86.181, plus a margin of safety determined by the Department.

(g) Any existing sum-certain financial guarantee needed to facilitate the implementation of full-cost bonding previously issued by the Department shall be converted into a Land Reclamation Financial Guarantee subject to the following:

(1) If the conversion results in a Land Reclamation Financial Guarantee exceeding the Permit Limit established in subsection (f)(1), the Land Reclamation Financial Guarantee amount does not need to be reduced, but the permit will not be eligible for additional Land Reclamation Financial Guarantees until the total amount of the Land Reclamation Financial Guarantees for the permit is under the Permit Limit.

(2) If the conversion results in a Land Reclamation Financial Guarantee for an operator exceeding the Operator Limit established in subsection (f)(2), the Land Reclamation Financial Guarantee does not need to be reduced, but the operator will not be eligible for additional Land Reclamation Financial Guarantees until the total amount of the Land Reclamation Financial Guarantees for the operator is under the Operator Limit.

(h) The Department will periodically, but no less frequently than every 5 years, or upon request by the Mining and Reclamation Advisory Board, prepare a report containing a financial analysis of the revenue and expenditures for the Land Reclamation Financial Guarantee Account.

(1) The report will evaluate the Permit Limit, the Operator Limit, the Program Limit and the annual payment percentage rate referenced in subsection (m)(1) for Land Reclamation Financial Guarantees.

(2) The report will be submitted to the members of the Mining and Reclamation Advisory Board for their review and advice.

(3) The report will be published on the Department's web site.

(4) Notice of availability of the report will be published in the *Pennsylvania Bulletin*.

(5) The Department will review the report at a public meeting of the Mining and Reclamation Advisory Board.

(6) If the Department's review of the report at a public meeting of the Mining and Reclamation Advisory Board results in a change to the Permit Limit, the Operator Limit, the Program Limit or the annual payment percentage rate, the Department will publish a notice of the changes in the *Pennsylvania Bulletin*.

(7) Changes to the Permit Limit, the Operator Limit, the Program Limit or the annual payment percentage rate will become effective upon publication in the *Pennsylvania Bulletin*.

(i) The Department may transfer interest earned and payments collected and deposited in the Land Reclamation Financial Guarantee Account into the Reclamation Fee O&M Trust Account established under §§ 86.17 and 86.187 (relating to permit and reclamation fees; and use of money) to supplement the funding of the Reclamation Fee O&M Trust Account consistent with section 19.2(b)(5) and (6) of the Surface Mining Conservation and Reclamation Act (52 P. S. § 1396.19b(b)(5) and (6)).

(j) The Department will provide information about any proposed transfer to the Reclamation Fee O&M Trust Account to the Mining and Reclamation Advisory Board and solicit advice from Mining and Reclamation Advisory Board before making the transfer.

(k) To be eligible for a Land Reclamation Financial Guarantee, a surface coal mining operator shall demonstrate the following:

(1) The mine operator holds a valid coal mining license issued under section 3.1 of the Surface Mining Conservation and Reclamation Act (52 P. S. § 1396.3a).

(2) The mine operator, a related party, a person who owns or controls the operator, or a person who is owned or controlled by the operator satisfies the requirements of § 86.37(a)(8)—(11) and (16) (relating to criteria for permit approval or denial).

(3) For a mine operator that has previously obtained a remaining financial guarantee under section 4.12 of the Surface Mining Conservation and Reclamation Act (52 P. S. § 1396.4) or a Land Reclamation Financial Guarantee that has met its reclamation obligations and made timely payments for the remaining financial guarantee program or has made timely payments for Land Reclamation Financial Guarantees.

(4) For operators that have not previously obtained a remaining financial guarantee under section 4.12 of the Surface Mining Conservation and Reclamation Act or a Land Reclamation Financial Guarantee, the operator shall demonstrate appropriate experience in surface coal mining and reclamation by showing that it has had a coal mining license under section 3.1 of the Surface Mining Conservation and Reclamation Act for at least 5 years and that the operator would be able to obtain a surety bond otherwise required under this chapter by submitting either of the following:

(i) A surety bond for a portion of the remaining reclamation liability for the proposed site.

(ii) A letter of acceptance from a surety company licensed to do business in this Commonwealth and which writes bonds for the reclamation of mine sites located in this Commonwealth. The acceptance letter must indicate

the complete name and address of the surety company and state that the surety company would write the bond.

(l) An application for a Land Reclamation Financial Guarantee must include a description of:

(1) The environmental and safety hazards of the site for which a guarantee is proposed.

(2) The availability of coal reserves at the site.

(3) Any prior denials of surety coverage.

(m) Obtaining a Land Reclamation Financial Guarantee is subject to the following:

(1) A mine operator shall make annual payments to the Department at a rate of 1.5% of the total amount of the Land Reclamation Financial Guarantee.

(2) The first annual payment is due upon the operator's receipt of notice of the Department's approval of the operator's application to obtain a Land Reclamation Financial Guarantee. Payments shall be made annually thereafter concurrent with the permit anniversary date or in accordance with a schedule determined by the Department.

(3) The operator is responsible for making the annual payment as calculated by the Department until the amount of the bond is reduced or released in accordance with §§ 86.170—86.172 (relating to scope; procedures for seeking release of bond; and criteria for release of bond).

(4) Payments are not refundable and will be deposited into the Land Reclamation Financial Guarantee Account to be used in the event of mine operator bond forfeiture. Excess payments may be transferred by the Department to the Reclamation Fee O&M Trust Account consistent with section 19.2(b)(6) of the Surface Mining Conservation and Reclamation Act.

(5) The operator may not substitute Land Reclamation Financial Guarantees for existing collateral or surety bonds.

(n) The Department may, after soliciting advice from the Mining and Reclamation Advisory Board and publication in the *Pennsylvania Bulletin*, adjust the annual payment percentage rate referred to in subsection (m)(1) to assure financial stability of the Land Reclamation Financial Guarantee Account and to cover the Department's costs to administer the guarantees.

(o) The Department will reduce or release an obligation covered by a Land Reclamation Financial Guarantee prior to any other bond submitted by the operator to cover the reclamation obligations of a permit, except that remining financial guarantees issued under section 4.12 of the Surface Mining Conservation and Reclamation Act will be released before Land Reclamation Financial Guarantees.

(p) If a post-mining pollutional discharge develops on a permit for which a Land Reclamation Financial Guarantee has been obtained, the operator shall, within 90 days of receipt of written notice by the Department, provide to the Department a separate bond or alternative financial assurance mechanism to cover the long-term treatment costs associated with the discharge or replace the Land Reclamation Financial Guarantee with other types of financial assurance mechanisms authorized for the purpose of covering the costs of treating the discharge.

(q) Upon mine operator bond forfeiture under § 86.181, the Department will declare forfeit the specified amount of the Land Reclamation Financial Guarantee for the

permit in the Land Reclamation Financial Guarantee Account in addition to other bonds posted by the operator to cover the reclamation obligation on the permit.

(r) The Department's declaration of forfeiture under § 86.181 may not discharge an operator's obligation to meet the requirements of this chapter or other requirements under the Surface Mining Conservation and Reclamation Act.

(s) Upon declaration of forfeiture, the Department will use the bond money posted by the operator, the specified amount of the Land Reclamation Financial Guarantee, and any other financial assurance mechanisms to complete the reclamation of the mine site in accordance with the procedures and criteria in § 86.187 and §§ 86.188—86.190 (relating to evaluation of bond forfeiture sites; reclamation of bond forfeiture sites; and sites where reclamation is unreasonable, unnecessary or impossible; excess funds).

(t) The Department may suspend the issuance of Land Reclamation Financial Guarantees upon notice in the *Pennsylvania Bulletin* when the number of participating permits declared forfeit under this section equals the number of participating permits multiplied by the historical rate of mine operator bond forfeiture plus a margin of safety. Issuance of Land Reclamation Financial Guarantees may resume after the Department conducts an evaluation which demonstrates that adequate funding is available. The Department's evaluation will take into account advice received from the Mining and Reclamation Advisory Board.

(u) The Department will discontinue the issuance of Land Reclamation Financial Guarantees and notice will be published in the *Pennsylvania Bulletin* if 25% or more of the outstanding bond obligation for all Land Reclamation Financial Guarantees is declared forfeit under § 86.181.

(v) The Department will not approve additional Land Reclamation Financial Guarantees if Land Reclamation Financial Guarantees are discontinued. Outstanding Land Reclamation Financial Guarantees will remain in effect until released under §§ 86.170—86.172 and §§ 86.174 and 86.175 (relating to standards for release of bonds; and schedule for release of bonds).

§ 86.162c. Bioenergy Crop Bonding.

(a) A permit is eligible for Bioenergy Crop Bonding at no cost to a surface mining permittee if the applicant demonstrates the following:

(1) The site is a remining site as defined in § 86.252 (relating to definitions).

(2) Stage 2 bond release has been achieved at the remining site.

(3) The bioenergy crops listed in subparagraph (i) or (ii) have been grown at the remining site:

(i) Switchgrass, camelina or canola.

(ii) Other bioenergy crops grown to produce feedstock for biofuels, including biodiesel and ethanol, and biomass for electricity generation.

(4) Water treatment liability has not been triggered under Chapter 87, Subchapter F, Chapter 88, Subchapter G or Chapter 90, Subchapter F (relating to surface coal mines: minimum requirements for remining areas with pollutional discharges; anthracite surface mining activi-

ties and anthracite bank removal and reclamation activities: minimum requirements for remaining areas with pollutional discharges; and coal refuse disposal activities on areas with preexisting pollutional discharges).

(b) An application for Bioenergy Crop Bonding must provide the following:

(1) Verification that the entire permitted area has achieved Stage 2 bond release consistent with § 86.174(b) (relating to standards for release of bonds).

(2) A demonstration that the crops grown are bioenergy crops.

(3) Crop yield data that demonstrates that the bioenergy crops are achieving acceptable crop production.

(4) A demonstration that all temporary structures have been reclaimed.

(5) A demonstration that there are no post-mining pollutional discharges or that all liability associated with post-mining pollutional discharges is fully covered with a full-cost bond or a fully-funded post-mining treatment trust.

(6) Acknowledgement that the permittee intends to apply for final release of the Bioenergy Crop Bonding in a timely manner.

(c) Upon approval of a Bioenergy Crop Bonding application, the Department will release the existing bond held for Stage 3 liability.

(d) The liability period under Bioenergy Crop Bonding may not exceed 5 years. Permits with a liability period greater than 5 years because of the risk of water pollution under § 86.151(b)(1) and (c) (relating to period of liability) are not eligible for Bioenergy Crop Bonding.

(e) Bioenergy Crop Bonding for a permit will expire no later than 120 days after the expiration of the 5-year liability period.

(f) Bioenergy Crop Bonding will be replaced if the final bond release is not achieved upon the expiration of Bioenergy Crop Bonding.

BOND FORFEITURE

§ 86.182. Procedures.

* * * * *

(h) If the amount forfeited is:

(1) Insufficient to pay for the full cost of reclamation, the operator shall be liable for remaining costs. The Department may complete, or authorize completion of, the reclamation of the bonded area and may recover from the operator all costs of reclamation in excess of the amount forfeited.

(2) More than the amount necessary to complete the reclamation, the excess funds will be used by the Department, as approved by the Secretary, for any of the purposes provided in section 18(a) of the [act] **Surface Mining Conservation and Reclamation Act** (52 P. S. § [1397.18(a)] 1396.18(a)).

§ 86.185. Preservation of remedies.

Remedies provided in law for violation of but not limited to the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b), The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Air Pollution Control Act (35 P. S. §§ 4001—4015), the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), the Coal Refuse Disposal Control Act (52 P. S.

§§ 30.51—30.66), the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003)[, and the] **and The Bituminous Mine Subsidence and Land Conservation Act** (52 P. S. §§ 1406.1—1406.21), the regulations adopted thereunder, or the conditions of the permits, are expressly preserved. Nothing in this subchapter may be construed as an exclusive penalty or remedy for the violations of law. No action taken under this subchapter may waive or impair another remedy or penalty provided in law.

§ 86.187. Use of money.

(a) Moneys received from fees, fines, penalties, bond forfeitures and other moneys received under authority of the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b), and interest earned on the moneys, will be deposited in the Fund.

(1) Moneys received from the reclamation fees required by § 86.17(e) (relating to permit and reclamation fees), and the interest accrued on these [monies] moneys will be deposited into a separate subaccount within the fund called the Reclamation Fee O&M Trust Account.

(i) The Department will deposit into the Reclamation Fee O&M Trust Account, up to \$500,000 in a fiscal year, the moneys collected from civil penalties assessed by the Department under the Surface Mining Conservation and Reclamation Act less the percentage of those penalty moneys due the Environmental Education Fund under section 8 of the Environmental Education Act (35 P. S. § 7528). If the amount of penalty moneys collected exceeds \$500,000 during a fiscal year, the Department may deposit the amount collected in excess of \$500,000 into the fund and use the excess amount in accordance with paragraph (3).

(ii) The Department may deposit into the Reclamation Fee O&M Trust Account a portion, to be determined at the Department’s discretion, of the interest earned on other moneys in the fund.

(iii) The Department may deposit other moneys into the Reclamation Fee O&M Trust Account, including appropriations, donations[, or,] or the fees collected for [sum-certain financial guarantees] **Land Reclamation Financial Guarantees implemented by § 86.162b (relating Land Reclamation Financial Guarantees)** needed to facilitate full-cost bonding in accordance with applicable law.

* * * * *

Subchapter I. [EMPLOYE] **EMPLOYEE CONFLICT OF INTEREST**

§ 86.232. Definitions.

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

Coal mining laws—Those provisions of the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b), The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Air Pollution Control Act (35 P. S. §§ 4001—4015), the Dam Safety and Encroachments Act (32 P. S. §§ [6018.101—6018.1003] 693.1—693.27), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), [the] **The Bituminous [Coal] Mine Subsidence and Land Conservation Act** (52 P. S. §§ 1406.1—1406.21) and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), related to the regulation of surface and underground coal mines and

facilities, and The Land and Water Conservation and Reclamation Act (32 P. S. §§ 5101—5121) related to abandoned mine lands reclamation for which Federal grants have been made under [Title IV] sections 401—415 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C.A. §§ 1231—[1243] 1244).

* * * * *

Subchapter J. REMINING AND RECLAMATION INCENTIVES

GENERAL PROVISIONS

§ 86.252. Definitions.

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

* * * * *

Act—The Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.19a] 1396.19b).

* * * * *

Subchapter K. MINE OPERATOR'S LICENSE

§ 86.358. Suspension and revocation.

(a) The Department may suspend or revoke a license for the following reasons:

- (1) Failure to comply with an order of the Department for which a supersedeas has not been granted.
- (2) Failure to comply with the conditions of a permit.
- (3) Failure to comply with the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1391.1—[1396.19a] 1396.19b) or the regulations thereunder.

* * * * *

CHAPTER 87. SURFACE MINING OF COAL

Subchapter A. GENERAL PROVISIONS

§ 87.1. Definitions.

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

* * * * *

SMCRA—The Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.25] 1396.19b).

* * * * *

Subchapter F. SURFACE COAL MINES: MINIMUM REQUIREMENTS FOR REMINING AREAS WITH POLLUTIONAL DISCHARGES

§ 87.205. Approval or denial.

* * * * *

(b) An authorization may be denied under this subchapter if granting the authorization will, or is likely to, affect a legal responsibility or liability under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.25] 1396.19b), Chapter 86 (relating to surface and underground coal mining: general) or Subchapters A and C—E, for the proposed pollution abatement area or other areas or discharges in the vicinity of the proposed pollution abatement area.

* * * * *

CHAPTER 88. ANTHRACITE COAL

Subchapter F. ANTHRACITE UNDERGROUND MINES

§ 88.482. Definitions.

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

* * * * *

Operator—A person or municipality engaged in underground mining activities as a principal, as distinguished from an agent or independent contractor. When more than one person is engaged in coal mining activities in a single operation, they shall be deemed jointly and severally responsible for compliance with the provisions of the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b), The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66).

* * * * *

Subchapter G. ANTHRACITE SURFACE MINING ACTIVITIES AND ANTHRACITE BANK REMOVAL AND RECLAMATION ACTIVITIES: MINIMUM REQUIREMENTS FOR REMINING AREAS WITH POLLUTIONAL DISCHARGES

§ 88.505. Approval or denial.

* * * * *

(b) An authorization may be denied under this subchapter if granting the authorization will, or is likely to, affect legal responsibility or liability under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.25] 1396.19b), Chapter 86 (relating to surface and underground coal mining: general), Chapter 87, Subchapter B (Reserved) or Subchapters A—C, for the proposed pollution abatement area or other areas or discharges in the vicinity of the proposed pollution abatement area.

* * * * *

CHAPTER 89. UNDERGROUND MINING OF COAL AND COAL PREPARATION FACILITIES

Subchapter A. EROSION AND SEDIMENTATION CONTROL

GENERAL PROVISIONS

§ 89.5. Definitions.

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

* * * * *

Operator—A person or municipality engaged in underground mining activities as a principal, as distinguished from an agent or independent contractor. When more than one person is engaged in coal mining activities in a single operation, they shall be deemed jointly and severally responsible for compliance with the provisions of the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[1396.31] 1396.19b), The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66).

* * * * *

CHAPTER 90. COAL REFUSE DISPOSAL

Subchapter F. COAL REFUSE DISPOSAL
ACTIVITIES ON AREAS WITH PREEXISTING
POLLUTIONAL DISCHARGES

§ 90.305. Application approval or denial.

* * * * *

(b) An authorization may be denied under this subchapter if granting the authorization will, or is likely to, affect a legal responsibility or liability under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[**1396.19a**] **1396.19b**), Chapter 86 (relating to surface and underground coal mining: general) or Subchapters A—D, for the proposed pollution abatement area or other areas or discharges in the vicinity of the proposed pollution abatement area.

* * * * *

Subpart D. ENVIRONMENTAL HEALTH AND
SAFETY

ARTICLE IV. OCCUPATIONAL HEALTH AND
SAFETY

CHAPTER 211. STORAGE, HANDLING AND USE
OF EXPLOSIVES

Subchapter C. PERMITS

§ 211.121. General requirements.

* * * * *

(c) A permit issued under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—[**1396.19a**] **1396.19b**), or the Noncoal Surface Mining [**and**] Conservation and Reclamation Act (52 P. S. §§ 3301—3326), and the regulations promulgated thereunder, authorizing blasting activity shall act as a blasting activity permit issued under this chapter.

* * * * *

[Pa.B. Doc. No. 14-2187. Filed for public inspection October 24, 2014, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD [4 PA. CODE CH. 9]

Reorganization of the Department of Agriculture

The Executive Board approved a reorganization of the Department of Agriculture effective October 6, 2014.

The organization chart at 44 Pa.B. 6795 (October 25, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 14-2188. Filed for public inspection October 24, 2014, 9:00 a.m.]

PART II. EXECUTIVE BOARD [4 PA. CODE CH. 9]

Reorganization of the Department of Transportation

The Executive Board approved a reorganization of the Department of Transportation effective October 7, 2014.

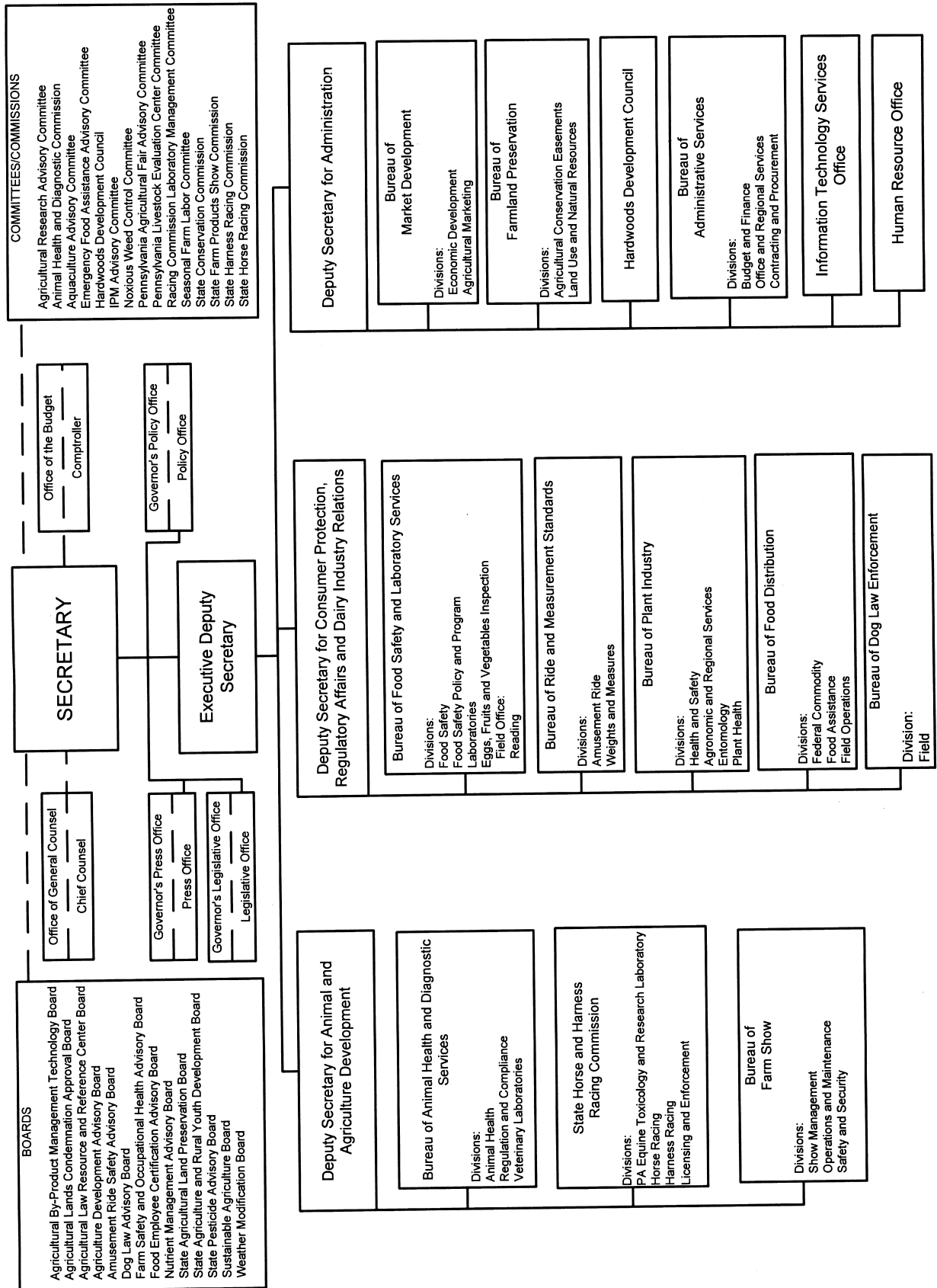
The organization chart at 44 Pa.B. 6796 (October 25, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 14-2189. Filed for public inspection October 24, 2014, 9:00 a.m.]

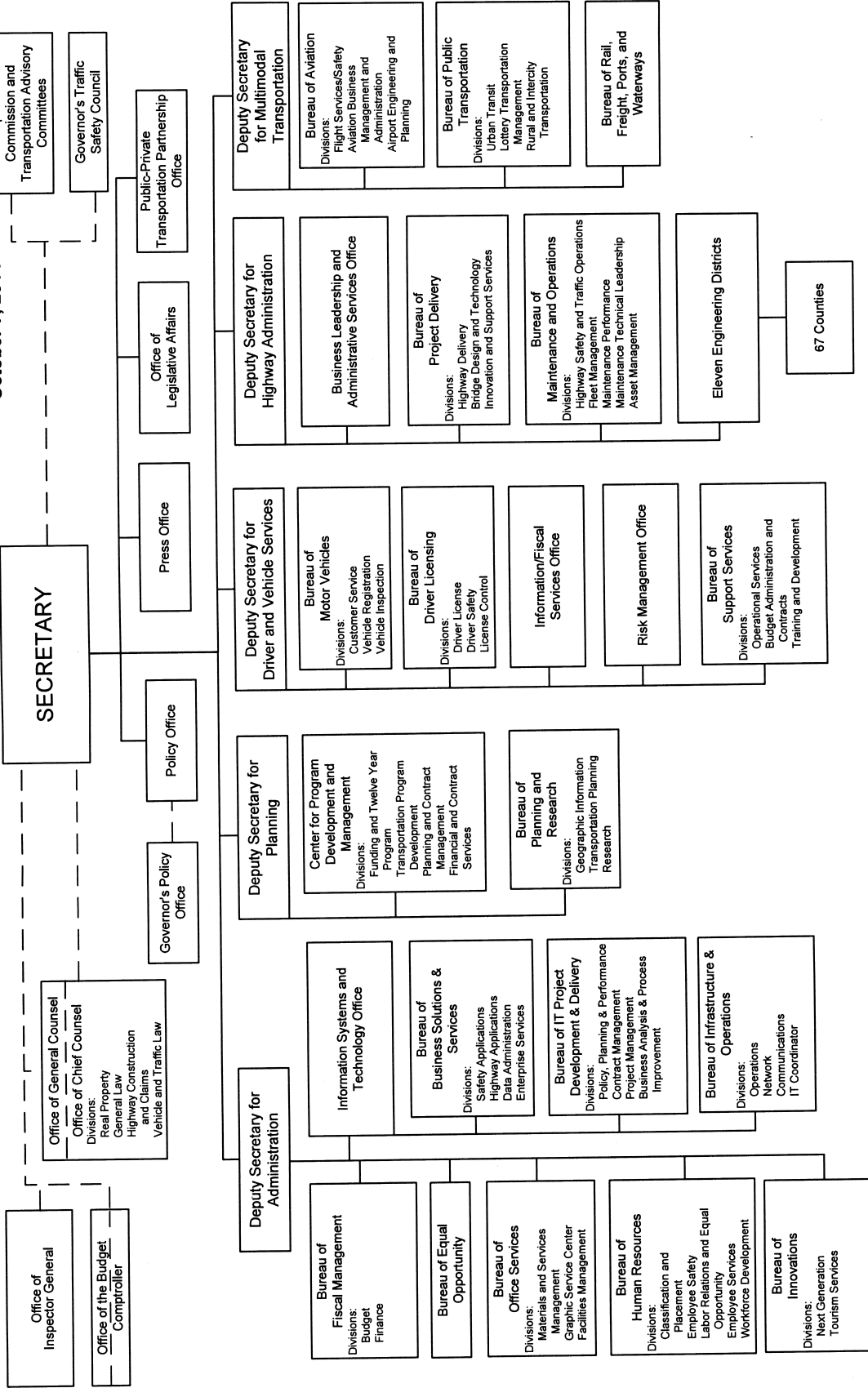
DEPARTMENT OF AGRICULTURE

OR-14-021
October 6, 2014



OR-14-022
October 7, 2014

DEPARTMENT OF TRANSPORTATION



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 May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the Act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 7, 2014.

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 his or her 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>
10-3-2014	1st Summit Bank Johnstown Cambria County	512 West High Street Ebensburg Cambria County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-30-2014	Northwest Savings Bank Warren Warren County	97 West Main Street Clarion Clarion County	Closed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-2-2014	Susquehanna Bank Lititz Lancaster County	<i>To:</i> 4305 Marketplace Way Enola Cumberland County <i>From:</i> 390 East Penn Drive Enola Cumberland County	Filed
10-3-2014	Farmers & Merchants Trust Company Chambersburg Franklin County	<i>To:</i> T.B.D. Chambersburg Franklin County <i>From:</i> 1100 Lincoln Way West Chambersburg Franklin County	Filed

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-7-2014	Wayne Bank Honesdale Wayne County	<i>Into:</i> 308 Stroud Mall Road Stroudsburg Monroe County <i>From:</i> 334 North Ninth Street Stroudsburg Monroe County	Approved

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-3-2014	Belco Community Credit Union Harrisburg Dauphin County	Approved
	Application for approval to merge Our Family Federal Credit Union, Lancaster, with and into Belco Community Credit Union, Harrisburg.	

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. 14-2190. Filed for public inspection October 24, 2014, 9:00 a.m.]

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking 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 October 14, 2014.

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**Conversions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-29-2014	<i>From:</i> The First National Bank of Mercersburg Mercersburg Franklin County	Approved
	<i>To:</i> The First Community Bank of Mercersburg Mercersburg Franklin County	

Application for approval to convert from a National banking association to a Pennsylvania State-chartered bank.

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-28-2014	Riverview Bank Marysville Perry County	2800 State Hill Road Reading Berks County	Opened
9-3-2014	Riverview Bank Marysville Perry County	2650 Westview Drive Wyomissing Berks County	Authorization Surrendered

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-28-2014	Riverview Bank Marysville Perry County	84 Valley Street New Philadelphia Schuylkill County	Closed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-14-2014	Royal Bank America Narberth Montgomery County	<i>To:</i> 151 York Road Willow Grove Montgomery County <i>From:</i> 600 Old York Road Jenkintown Montgomery County	Withdrawn

CREDIT UNIONS

No activity.

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. 14-2191. Filed for public inspection October 24, 2014, 9:00 a.m.]

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Pennsylvania Advisory Council on Drug and Alcohol Abuse Meeting

The Pennsylvania Advisory Council on Drug and Alcohol Abuse (Council) will hold a public meeting on October 29, 2014, from 11 a.m. to 3:30 p.m. at The Pennsylvania Child Welfare Resource Center, University of Pittsburgh's School of Social Work, 400 East Winding Hill Road, Mechanicsburg, PA 17055, (717) 796-9048, Ext. 5022. The meeting is open to the public. Free public parking is available. For additional information, visit the Department of Drug and Alcohol Program's (Department) web site at www.ddap.pa.gov.

The primary focus of this Council meeting is for the Council members to meet to discuss current drug and alcohol issues and challenges facing this Commonwealth, and to serve in an advisory capacity to the Department on these issues.

For additional information, visit the Department's web site or contact Roseann Deutsch at (717) 214-1937.

Persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation should contact Roseann Deutsch at (717) 214-1937.

This meeting is subject to cancellation without notice.

GAROLD E. TENNIS,
Secretary

[Pa.B. Doc. No. 14-2192. Filed for public inspection October 24, 2014, 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0011517 (IW & Stormwater)	Keystone Cement Plant Route 512 Bath, PA 18014	Northampton County East Allen Township	Monocacy Creek (2-C)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0040860— IW	Delaware County Solid Waste Authority (Rolling Hills Landfill) 583 Longview Road Boyertown, PA 19512	Berks County / Earl Township	Manatawny Creek & Furnace Run / 3-C	Y
PA0023264— SEW	Twin Boroughs Sanitary Authority 17 River Road Mifflin, PA 17058	Juniata County / Milford Township	Juniata River / 12-A	Y
PA0082635— SEW	MHC Sun Valley LLC 2 North Riverside Plaza, Suite 800 Chicago, IL 60606	Lancaster County Brecknock Township	UNT to Rock Run / 7-J	Y
PA0087611— SEW	Richfield Area Joint Authority 186 Seven Stars Road Richfield, PA 17086	Juniata County Monroe Township	West Branch Mahantango Creek / 6-C	Y

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114553 (Sewage)	Millheim Borough Council Sewer System STP 645 Tattletown Road Coburn, PA 16832	Centre County Penn Township	Elk Creek (6-A)	Y

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

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

PA0205028, SIC Code 5171, **Buckeye Terminals, LLC**, 134 BP Tank Lane, Greensburg, PA 15601. Facility Name: Greensburg Terminal. This existing facility is located in Hempfield Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated and untreated stormwater runoff.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Aluminum						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.75	0.75	XXX
Ethanol ⁽¹⁾	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Ethylbenzene	XXX	XXX	XXX	Report	Report	XXX
Benzene	XXX	XXX	XXX	Report	Report	XXX
Total BTEX	XXX	XXX	XXX	Report	Report	XXX
Toluene	XXX	XXX	XXX	Report	Report	XXX
Total Xylenes	XXX	XXX	XXX	Report	Report	XXX

⁽¹⁾ Ethanol samples shall be analyzed using EPA Method 8260B.

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

- Aluminum effluent limitations compliance schedule.

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

The EPA Waiver is not in effect.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970

PA0058785, SIC Code 6514, **Gregory A. & Marian B. Gans**, 196 Springton Road, Glenmoore, PA 19343-1162. Facility Name: Gans SRSTP. This existing facility is located in West Brandywine Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Culbertson Run, is located in State Water Plan watershed 3-H and is classified for High Quality Waters—Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Instant. Maximum	Minimum	Average Monthly	Instant. Maximum	Instant. Maximum
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
CBOD ₅						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

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

- A. AMR Submission
- B. DMR Submission
- C. Septage and Scum Measurement
- D. Septic Tank Pumping
- E. No Stormwater Condition
- F. Acquire Necessary Property Rights
- G. Small Stream Discharge
- H. Proper Sludge Disposal
- I. Phase Out When Municipal Sewers Available
- J. Chlorine Disinfection as Backup

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.

PA0021172, Sewage, SIC Code 4952, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. Facility Name: Harvey Ave STP. This existing facility is located in Doylestown Borough, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage from Harvey Avenue STP.

The receiving stream(s), Cooks Run, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Aqua Pennsylvania Neshaminy Plant is located on Neshaminy Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.6 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
May 1 - Oct 31	133	200	XXX	10	15	20
Nov 1 - Apr 30	267	400	XXX	20	30	40
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	400	600	XXX	30	45	60
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
UV Transmittance (%)	XXX	XXX	Report Daily Min	Geo Mean XXX	XXX	XXX
Nitrate-Nitrite as N						
Jul 1 - Oct 31	133	XXX	XXX	10	XXX	20
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	13.3	XXX	XXX	1.0	XXX	2.0
Nov 1 - Apr 30	26.7	XXX	XXX	2.0	XXX	4.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Apr 1 - Oct 31	6.7	XXX	XXX	0.5	XXX	1.0
Nov 1 - Mar 31	13.3	XXX	XXX	1.0	XXX	2.0
Total Aluminum	XXX	XXX	XXX	0.75	XXX	1.5
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX
Total Iron	XXX	XXX	XXX	Report	XXX	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	Report	XXX	XXX

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Chronic Toxicity— Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	1.03	XXX	XXX
				Daily Max		
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	1.03	XXX	XXX
				Daily Max		
Pimephales Survival (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		
Pimephales Growth (TUc)	XXX	XXX	XXX	Report	XXX	XXX
				Daily Max		

The proposed effluent limits for Outfall 002 are based on a stormwater event.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Annual Average		
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
CBOD ₅	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	XXX

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

- No Stormwater in Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Minimization
- Small Stream Discharge
- Notification of Responsible Owner
- O&M Plan
- Total Dissolved Solids Limits
- Fecal Limits
- Pretreatment Requirements
- Whole Effluent Toxicity Requirements
- Stormwater Requirements
- Site Specific Copper Criteria

Harvey Avenue STP participated with a group that submitted a copper WER study to the DEP. Site specific copper WER were public noticed in the *Pennsylvania Bulletin* on November 20, 1999. The EPA approved a dissolved Cu WER of 5.7 for Harvey Avenue STP. Subsequently, the EPA approved an additional site specific copper recalculation which was public noticed in the *Pennsylvania Bulletin* on December 2, 2000. The site specific copper criteria, including the WER and recalculated criteria equation are:

$$\text{Cu CCC (dissolved)} = 5.7 * e((0.8545 * \ln[\text{H}]) - 1.203)$$

$$\text{Cu CMC (dissolved)} = 5.7 * e((0.9422 * \ln[\text{H}]) - 1.201)$$

For a hardness of 186 mg/l, the site specific copper CCC criteria is 148.83 ug/l and the CMC criteria is 235.84 ug/l.

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 not in effect.

PA0051756, Sewage, SIC Code 6321, **State Farm Mutual Insurance Company**, One State Farm Drive, Concordville, PA 19331. Facility Name: State Farm Insurance Company STP. This existing facility is located in Concord Township, **Delaware County**.

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

The receiving stream(s), Unnamed Tributary to West Branch of Chester Creek, and is located in State Water Plan watershed 3-G and is classified for TSF, MF per Chapter 93. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Geo Mean</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	Report	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.36	XXX	0.83
CBOD ₅						
May 1 - Oct 31	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

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

- No Stormwater
- Property Rights
- Sludge Disposal
- 537 Planning
- Chlorine Minimization
- Annual Average
- Operator Notification
- EDMR Requirement

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

The EPA Waiver is in effect.

PA0057827, SIC Code 8811, **Lopez Robert P**, 508 Conestoga Road, Malvern, PA 19355. Facility Name: Lopez Properties. This existing facility is located in West Brandywine Township, **Chester County**.

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

The receiving stream(s), Indian Run, is located in State Water Plan watershed 3-H and is classified for High Quality Waters—Cold Water 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 0.0005 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Instant. Maximum</i>		<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	XXX	XXX	0.02
CBOD ₅	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

- Sludge Disposal, No Stormwater, Property rights, Permit transfer, Right of entry

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.

PA0244686, SIC Code 6514, **Roxanne M. Riley**, 1021 Copeland School Road, West Chester, PA 19380-1829. Facility Name: Riley SRSTP. This existing facility is located in East Bradford Township, **Chester County**.

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

The receiving stream(s), Broad Run, is located in State Water Plan watershed 3-H and is classified for High Quality Waters—Cold Water 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 0.0004 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	XXX	Instant. Minimum	Average Monthly	XXX	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	Report
CBOD ₅						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	40	XXX	80
Ammonia-Nitrogen	XXX	XXX	XXX	30	XXX	60
Total Phosphorus	XXX	XXX	XXX	10	XXX	20

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

- A. AMR Submission
- B. DMR Submission
- C. Septage and Scum Measurement
- D. Septic Tank Pumping
- E. Chlorine Optimization
- F. No Stormwater
- G. Acquire Necessary Property Rights
- H. Proper Sludge Disposal
- I. Phase Out When Municipal Sewers Available

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.

PA0029289, Sewage, SIC Code 4952, **Brodhead Creek Region Authority**, 410 Mill Creek Road, East Stroudsburg, PA 18301. Facility Name: Stroudsburg Borough STP Brodhead Creek Region Authority. This existing facility is located in Stroudsburg Borough, **Monroe County**.

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

The receiving stream(s), Brodhead Creek and McMichael Creek, is located in State Water Plan watershed 1-E and is classified for Trout Stocking 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 4.5 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
			Inst Min			
Total Residual Chlorine	XXX	XXX	XXX	0.43	XXX	1.0
CBOD ₅	375	563	XXX	10.0	15.0	20.0
BOD ₅						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	375	563	XXX	10.0	15.0	20.0
Total Dissolved Solids	37,530	XXX	XXX	1,000	XXX	2000
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Ammonia-Nitrogen						
May 1 - Oct 31	56.3	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	169	XXX	XXX	4.5	XXX	9.0
Nitrate as N						
May 1 - Oct 31	150	XXX	XXX	4.0	XXX	8.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	37.5	XXX	XXX	1.0	XXX	2.0

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0 MGD Stormwater.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0 MGD Stormwater.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.0 MGD Stormwater.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Daily Maximum	
Total Suspended Solids	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:

- Annual Wet testing, Solids Management, 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 not in effect.

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

PA0246727, Sewage, SIC Code 4952, **Dudley Carbon Coalmont Joint Municipal Authority**, PO Box 276, Dudley, PA 16634-0276. Facility Name: Dudley-Carbon-Coalmont STP. This existing facility is located in Carbon Township, **Huntingdon County**.

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

The receiving stream(s), Shoup Run, is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.071 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	15	24	XXX	25	40	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	18	27	XXX	30	45	60
		Wkly Avg				

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
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
Total Aluminum	Report	XXX	XXX	Geo Mean Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
				Avg Qrtly		

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

- Restrictions on acceptance of hauled-in wastes at the treatment facility under certain conditions, unless otherwise approved by DEP in writing
- Solids management and reporting requirements

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.

PA0083003, SIC Code 4941, **Dudley Carbon Coalmont Joint Municipal Authority**, PO Box 276, Dudley, PA 16634-0276. Facility Name: Dudley Carbon Coalmont JMA Water System. This existing facility is located in Carbon Township, **Huntingdon County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated water treatment filter backwash.

The receiving stream(s), Shoup Run, is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.024 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Total Suspended Solids	Report	Report	XXX	30	60	75
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Aluminum	Report	Report	XXX	Annl Avg 4.0	8.0	10
Total Iron	Report	Report	XXX	2.0	4.0	5.0
Total Manganese	Report	Report	XXX	1.0	2.0	2.5

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.

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

PA0272892, Sewage, SIC Code 4952, 8800, **Walter Wojcik**, 1015 Buffalo Street, Olean, NY 14760. Facility Name: Walter Wojcik SRSTP. This proposed facility is located in Eldred Township, **McKean County**.

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

The receiving stream is an un-named tributary of Indian Creek, located in State Water Plan watershed 16-C and classified for 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.

<i>Parameters</i>	<i>Average Monthly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	XXX	XXX	XXX
pH (S.U.)	XXX	6.0	XXX	9.0
Total Residual Chlorine	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	10	20
Total Suspended Solids	XXX	XXX	10	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	200	1,000
			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, 484.250.5900

WQM Permit No. WQG02461417, Sewage, **Whitemarsh Township Authority**, P. O. Box 447, Lafayette Hill, PA 19444.

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

Description of Action/Activity: Construction of a new submersible pump station and 4" force main.

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

WQM Permit No. 1314403, Sewage, **Bowmanstown Borough**, 490 Ore Street, Bowmanstown, PA 18030.

This proposed facility is located in Bowmanstown Borough, **Carbon County**.

Description of Proposed Action/Activity: The project is for the installation of a spiral screen at the wastewater treatment facility.

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

WQM Permit No. 6714402, Sewerage, **Richard R. Stone**, 5260 Pinchtown Road, Dover, PA 17315.

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

Description of Proposed Action/Activity: Seeking permit approval for construction / operation of a small flow treatment plant to serve their single family residence.

WQM Permit No. 3814403, Sewerage, **North Londonderry Township**, 655 East Ridge Road, Palmyra, PA 17078.

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

Description of Proposed Action/Activity: Replacement of Pump Station No. 6 located on Grubb Road.

WQM Permit No. 3197403 Amendment 1, Sewerage, **Mapleton Area Joint Municipal Authority**, PO Box 415, Mapleton Depot, PA 17052-0415.

This proposed facility is located in Union Township and Mapleton Borough, **Huntingdon County**.

Description of Proposed Action/Activity: Proposed modifications and improvements to the wastewater treatment facility to address maintenance / breakdown issues and improve effluent quality.

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

WQM Permit No. 2670202 A-1, Industrial Waste, **Westmoreland County Municipal Authority**, 124 Park & Pool Road, New Stanton, PA 15672.

This existing facility is located in Dunbar Township, **Fayette County**.

Description of Proposed Action/Activity: Construction of a mechanical sludge dewatering facility.

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

WQM Permit No. 2514202, Industrial Waste, **Greater Erie Industrial Development Corporation**, 5240 Knowledge Parkway, Erie, PA 16510.

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

Description of Proposed Action/Activity: Process Wastewater Treatment Plant for Snack Food Facility.

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>
PAI01 1514031	TI McKee Bradford, L.P. 337 Barn Hill Road West Chester, PA 19382	Chester	West Bradford Township	Broad Run EV—MF Unnamed Tributary to Chestnut Run EV—MF
PAI01 5114018	Philadelphia Industrial Development Corporation 1500 Market Street Suite 2600 West Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Delaware River WWF

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

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown PA 18708

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024014009	Drums DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Luzerne	Butler Township	Nescopeck Creek (HQ-CWF, MF)

Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg PA 18360-0917

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024514008	Monroe Retail, LLC 668 Crescent Avenue 2nd Floor Bronx, NY 10458	Monroe	Chestnuthill Township	Pohopoco Creek (EV)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI036713002	Dale Pritz 1243 Roosevelt Avenue York, PA 17404	York	Shrewsbury and Springfield Townships	Seaks Run (HQ/CWF)
PAI033614008	Eli K. Stoltzfus 370 Redwell Road New Holland, PA 17540	Lancaster	Leacock and Earl Townships	UNT Umbles Run/ HQ-CWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041813003(1)	Central PA Auto Auction Inc PO Box 41 Lock Haven PA 17745	Clinton	Lamar Township	UNT to Fishing Creek HQ-CWF
PAI041814009	J C Bar Properties Jason Mitchell 415 Fallowfield Rd Camp Hill PA 17011	Clinton	City of Lock Haven	Bald Eagle Creek CWF

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 13, P O Box 9205, Harrisburg, PA 17106-9205

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI103514004	DEP—BAMR P. O. Box 69205 Harrisburg, PA 17106-9205 717-783-1311	Lackawanna County	Carbondale City & Carbondale Township	Upper/Middle Susquehanna Sub-basin, Lackawanna River (HQ-CWF), Powderly Creek (CWF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

PAG123687, CAFO, **Hidden Springs Farms, LLC**, 2916 Safe Harbor Road, Millersville, PA 17551.

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

Description of Size and Scope of Proposed Operation/Activity: Existing poultry layer farm 358.44 AEU's, 30.7 density.

The receiving stream, Indian Run, is in watershed 7-J, and classified for: WWF.

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units (AEUs)	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal/New
Hegins Valley Layer Complex 824 Church Road Hegins, PA 17938	Schuylkill	23 total; 0 for manure application	2,362.5	Poultry (Layers)	N/A	Renewal
Leon Zimmerman 2011 Maytown Road Elizabethtown, PA 17022	Lancaster	222.6	1,209.47	Steer/ Swine/ Pullets	NA	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Rohrer Farms LLC 750 Doe Run Road Lititz, PA 17543	Lancaster	326.4	1,841.54	Swine/ Pullets	NA	Renewal
Anthony Oberholtzer, 1500 Pine Grove Road, Bethel, PA 19507	Berks	210	379.17	Poultry: Broilers	N/A	Renewal
Lloyd Brubacker, 595 Brown Road, Myerstown, PA 17067	Berks	102.4	267.75	Poultry: Layers	N/A	Renewal
Quint T Egg Farm 3819 Powells Valley Road Halifax, PA 17032	Dauphin	190	439	Layer / Beef	NA	New
Hickory Lane Farms 23 Clarks Run Road Blain, PA 17006	Perry	528	1,207.7	Swine	HQ	Renewal
Jeff Rohrer 275 Naftzingertown Road Mohrsville, PA 19541	Berks	103.3	1,388.23	Swine & Laying Hens	NA	Renewal
Lee Schlappich 1359 Main Street Mohrsville, PA 19541	Berks	272	148.1	Ducks	NA	New

<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>Application or Action</i>
Hamilton Farms LLC 10049 Ferguson Valley Road Lewistown, PA 17044 (MAILING ADDRESS) RR1 Box 1929 Beavertown, PA 17813 (mailing address)	Snyder	0 acres for manure application	756.74	Swine	HQ	Application

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4614519 Public Water Supply
 Applicant **North Penn Water Authority**
 County **Montgomery**
 Borough **Lansdale**

Responsible Official Dan Preston
300 Forty Foot Road
P. O. Box 1659
Lansdale, PA 19446

Type of Facility PWS

Consulting Engineer CKS Engineering, Inc.
88 South Main Street
Doylestown, PA 18901

Application Received Date October 3, 2014

Description of Action Installation of corrosion control treatment at Wells L17, L19, L22, NP 5, NP39, NB31, NB32.

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Application No. 4514504 Major Amendment, Public Water Supply.

Applicant **PA American Water**
800 W. Hershey Park Drive
Hershey, PA. 17033

[Township or Borough] Middle Smithfield Township
Monroe County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility PWS

Consulting Engineer Mr. Francis Mark Voyack, PE
Quad Three Group, Inc
37 North Washington Street
Wilkes-Barre, PA 18701

Application Received Date 09/09/2014

Description of Action This project is to replace the existing pump station with a new pump station at Porter Drive that serves the Saw Creek Residential Estate.

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

Permit No. 6714505, Minor Amendmant, Public Water Supply.

Applicant **Stone Mill Property Management**

Municipality Chanceford Township

County **York**

Responsible Official Irvin H. Peifer, Owner
PO Box 506
Elizabethtown, PA 17022

Type of Facility Public Water Supply

Consulting Engineer Kerry D. Tyson, P.E.
Nittany Engineering & Associates LLC
2836 Earlstown Road
Centre Hall, PA 16828

Application Received: 9/8/2014

Description of Action Iron and manganese sequestering and pH adjustment

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. 0214544MA, Minor Amendment.

Applicant **Pittsburgh Water & Sewer Authority**
Penn Liberty Plaza I
1200 Penn Avenue
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert J. Christian, Director of Engineering & Construction
Pittsburgh Water & Sewer Authority
Penn Liberty Plaza I
1200 Penn Avenue
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer GAI Consultants, Inc.
701 Technology Drive
Suite 50
Canonsburg, PA 15317

Application Received Date October 7, 2014

Description of Action Installation of approximately 9,100 feet of 8-inch diameter waterline (ALMONO Hazelwood project).

Application No. 6314503MA, Minor Amendment.

Applicant **Tri-County Joint Municipal Authority**
PO Box 758
Fredericktown, PA 15333

[Township or Borough]

Responsible Official Tri-County Joint Municipal Authority
PO Box 758
Fredericktown, PA 15333

Type of Facility Water system

Consulting Engineer Chester Engineers
501 McKean Avenue
Charleroi, PA 15022

Application Received Date October 2, 2014

Description of Action Installation of bulk-load out stations.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S.

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

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

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

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

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Gulf Oil Limited Partnership Altoona Terminal, 6033 6th Avenue, Altoona, PA 16602, Allegheny Township, **Blair County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Cumberland Gulf Group of Companies, 100 Crossing Boulevard, Framingham, MA 01702-5401 and Gulf Oil Limited Partnership, 6033 6th Avenue, Altoona, PA 16602, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with petroleum hydrocarbons resulting from historical operations of a bulk storage terminal. The site will be remediated to a combi-

nation of Nonresidential Statewide Health and Site Specific Standards. Future use of the site remains a petroleum products bulk storage facility. The Notice of Intent to Remediate was published in the *Altoona Mirror* on September 19, 2014.

Kurtland Farms, 4350 Main Street, Elverson, PA 19520, Caernarvon Township, **Berks County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Kurtland Farms, 4350 Main Street, Elverson, PA 19520, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil released from a leaking underground storage tank. The site will be remediated to the Residential Statewide Health Standard and remain a dairy farm. The Notice of Intent to Remediate was published in the *Reading Eagle* on October 7, 2014.

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

KMI Kane Facility, 700 Elk Avenue, Kane Borough, **McKean County**. Cardno ATC, 103 North Meadows Drive, Suite 211, Wexford, PA 15090, on behalf of Kane Area Industrial Development Corporation, 54 Fraley Street, Kane, PA 16735, submitted a Notice of Intent to Remediate. The source of contamination is believed to be from maintenance activities in the former maintenance building. The Notice of Intent to Remediate was published in *The Kane Republican* on September 19, 2014.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

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

PLAN APPROVALS

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

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

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

60-00002A: NGC Industries, LLC (PO Box 210, West Milton, PA 17886-0210) for modifications to an existing 68.9 MMBtu/hr boiler in order to allow for the combustion of #2 fuel oil instead of #6 fuel oil, at their Milton Plant located in White Deer Township, **Union County**.

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

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

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

23-0038C: Delaware County Regional Water Authority (DELCORA), (100 East 5th Street, PA 19016) for the addition of applicable Boiler MACT requirements from 40 C.F.R. Part 63, Subpart DDDDD to Source ID No.

030, which includes four existing small boilers located at their facility in the City of Chester, **Delaware County**.

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

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

06-05069W: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) for removing a site level Btu limit from the permit for their Lyon Station battery manufacturing campus located in Richmond Township, **Berks County**. The notice for East Penn Manufacturing Co., Inc. intent to issue plan approval 06-05069W is being amended to include intent to authorize transfer and use of 59.46 tons of NO_x Emission Reduction Credits (ERCs) for offset purposes from Kelman Bottles, LLC (formerly known as Port Glenshaw Glass, LLC), Allegheny County, to East Penn Manufacturing Co., Inc. This notice was to be published in the 10/11/14 edition of the *Pennsylvania Bulletin*. If that occurred, then a 30-day public comment period would exist from 10/11/14. If publication of this notice did not occur in the 10/11/14 edition of the *Pennsylvania Bulletin*, then a 30-day public comment period would exist from 10/18/14.

36-05053A: Buck Company Inc. (897 Lancaster Pike, Quarryville, PA 17556) for authorization to install a new fabric collector at their foundry in Providence Township, **Lancaster County**. The expected facility emissions are: 0.21 tpy of PM and 0.15 tpy of PM₁₀. The facility is subject to the operating permit requirements of Title V of the Federal Clean Air Act. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into the facility's Title V Operating Permit.

06-03117I: Custom Processing Services, Inc. (2 Birchmont Drive, Reading, PA 19606) for construction of an additional micro milling unit (i.e., Mill No. 12) and associated collection. The mill is being added to micronize (which reduces to ultra-fine size) powders such as wax, flame retardants, slip agents, matting agents, et cetera. The facility is located in Exeter Township, **Berks County**. The expected facility emissions are: 3.94 tons per year (tpy) of particulate matter (PM). The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of

the application for plan approval, the requirements established in the plan approval will be incorporated into a State Only Operating Permit.

Intent to Issue Operating Permits 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: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

48-00012: American Nickeloid Company (131 Cherry Street, Walnutport, PA 18088-1608) for plating and polishing manufacturing in Walnutport Borough, **Northampton County**. The primary sources consist of two (2) 16.8 MMBtu/hr. boilers, copper plating, nickel plating, and chrome plating tanks. The control devices are evaporators and mist eliminators. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

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

Contact: Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

21-03108: Sunoco Pipeline LP (525 Fritztown Road, Sinking Spring, PA 19608) to issue a State Only Operating Permit for the natural gas liquid (ethane, propane, butane or a mixture of these) pumping station located in Lower Frankford Township, **Cumberland County**. The potential emissions from the facility are estimated at 0.25 tpy of VOCs. 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.

67-05124: Schindler Elevator Corporation / Hanover (21 Industrial Drive, Hanover, PA 17331) to issue a State Only Operating Permit for their operation a door line paint process in Penn Township, **York County**. The estimated potential emissions are 0.1 ton per year of PM, 8.8 tons per year of Total HAPs and 14.1 tons 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. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.77 and 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

36-05074: New Holland Custom Woodwork, LTD (313 Prospect Street, New Holland, PA 17557-0217) to issue a State Only Operating Permit for their wood products manufacturing operation located in New Holland Borough, **Lancaster County**. The primary emissions from the facility are VOCs (i.e., approximately 15 tons per year (tpy) actual emissions and less than 49.1 tpy potential emissions). Conditions referencing 25 Pa. Code §§ 129.101—129.107 as well as 25 Pa. Code § 129.52 for

surface coater will be included in the permit along with other emission limits and work practice standards, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

08-00016: Dalrymple Gravel & Contracting Co., Inc. (2105, South Broadway, Pine City, NY 14781) to issue a renewal State Only Operating Permit for their asphalt as well as sand and gravel processing facility located in Athens Township, **Bradford County**. The facility is currently operating under State Only Operating Permit 08-0016. The facility's main sources include a Cedar Rapids batch mix asphalt plant, a Barber Greene drum mix asphalt plant, floating dredge operation and various pieces of crushing, screening and conveying equipment of sand and gravel operation.

The facility has taken synthetic minor restrictions to limit its nitrogen oxides, carbon monoxide, sulfur oxides, particulate matter, volatile organic compounds and hazardous air pollutants emissions below the major emission thresholds. With synthetic minor restriction, the facility has potential emissions of 24.8 tons per year of nitrogen oxides, 39.04 tons per year of carbon monoxide, 21.75 tons per year of sulfur oxides, 22.81 tons per year of particulate matter, 9.62 tons per year of volatile organic compounds, and 2.76 tons per year of total hazardous air pollutants (HAPs). No emission or equipment changes are being proposed by this action.

The drum mix plant is subject to Federal Standards of Performance for New Stationary Sources, 40 CFR Part 60, Subpart I. The permittee shall comply with all applicable requirements of 40 CFR Section 60.90 through 60.93. The sand and gravel operation and the floating dredge operation are subject to Federal Standards of Performance for New Stationary Sources, 40 CFR Part 60, Subpart OOO, Sections 60.670—60.676 for non-metallic mineral processing plant.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 60.

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.

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

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

32-00424: Western Allegheny Energy, LLC (301 Market Street, Kittanning, PA 16201) for bituminous coal underground mining activities at the Brush Valley Mine Coal Prep Plant in Center Township, **Indiana County**. This is an initial State-Only Operating Permit application submittal.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131

25-00930: Donjon Shipbuilding & Repair LLC (220 East Bayfront Parkway, Erie, PA 16507) for the renewal of a State Only operating permit for the ship painting facility located in the City of Erie, **Erie County**. The sources at the facility include a natural gas fueled pre-heat cabinet, 2 blasting operations, a paint booth, and ship painting operations. The facility is a Synthetic Minor. The potential emissions from the facility are as follows: VOCs, 49.5 tpy; any single HAP 9.5 tpy; and all combined HAPs 24.5 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507

48-00104A: Kranos Corp DBA Schutt Reconditioning (710 South Industrial Drive, IL 62056) for their facility located in Palmer Township, **Northampton 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 Kranos Corp DBA Schutt Reconditioning (710 South Industrial Drive, IL 62056) for their facility located at (8 McFadden Road, Easton, PA 18043) in Palmer Township, Northampton County. This Plan Approval No. 48-00104A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00104A is the installation and operation of a spray booth paint systems at their location. The main emissions from the source is VOCs. The new sources will meet all applicable requirements. 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.:

48-00104A 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

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

56743705 and NPDES No. PA0235695. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642). To revise the permit for the Mine 78 Coal Refuse Disposal Area in Paint Township, **Somerset County** and related NPDES permit to modify the water handling plan to reroute the current NPDES Outfall 001 to an injection borehole at Mine 78 to the St. Michael Treatment Plant via abandoned Underground Lower Kittanning Mine Workings. Receiving Stream: South Fork Little Conemaugh River, classified for the following use: CWF. The application was considered administratively complete on October 6, 2014. Application received: September 17, 2014.

56841328 and NPDES No. PA0033677. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642). To revise the permit for Mine 78 in Paint Township, **Somerset County** and related NPDES permit to modify the water handling plan to reroute the current NPDES Outfall 001 to an injection borehole to the St. Michael Treatment Plant via abandoned underground Lower Kittanning mine workings. Receiving Stream: South Fork Little Conemaugh River, classified for the following use: CWF. The application was considered administratively complete on October 6, 2014. Application received: September 17, 2014.

65131301 and NPDES No. PA0236241. LCT Energy, LP, (938 Mt. Airy Drive, Johnstown, PA 15904). To operate the Rustic Ridge #1 Mine in Donegal Township and Donegal Borough, **Westmoreland County** and Saltlick Township, **Fayette County** to operate a new underground mine and related NPDES permit. Surface Acres Proposed 67.7, Underground Acres Proposed 2,886.5, Subsidence Control Plan Acres Proposed 2,780.6. Receiving Stream: Champion Creek, classified for the following use: CWF. The application was considered administratively complete on October 7, 2014. Application received: September 23, 2014.

03981301 and NPDES No. PA0215198. Western Allegheny Energy, LLC, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Parkwood Mine in Plumcreek and South Bend Township Armstrong County and Armstrong Township, **Indiana County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on October 9, 2014. Application received: January 24, 2014.

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

Permit No. 56763114 and NPDES No. PA0608238, Svonavec, Inc., 150 West Union Street, Suite 201, Somerset, PA 15501, renewal for the continued operation and restoration of a bituminous surface mine in Milford Township, **Somerset County** affecting 96.8 acres. Receiving streams: unnamed tributaries to/and South Glade Creek classified for the following use: warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: September 26, 2014.

Permit No. 56090101 and NPDES No. PA0262714, Rosebud Mining Co., 301 Market Street, Kittanning, PA 16201, commencement, operation and restoration of a bituminous surface mine to add auger mining to the

existing permit area, including auger mining under a portion of T-321 (Engles Mill Road) in Elk Lick Township, **Somerset County**, affecting 173 acres. Receiving streams: unnamed tributary to/and Casselman River, unnamed tributaries to Piney Creek classified for the following use: cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: October 3, 2014.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

10130103. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Revision to a bituminous surface mine to add blasting in Clay Township, **Butler County**, affecting 44.0 acres. Receiving streams: Muddy Creek, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 8, 2014.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

65-13-03 and NPDES Permit No. PA0278092. David L. Patterson, Jr. (12 Short Cut Road, Smithfield, PA 15478). Application for Government Financed Construction Contract to reclaim abandoned mine lands, located in Loyalhanna Township, **Westmoreland County**, affecting 25 acres. Receiving streams: Getty Run and unnamed tributaries to Getty Run, classified for the following use: WWF. The potable water supply with intake within 10 miles downstream from the point of discharge: MAWC—Beaver Run Reservoir. Application received: September 15, 2014.

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

Permit No. 54793009R6. Coal Contractors (1991), Inc., (PO Box 39, Hazleton, PA 18201), renewal for reclamation activities only of an anthracite surface mine and preparation plant operation in North Union, Back Creek and Beaver Townships, **Schuylkill, Luzerne and Carbon Counties** affecting 991.3 acres, receiving stream: Black Creek. Application received: September 23, 2014.

Coal Applications Withdrawn

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

56021301, Elk Lick Energy, Inc., (PO Box 260, 1576 Stoystown Road, Friedens, PA 15541), to revise the permit for the Roytown Deep Mine in Lincoln Township, **Somerset County** to add subsidence control plan acres to Seam E of the Upper Freeport Coal Seam. No additional discharges. Subsidence Control Plan Acres Proposed 1067.9, no additional discharges. The application was considered administratively complete on July 19, 2012. Application received: May 30, 2012. Application withdrawn: October 8, 2014.

Noncoal Applications Received

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

57000301 and NPDES PA 0242811. Rexers, LLC (8724 Route 220, Dushore, PA 18614). Transfer of an existing large industrial mineral mine from Haines & Kibblehouse, Inc. located in Cherry Township, **Sullivan County** affecting 157.3 acres. Receiving streams: Unnamed Tributary to Birch Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 22, 2014.

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

Permit No. 6473SM3C and NPDES Permit No. PA0224758. Wilkes-Barre Materials, LLC, (500 Chase Road, Shavertown, PA 18708), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Plains Township and Laflin Borough, **Luzerne County** affecting 138.0 acres, receiving stream: Gardner Creek, classified for the following use: cold water fishes. Application received: September 24, 2014.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900

E23-509. Hartford Properties, LLC, 1000 S. Lenola Road, Bldg. 2, Suite 100, Maple Shade, NJ 08052, Brookhaven Borough, **Delaware County**, ACOE Philadelphia District.

To place a fill on 0.09 acre of unnamed tributary to Chester Creek for the purpose of construction of commercial stores, shopping center and associated parking lot and storm water management facilities.

The site is located southeast of the intersection of Edgemont Avenue (S.R. 352) and Coebourn Boulevard, in Media & Marcus Hook, USGS Quad map; Lat: 35.5232, Long; -75.2350).

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

E13-180. Leonid Topper, 5 Holiday Drive, Morris Plains, NJ 07950, in Penn Forest Township, **Carbon County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 256 ft² floating dock in Towamensing Lake (HQ-CWF, MF) with a 4-foot wide X 195-foot long elevated wooden gangway crossing of approximately 780 ft² of wetlands (EV). The project is located approximately 200 feet east of the intersection of "Guest Circle" and "Holmes Way," on Lot 1459, Phase III of the Towamensing Trails Development (Pohopoco, PA Quadrangle, Latitude: 40°59'32"; Longitude: -75°34'26").

E40-760. Edward Diaz, 108 St. James Place, Brooklyn, NY 11238-1814, in Foster Township, **Luzerne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 6-ft wide, 10-ft long pile-supported aluminum dock in Ag-Mar Lake (HQ-CWF, MF) and to construct and maintain a 5-ft wide, 25-ft long wooden walking bridge spanning 12 feet of EV wetlands. The project is located approximately 0.2 mile south of the intersection of Lakeside Road and Foster Avenue (White Haven, PA Quadrangle, Latitude: 40°2'33"; Longitude: -75°47'26").

E45-591. Robert Olszewski, 214 Monsignor Drive, Conshohocken, PA 19428, in Tobyhanna Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 22-foot long by 6-foot wide L-shaped dock supported by posts and flat pads which will rest on the bed of Arrowhead Lake (EV). The project is located at the intersection of Netcong Circle and Owassa Drive (Thornhurst, PA Quadrangle, Latitude: 41°9'5"; Longitude: -75°33'18").

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E67-915. Fairview Township, 599 Lewisberry Road, New Cumberland, PA 17070-2399 in Fairview Township, **York County**, U.S. Army Corps of Engineers Baltimore District

To (1) install and maintain a steel encased 24.0-inch sanitary sewer line in and across an unnamed tributary to Yellow Breeches Creek, its floodway and associated wetlands (CWF, MF) and (2) install and maintain a sanitary sewer manhole in wetlands associated with an unnamed tributary to Yellow Breeches Creek for the purpose of improving traffic safety. The project is located adjacent to the East Bound side of the PA Turnpike at the intersection of Evergreen Road and Lewisberry Road (Steelton, PA Quadrangle, Latitude: 40°12'36"N, Longitude: 76°52'07"W) in Fairview Township, York County.

E67-913: Defense Logistics Agency Installation Support, 5750 3rd Street, Building 750, New Cumberland, PA 17070-5076 in Fairfield Township, **York County**, U.S. Army Corps of Engineers Baltimore District

To 1) extend and maintain a 5.5-foot RCP culvert 160 linear feet in an unnamed tributary and to mitigate increased velocities by the relocation and enhancement of 300 linear feet of channel, including step-pools, root wad/rock revetments and bank grading, all in an unnamed tributary to Marsh Run (WWF) (Latitude: 40° 12' 23.64"; Longitude: -76° 51' 1.10"); 2) extend and maintain a 5.0-foot RCP culvert 184 linear feet in an unnamed tributary and to mitigate increased velocities by the enhancement of 200 linear feet of channel, including step-pools, root wad/rock revetments and bank grading, all in an unnamed tributary to Marsh Run (WWF) (Latitude: 40° 12' 22.06"; Longitude: -76° 50' 56.43"); 3) extend and maintain a 3.5-foot RCP culvert 99 linear feet in an unnamed tributary and to mitigate increased velocities by the enhancement of 65 linear feet of channel, including step-pools, rock toe stabilization and bank grading, all in an unnamed tributary to Marsh Run (WWF) (Latitude: 40° 12' 21.22"; Longitude: -76° 50' 53.11"); 4) place and maintain fill in a palustrine forested (PFO) wetland, temporarily impacting 0.05 acre and permanently impacting 0.05 acre of wetland (Latitude: 40° 12' 21.51"; Longitude: -76° 50' 55.65");

All for the sake of improving access control point #4 at the Defense Distribution Center, Susquehanna in Fairview Township, York County. Stream mitigation includes a 225 foot enhancement to a unnamed tributary to Marsh Run (WWF) and a 75 foot enhancement to a separate unnamed tributary to Marsh Run (WWF), including step pools, rock toe stabilization, coir log banks, and bank grading to create bankfull benches. The applicant proposes to provide 0.22 acre of replacement PFO wetland, temporarily impacting 0.03 acre of wetland for a temporary access road.

E36-935: Bent Creek Country Club, 620 Bent Creek Drive, Lititz, Pennsylvania, 17543 in Manheim Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District

To remove an existing 0.44 acre pond at the Bent Creek Country Club. The pond is located between the golf course hole numbers 10 and 18. (Latitude: 40° 07' 7.8"; Longitude: -76° 20' 49.7") in Manheim Township, Lancaster County. No wetlands will be impacted by this activity.

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

E14-556. Henry Beiler, 4712 Penns Valley Road, Spring Mills, PA 16875-8503. Shady Meadow School, in Penn Township, **Centre County**, ACOE Baltimore District (Madisonburg, PA Quadrangle N: 40° 53' 11.3"; W: -77° 30' 15.8").

To construct and maintain a 4-foot diameter by 20-foot long culvert with the invert depressed 12-inches into the streambed, having field stone wingwalls in an unnamed intermittent tributary to Elk Creek to provide crossing of a new shale road to a parochial school located 850 feet west of the intersection of Smithtown Gap Road and Mt Lodge Lane.

This project proposes to permanently impact 360 square feet of stream channel of the unnamed intermittent tributary to Elk Creek, which is classified as Exceptional Value waterway.

E59-523. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 4023 Section 001, Camp Brook Bridge Replacement Elkland Borough, **Tioga County**, Baltimore ACOE (Elkland, PA Quadrangle N: 41° 59' 33"; W: -77° 18' 10").

PA DOT Engineering District 3-0 proposes to replace a single span steel I beam concrete jack arch with a single span pre-stressed concrete spread box beam bridge on integral abutments. The proposed structure will be constructed several feet higher to accommodate a flood protection levee to be designed and constructed by PA DEP in the future. The existing bridge has a span of 31.25 Ft., a skew of 73 degrees, an underclearance of 5.45 Ft. and a low chord of 1125.19 Ft. and a hydraulic opening of 168.86 Ft². The proposed bridge has a span of 70 Ft., a skew of 72 degrees, an underclearance of 7.38 Ft. and a low chord of 1128.12 Ft. and a hydraulic opening of 516.94 Ft². Approximately (50) fifty feet of gravel bar will be removed at the structures inlet to create a stable stream section. The project will temporarily impact 0.01 acre and permanently impact 0.03 acres of jurisdictional wetlands. The wetland impact is considered *Deminimus* and does not require mitigation. Camp Brook is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards.

E60-222. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 1003 Section 013, Buffalo Creek Bridge Replacement Buffalo and Kelly Townships, **Union County**, Baltimore ACOE (Lewisburg, PA Quadrangle N: 40° 58' 24"; W: -76° 57' 09").

PA DOT Engineering District 3-0 proposes to replace a single span steel I-beam bridge with a single span concrete spread box beam bridge. The existing bridge has a span of 79.1 Ft., a skew of 90 degrees, an underclearance of 9.0 Ft. and a low chord of 470.56 Ft. and a hydraulic opening of 710.5 Ft². The proposed bridge has a span of 89.6 Ft., a skew of 80 degrees, an underclearance of 8.6 Ft. and a low chord of 469.60 Ft. and a hydraulic opening of 767.7 Ft². Based on the results of the Phase I Archaeological study, a Phase II Archaeological study is currently being completed and coordinated with PHMC to determine the eligibility of the site and the potential effect. This is not the standard process for 106 clearance, but due to right of way issues, this process was required. The project will not impact any jurisdictional wetlands. Buffalo Creek is classified as Trout Stream Fishery by Title 25, Chapter 93 Water Quality Standards.

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

E20-594, PA Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. S.R. 0173, Segment 0070, Offset 0000 Across French Creek, in Cochranon Borough and Fairfield Township, **Crawford County**, ACOE Pittsburgh District (Cochranon, PA Quadrangle N: 41.5167; W: -80.0577 inches).

To remove the existing structure and to construct and maintain a three-span composite bulb-tee beam bridge having a clear span of 339.75 feet and an underclearance of 11.57 feet on a 90° skew across French Creek on S.R. 0173, Segment 0070, Offset 0000 approximately 500 feet downstream of the confluence of Little Sugar Creek.

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

E5729-077: Appalachia Midstream Services, LLC, 400 1st Center, Suite 400, Horseheads, NY, 14845 Elkland Township, **Sullivan County**, USACE Baltimore District.

To construct, operate, and maintain:

(1) A temporary road crossing using timber mats and an 6-inch diameter well line impacting 878 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°31'42"N, 76°40'47"W);

(2) A temporary road crossing using timber mats and an 6-inch diameter well line impacting 226 linear feet of an unnamed tributary to Elk Creek (EV) (Dushore, PA Quadrangle 41°31'43"N, 76°40'50"W);

(3) A temporary road crossing using timber mats and an 6-inch diameter well line impacting 11,424 square feet of an exceptional value palustrine scrub shrub/emergent (EV-PSS/PEM) wetland and 33 linear feet of an unnamed tributary to Elk Creek (EV) (Dushore, PA Quadrangle 41°31'59"N, 76°25'43"W).

The project will result in 12,302 square feet of temporary wetland impacts and approximately 259 linear feet of temporary stream impacts for the purpose of installing a well line for Marcellus Shale gas development in Elkland Township, Sullivan County.

E5829-088: Lathrop Township, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Lathrop Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 3,671 square feet (0.08 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 41' 50" Lat., W -75° 49' 38" Long.),

2) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,841 square feet (0.04 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 41' 47" Lat., W -75° 49' 37" Long.),

3) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 931 square feet (0.02 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 41' 45" Lat., W - 75° 49' 36" Long.),

4) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 133 lineal feet of an unnamed tributary to Horton Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 41' 45" Lat., W -75° 49' 34" Long.),

5) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 997 square feet (0.02 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 41' 20" Lat., W -75° 49' 13" Long.),

6) a 12-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 51 lineal feet of an unnamed tributary to Horton Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 41' 20" Lat., W -75° 49' 13" Long.),

7) a 12-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 5,599 square feet (0.13 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 40' 51" Lat., W -75° 48' 36" Long.),

8) a temporary timber mat crossing impacting 638 square feet (0.01 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 40' 50" Lat., W -75° 48' 17" Long.),

9) a 24-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 76 lineal feet of an unnamed tributary to Horton Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 40' 49" Lat., W -75° 48' 01" Long.),

10) a 24-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 75 lineal feet of an unnamed tributary to Horton Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 40' 52" Lat., W -75° 47' 47" Long.),

11) a 24-inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 34 lineal feet of an unnamed tributary to Horton Creek (CWF-MF) (Hop Bottom, PA Quadrangle; N 41° 40' 51" Lat., W -75° 47' 45" Long.),

12) a 24-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 3,029 square feet (0.07 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 40' 53" Lat., W -75° 47' 23" Long.),

13) a 24-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 925 square feet (0.02 acre) of a PSS wetland (Hop Bottom, PA Quadrangle; N 41° 40' 54" Lat., W -75° 47' 23" Long.),

14) a 24-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 3,078 square feet (0.07 acre) of a PSS wetland (Hop Bottom, PA Quadrangle; N 41° 41' 17" Lat., W -75° 47' 12" Long.),

15) a 24-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 406 square feet (0.01 acre) of a PSS wetland (Hop Bottom, PA Quadrangle; N 41° 41' 17" Lat., W -75° 47' 12" Long.),

16) a 24-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 4,146 square feet (0.10 acre) of a PSS wetland (Hop Bottom, PA Quadrangle; N 41° 41' 17" Lat., W -75° 47' 09" Long.),

17) a 24-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 210 square feet (0.01 acre) of a PSS wetland (Hop Bottom, PA Quadrangle; N 41° 41' 17" Lat., W -75° 47' 09" Long.),

18) a temporary timber mat crossing impacting 169 square feet (0.01 acre) of a PEM wetland (Hop Bottom, PA Quadrangle; N 41° 41' 17" Lat., W -75° 47' 09" Long.).

The project consists of constructing approximately 22,447 feet of 12" and 24" steel natural gas gathering line, located in Lathrop Township, Susquehanna County, connecting the Kinner and Lackawanna Pipelines. The project will result in 369 lineal feet of temporary stream impacts, 16,875 square feet (0.39 acre) of temporary wetland impacts, and 8,765 square feet (0.20 acre) of permanent wetland conversion all for the purpose of conveying Marcellus Shale natural gas to market.

E5729-078: Appalachia Midstream, LLC, 400 IST Center Suite 404, Horseheads, NY 14845, Forks Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line impacting 165 square feet of a Palustrine Forested Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41°33'38", Longitude: -76°29'13");

The project will result in 165 square feet (0.01 acre) of PFO wetland impacts all for the purpose of installing a

natural gas pipeline with associated access roadways for Marcellus shale development in Forks Township, Sullivan County. This project is associated with permit application number E0829-101.

E0829-101: Appalachia Midstream, LLC, 400 IST Center Suite 404, Horseheads, NY 14845, Overton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 6 inch diameter natural gas line and a temporary timber mat bridge impacting 987 square feet of a Palustrine Emergent Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41°33'49", Longitude: -76°29'22");

The project will result in 987 square feet (0.02 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Overton Township, Bradford County. This project is associated with permit application number E5729-078.

ENVIRONMENTAL ASSESSMENTS

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

D10-060EA. Michele C. Jacoby, P.E., Chief Engineer, Bureau of Engineering, Pennsylvania Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16823. Middlesex Township, **Butler County**, USACOE Pittsburgh District.

Project proposes to rehabilitate Glade Run Lake Dam including replacing the concrete spillway, excavating the downstream embankment to install a chimney, blanket and toe drain system, flattening the downstream slope, installing articulating concrete block armoring on the downstream slope, raising abutments, replacing the gate valve and installing a seepage monitoring system. The project will impact a de minimus area of wetland (PEM) equal to 0.02 acre and approximately 60 feet of stream channel. The dam is located across Glade Run (WWF) (Valencia, PA Quadrangle; Latitude: 40.7161, Longitude: -79.9047).

EA09-017CO. Ms. Kristen Metzger, P. O. Box 207, Carversville, PA 18960. Solebury Township, **Bucks County**, USACOE Philadelphia District.

Project proposes to rebuild a breached non-jurisdictional dam impacting approximately 134 linear feet of stream channel. The dam is located across Paunacussing Creek (HQ-CWF, MF) (Lumberville, PA Quadrangle; Latitude: 40.3863, Longitude: -75.0653).

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

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0228842 (Sewage)	Muddy Run Region Authority Madera WWTP 813 Spruce Street Madera, PA 16661-9102	Clearfield County Bigler Township	Clearfield Creek (8-C)	Y
PA0233846 (CAFO)	Drew Remley Farm 1170 Salt Spring Road Roaring Branch, PA 17765	Tioga County Liberty Township	Unnamed Tributary to Salt Spring Run (10-A)	Y
PA0024104 (Sewage)	Spring Township Municipal Authority Wastewater Treatment Plant 196 Ridge Road Beaver Springs, PA 17812	Snyder County Spring Township	Beaver Creek (6-A)	Y
PA0045993 (Sewage)	Ulysses Municipal STP 508 West Street Ulysses, PA 16948-0392	Potter County Ulysses Borough	Unnamed Tributary to Genesee River (14-A)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0023434 (Sewage)	Koppel Borough WWTP 5101 5th Avenue Koppel, PA 16136	Beaver County Koppel Borough	Beaver River (20-B)	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?
PA0263478 (Sewage)	Edward F. & Lorraine D. Selvoski SFTF 3287 West Washington Street, Bradford, PA 16701	McKean County Corydon Township	Willow Creek (16-B)	Y

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

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

NPDES Permit No. PA0022331, Sewage, SIC Code 4952, **West Elizabeth Sanitary Authority**, 125 Lower First Street, West Elizabeth, PA 15088.

This existing facility is located in West Elizabeth Borough, **Allegheny County**.

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

NPDES Permit No. PA0254827, Sewage, SIC Code 9900, **PBS Coals Inc.**, PO Box 260, Friendens, PA 15541.

This proposed facility is located in Brothersvalley Township, **Somerset County**.

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

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

PA0028487, Sewage, SIC Code 4900, 4952, **Hermitage Municipal Authority Mercer County**, 800 North Hermitage Road, Hermitage, PA 16148.

Facility Name: Hermitage Municipal Authority STP.

This existing facility is located in Hermitage City, **Mercer County**.

Description of Existing Activity: Renewal of an NPDES permit for an existing discharge of treated Sewage.

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

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

WQM Permit No. 1509404, Sewage, Transfer, **Dean L. Meyer**, P. O. Box 71, Wagontown, PA 19376.

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

Description of Action/Activity: Permit transferred ownership from Bruce E. Shepherd to Dean L. Meyer.

WQM Permit No. 1503412, Sewage, Amendment, **Avondale Borough**, 110 Pomeroy Avenue, P. O. Box 247, Avondale, PA 19311-0247.

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

Description of Action/Activity: Increase of the permit organic capacity from 1,010 lbs/day to 1,317 lbs/day.

WQM Permit No. 4614404, Sewage, **Family Dinning, Inc., aka U.S. Restaurants Properties, Inc.**, 1780 Swede Road, Blue Bell, PA 19422.

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

Description of Action/Activity: Construction of a low pressure sewer system.

WQM Permit No. 1598425, Sewage, Renewal, **Upper Uwchlan Township Municipal Authority**, 140 Pottstown Pike, Chester Springs, PA 19425.

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

Description of Action/Activity: Renewal of WQM Permit to continue operation of sewage treatment plant with spray irrigation system.

WQM Permit No. 2314406, Sewage, **Middletown Township Sewer Authority**, P. O. Box 9, Lima, PA 19037.

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

Description of Action/Activity: Construction of a new interceptor parallel to an existing interceptor to handle current and future flows.

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

WQM Permit No. 4400401, Amendment #2, Sewerage, **Granville Township**, 100 Helen Street, Lewistown, PA 17044.

This proposed facility is located in Granville Township, **Mifflin County**.

Description of Proposed Action/Activity: Permit amendment approval for the construction / operation of a septage receiving station with 12,000 gallons capacity, a new 1.0 meter belt filter press to replace the existing belt filter press, and UV disinfection equipment.

WQM Permit No. 0596408, Amendment #5, Sewerage, **Chestnut Ridge Area Joint Authority**, 320 Lane Metal Road, New Paris, PA 15554.

This proposed facility is located in East St. Clair Township, **Bedford County**.

Description of Proposed Action/Activity: Permit amendment approval for the construction/operation of sewage facilities consisting of: Upgrading of the existing sludge dewatering system. The existing belt filter press, sludge feed pump and polymer feed system will be replaced by new Volute Screw Press, sludge feed pump and polymer feed system.

WQM Permit No. 3614404, Sewerage, **Robert Harnish**, Conestoga Hills Community, 1230 Stony Lane, Conestoga, PA 17516.

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

Description of Proposed Action/Activity: Permit approval for the construction /operation of sewage facilities consisting of: Replacement of the existing chlorine disinfection with a new UV disinfection system.

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

WQM Permit No. 3073201-A1, Industrial Waste, SIC Code 4941, **East Dunkard Water Association**, PO Box 241, Dilliner, PA 15327.

This existing facility is located in Dunkard Township, **Greene County**.

Description of Proposed Action/Activity: Modify the existing backwash settling basin.

WQM Permit No. 0214405, Municipality of Penn Hills, 12245 Frankstown Road, Penn Hills, PA 15235.

This existing facility is located in Penn Hills Township, **Allegheny County**.

Description of Proposed Action/Activity: Construction of sewage conveyance system.

WQM Permit No. 0474418-A1T1, Sewage, **PA American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033.

This existing facility is located in Koppel Borough, **Beaver County**.

Description of Proposed Action/Activity: Transfer of permit.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI136119	South Connellsville Borough 1503 South Pittsburgh Street, South Connellsville, PA 15425	Fayette	South Connellsville Borough	Youghiogheny River/ HQ-CWF

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 1513029	Ms. Christina S. Martin 721 Lammey Road Honey Brook, PA 19344	Chester	West Caln Township	Pequea Creek HQ - CWF - MF
PAI01 5114007	City of Philadelphia 1515 Arch Street, 12th Floor Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Tidal Schuylkill River MF-WWF

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>
PAI024014005	Sweet Valley DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Luzerne County	Lake Township	Pikes Creek (HQ - CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Crawford, Section Chief, Telephone 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI032113005	Carlisle Brethren in Christ Church 1155 Walnut Bottom Road Carlisle, PA 17013	Cumberland	South Middleton Township	UNT LeTort Spring Run (EV)
PAI033614003	Brian Eckman 357 Black Barren Road Peach Bottom, PA 17563	Lancaster	Fulton Township	UNT Conowingo Creek (HQ-CWF, MF)
PAI030514003	Vernon Garman 1255 Hickory Bottom Road Martinsburg, PA 16662	Bedford	Woodbury Township	UNT's Yellow Creek (HQ-CWF/MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574

Potter County Conservation District: 107 Market Street, Coudersport, PA 16915 (814) 274-8411, X 4

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI045314008	Pennsylvania 3 Sector 2 Limited Partnership d/b/a Verizon Wireless 175 Calkins Rd Rochester NY 14623	Potter	Hector Township	Genesee Forks of Pine Creek HQ-CWF, MF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From 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</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bristol Township Bucks County	PAG0200 0914032(1)	MacPherson-Hardy Partnership 1619 Hanford Street Levittown, PA 19057	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAG0200 0911066(1)	First Baptist Church of Newtown 592 Washington Crossing Road Newtown, PA 18940	Core Creek/ Neshaminy Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAG0200 0914049	Dauphine Building and Development, L.P. 920 Wayland Circle Bensalem, PA 19020	Unnamed Tributary to Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAG0200 0912028	Cameron Troilo Properties 1 Sandy Run Road Yardely, PA 19067	Bucks Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG0200 0914056	Guidi Homes, Inc. 925 Harvest Drive, Suite 220 Blue Bell, PA 19422	Unnamed Tributary to North Branch Neshaminy Deep Run to Tohickon Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Westtown Township Chester County	PAG0200 1514007	Linda A. Thomas 890 South Matlack Street Apt No. 460 West Chester, PA 19382	Radley Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Highland Township Chester County	PAG0200 1514024	Wingstone Toy Properties, I, LLC 75 Beaver Dam Road Coatesville, PA 19320	Back Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Caln Township Chester County	PAG0200 1514029	Orleans Home Builders, Inc. 3333 Street Road, Suite 101 Bensalem, PA 19020	West Branch Brandywine Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Whiteland Township Chester County	PAG0200 1514026	William Dalusio 1244 West Chester Pike Suite 406 West Chester, PA 19382	Valley Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAG0200 1514018	Provco Cornerstone Boot Road, LP 771 East Lancaster Avenue Suite 203 Villanova, PA 19085	East Branch of Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Goshen Township Chester County	PAG0200 1509035-R	West Chester University 201 Carter Drive, Suite 200 West Chester, PA 19383	Plum Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franklin Township Chester County	PAG0200 1514009	F. Sean Walker 229 North Garfield Street Kennett Square, PA 19348	White Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Chester Borough Chester County	PAG0200 1509014-R	Davis Realty Holdings, LP 1129 Highgrove Drive West Chester, PA 19380	Goose Creek TSF-MF Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Valley Township Chester County	PAG0200 1512023-R	Orleans Home Builders, Inc. 3333 Street Road, Suite 101 Bensalem, PA 19020	West Branch Brandywine Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Caln Township Chester County	PAG0200 1514027	Samuel Stoltzfus 606 Meetinghouse Road Gap, PA 17527	Unnamed Tributary to West Branch Brandywine Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Westtown Township Chester County	PAG0200 1509029-R	L.V. Associates, L.P. 55 Country Club Drive Downingtown, PA 19335	Unnamed Tributary to Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Marlborough Township Chester County	PAG0200 1512010-R	Vincent J. D'Annunzio 63 Chestnut Road Paoli, PA 19301	Unnamed Tributary to Pocopson Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Township Chester County	PAG0200 1511004-R	SECCRA 219 Street Road West Grove, PA 19390	White Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Phoenixville Borough Chester County	PAG0200 1512003-R(1)	David H. Moskowitz 1890 Rose Cottage Lane Malvern, PA 19355	French Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Londonderry Township Chester County	PAG0200 1514019	Diana S. Wister 2011 Renaissance Boulevard Suite 102 King of Prussia, PA 19406	Doe Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

NOTICES

6827

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Springfield Township Delaware County	PAG0200 2311021R1	National Developers, Inc. 1604 Walnut Street, 4th Floor Philadelphia, PA 19103	Darby Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4607107R(1)	Toll PA IX, L. P. 250 Gibraltar Road Horsham, PA 19044	Unnamed Tributary Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Towamencin Township Montgomery County	PAG0200 4607079R(1)	CFC Towamencin Properties, Inc. 2700 Funks Road Hatfield, PA 19440	Unnamed Tributary to Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAG0200 4614050	Paone Associates, Inc. 1120 North Bethlehem Pike P. O. Box 280 Spring House, PA 19477	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4608162R(1)	Sanatoga Interchange Associates, L.P. 2701 Renaissance Boulevard 4th Floor King of Prussia, PA 19406	Sanatog Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Marlborough Township Montgomery County	PAG0200 4605207R(3)	John F. Yanan 5001 Commerce Drive P. O. Box 720 Green Lane, PA 18054	Unnamed Tributary To Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG0200 4614052	AVA Development Inc. 3737 Route 46 East Parsippany, NJ 07054	Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitpain Township Montgomery County	PAG0200 4614028	Better Living Custom Homes, LLC 2526 N. Broad Street Colmar, PA 18915	Unnamed Tributary to Stony Creek TSF-MF Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitpain Township Montgomery County	PAG0200 4614010	137 Stenton Avenue, L.P. 1401 Morris Road Blue Bell, PA 19422	Lorraine Rune TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Pottsgrove Township Montgomery County	PAG0200 4607098R	Arcadia at Coddington View L.P. 114 Forrest Avenue, Suite 201 Narberth, PA 19072	Unnamed Tributary to Manatawny Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511426	BOOS-G St Philadelphia, LLC 2651 McCormick Drive Clearwater, FL 33759	Tookany-Tacony Frankford Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511414-1	The Children's Hospital of Philadelphia 34th Street and Civic Center Boulevard Philadelphia, PA 19104	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAG0201 511429	Philadelphia Housing Authority 3100 Pennrose Ferry Road Philadelphia, PA 19145	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<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>
Archbald Borough Lackawanna County	PAG02003509019R	Ken Powell 740 Justus Blvd. Scott Township, PA 18411	UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Lower Nazareth Township, & Palmer Township Northampton County	PAG02004814008	Mark S. Goldsmith Wal-Mart Stores, Inc. An Arkansas Corporation 2001 S. E. 10th Street Mail Stop 5570 Bentonville, AR 72716-0550	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 610-746-1971
City of Bethlehem Northampton County	PAG02004814013	Lehigh University Attn: Gary Falasca 461 Webster Street Bethlehem, PA 18015	UNT to Saucon Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Williams Township & Glendon Borough Northampton County	PAG02004810004R	Gregory Chrin Chrin Brothers, Inc. 1225 Industrial Drive Easton, PA 18042	UNT to Lehigh River (CWF, MF)	Northampton County Conservation District 610-746-1971
City of Pottsville Schuylkill County	PAG02005414012	Summit Realty Advisors, LLC 201 S. Maple Avenue Suite 100 Ambler, PA 19002	Schuylkill River (CWF, MF)	Schuylkill County Conservation District 570-622-3742
Rush Township Susquehanna County	PAG02005814008	Rush Township Cinder Shed 1653 S.R. 3023 Montrose, PA 18801	Middle Branch of the Wyalusing Creek (CWF, MF)	Susquehanna County Conservation District 570-278-4600

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 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>
Chambersburg Borough Franklin County	PAG02002814022	Chamber's Hill Center 1181 Falling Spring Road Chambersburg, PA 17202	Falling Springs/TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County	PAG02002814026	FCI Fill Area Glenn Deardorff, Jr. PO Box 610 Fayetteville, PA 17222	UNT to Conococheague Creek/CWF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough Franklin County	PAG02002812022R	Keystone Ford 301 Walker Road Chambersburg, PA 17201	UNT to Falling Springs/TSF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

NOTICES

6829

<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>
Guilford Township Franklin County	PAG02002812001R	Marion Volunteer Fire Company 5465 Molly Pitcher Highway Marion, PA 17235	Conococheague Creek/CWF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Saint Thomas Township Franklin County	PAG02002806077R	Hurst/Oberholzter Subdivision Eric Gossard 526 North Antrim Way Greencastle, PA 17225	UNT to Back Creek/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County	PAG02002814028	Mike Long 3108 McDowell Road Waynesboro, PA 17268	UNT to Marsh Run/WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Borough of Chambersburg	PAG02002814025	Maple Run Phase 8 Paul Nolt Construction 189 Matthew Drive Chambersburg, PA 17201	Falling Springs/TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Upper Allen Township Cumberland County	PAG02002114031	William R. Grace PO Box 301 New Cumberland, PA 17070	Cedar Run/CWF, MF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.5359

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Clearfield County City of DuBois	PAG02001714009	Juniata Lake Properties LLC 10 Lakeside Dr DuBois PA 15801	Juniata Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield PA 16830 (814) 765-2629
Columbia County Berwick Borough	PAG02001914008	Berwick Area School Dist James M Geffken 500 Line St Berwick PA 18603	E Branch of Briar Creek CWF, MF	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg PA 17815 (570) 784-1310 X 102
Lycoming County Fairfield Twp	PAG02004114018	Tasseron Real Estate Tom Van Dijk PO Box 3652 Williamsport PA 17701	Bennetts Run WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville PA 17754 (570) 433-3003

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Northumberland County Boro of Milton	PAG02004914004	Weis Markets Distribution 40 Industrial Park Rd Milton PA 17847	UNT Susquehanna River WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury PA 17801 (570) 286-7114 ext. 4
Northumberland County Delaware Twp	PAG02004914006	Christ Glick Agricultural Barns 320 Shreck Rd Watsontown PA 17777	UNT Delaware Run WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury PA 17801 (570) 286-7114 ext. 4
Northumberland County City of Sunbury	PAG02004914007	City of Sunbury 225 Market St Sunbury PA 17801	Susquehanna River WWF, MF	Northumberland County Conservation District 441 Plum Creek Rd Sunbury PA 17801 (570) 286-7114 ext. 4
Tioga County Deerfield Twp	PAG02005914004	Pennsylvania 3 Sector 2 Limited Partnership d/b/a Verizon Wireless 175 Calkins Rd Rochester NY 14623	Cowanesque River WWF, MF	Tioga County Conservation District 50 Plaza Ln Wellsboro PA 16901 (570) 724-1801 X 5

General Permit Type—PAG-03

<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>
North Manheim Township Schuylkill County	PAR122213	Tuscan/Lehigh Dairies, Inc. 110 Manheim Road Schuylkill Haven, PA 17972	Unnamed Tributary to Schuylkill River—03A	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Hazle Township Luzerne County	PAR702219	Lakeside Energy, LLC 150 North Michigan Avenue Suite 2930 Chicago, IL 60601	Cranberry Creek—05D	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Lancaster County East Lampeter Township	PAR233537	McNeil Consumer Pharmaceuticals Company 1838 Colonial Village Lane Lancaster, PA 17601	UNT to Stauffer Run / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Bedford County Napier Township	PAR603567	AJ Auto Salvage 983 West Ridge Road Schellsburg, PA 15559	UNT to Shawnee Branch / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Allegheny Township	PAR803676	Gulf Oil Limited Partnership 100 Crossing Boulevard Framingham, MA 01702	Burgoon Run / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

NOTICES

6831

<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>
Lancaster County East Lampeter Township	PAR203574	High Steel Structures LLC 1853 William Penn Way PO Box 10008 Lancaster, PA 17605-0008 High Steel Structures LLC Plants 1, 2 & 4 1915 Old Philadelphia Pike Lancaster, PA 17602	UNT to Conestoga River / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Blair County Antis Township	PAR603557	Caracciolo Steel & Metal Yard 1813 Old Sixth Avenue Road PO Box 1924 Altoona, PA 16601	Little Juniata River / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Springettsbury Township	PAR203547	Apex Tool Group LLC 3990 East Market Street York, PA 17402-2769	UNT to Kreutz Creek / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lawrence Township Clearfield County (Industrial Stormwater)	PAR804855	Sapp Brothers Truck Stops, Inc. 15196 Clearfield Shawville Highway Clearfield, PA 16830	West Branch— Susquehanna River— 8-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
Vernon Township Crawford County	PAR808345	UPS Inc. 521 North Center Avenue, New Stanton, PA 15672	Unnamed Tributary to the Watson Run 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Cranberry Township Venango County	PAR808346	UPS Inc. 521 North Center Avenue, New Stanton, PA 15672	Lower Twomile Run 16-G	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Wilmington Township Lawrence County	PAR808343	UPS Inc. 521 North Center Avenue, New Stanton, PA 15672	Unnamed Tributary to the Little Neshannock Creek 20-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Meadville City Crawford County	PAR608305	Lincoln Recycling, Inc. 986 French Street, Meadville, PA 16335	French Creek 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Venango Township Erie County	PAG038312	Reed Oil Co. 511 Montgomery Avenue New Castle, PA 16102-1111	Unnamed Tributary to the West Branch of French Creek 16-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

<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>
Oil Creek Township Crawford County	PAR228323	Northwest Hardwoods Inc. 11117 Skyline Drive Titusville, PA 16354	Oil Creek 16-E	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Sandycreek Township Venango County	PAR208347	Latrobe Specialty Metals 2626 Ligonier Street Latrobe, PA 15650	Morrison Run 16-G	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Hamilton Township Tioga County	PAR504803	Northern Tier Solid Waste Authority P. O. Box 10 Burlington, PA 18814	Unnamed Tributary to Morris Run—4-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.0530
New Sewickley Township Beaver County	PAG046449	Deborah Kirsch 118 Deerfield Lane Harmony, PA 16037	Unnamed Tributary to Snake Run—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Hanover Township Luzerne County	PAG-082221	Wyoming Valley Sanitary Authority P. O. Box 33A Wilkes-Barre, PA 18703-1333	Wyoming Valley Sanitary Authority 1000 Wilkes-Barre Street Hanover Twp, PA 18706	PA DEP NERO 2 Public Square Wilkes-Barre, PA 18701-1915 (570) 826-2511
Mifflin County / Granville Township	PAG083606	Granville Township Sewer & Water Department 6310 SR 103 North Lewistown, PA 17044	Viscose Reclamation Site 6310 SR 103 North Lewistown, PA 17044	DEP-SCRO-Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-10

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Juniata County Lack Township	PAG103564	Texas Eastern Transmission LP Spectra Energy Transmission 890 Winter Street, Suite 300 Waltham, MA 02451	UNT to Lick Run / CWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Connoquenessing Township Butler County	PAG108329	Mountain Gathering LLC 810 Houston Street, Fort Worth, TX 76102	Unnamed Tributary to the Semiconon Run and Unnamed Tributary to the Mulligan Run	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

NOTICES

6833

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Forward Township Butler County	PAG108330	Mountain Gathering LLC 810 Houston Street, Fort Worth, TX 76102	Unnamed Tributary to the Breakneck Creek	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
<i>General Permit Type—PAG-12</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Lancaster County / Rapho Township	PAG123787	Gerry & Jevin Kready Farm 1113 North Colebrook Road Manheim, PA 17545	UNT Rife Run / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County Penn Township	PAG123790	Carl G. & John G. Myer Walnut Run Farms 292 Elm Road Lititz, PA 17543	UNT Chickies Creek / WWF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lebanon County South Annville Township	PAG123788	Noah E. Kreider & Sons LLP Mount Pleasant Farm 1486 Mt Pleasant Road Lebanon, PA 17042	Gingrich Run / TSF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
<i>General Permit Type—PAG-13</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>
Upper Saucon Township Lehigh County	PAG132216	Upper Saucon Township 5500 Camp Meeting Road Center Valley, PA 18034	Laurel Run, Saucon Creek, Unnamed Tributary of Laurel Run and Unnamed Tributary to Saucon Creek—2-C	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Penn Hills Allegheny County	PAG136174	Municipality of Penn Hills 12245 Frankstown Road Penn Hills, PA 15235	Plum Creek, Thompson Run, Unnamed Tributary of Sandy Creek and Unnamed Tributary to Quigley Creek 18-A and 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Churchill Borough Allegheny County	PAG136225	Churchill Borough 2300 William Penn Highway Pittsburgh, PA 15235-4952	Chalfant Run, Sawmill Run, Unnamed Tributary of Chalfant Run, Unnamed Tributary of Turtle Creek and Unnamed Tributary to Sawmill Run 19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Heidelberg Borough Allegheny County	PAG136240	Heidelberg Borough 1631 Railroad Street Heidelberg, PA 15106	Chartiers Creek 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

<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>
Kilbuck Township Allegheny County	PAG136373	Kilbuck Township 640 California Avenue Avalon, PA 15202	Lowries Run 20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000
Jefferson Hills Borough Allegheny County	PAG136285	Jefferson Hills Borough 925 Old Clairton Road Jefferson Hills, PA 15025-3133	Beam Run, Lewis Run, Lick Run, Lobbs Run, Peters Creek, Unnamed Tributary of Humms Run and Unnamed Tributary to Peters Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive, Pittsburgh, PA 15222-4745 412.442.4000

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>
Pigeon Hill Farms LLC 9078 Orchard Road Spring Grove, PA 17362	York	0	365.57	Poultry	None	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

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

Operations Permit #0914518 issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue Bryn Mawr PA 19010, [(PWSID)] Bristol Township, **Bucks County** on October 10, 2014 for the operation of facilities know as New Well Nos. 9 and 10 Edgely Well Field approved under construction permit #0913523.

Permit No. 0914509, Minor Amendment. Public Water Supply.

Applicant	Milford Township Water Authority 1845 Rosenberger Road Quakertown, PA 18951
Township	Milford
County	Bucks
Type of Facility	PWS
Consulting Engineer	Andersen Engineering Associates 306 N. Fifth Street 2nd Floor Perkasie, PA 18944
Permit to Construct Issued	October 9, 2014

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

Permit No. 2214502, Public Water Supply.

Applicant	Lower Dauphin School District
Municipality	Conewago Township
County	Dauphin
Responsible Official	David M. Marshall, Supervisor of Maintenance & Operations 291 E Main Street Hummelstown, PA 17036
Type of Facility	Installation of sediment filters, a softening system, nitrate removal treatment, sodium hypochlorite disinfection with 4-log GWR inactivation of viruses, pH adjustment and blended phosphate addition for lead and copper corrosion control.
Consulting Engineer	William E. Fleischer, P.E. Moore Engineering Company 3637 Columbia Avenue Lancaster, PA 17603
Permit to Construct Issued	9/30/2014

Permit No. 3814504, Minor Amendment, Public Water Supply.

Applicant	Lebanon Valley Livestock Market
Municipality	Bethel Township
County	Lebanon
Responsible Official	Carol L. Brubaker, Owner PO Box 38 Fredericksburg, PA 17026
Type of Facility	Installation of nitrate removal treatment.
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit to Construct Issued	10/9/2014

Rescission of Permit No. 0610528 MA issued to: **GSP Management Company** (PWS ID No. 3060032), Tilden Township, **Berks County** on 10/7/2014. Action is for the rescission of facilities approved under Permit No. 0610528 MA.

Transferred Comprehensive Operation Permit No. 7010038 issued to: **The York Water Company** (PWS ID No. 7010038), Cumberland Township, Adams County on 10/6/2014. Action is for a Change in Ownership for Western Cumberland Water System, **Adams County** for the operation of facilities previously issued to Lincoln Estates Mobile Home Park.

Comprehensive Operation Permit No. 0114508 issued to: **Chesapeake Estates MHP** (PWS ID No. 7010041), Mt. Pleasant Township, **Adams County** on 9/29/2014 for the operation of facilities approved under Construction Permit No. 0114508.

Source Water Protection Program Approval issued to **Ephrata Area Joint Authority**, 124 South State Street, Ephrata, PA 17522, PWSID 7360045, Ephrata Borough, **Lancaster County** on August 28, 2014.

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

Permit No. 5714501-MA—Construction—Public Water Supply.

Applicant	Dushore Water Authority
Township/Borough	Dushore Borough
County	Sullivan
Responsible Official	Mr. Joseph E. Stabryla Superintendent of Public Works Dushore Water Authority 216 Julia Street Dushore, PA 18614
Type of Facility	Public Water Supply
Consulting Engineer	Dennis P. Lingenfelter, P.E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit Issued	October 2, 2014

Description of Action Construction of a bulk water truck fill station branch main as a potable bulk water loading station, including replacement of two 3" check valves with two 3" reduced pressure zone device (RPZD) backflow preventers, and relocation of backflow preventers to before water meters.

Permit No. 1914501-MA—Construction—Public Water Supply.

Applicant **United Water Pennsylvania, Inc.**

Township/Borough Bloomsburg

County **Columbia**

Responsible Official Mr. John D. Hollenbach
United Water Pennsylvania, Inc.
4211 East Park Circle
Harrisburg, PA 17111

Type of Facility Public Water Supply

Consulting Engineer Michael Schober, P.E.
CDM Smith, Inc.
205 Granite Run Dr., Suite 350
Lancaster, PA 17601

Permit Issued October 6, 2014

Description of Action Construction of duplicate SuperPulsator pulsed bed solids contact sludge blanket clarifiers, manufactured by IDI, and related facilities, including rapid mix tanks, sludge equalization basins, membrane filtration feed equalization basins, and coagulant feed system at the Bloomsburg Filtration Plant.

Permit No. 4114501-MA—Operation—Public Water Supply.

Applicant **Montgomery Water and Sewer Authority**

Township/Borough Clinton Township

County **Lycoming**

Responsible Official John Lynch, Sr., Executive Director
Montgomery Water and Sewer Authority
35 South Main Street
Montgomery, PA 17752

Type of Facility Public Water Supply

Consulting Engineer Paul Krizan, P.E.
Larson Design Group
1000 Commerce Drive
Williamsport, PA 17701

Permit Issued October 6, 2014

Operation of the chlorine gas disinfection system in the Well No. 1 treatment building, to which a fiberglass shelter on a concrete pad has been added to safely contain cylinders of chlorine gas in use and on stand-by.

Pennsylvania American Water Company, Boggs Township, (Public Water Supply) Boggs Township, Centre County: On October 6, 2014, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Pennsylvania American Water Company, Boggs Township, Boggs Township, Centre County. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

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

Permit No. 4214502, Public Water Supply

Applicant **Pennsylvania American Water Company**

Township or Borough Wetmore Township

County **McKean**

Type of Facility Public Water Supply

Consulting Engineer Jed A. Fiscus, P.E.
Pennsylvania American Water Co.
425 Waterworks Road
Clarion, PA 16214

Permit to Construct Issued October 6, 2014

Operation Permit issued to **Pennsylvania American Water Company**, PWSID No. 6420019, Wetmore Township, **McKean County**. Permit Number 4214503 issued October 6, 2014 is being issued to replace 4282502-T1.

Operation Permit issued to **Pennsylvania American Water Company**, PWSID No. 6420019, Kane Borough, **McKean County**. Permit Number 8471-W-T1-MA1 issued October 7, 2014 for the operation of the new 6000,000 gallon elevated steel tank known as the "Clay Street Elevated Water Storage Tank" located in Kane Borough, PA. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on September 17, 2014.

Operation Permit issued to **Saegertown Borough**, PWSID No. 6200043, Saegertown Borough, **Crawford County**. Permit Number 363W13-MA2 issued October 9, 2014 for the operation of the Windvale Drive Reservoir located in Saegertown Borough, PA. This permit is issued in response to the submission of the Certificate of Construction/Modification Completion form on September 30, 2014.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

Borough or Township	Borough or Township Address	County
South Londonderry Township	PO Box 3, Campbelltown, PA 17010	Lebanon

Plan Description: The approved plan provides for a reevaluation of the need for expanded wastewater treatment facilities and wastewater treatment alternatives for the Campbelltown West and East WWTPs by the continued use of the existing facilities for projected development within the permitted capacity of the treatment plants. The sewage facility needs for additional development are planned to be provided by privately owned and maintained on-lot sewage disposal systems. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Bray Property, 152 West Central Avenue, East Bangor Borough, Northampton County, Tony Dellaria,

MEA Inc., 1365 Ackermanville Road, Bangor, PA 18013, has submitted a Final Report on behalf of his client, Ms. Patti Bray, 703 North Main Street, Bangor, PA 18013, concerning the remediation of soil found to have been impacted by #2 fuel oil from a malfunctioning heating oil tank in the basement of the home. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The intended use of the site will be for residential purposes. A summary of the Final Report was published in *The Express Times* on August 15, 2014.

Scott Llewellyn Residence, 2936 Fairgrounds Road, Butler Township, Schuylkill County, Richard D. Trimpi, Trimpi Associates Inc., has submitted an NIR and Final Report, on behalf of his client, Scott Llewellyn, 2936 Fairgrounds Road, Ashland PA 17921, concerning the remediation of soil from diesel fuel due to a vehicle accident at the site. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. The intended use of the site is residential. A summary of the Final Report and, NIR (Notice of Intent to Remediate) were published in *The Republican-Herald* on September 12, 2014.

Pilot/Flying J, Intersection of Buckeye Road & Tank Farm Road, Upper Milford Township, Lehigh County, Richard P. Cerbone, Sovereign Consulting Inc., 111-A North Gold Drive, Robbinsville, NJ 08691, has submitted a Final Report on behalf of his client, Joey Cupp, Pilot Travel Centers LLC, 5508 Lonas Drive, Knoxville, TN 37939-0146, concerning the remediation of soil due to a vehicular collision with a tanker truck containing diesel fuel at the intersection of Buckeye Road and Tank Farm Road. Approximately 2,075 gallons of diesel fuel was released to the environment. The applicant proposes to remediate the site to meet the Statewide Health Standards and the Site Specific Standards for soil. The intended use of the site will be for residential and commercial purposes. A summary of the Final Report was published in *The Morning Call* on September 20, 2014.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

RWT, Inc. I-81 Diesel Fuel Release, Northbound MM 24, Southampton Township, Franklin County. Environmental Products & Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 17111, on behalf of Sentry Transportation Insurance, PO Box 8032, Stevens Point, WI 54481; RWT, Inc. PO Box 1307, Chatsworth, GA 30705; and PennDOT Engineering District 8-0, 1240 Herr Street, Harrisburg, PA 17103-1699, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released in a tractor trailer accident. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

62 School Lane Property, Reading, PA 19606, Oley Township, Berks County. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Nation Star Mortgage, REO Department, 350 Highland Drive, Lewisville, TX 75067, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Sherwood Valve—Washington Plant (formerly Superior Valve/Amcast) 2200 North Main Street, Washington,

15301, Chartiers Township, **Washington County**. Cummings/Riter Consultants, 300 Penn Ctr. Blvd., Ste 800, Pittsburgh, PA 15235 on behalf of Sherwood Valve, LLC, 2200 North Main Street, Washington, PA 15301, submitted a Risk Assessment Report concerning remediation of site groundwater contaminated with Trichloroethene, cis-1,2-Dichloroethene and Tetrachloroethene. Notice of the Risk Assessment was published in the *Observer-Reporter* on October 1, 2014.

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:

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

Stevens Primary School, 1150 Louisa Street, City of Williamsport, **Lycoming County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Williamsport Area School District, 2780 West Fourth Street, Williamsport, Pa 17701, submitted a Final Report concerning the remediation of site soils, contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on September 25, 2014.

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

Lockheed Martin Missiles and Fire Control, 459 Kennedy Drive, Archbald Borough, **Lackawanna County**, Sonya Ward, H2M Associates, Inc., has submitted a RIR (Remedial Investigation Report), RAR (Risk Assessment Report) and a Final Report, (on behalf of her client, Mr. Timothy Seechock, Facilities-ESH Manager, Lockheed Martin Corporation, 459 Kennedy Drive, Archbald, PA 18403), concerning the remediation of chlorinated compounds (trichloroethene, 1,1,1-trichloroethane, 1,1-dichloroethane, and tetrachloroethene in soil and trichloroethene, 1,1-dichloroethene and vinyl chloride in groundwater) at the property location cited above as a result due to historical operations. The applicant proposes to remediate the site to meet the Statewide Health Standard, and Site Specific Pathway Elimination Standards for soil & groundwater. The report was approved on October 1, 2014.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Gary Hoke Residence / Mid-Atlantic Waterproofing of CPA, 38 Meadow Grove Road, Newport, PA 17074, Buffalo Township, **Perry County**. ECS Mid-Atlantic LLC, 56 Grumbacher Road, Suite D, York, PA 7406, on behalf of Gary Hoke, 38 Meadow Grove Road, Newport, PA 17074, and Mid-Atlantic Waterproofing of CPA, 52 Grumbacher Road, Suite A3, York, PA 17406, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil released from a ruptured supply line. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on October 8, 2014.

IAC Carlisle LLC / Former Masland Carpets, 50 Spring Drive, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011 on behalf of International Automotive Components North America, Inc., 5300 Auto Club Drive, Plymouth, MI 48170 and Carlisle Auto Industries, Inc., 1000 Bryn Mawr Road, Carlisle, PA 17013, submitted a Remedial Investigation Report concerning site soils and groundwater contaminated with VOCs, SVOCs, and Inorganics. The applicant seeks to remediate the site to meet a combination of Statewide Health (residential and non-residential) and Site Specific Standards. The Report was disapproved by the Department on October 14, 2014.

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

Leech Tool, 13144 Dickson Road, West Mead Township, **Crawford County**. Environmental Remediation & Recovery, Inc. 4250 Route 6N, Edinboro, PA 16412, on behalf of Leech Industries, 13144 Dickson Road, Meadville, PA 16335, submitted a Final Report concerning the remediation of site soil and site groundwater contaminated with TCE and its degradation products. The Report was disapproved by the Department on October 1, 2014.

Milford Lease, Tank Hill Road, Harmony Township, **Forest County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Lendrum Energy, LLC, 4573 Camp Coffman Road, Cranberry, PA 16319, submitted a Final Report concerning the remediation of site soil contaminated with Benzene, 1,3,5-Trimethyl benzene, and 1,2,4-Trimethylbenzene. The Report was disapproved by the Department on October 3, 2014.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Former Fulton Buick, 340 East Main Street, Borough of Carnegie, **Allegheny County**. RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301 on behalf of GetGo Portfolio II, LP/ Giant Eagle, Inc., 261 Kappa Drive, Pittsburgh, PA 152387 submitted a Remedial Investigation Report/ Cleanup Plan concerning site soils contaminated with benzene, ethylbenzene, (1,3,5) & (1,2,4) trimethylbenzene, naphthalene, 1,2,4, trichloropropane and mercury and site groundwater contaminated with benzene, toluene, ethylbenzene, 1,3,5 trimethylbenzene, naphthalene, and xylenes. The Remedial Investigation Report/ Cleanup Plan was approved by the Department on October 10, 2014.

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: Thomas McGinley, New Source Review Chief—Telephone: 610-832-6242

GP3-46-0115: Haines & Kibblehouse, Inc. (455-471 Harleysville Pike, Franconia, PA 19438) On October 8, 2014, was authorized to operate a portable nonmetallic mineral processing plant in Franconia Township, **Montgomery County**.

GP9-46-0073: Haines & Kibblehouse, Inc. (455-471 Harleysville Pike, Franconia, PA 19438) On October 8, 2014, was authorized to operate a diesel/No. 2 fuel-fired internal combustion engine(s) in Franconia Township, **Montgomery County**.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648

GP5-08-391: Regency Marcellus Gas Gathering, LLC (101 West Third Street, Williamsport, PA 17701) on September 16, 2014, for the construction and operation of

five 2370 bhp natural-gas-fired Caterpillar model G3608LE lean-burn compressor engines (Engines 1-5) each equipped with a Miratech model ZES-54x61-20-XH4B2 oxidation catalyst, three electric reciprocating compressors, one 125 MMscf/day dehydrator equipped with a 2.0 MMBtu/hr reboiler, one 175 MMscf/day dehydrator equipped with a 2.0 MMBtu/hr reboiler, one 225 MMscf/day dehydrator equipped with a 2.5 MMBtu/hr reboiler where each of the three dehy units are controlled by their own natural-gas-fired enclosed ground flare rated at 7 MMBtu/hr and equipped with a constant pilot light, one 380 bhp natural-gas fired Cummins model KTA 19GC rich-burn emergency generator set equipped with an Emit Technologies model EAS-1450T-0808F-21CEE three-way non-selective catalytic reducer (NSCR), six 10,000-gallon produced water tanks, one 2000-gallon compressor oil tank, one 2000-gallon engine oil tank, eight 300-gallon compressor oil tanks, and five 300-gallon engine oil tanks under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Taylor Compressor Station in Canton Township, **Bradford County**.

GP5-12-065: NFG Midstream Clermont, LLC (6363 Main Street, Williamsville, NY 14221-5887) on September 23, 2014, authorize the construction and operation of five (5) 1,380 brake-horsepower, Waukesha model L5794GSI, 4-stroke, rich-burn, natural gas-fired compressor engines, two (2) 100 million cubic foot per day triethylene glycol dehydrators, three (3) 446 brake-horsepower, Flexenergy model MT333 natural gas-fired micro turbines and two (2) 5 million Btu per hour, natural gas-fired line heaters pursuant to the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP5) at the Rich Valley Compressor Station located in Shippen Township, **Cameron County**.

GP3-08-392: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA 18630) on September 29, 2014, to temporarily relocate and operate a Tesab 1012T portable crusher (identified as PC 1), a McCloskey J50 portable crusher (identified as PC 3), and a Pegson XA-400 portable crusher (identified as PC 4) with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Taylor Compressor Station site located in Canton Township, **Bradford County**.

GP9-08-392: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA 18630) on September 29, 2014, to temporarily relocate and operate a Caterpillar C13 440 bhp diesel-fired engine, a Caterpillar C9 350 bhp diesel-fired engine, and a 300 bhp Caterpillar C9 diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-9): Diesel or #2 Fuel-fired Internal Combustion Engines at Taylor Compressor Station site located in Canton Township, **Bradford County**.

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174

GP19-26-00545: Brownsville Marine Products, LLC (1800 Paul Thomas Blvd, Brownsville, PA 15417) on September 25, 2014, for a Wheelabrator shot blast system at their facility located in Brownsville Borough, **Fayette 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.

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

Contact: James Parette, New Source Review Chief—Telephone: 570-826-2531

13-00010A: Ametek Corporation (42 Mountain Avenue, Nesquehoning, PA 18240) on October 01, 2014 for the modification and operation of 4CM & 2CM extrusion lines at their facility located in Nesquehoning Borough, **Carbon County**.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648

08-00049A: Alpaca Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) on October 8, 2014, to construct five (5) 6,023 bhp (4.4 MW) 4 stroke, lean burn Jenbacher J624 GS natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Canton Township, **Bradford County**. The facility will also include one (1) 0.575 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00049A, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

08-00048A: Beaver Dam Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) on October 8, 2014, to construct five (5) 6,023 bhp (4.4 MW) 4 stroke, lean burn Jenbacher J624 GS natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Canton Township, **Bradford County**. The facility will also include one (1) 0.575 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00048A, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

08-00047A: Milan Energy, LLC (6051 Wallace Road Extension, Suite 100, Wexford, PA 15090) on October 8, 2014, to construct five (5) 6,023 bhp (4.4 MW) 4 stroke, lean burn Jenbacher J624 GS natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Smithfield Township, **Bradford County**. The facility will also include one (1) 0.575 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size

from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00047A, the applicant will subsequently apply for a State Only (Natural Minor) Operating Permit in accordance with 25 Pa. Code Subchapter F.

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.

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

Contact: Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

06-05073A: Dyer Quarry, Inc. (P. O. Box 188, Rock Hollow Road, Birdsboro, PA 19508) on October 8, 2014, for the installation of a primary crusher, scalping screen, and two (2) conveyors at the quarry and stone crushing facility in Robeson Township, **Berks County**. The crusher and screen will be controlled by wet suppression. The plan approval was extended.

67-05030E: CP Converters, Inc. (15 Grumbacher Road, York, PA 17406) on October 8, 2014, for the construction of a new flexographic printing press controlled by a regenerative thermal oxidizer, at the printing facility in Manchester Township, **York County**. The plan approval was extended.

06-03117G: Custom Processing Services, Inc. (2 Birchmont Drive, Reading, PA 17606-3266) on October 8, 2014, for the construction and temporary operation of a micronizing mill controlled by a fabric collector and final filter, at the custom milling facility located in Exeter Township, **Berks County**. The plan approval was extended.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648

08-00010C: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 6, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from October 25, 2014 to April 23, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

08-00010D: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 6, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from October 26, 2014 to April 24, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

08-00010E: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 6, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from October 25, 2014 to April 23, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

08-313-004K: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 6, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from October 25, 2014 to April 23, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

08-313-042D: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 6, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from October 29, 2014 to April 27, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

08-313-004L: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 6, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 15, 2014 to May 14, 2015, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

47-00001D: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) on October 7, 2014, to extend the authorization an additional 180 days from October 24, 2014 to April 22, 2015, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the dry injection system that controls sulfuric acid mist emissions from the coal-fired electric generating units at the Montour Steam Electric Station located in Derry Township, **Montour County**. The plan approval has been extended.

53-00009D: Morgan AM&T, Inc. (1118 East Second St., Coudersport, PA 16915) on October 8, 2014, to extend the authorization for the construction of an electric powered de-bind oven (Source ID 122) equipped with a natural gas fired thermal oxidizer (control device ID C122) to control the air contaminant emissions from the oven at their Coudersport plant in Eulalia Township, **Potter County** until April 7, 2015. The plan approval has been extended.

12-00013A: Samson Exploration, LLC (P. O. Box 970, Tulsa, OK 74101) on October 3, 2014, for a change in ownership from Endeavour Operating Corporation for the Well Pad D site located in Shippen Township, **Cameron County**.

12-00014A: Samson Exploration, LLC (P. O. Box 970, Tulsa, OK 74101) on October 10, 2014, for a change in ownership from Endeavour Operating Corporation for the Well Pad E site located in Shippen Township, **Cameron County**.

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174

30-00072E: Consol Pennsylvania Coal Company, LLC (1000 Consol Energy Dr., Canonsburg, PA 15317) plan approval extension effective October 10, 2014, with an expiration date of April 10, 2015, for continued temporary operation of the Crabapple Overland Conveyor which is part of the Bailey Prep Plant located in Richhill Township, **Greene County**. The Bailey Prep Plant is a Title V facility.

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

Contact: Devendra Verma, New Source Review Chief—Telephone: 814-332-6940

43-196C: General Electric Transportation—Grove City Plant (1503 West Main Street Extension, Grove City, PA 16127-2513) on October 8, 2014, effective October 31, 2014, will issue a plan approval extension for the construction of a new test cell (test cell #6) and the modification of existing test cell #5 to facilitate testing of the newer, higher tier engines in Grove City Borough, **Mercer County**. This is a Title V facility.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

09-00114: Active Brass Foundry, Inc. (330 Progress Drive, Telford, PA 18969) On October 10, 2014, located in Hilltown Township, **Bucks County**, for a renewal of State Only (Natural Minor) Operating Permit No. 09-00114. The facility's main sources of air contaminant emissions are four electric induction furnaces, two No. 2 fuel oil-fired crucible furnaces, and various operations for producing metal castings at the facility. The facility operates several dust collectors to control particulate matter (PM) emissions from each of these sources or operations except the crucible furnaces. No changes have occurred at the facility since the State Only Operating Permit ("SOOP") was last renewed. The renewed SOOP will continue to include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

09-00183: Donaldson Company, Inc. (85 Railroad Drive, Ivyland, PA 18974) On October 10, 2014, for renewal of a State Only, Natural Minor Operating Permit in North Hampton Township, **Bucks County**. The company has one polytetrafluoroethylene (PTFE) extrusion line controlled by a Regenerative Thermal Oxidizer. The pollutant of concern is volatile organic compounds (VOC). The estimated VOC emissions after control are less than 4.4 tons per year. The permit will include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110

Contact: Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

06-05102: Sunsweet Growers (105 S. Buttonwood Street, Fleetwood, PA 19522) on October 2, 2014, for their hot filled drink bottling facility in Fleetwood Borough, **Berks County**. The State-only permit was renewed.

01-05021: Knouse Foods Cooperative, Inc. (PO Box 807, Biglerville, PA 17307-0807) on October 3, 2014, for the Gardners fruit processing facility in Tyrone Township, **Adams County**. The State-only permit was renewed.

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

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

11-00412: Fuel Recovery Inc. (254 Interpower Drive, Colver, PA 15927), On October 7, 2014, the Department issued a renewed Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Sonman Refuse Site, located in Portage Township, **Cambria County**.

The facility contains air contamination sources consisting of coal stockpiles, conveyers, screens, loadout, and roadways. Air pollution prevention equipment at the Facility includes enclosures, a water truck, and tarping of truck loads. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to applicable requirements of 40 CFR 60, Subpart Y, and 40 CFR 63, Subpart ZZZZ.

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 63 and Pa. Code Title 25, Article III, Chapters 121 through 145.

65-00044: Enterprise Terminals and Storage, LLC (1100 Louisiana Street, Houston, TX 77002-5227), On September 23, 2014, the Department issued a Natural Minor Operating Permit for the operation of a bulk propane terminal, known as the Greensburg Terminal, located in Hempfield Township, **Westmoreland County**.

The facility contains air contamination sources consisting of two underground storage caverns of 3,675,000 gallons and 7,770,000 gallons each, the main Maintenance Flare 3, the Truck Rack Flare 2, four dehydrators, a 245 HP emergency backup natural gas fired generator, and a salt bath heater. The facility is limited to a maximum opacity from any processing equipment of 20 percent.

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 Part 52 and Pa. Code Title 25, Article III, Chapters 121 through 145.

32-00183: Millcreek Processing (110 Cedar Lane, McMurray, PA 15317), On September 30, 2014, the Department issued an initial Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Challenger Coal Yard, located in East Wheatfield Township, **Indiana County**.

The facility contains air contamination sources consisting of coal stockpiles, conveyers, hopper/bin, crusher, radial stacker, coal loadout, and roadways. Air pollution prevention equipment at the Facility includes enclosures, water truck, tarping of truck loads, and periodic chipping and maintenance as of roadways. Air pollution prevention equipment at the Facility includes enclosures, a water truck, and tarping of truck loads. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to applicable requirements of 40 CFR 60, Subpart Y.

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.

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

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636

10-00325: Butler VA Medical Center (325 New Castle Road, Room 505W, Butler, PA 16001-2418) on October 7, 2014 issued a Natural Minor Operating Permit for the hospital in Butler Township, **Butler County**. The facility's primary emission sources are two 25.8 mmBtu/hr boilers, a 12.4 mmBtu/hr boiler, emergency generators in buildings 99, 4, 3, 2, 7, 30 and the domiciliary. The facility also has miscellaneous smaller boilers (less than 10 mmBtu/hr), space heaters, a parts washer, and a gasoline storage tank. The permit contains the requirements of plan approval 10-325A, GP-1, GP-9, the requirements of the approved Request for Determinations (RFDs), and the requirements of 40 CFR 60 Subpart IIII. The NO_x, VOC, TSP, PM₁₀, CO, and SO_x potential emissions are less than 54.18 TPY, 2.65 TPY, 3.5 TPY, 3.5 TPY, 39.3 TPY, and 0.15 TPY, respectively. The facility is an area source of Hazardous Air Pollutants (HAPs). The boilers are restricted to natural gas firing except for periodic testing of liquid fuel that shall not exceed a combined total of 48 hours during any calendar year. The boilers may also be fired with oil in the event of gas curtailment and gas supply interruptions. Based on primarily firing natural gas fuel, the boilers are exempt from 40 CFR 63 Subpart JJJJJ. The gasoline storage tank is subject to the work practice requirements in 40 CFR 63 Subpart CCCCCC Section 63.11116 pertaining to minimizing vapors from tanks less than 10,000 gallons capacity.

20-00093: DIC Tool, Division of Trojan (114 Poplar Street, Meadville, PA 16335) on September 16, 2014, renewed the State Only operating permit for the manufacturing facility located in the City of Meadville, **Crawford County**. The sources at the facility include 6 natural gas fueled space heaters with a combined total rating of less than 1 million Btu/hr; natural gas fueled equipment for etching, heating, & parts drying; a silicone rubber coating line; a Teflon coating line; and parts cleaning operations. The facility is a Natural Minor. The potential emissions from the facility are less than the Title V thresholds. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

08-00010: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on October 6, 2014, was issued a revised state only (synthetic minor) operating permit for their facility in Towanda Borough, **Bradford County** to incorporate the terms and conditions of Plan Approvals 08-399-019E, 08-00010D, and 08-00010F. The revised state only operating permit contains all

applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

59-00017: Hitachi Metals Auto Components USA, LLC (18986 Route 287, Tioga, PA 16946-8815) on September 30, 2014, was issued a revised State Only Operating Permit 59-00017 for the Lawrenceville Plant located in Lawrence Township, **Tioga County**. The revision incorporated the modifications to the material throughput and emission limitations of numerous foundry sources and for the installation of an air cleaning device, a regenerative thermal oxidizer, for the control of air contaminant emissions from two foundry sources, as approved under Plan Approval 59-00017E, into the state only operating permit. All applicable Federal and State regulatory requirements including monitoring, recordkeeping, reporting and work practice standards in order to demonstrate compliance with the applicable regulatory requirements have been included in the state only operating permit for this facility.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

30841317. Emerald Coal Resources, LP, (PO Box 1020, 158 Portal Road, Waynesburg, PA 15370). To revise the Emerald Mine No. 1 in Jefferson and Franklin Townships, **Greene County** ACOE Pittsburgh. Garards Fort and Mather Quadrangle, bound by the following points for restoration areas 1 thru 6 from N: 0.15 inches; W: 15.20 inches to N: 2.01 inches; W: 10.80 inches and for Restoration Area 7 from N: 2.45 inches; W: 12.46 inches to N: 2.36 inches; W: 12.33 inches. This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15) submitted as part of the mining permit revision application to authorize the stream restoration for possible stream flow loss resulting from longwall mining to four areas of Muddy Creek and three areas of unnamed tributaries to Muddy Creek. Minor forms of restoration may be performed in Muddy Creek, Coal Lick Run and their associated tributaries. The application was considered administratively complete on May 11, 2011. Application received: December 16, 2014. Permit issued: October 6, 2014.

03060701 and NPDES No. PA0235661. McVille Mining Company, (301 Market Street, Kittanning, PA 16201-1504). To renew the permit for the McVille Coal

Refuse Disposal Area #2 in South Buffalo Township, **Armstrong County** and related NPDES permit. No additional discharges. The application was considered administratively complete on April 27, 2012. Application received: November 3, 2011. Permit issued: October 9, 2014.

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

Permit No. 49-305-003GP12. Mallard Contracting Co., Inc., (122 Wilburton Road, Mt. Carmel, PA 17851), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 49663009 in Mt. Carmel and Conyngham Townships, **Northumberland and Columbia Counties**. Application received: December 13, 2012. Permit issued: September 23, 2014.

Permit No. 40990101R2 and NPDES Permit No. PA0225193. Hazleton Shaft Corp., (PO Box 435, Hazleton, PA 18201), renewal of an existing anthracite surface mine, coal refuse reprocessing, coal refuse disposal and preparation plant operation and NPDES Permit for discharge of treated mine drainage in Hazle Township and City of Hazleton, **Luzerne County** affecting 481.0 acres, receiving stream: Hazle Creek. Applications received: March 10, 2010 and December 6, 2011. Renewal and NPDES Permit issued: September 25, 2014.

Permit No. 54830109R6. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township and New Philadelphia Borough, **Schuylkill County** affecting 495.5 acres, receiving stream: unnamed tributary to Schuylkill River. Application received: October 2, 2013. Renewal issued: October 6, 2014.

Permit No. 54830109GP104. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54830109 in Blythe Township and New Philadelphia Borough, **Schuylkill County**, receiving stream: unnamed tributary to Schuylkill River. Application received: October 3, 2013. Permit issued: October 6, 2014.

Permit No. 54830109C2. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), correction of an existing anthracite surface mine operation to update the post-mining land use in Blythe Township and New Philadelphia Borough, **Schuylkill County** affecting 495.5 acres, receiving stream: unnamed tributary to Schuylkill River. Application received: October 15, 2013. Correction issued: October 6, 2014.

Permit No. 13940201R4. Rossi Excavating Company, (RR 1 Box 189E, Beaver Meadows, PA 18216), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Banks Township, **Carbon County** affecting 11.5 acres, receiving stream: Wetzel Creek. Application received: July 1, 2014. Renewal issued: October 7, 2014.

Permit No. 13940201GP104. Rossi Excavating Company, (RR 1 Box 189E, Beaver Meadows, PA 18216), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 13940201 in Banks Township, **Carbon County**, receiving stream: Wetzel Creek. Application received: July 1, 2014. Permit issued: October 7, 2014.

Noncoal Permits Issued

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

27140801. Michael J. Laveing (40018 Route 66, Marienville, PA 16239) Commencement, operation and restoration of a small industrial minerals mine in Jenks Township, **Forest County**, affecting 6.0 acres. Receiving streams: Maple Creek. Application received: May 30, 2014. Permit Issued: October 8, 2014.

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

53050801. Brian Cowburn (268 Cowburn Road, Ulysses, PA 16948). Final bond release for a small industrial minerals surface mine, located in Ulysses Township, **Potter County**. Restoration of 5.0 acres completed. Receiving stream(s): Unnamed Tributary to Ludington Run. Application received: September 17, 2014. Final bond release: October 7, 2014.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

26042802. Mon River Energy Corporation (6594 National Pike, Brier Hill, PA 15415). Final bond release for a small noncoal mining operation in Menallen and Redstone Townships, **Fayette County**. Restoration of 19.7 acres completed. Receiving streams: Saltlick Run to Dunlap Creek. Final bond release approved: September 19, 2014.

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

24144006. Tidelands Geophysical Company, Inc. (101 East Park Boulevard, Plano, TX 75074) Blasting activity permit for seismic exploration in the City of St. Marys and Jones Township, **Elk County**. This blasting activity permit expires on April 14, 2015. Permit Issued: October 6, 2014.

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

08144114. John H. Brainard (3978 SR 2073, Kingsley, PA 18826). Blasting for church foundation located in Canton Township, **Bradford County** with an expiration date of December 31, 2014. Permit issued: October 3, 2014.

08144115. Sapp Drilling & Blasting, Inc. (444 N. 400 W, St George, UT 84770). Blasting for highway/road located in Sheshequin Township, **Bradford County** with an expiration date of November 1, 2015. Permit issued: October 6, 2014.

59144105. M & J Explosives LLC (P. O. Box 1248, Carlisle, PA 17013). Blasting for well pad located in Chatham Township, **Tioga County** with an expiration date of September 30, 2015. Permit issued: October 3, 2014.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

02144002. KESCO, Inc. (214 South Main Street, Zelienople, PA 16063). Blasting activity permit for the construction of the SSA Building Development, located in East Pittsburgh and Wilkensburg Boroughs, **Armstrong County** with an exploration date of March 30, 2014. Blasting permit issued: October 7, 2014.

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

Permit No. 35144155. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Lloyd Weaver chicken house in East Earl Township, **Lancaster County** with an expiration date of December 30, 2014. Permit issued: October 6, 2014.

Permit No. 58144171. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for SWN NR 4 pad and access road in New Milford Borough, **Susquehanna County** with an expiration date of February 28, 2015. Permit issued: October 6, 2014.

Permit No. 58144172. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for SWN NR 23 pad and access road in Great Bend Township, **Susquehanna County** with an expiration date of February 28, 2015. Permit issued: October 6, 2014.

Permit No. 58144173. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for SWN NR 24 pad and access road in Oakland Borough, **Susquehanna County** with an expiration date of February 28, 2015. Permit issued: October 6, 2014.

Permit No. 58144175. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Phelps B well pad in Lathrop Township, **Susquehanna County** with an expiration date of September 30, 2015. Permit issued: October 6, 2014.

Permit No. 36144156. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for John Stoltzfus manure pit in Upper Leacock Township, **Lancaster County** with an expiration date of November 30, 2014. Permit issued: October 9, 2014.

Permit No. 48144108. Schlouch, Inc., (P. O. Box 69, Blandon, PA 19510), construction blasting for Majestic Business Park in the City of Bethlehem, **Northampton County** with an expiration date of September 22, 2015. Permit issued: October 9, 2014.

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.

E35-451. Wilkes-Barre/Scranton International Airport, 100 Terminal Drive Avoca, PA 18641. Moosic Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To place and maintain fill in a 0.27 acre of isolated PEM wetlands associated with the construction of Taxiway B Extension. The permittee is required to provide 0.27 acre of replacement wetlands. The project is located at the north end of the Airport property off Exit 178A of Interstate 81 (Avoca, PA Quadrangle Latitude: 41°20'40"; Longitude: -75°43'22"). Subbasin: 5A

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E06-692: Hamburg Logistics Park, LP, 930 East Boot Road, Suite 400, West Chester, PA 19380 in Perry Township, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District

To construct the following impacts for three new warehouse/distribution centers totaling approximately 2.25 million square feet and associated infrastructure:

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

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

3) remove the existing 40-foot long, 15-inch CMP culvert and install and maintain a 68-foot long, 48-inch smooth lined plastic pipe culvert with a 4-foot by 8-foot concrete intake box and an 8-12 inch water line, a 4-6 inch gas line, and a 4-6 inch electric conduit between the culvert and roadway in and across a UNT to the Schuylkill River (WWF, MF), impacting 0.03 acre of PEM Wetland F (Latitude: 40°31'21", Longitude: -75°58'01");

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

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

6) fill and maintain 0.06 acre of PEM Wetland F and realign and maintain 165 linear feet of a wetland complex and 12 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'17", Longitude: -75°57'59");

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

8) fill and maintain 0.23 acre of PEM Wetland F, install and maintain a 70-foot long, 6-foot by 4-foot box culvert depressed 12 inches with fish baffles, an 8-12 inch water line, a 4-6 inch gas line, and a 4-6 inch electric conduit between the culvert and roadway, in and across a UNT of the Schuylkill River; realign and maintain 446 linear feet of a UNT to the Schuylkill River; and remove a Jurisdictional Dam and restore a stream channel through the breached dam and associated pond in and across a UNT of the Schuylkill River all impacting a total of 457 linear feet of a UNT of the Schuylkill River (WWF, MF) (Latitude: 40°31'09", Longitude: -75°57'58");

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

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

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

12) fill and maintain 230 linear feet of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'13", Longitude: -75°58'06");

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27) fill and maintain 1.26 acres of the floodway of a UNT to the Schuylkill River (WWF, MF) (Latitude: 40°31'09", Longitude: -75°57'56") and;

28) temporarily impact 0.20 acre of the floodway of a UNT to the Schuylkill River (WWF, MF);

Permit requirements for the following activities are waived per 25 Pa. Code § 105.12(a)(2):

a) fill and maintain 2.63 acres of the floodway of a UNT to Pigeon Creek (WWF, MF);

b) fill and maintain 3.23 acres of the floodway of a UNT to the Schuylkill River (WWF, MF) and;

c) temporarily impact 2.42 acres of the floodway of a UNT to the Schuylkill River (WWF, MF).

In total the applicant proposes to impact 3,289 linear feet of stream channel, 0.60 acre of wetlands, and 9.54 acres of floodways. Compensatory mitigation for impacts to watercourses in the form of a dam removal and riparian buffer establishment is required on site, and wetland mitigation is required in the amount of 1.38 acres of wetlands on site.

E06-694: Ethan Michael Incorporated, 2034 East Main Street, Douglassville, PA 19518 in Union Township, **Berks County**, U.S. Army Corps of Engineers Philadelphia District

To construct the following impacts to three unnamed tributaries to the Schuylkill River (UNT-1, UNT-2 & UNT-3) (WWF, MF) and one unnamed tributary to Sixpenny Creek (UNT-4) (CWF, MF):

1) construct and maintain a 104.6-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.8-foot wide by 3.3-foot high in and across UNT-4 (Latitude: 40° 15' 6.3"; Longitude: -75° 45' 50.6");

2) construct and maintain a 46.6-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.8-foot wide by 3.3-foot high and a 1.0-foot wide aerial fence in and across UNT-3 (Latitude: 40° 14' 52.3"; Longitude: -75° 45' 39.5");

3) construct and maintain a 252.2-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.8-foot wide by 3.3-foot high in and across UNT-3 (Latitude: 40° 14' 55.3"; Longitude: -75° 45' 36.4");

4) construct and maintain a 275.7-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.8-foot wide by 3.3-foot high in and across UNT-3 (Latitude: 40° 15' 29.9"; Longitude: -75° 45' 35.4");

5) construct and maintain a 112.4-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.8-foot wide by 3.3-foot high in and across UNT-3 (Latitude: 40° 15' 4.5"; Longitude: -75° 45' 37");

6) construct and maintain a 275.6-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.8-foot wide by 3.3-foot high in and across UNT-3 with 0.043 acre of associated floodway impacts (Latitude: 40° 15' 7.4"; Longitude: -75° 45' 36.1");

7) construct and maintain a 198.9-foot long 22.0-foot wide by 8.9-foot high open bottom metal arch stream enclosure with a waterway opening 17.9-foot wide by 5.9-foot high in and across UNT-3 with 0.006 acre of associated floodway impacts (Latitude: 40° 15' 10.6"; Longitude: -75° 45' 34.2");

8) construct and maintain a 143.1-foot long 22.0-foot wide by 6.9-foot high open bottom metal arch stream enclosure with a waterway opening 17.9-foot wide by 3.9-foot high with 0.016 acre of associated floodway impacts and a 1-foot wide aerial fence in and across UNT-3 (Latitude: 40° 15' 17.8"; Longitude: 75° 45' 32.1");

9) construct and maintain a 1-foot wide aerial fence across UNT-4 (Latitude: 40° 15' 12.0"; Longitude: -75° 45' 57.4");

10) construct and maintain a 1,118.5-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.8-foot wide by 3.3-foot high in and across UNT-1 (Latitude: 40° 14' 57.1"; Longitude: -75° 45' 2.7");

11) construct and maintain a 156.7-foot long 26.0-foot wide by 8.6-foot high open bottom metal arch stream enclosure with a waterway opening 22.5-foot wide by 5.6-foot high in and across UNT-2 (Latitude: 40° 14' 58.5"; Longitude: -75° 45' 17.7");

12) construct and maintain a 448.5-foot long 22.0-foot wide by 6.9-foot high open bottom metal arch stream enclosure with a waterway opening 17.9-foot wide by 3.9-foot high in and across UNT-2 (Latitude: 40° 15' 2.3"; Longitude: -75° 45' 14.1");

13) construct and maintain a 1-foot wide aerial fence across UNT-1 (Latitude: 40° 15' 2.3"; Longitude: -75° 45' 14.1");

14) construct and maintain a 227.2-foot long 22.0-foot wide by 6.9-foot high open bottom metal arch stream enclosure with a waterway opening 17.9-foot wide by 3.9-foot high in and across UNT-2 (Latitude: 40° 15' 7.9"; Longitude: -75° 45' 11.2");

15) construct and maintain a 120.3-foot long 22.0-foot wide by 6.9-foot high open bottom metal arch stream enclosure with a waterway opening 17.9-foot wide by 3.9-foot high in and across UNT-1 (Latitude: 40° 15' 10.5"; Longitude: -75° 44' 47.0");

16) construct and maintain a 1-foot wide aerial fence across UNT-1 (Latitude: 40° 15' 16.3"; Longitude: -75° 45' 5.2");

17) place and maintain fill over the existing 19.5-foot long 42.0-inch CMP culvert within the floodway of UNT-1 (Latitude: 40° 15' 2.3"; Longitude: -75° 45' 14.1");

18) construct and maintain a 98.8-foot long 20.0-foot wide by 6.3-foot high open bottom metal arch stream enclosure with a waterway opening 15.9-foot wide by 3.3-foot high in and across UNT-1 (Latitude: 40° 15' 10.5"; Longitude: -75° 44' 47.0");

19) construct and maintain a 1-foot wide aerial fence across UNT-1 (Latitude: 40° 15' 16.3"; Longitude: -75° 45' 5.2");

20) construct and maintain a 91.8-foot long 16.0-foot wide by 5.3-foot high open bottom metal arch stream enclosure with a waterway opening 9.8-foot wide by 2.3-foot high in and across UNT-4A (Latitude: 40° 15' 10.9"; Longitude: -75° 45' 58.9");

21) construct and maintain a 107.3-foot long 16.0-foot wide by 5.3-foot high open bottom metal arch stream enclosure with a waterway opening 9.8-foot wide by 2.3-foot high in and across UNT-3B (Latitude: 40° 15' 8.1"; Longitude: -75° 45' 33.1");

22) construct and maintain a 2.4-foot by 3.75-foot storm sewer pipe within a 5.0-foot steel conduit under UNT-3 (Latitude: 40° 15' 4.0"; Longitude: -75° 45' 37.0");

23) construct and maintain an 8-inch water line within a 1.2-foot steel conduit under UNT-3 (Latitude: 40° 15' 4.6"; Longitude: -75° 45' 37.0");

24) construct and maintain an 8-inch water line within a 1.2-foot steel conduit and an 8-inch sanitary sewer line within a 1.2-foot steel conduit under UNT-3 (Latitude: 40° 15' 10.8"; Longitude: -75° 45' 34.0");

25) construct and maintain an electric service line within a 0.5-foot steel conduit under UNT-3 (Latitude: 40° 15' 17.5"; Longitude: -75° 45' 32.4");

26) construct and maintain an 8-inch water line within a 1.2-foot steel conduit and an electrical service line within a 0.5-foot steel conduit under UNT-2 (Latitude: 40° 15' 15.8"; Longitude: -75° 45' 5.5");

27) construct and maintain an electric service line within a 0.5-foot steel conduit under UNT-1 (Latitude: 40° 15' 8.1"; Longitude: -75° 44' 52.0");

28) construct and maintain a 3.0-foot storm sewer pipe within a 5.0-foot steel conduit under UNT-3 (Latitude: 40° 15' 4.0"; Longitude: -75° 45' 37.0").

Establishment of 27.2 acres of riparian forest buffers and reforestation of 4.54 acres of wetlands is required as compensatory mitigation.

Northwest Region: Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335 814-332-6860

E42-08-012, Northern Pipeline Company, LLC, 10299 West Main Road, North East, PA 16428. Gas line crossing SR0770 and Minard Run in Bradford Township, **McKean County**, Army Corps of Engineers Pittsburgh District (Derrick City, PA Quadrangle N: 41.891226°; W: -78.603893°).

The applicant proposes to install and maintain a 6 inch SDR 11 PVC casing with a 4 inch diameter SDR 11 PVC natural gas pipeline. The proposed pipeline project falls entirely in Bradford Township, McKean County, PA; and is located at 41.891226° N, -78.603893° W. This project is considered as relocation of an existing pipeline, and is the result of a PennDOT bridge replacement. The line will be bored under Minard Run (EV) and its associated floodway for a distance of 94 linear feet.

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

E0829-095: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Albany and Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter temporary waterline and a timber mat bridge impacting 3,741 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°34'03", Longitude: -76°20'44").

2. a 16 inch diameter temporary waterline and a timber mat bridge impacting 688 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41°33'51", Longitude: -76°20'52").

3. a 16 inch diameter temporary waterline impacting 7 linear feet of an unnamed tributary to Bowman Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°33'27", Longitude: -76°21'50").

4. a 16 inch diameter temporary waterline impacting 7 linear feet of an unnamed tributary Bowman Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°33'31", Longitude: -76°22'34");

The project will result in 14 linear feet and 18 square feet of temporary stream impacts and 4,429 square feet (0.10 acre) of temporary PEM wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development in Albany and Wilmot Township, Bradford County. This project is associated with a 1 square foot GP-5 wetland crossing in Cherry Township, Sullivan County.

E5729-074: Appalachia Midstream Services, LLC, 100 IST Center, Horseheads, NY, 14845 Cherry Township, **Sullivan County**, USACE Baltimore District.

To construct, operate, and maintain:

(1) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 1,773 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°31'52"N, 76°25'48"W);

(2) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 699 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°31'55"N, 76°25'46"W);

(3) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 161 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) and 143 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) (Dushore, PA Quadrangle 41°31'59"N, 76°25'43"W);

(4) An 8-inch diameter well line by horizontal directional drill impacting 411 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 26 linear

feet of an unnamed tributary to Little Loyalsock Creek (EV) (Dushore, PA Quadrangle 41°32'18"N, 76°25'37"W);

(5) An 8-inch diameter well line by horizontal directional drill impacting 137 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°32'19"N, 76°25'39"W);

(6) A temporary road crossing using timber mats impacting 250 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°32'23"N, 76°25'50"W);

(7) A temporary road crossing using timber mats impacting 881 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°32'35" N, 76°25'43"W);

(8) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 390 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°32'36"N, 76°25'41"W);

(9) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 27,196 square feet of an exceptional value palustrine emergent/scrub-shrub (PEM/PSS) wetland (Dushore, PA Quadrangle 41°32'39"N, 76°25'41"W);

(10) A temporary road crossing using timber mats temporarily impacting approximately 12 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 124 linear feet of an unnamed tributary to Lick Creek (EV) (Dushore, PA Quadrangle 41°32'43"N, 76°25'40"W);

(11) A temporary road crossing using timber mats and an 8-inch diameter well line temporarily impacting approximately 8,687 square feet of an exceptional value palustrine emergent/scrub-shrub (EV-PEM/PSS) wetland (Dushore, PA Quadrangle 41°32'41"N, 76°25'04"W);

(12) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 13,272 square feet of an exceptional value palustrine emergent/scrub-shrub (EV-PEM/PSS) wetland (Dushore, PA Quadrangle 41°32'41"N, 76°25'04"W);

(13) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 808 square feet of an exceptional value palustrine scrub-shrub (EV-PSS) wetland (Dushore, PA Quadrangle 41°32'39"N, 76°24'51"W);

(14) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 41,145 square feet of an exceptional value palustrine emergent/scrub-shrub (EV-PEM/PSS) wetland (Dushore, PA Quadrangle 41°32'36"N, 76°24'46"W);

(15) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 27,430 square feet of an exceptional value palustrine scrub-shrub (EV-PSS) wetland (Dushore, PA Quadrangle 41°32'25"N, 76°24'29"W);

(16) A temporary road crossing using timber mats and an 8-inch diameter well line impacting 521 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°32'26"N, 76°24'19"W).

The project will result in 123,612 square feet of temporary wetland impacts and approximately 464 linear feet of temporary stream impacts for the purpose of installing a well line for Marcellus Shale gas development in Cherry Township, Sullivan County.

ENVIRONMENTAL ASSESSMENT

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

EA 49-002. Nottingham Village Retirement Center Associates, LP, 58 Neitz Road, Northumberland, PA 17857-9608. Stream Restoration in Point Township; ACOE Baltimore District.

The project proposes to restore approximately 200 linear feet of first order stream channel. The project will consist of the reestablishment of a natural meander pattern and profile of the Unnamed Tributary to the Susquehanna River, which is designated as a cold water fishery. This work shall remove the existing channel from the previously constructed storm water pond and reestablish the aquatic habitat and flow regime of the natural channel. Associated with this work will be several new meanders, toe protection and a reestablished off stream storm water containment pond. Water quality improvements shall be noted by eliminating stream disturbances associated with future storm water basin maintenance, increases water quality during facility expansions since an "off-stream" storm water basin can be utilized as a sediment basin during construction to control sediment laden water from entering the stream, maintaining hydraulic and hydrologic conditions upslope of the existing seep to ensure there are no secondary impacts to existing wetlands and streams and reduced erosion (head-cutting) in the existing stream channel by diverting existing facility storm water flows into new water quality management facilities. Increased stream channel stabilization by construction of a longer and meandering stream channel will reduce channel slope and be resilient to scour. Bio-retention facilities proposed along the upslope side of the proposed retention basin will promote overall water quality and recharge for the development. The tiered orientation will also help to sustain a permanent pool within the new retention basin. This project is located 1800 feet East on Leeds Drive from the intersection with Strawbridge Road.

Northumberland, PA Quadrangle Latitude: 40° 54' 34.8"; Longitude: -76° 47' 14.6"

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Northwest Region: Oil and Gas Program Manager 230 Chestnut St. Meadville, PA 16335

ESCGP-2 #ESX14-019-0055—Michael to Voll Pipeline
Applicant MarkWest Liberty Bluestone
Contact Ricard Lowry
Address 4600 J Barry Ct., Suite 500
City Cannonsburg State PA Zip Code 15317
County Butler Township Connoquenessing
Receiving Stream(s) and Classification(s) UNTs to Little Connoquenessing Creek, CWF; Little Conoquenessing Creek, CWF; UNT to Connoquenessing Creek, WWF/Connoquenessing.

ESCGP-2 #ESX14-019-0053—Dunmire Well Pad
Applicant R.E. Gas Development
Contact Michael Endler
Address 600 Cranberry Woods Drive
City Cranberry State PA Zip Code 16066
County Butler Township(s) Muddy Creek Township(s)
Receiving Stream(s) and Classification(s) UNTs to Yellow Creek

ESCGP-2 #ESX14-019-0058—Adams Well Pad & Tank Pad
Applicant R.E. Gas Development
Contact Michael Endler
Address 600 Cranberry Woods Drive
City Cranberry State PA Zip Code 16066
County Butler Township(s) Muddy Creek(s)
Receiving Stream(s) and Classification(s) Little Yellow Creek and Tribs 34935 and 34934 to Little Yellow Creek/Connoquenessing Creek Watershed

ESCGP-2 #ESX14-047-0006—J12-X
Applicant Seneca Resources Corporation
Contact Doug Kepler
Address 5800 Corporate Drive, Suite 300
City Pittsburgh State PA Zip Code 15237
County Elk Township(s) Spring Creek(s)
Receiving Stream(s) and Classification(s) Beach Bottom Run, Mahood Run, and Clarion River CWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESX29-015-14-0069
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Bradford County
Township(s) Columbia Township
Receiving Stream(s) and Classification(s) UNT North Branch Sugar Creek (CWF/TSF);
Secondary: North Branch Sugar Creek

ESCGP-2 # ESX09-015-0085 (01)
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Bradford County
Township(s) Columbia Township
Receiving Stream(s) and Classification(s) Mill Creek, North Branch Sugar Creek (TSF/MF);
Secondary: Tioga River

ESCGP-2 # ESX29-015-14-0066
Applicant Name Talisman Energy USA, Inc.

Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Bradford County
Township(s) Columbia Township
Receiving Stream(s) and Classification(s) UNT to North Branch Sugar Creek (TSF);
Secondary: Sugar Creek

ESCGP-2 # ESG10-117-0043 (01)
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Tioga County
Township(s) Ward Township
Receiving Stream(s) and Classification(s) UNT to Fall Brook (CWF/MF);
Secondary: Fall Brook

ESCGP-2 # ESG10-117-0023 (01)
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Tioga County
Township(s) Ward Township
Receiving Stream(s) and Classification(s) UNT Fellows Creek (CWF/MF);
Secondary: Fellows Creek

ESCGP-2 # ESG10-117-0224 (01)
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Tioga County
Township(s) Ward Township
Receiving Stream(s) and Classification(s) UNT to Fall Brook (CWF/MF)
Secondary: Fellows Creek

ESCGP-2 # ESG10-117-0002 (01)
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Tioga County
Township(s) Ward Township
Receiving Stream(s) and Classification(s) UNT to Fall Brook (CWF/MF)

ESCGP-2 # ESX29-015-14-0070
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Bradford County
Township(s) Columbia Township
Receiving Stream(s) and Classification(s) UNT North Branch Sugar Creek (TSF/MF);
Secondary: North Branch Sugar Creek

ESCGP-2 # ESX10-015-0054 (01)
Applicant Name Talisman Energy USA, Inc.
Contact Person Joseph Katruska
Address 50 Pennwood Place
City, State, Zip Warrendale, PA 15086
County Bradford County
Township(s) Columbia County
Receiving Stream(s) and Classification(s) Elk Run (WWF/MF);
Secondary: Tioga River (WWF/MF)

ESCGP-2 # ESG29-015-14-0065
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Bradford County
 Township(s) Armenia Township
 Receiving Stream(s) and Classification(s) Tioga River
 (WWF/MF);
 Secondary: Susquehanna River

ESCGP-2 # ESX29-015-14-0071
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Bradford County
 Township(s) Columbia Township
 Receiving Stream(s) and Classification(s) UNT to Sugar
 Creek (TSF/MF);
 Secondary: Susquehanna River (WWF/MF)

ESCGP-2 # ESX10-015-0222(01)
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Bradford County
 Township(s) Warren Township
 Receiving Stream(s) and Classification(s) UNT Wappasen-
 ing Creek (CWF);
 Secondary: Wappasening Creek

ESCGP-2 # ESG11-117-0002(01)
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Joseph Katruska
 Address 50 Pennwood Place
 City, State, Zip Warrendale, PA 15086
 County Tioga County
 Township(s) Ward Township
 Receiving Stream(s) and Classification(s) Tioga River
 (CWF/MF)

ESCGP-2 # ESX29-117-14-0014
 Applicant Name SWEPI LP
 Contact Person Jason Shoemaker
 Address 2100 Georgetown Drive, Suite 400
 City, State, Zip Sewickley, PA 15143
 County Tioga County
 Township(s) Middlebury Township
 Receiving Stream(s) and Classification(s) UNT to Crooked
 Creek (WWF/MF);
 Secondary: Crooked Creek (WWF/MF)

ESCGP-2 # ESG29-113-14-0014
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Randy DeLaune
 Address 100 IST Center
 City, State, Zip Horseheads, NY 14845
 County Sullivan County
 Township(s) Fox Township
 Receiving Stream(s) and Classification(s) UNT to Schrad-
 ers Creek (EV) Hoagland Branch (EV);
 Secondary: Schraders Creek (EV); Elk Creek (EV)

ESCGP-2 # ESX11-033-0024 (01)
 Applicant Name Carrizo Marcellus, LLC
 Contact Person Karthaus (CK-19)
 Address 251 Drainlick Road, P. O. Box 231
 City, State, Zip Drifting, PA 16834
 County Clearfield County

Township(s) Covington Township
 Receiving Stream(s) and Classification(s) UNT to Grimes
 Run (HQ);
 Secondary: Grimes Run

ESCGP-2 # ESG29-081-14-0035
 Applicant Name Inflection Energy PA, LLC
 Contact Person Thomas Gillespie
 Address 416 Pine Street
 City, State, Zip Williamsport, PA 17701
 County Lycoming County
 Township(s) Eldred Township
 Receiving Stream(s) and Classification(s) Lick Run (TSF);
 Secondary: Mill Creek (TSF)

*Southwest Region: Oil & Gas Program Mgr. 400 Water-
 front Dr. Pittsburgh PA*

ESCGP-2 No: ESX14-007-0007
 Applicant Name: Utica Gas Services LLC
 Contact Person John T Lattea
 Address: 190 Midstream Way
 City: Jane Lew State: WV Zip Code: 26378
 County: Beaver Township: Industry and Brighton
 Receiving Stream(s) and Classifications: Sixmile Run and
 tributaries to Sixmile Run, Sixmile Run Watershed;
 Other WWF

ESCGP-2 No.: ESX13-003-0004
 Applicant Name: EQT Gathering LLC
 Contact Person: Hanna E McCoy
 Address: 625 Liberty Avenue Suite 1700
 City: Pittsburgh State: PA Zip Code: 15222
 County: Allegheny Township(s): Forward
 Receiving Stream(s) and Classifications: UNT to Kelly
 Run / Kelly Run, UNT to Perry Mill Run/Perry Mill
 Run; Other WWF

ESCGP-2 No.: ESG14-125-0037
 Applicant Name: Range Resources Appalachia LLC
 Contact Person: Glenn D Truzzi
 Address: 3000 Town Center Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): North Strabane
 Receiving Stream(s) and Classifications: UNTs to Little
 Chartiers Creek / Chartiers Creek Watershed; HQ;
 Siltation-Impaired

ESCGP-2 No.: ESX14-007-0015
 Applicant Name: PennEnergy Resources LLC
 Contact Person: Mr Robert Crissinger
 Address: 1000 Commerce Drive Park Place One Suite 100
 City: Pittsburgh State: PA Zip Code: 15275
 County: Beaver Township(s): New Sewickley
 Receiving Stream(s) and Classifications: UNT to Crows
 Run / Crows Run; Other WWF

ESCGP-2 No.: ESG13-005-0024 Major Revision
 Applicant Name: EQT Gathering LLC
 Contact Person: Mr Brian Clauto
 Address: 455 Racetrack Road
 City: Washington State: PA Zip Code: 15301
 COUNTY Armstrong Township(s): Bethel, Kittanning,
 Manor, South Buffalo
 Receiving Stream(s) and Classifications: Campbell Run
 (WWF)

ESCGP-2 No.: ESX14-007-0009
 Applicant Name: Cardinal PA Midstream LLC
 Contact Person: Josh Corey
 Address: 144 Emeryville Drive Suite 230
 City: Cranberry Township State: PA Zip Code: 16066
 County: Beaver Township(s): New Sewickley
 Receiving Stream(s) and Classifications: UNTs to Brush
 Creek; Other WWF

ESCGP-2 No.: ESG14-125-0050

Applicant Name: MarkWest Liberty Midstream & Resources LLC

Contact Person: Mr Rick Lowry

Address: 4600 J Barry Court Suite 500

City: Canonsburg State: PA Zip Code 15317

County: Washington Township(s): Buffalo, Canton

Receiving Stream(s) and Classifications: UNTs to Buffalo Creek, UNTs to Chartiers Creek; HQ; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESX13-125-0056 Major Revision

Applicant Name: MarkWest Liberty Midstream & Resources LLC

Contact Person: Rick Lowry

Address: 4600 J Barry Court Suite 500

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Canton

Receiving Stream(s) and Classifications: UNTs 31880 to Georges Run and UNTs 98951, 34564, 31757, 34318 to Wolfdale Run/Chartiers Creek Watershed; Other Warm Water Fishery (WWF)

SPECIAL NOTICES

Intent to Issue Plan Approval—IPAOP

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215 685 9426.

AMS 14218: (Aker Philadelphia Shipyard Inc— 2100 Kitty Hawk Avenue, Philadelphia, PA 19112) for modifying source P-31 dry dock painting operation by relocating a portion of the production that currently occurs within the dry dock to an area adjacent to the existing dry docks. The facility also requests increases of HAP limit from ship building operation from 50.4 tons to 72.1 tons per rolling twelve month period due to a change in coating formulation as required by International Maritime organization's Performance Standard for Protective Coating (PSPC), and reduce the HAP emission limit from the sources in building 763 from 24.5 tons per twelve month rolling period to 2.8 tons per rolling twelve month period for combined HAPs or any singular HAP calculated monthly.

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

AMS 08179: PaperWorks Industries, Inc. (5000 Flat Rock Road, Philadelphia, PA 19127) Modifying plan approval No. 08179 in order to continue operate boiler No. 1 with limited capacity (156MMBTU/hr) and with limited usage of No. 6 fuel oil in the City of Philadelphia, **Philadelphia County**. The primary fuel for Boiler No. 1 will be natural gas and operate with the maximum of 168 hrs/year with No. 6 fuel oil, solely for emergency purpose, to keep pipes from freezing in case of natural gas interruption. In addition to that, this modification removes the authorization of No. 6 fuel oil usage on boiler #3 and 4 and redefines these boilers as gas fired boiler. Boiler No. 3 & 4 will only burn natural gas.

The modification will have the following potential annual emissions from boiler No. 1: 138 tons of Nitrogen Oxides (NO_x), 7.22 tons of Sulfur Dioxide (SO₂), 54.52 tons of Carbon Monoxide (CO), 3.63 tons of Volatile Organic Compounds (VOC), 5.6 tons of Particulate Mat-

ter; and for boiler No. 3 & 4 each, 10.15 tons of Nitrogen Oxides (NO_x); 32.77 tons of Carbon Monoxide (CO), 2.2 tons of Volatile Organic Compounds (VOC), 2.96 tons of Particulate Matter. The potential emissions of all of these emissions will decrease as a result of the project due to the use of natural gas as a primary fuel for each boiler and operational limit of boiler No. 1 to 156 MMBTU/hr.

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

City of Philadelphia, Air Management Services; Intent to Renew Minor State Only Operating Permit

The City of Philadelphia, Air Management Services (AMS) intends to renew a Minor State Only Operating Permit for the following facility:

N14-005: Menasha Packaging LLC (801 East Erie Avenue, Philadelphia, PA 19134) for a printing and packaging facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) Flexographic presses, (2) two 7.53 MMBTU/hr firing No. 2 fuel oil or natural gas boilers, two (2) heaters and a waste paper collector cyclone.

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

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

Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

Southcentral Region: Waste Management Program Manager, 909 Elmerton Avenue Harrisburg, PA 17110-8200.

The Department of Environmental Protection (Department) approved the Berks County Municipal Waste Management Non-Substantial Plan Revision (Revision) on October 06, 2014. Key features of the revision include updated municipal solid waste calculations, updating population information, contracting for ongoing landfill disposal capacity, waste and ongoing recycling programs. The Revision is a public document and may be viewed at the Southcentral Regional Office, at the address noted above. Questions concerning the approval of the Revision should be directed to Larry Holley, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, or to Tony Rathfon Program Manager, Waste Management Program, at the Southcentral Regional Office at (717) 705-4860.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa. C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (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 any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

The Department of Environmental Protection (Department) approved the Lancaster County Municipal Waste Management Non-Substantial Plan Revision (Revision) on October 06, 2014. Key features of the revision include updated municipal solid waste calculations, updating population projections, adding the Susquehanna Resource Recovery Complex and updating recycling program projections. The Revision is a public document and may be viewed at the Southcentral Regional Office, at the address noted previously. Questions concerning the approval of the Revision should be directed to Larry Holley, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, or to Tony Rathfon Program Manager, Waste Management Program, at the Southcentral Regional Office at (717) 705-4860.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa. C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD

users may contact the Environmental Hearing Board (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 any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Notice of Planning Grant Awards Under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, PO Box 8472, Harrisburg, PA 17105-8472.

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Northwest	Elk	Elk County	Study growth/expansion	\$46,917
Northwest	McKean	McKean County	Plan revision/update	\$52,729
South Central	Perry	Perry County	Plan revision/update	\$55,176

Environmental Assessment

Northwest Regional Office, Clean Water Program Manager 230 Chestnut Street, Meadville, PA 16335

Location: Beaver Township Sewer Authority, 324 Tippecanoe Road, Knox, PA 16232

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Beaver Township Sewer Authority proposes to construct 18,700 feet of low pressure sewer mains sized between 2-inch and 4-inch diameter for the Wentlings Corners area south of Knox Borough and north of Interstate 80. The project also includes 95 individual grinder pumps, upgrades to an industrial park pump station, and connection made to Knox Borough's collection system. 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.

Reclamation of Abandoned Strip Mine; Letters of Interest

Union Township, Jefferson County

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and licensed mine operators for the reclamation of an abandoned strip mine project identified as the Orcutt-Smail Project No. PBF 33803040.8 located in Union Township, Jefferson County.

The project requires operation and maintenance of an active chemical acid mine drainage treatment system. Reclamation work may involve scheduled visitation, monitoring chemical levels and application rates, and routine maintenance as directed by the Knox District Mining Office.

Letters of interest must be received by Joseph Ferrara, Acting District Mining Manager, Department of Environmental Protection, P. O. Box 669, Knox, PA 16232, no later than 4 p.m., November 5, 2014 to be considered. Telephone inquiries shall be directed to Joseph Ferrara at (814) 797-1191.

[Pa.B. Doc. No. 14-2193. Filed for public inspection October 24, 2014, 9:00 a.m.]

Bid Opportunity

OOGM 14-6, Cleaning Out and Plugging 36 Abandoned Oil Wells (Mr. and Mrs. Joseph F. Thomas Property), Otto Township, McKean County. The principal items of work and approximate quantities are to clean out and plug 36 abandoned oil wells, estimated to be 1,400 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 October 24, 2014, and bids will be opened on December 4, 2014, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid meeting will be held

on November 6, 2014, at 10 a.m. Contact the Construction Contracts Section at (717) 787-7820 or dhopp@pa.gov for more information on this bid.

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2194. Filed for public inspection October 24, 2014, 9:00 a.m.]

Nutrient Credit Trading Program; Certification Request

The Department of Environmental Protection (Department) provides notice of the following certification request that has been submitted under the Nutrient Credit Trading Program (Trading Program). See 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed), published at 40 Pa.B. 5790 (October 9, 2010).

Credit Certification Request

The following request is being reviewed by the Department. The Department will accept written comments on this proposed pollutant reduction activity for 18 days.

Applicant

Greencastle Borough
(Franklin County)
(NPDES Permit No.
PA-0020834)

Pollutant Reduction Activity Description

This certification request is for nutrient reduction credits to be generated from the pollutant reduction activity of the borough's installed wastewater treatment process.

Written Comments

Interested persons must submit written comments on this credit certification request by November 12, 2014. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Jay Braund, Department of Environmental Protection, Bureau of Point and Non-Point Source Management, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-5636, jbraund@pa.gov.

For further information about this certification request or the Trading Program contact Jay Braund at the previously listed address or phone number, or visit the Department's web site at www.dep.state.pa.us (DEP Keywords: "Nutrient Trading").

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2195. Filed for public inspection October 24, 2014, 9:00 a.m.]

Standards and Guidelines for Identifying, Tracking and Resolving Oil and Gas Violations; Extension of Comment Period

By this notice, the comment period on the Standards and Guidelines for Identifying, Tracking and Resolving Oil and Gas Violations (DEP ID: 550-3000-001) is extended by 15 days to November 18, 2014.

This document is available on the Department of Environmental Protection's (Department) eLibrary at www.elibrary.dep.state.pa.us/dsweb/Get/Document-102620/DRAFT%20550-3000-001.pdf. This policy provides direction to Department staff in determining enforcement actions the Department will pursue to resolve violations and achieve compliance with applicable laws and regulations related to conventional and unconventional oil and gas development. The policy also provides advisory information to the regulated industry. Once finalized, this document will replace the previous policy "Compliance Monitoring of Oil and Gas Wells and Related Facilities and Activities" that was issued in 2005. Revisions are necessary to reflect changes to the organizational structure of the Department and to update the policies and procedures to reflect current oil and gas development activities in this Commonwealth.

Interested persons may submit written comments on this Technical Guidance Document by November 18, 2014. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to John Ryder, Department of Environmental Protection, Bureau of District and Oil and Gas Operations, Rachel Carson State Office Building, 15th Floor, P. O. Box 8765, Harrisburg, PA 17105-8467, ra-epoilandgas@pa.gov with the subject line "Comments on Standards and Guidelines for Identifying, Tracking, and Resolving Violations."

Questions regarding this action should be directed to John Ryder at (570) 327-3636 or ra-epoilandgas@pa.gov.

DANA K. AUNKST,
Acting Secretary

[Pa.B. Doc. No. 14-2196. Filed for public inspection October 24, 2014, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Lancaster County

Proposals are invited to provide the Department of General Services with 5,000 to 6,000 usable square feet of retail space for the Liquor Control Board in Lancaster, Lancaster County. For more information on SFP No. 94654, which is due on Friday, November 7, 2014, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

SHERI PHILLIPS,
Secretary

[Pa.B. Doc. No. 14-2197. Filed for public inspection October 24, 2014, 9:00 a.m.]

State-Owned Real Estate for Sale Cameron County

The Department of Conservation and Natural Resources (Department) will accept bids for the purchase of 1,125 ± acres of fee oil, gas and mineral estate (no surface estate) being identified as Warrant 2334, Tax ID No.

7-02-0-001-000-000 and DCNR Tract No. 427 in Shippen Township, Cameron County. Because Commonwealth ownership of this estate does not include surface ownership, this isolated, surplus parcel cannot be managed for State forest purposes. Revenues from this disposition will be used directly for forest conservation with a clear, long-term benefit to this Commonwealth's State forest system. The property is being sold as-is. All bids, whether delivered or sent by mail, must be received by the Department on or before 3 p.m. on Wednesday, November 12, 2014. A 10% bid bond is required with all bids. Interested parties wishing to receive a copy of the bid package for solicitation LRS-013-101401 should contact Dan Pierce at (717) 783-7943.

SHERI PHILLIPS,
Secretary

[Pa.B. Doc. No. 14-2198. Filed for public inspection October 24, 2014, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of DLP Conemaugh Memorial Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Memorial 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 Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-2.6.2.2(1)(b) (relating to area).

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. 14-2199. Filed for public inspection October 24, 2014, 9:00 a.m.]

Application of DLP Conemaugh Memorial Medical Center (Lee Ambulatory Surgery Center) for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DLP Conemaugh Memorial Medical Center (Lee Ambulatory Surgery Center) has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(1) and (3) (relating to criteria for ambulatory surgery).

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. 14-2200. Filed for public inspection October 24, 2014, 9:00 a.m.]

Application of Heart of Lancaster Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Heart of Lancaster Regional 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 Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 3.1-7.2.2.1(1) and 3.6-3.6.10 (relating to corridor widths; and soiled workrooms).

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. 14-2201. Filed for public inspection October 24, 2014, 9:00 a.m.]

Application of LVHN Surgical Center—Tilghman for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LVHN Surgical Center—Tilghman has requested an exception to the requirements of 28 Pa. Code § 553.31(a) (relating to administrative responsibilities).

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. 14-2202. Filed for public inspection October 24, 2014, 9:00 a.m.]

Application of Penn Highland DuBois for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Penn Highland DuBois 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 Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.1.3.6 (relating to treatment rooms).

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. 14-2203. Filed for public inspection October 24, 2014, 9:00 a.m.]

Application of The Urologic Surgical Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Urologic Surgical Center, LLC has requested an exception to the requirements of 28 Pa. Code § 559.2 (relating to director of nursing).

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. 14-2204. Filed for public inspection October 24, 2014, 9:00 a.m.]

Health Policy Board Annual Meeting Schedule for 2015

The Health Policy Board has set its calendar for 2015. The meeting dates are scheduled as follows:

January 14, 2015
April 15, 2015
July 15, 2015
October 14, 2015

All meetings will begin at 10 a.m. in Room 812, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Katrina Kyle, (717) 772-5298, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

These meetings are subject to cancellation without notice.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2205. Filed for public inspection October 24, 2014, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Attleboro Nursing and Rehabilitation Center
300 East Winchester Avenue
Langhorne, PA 19047
FAC ID # 014002

Seton Manor, Inc.
1000 Seton Drive
Orwigsburg, PA 17961
FAC ID # 096902

Souderton Mennonite Homes
207 West Summit Street
Souderton, PA 18964
FAC ID # 050202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Barbara J. Egan Nursing and Rehabilitation Center
200 Luther Road
Shrewsbury, PA 17361
FAC ID # 970902

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.17 (relating to location):

CH Skilled Nursing Facility of Allentown
1503 North Cedar Crest Boulevard
Allentown, PA 18104
FAC ID # 24190201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j) and (k) (relating to prevention, control and surveillance of tuberculosis (TB)):

CH Skilled Nursing Facility of Allentown
1503 North Cedar Crest Boulevard
Allentown, PA 18104
FAC ID # 24190201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.21 (relating to special care room):

CH Skilled Nursing Facility of Allentown
1503 North Cedar Crest Boulevard
Allentown, PA 18104
FAC ID # 24190201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33 (relating to utility room):

CH Skilled Nursing Facility of Allentown
1503 North Cedar Crest Boulevard
Allentown, PA 18104
FAC ID # 24190201

These requests are 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 number 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. 14-2206. Filed for public inspection October 24, 2014, 9:00 a.m.]

Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Thursday, October 30, 2014, from 10 a.m. to 3 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regards to drug formulary, covered lab services, drug utilization review, clinical programs, eligibility and program management.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact John Haines, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 611, Health and Welfare Building, Harrisburg, PA 17120, (800)

922-9384, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

MICHAEL WOLF,
Secretary

[Pa.B. Doc. No. 14-2207. Filed for public inspection October 24, 2014, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Nursing Facility Assessment Program for Fiscal Year 2014-2015

This notice announces the amount of the assessment that the Department of Public Welfare (Department) is implementing for Fiscal Year (FY) 2014-2015, provides an explanation of the assessment methodology that the Department is using in FY 2014-2015 and identifies the estimated aggregate impact on nursing facilities which will be subject to the assessment.

Background

Article VIII-A of the Public Welfare Code (code) (62 P. S. §§ 801-A—815-A) authorizes the Department to impose an annual monetary assessment on nursing facilities and county nursing facilities in this Commonwealth each fiscal year through FY 2015-2016. Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). See 62 P. S. § 803-A. To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Federal Centers for Medicare and Medicaid Services (CMS) if necessary to implement the Assessment Program. See 62 P. S. § 812-A.

For each fiscal year that the Assessment Program is implemented, the code authorizes the Secretary of the Department (Secretary) to determine the aggregate amount of the assessment and the annual assessment rate in consultation with the Secretary of the Budget. See 62 P. S. § 804-A. The act specifies that annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that qualifies for Federal matching funds. See 62 P. S. § 804-A.

The Secretary must publish a notice in the *Pennsylvania Bulletin* before imposing an annual assessment for a fiscal year. The notice must specify the amount of the assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P. S. § 805-A.

After consideration of any comments received during the 30-day comment period, the Secretary must publish a second notice announcing the rate of assessment for the fiscal year. See 62 P. S. § 805-A. The annual aggregate assessment amount and assessment rate for the fiscal year must be approved by the Governor. See 62 P. S. § 804-A.

The Secretary published a notice at 44 Pa.B. 3646 (June 14, 2014) announcing the proposed assessment rates, the aggregate amount and the impact for FY 2014-2015. The following is a summary of the comments that the Department received in response to the notice and the Department's responses to those comments.

Public Comment on the Proposed Assessment Program

One commentator, which is a law firm representing Blough Healthcare, LLC (Blough), a licensed nursing facility, submitted comments in response to the Department's notice published at 44 Pa.B. 3646.

Comment

The commentator stated that the Department did not provide sufficient advance notice regarding the change in the number of beds needed to qualify for the lower assessment rate. The commentator stated the Department of Health requires a 60-day advance notice for any decrease in bed compliment, and given that requirement, the earliest a facility can have a decrease in bed compliment is September 1, 2014.

The commentator also stated this change will have a negative annual impact of about \$190,000 on the facility that his firm represents, resulting in a significant hardship and negative impact on the facility's real estate value. The commentator also stated that the change will have an adverse impact on 37 of the 694 nursing facilities subject to the assessment (including Blough). In addition, the commentator states there is no rational basis for the decrease to 44 beds and that this change unfairly targets small operators.

The commentator requests the Department defer the effective date of the change to 44 beds until the beginning of the second assessment quarter (October 1, 2014) to afford the current 50-bed providers an opportunity to continue to qualify for the lower rate or otherwise afford facilities that implement the bed reduction by September 1, 2014 retroactive qualification for the entire fiscal year. Also, the commentator requests the Department seek sufficient funding to keep the 50-bed rate in place.

Response

As previously stated, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of MA Program expenditures eligible for FFP. Since the Commonwealth's Nursing Facility Assessment Program is neither broad based nor uniform, the Department is required to seek a waiver of the broad based and uniformity requirements under 42 CFR 433.68 (relating to permissible health care-related taxes) from the CMS to ensure receipt of FFP. When submitting the waiver request, the Department must demonstrate, among other things, that the assessment is generally redistributive using the statistical test (B1/B2) described in 42 CFR 433.68(e)(2). Generally, to meet the test a certain proportion of high MA utilization facilities must be exempt or assessed at a lower rate. Due to the number of former county nursing facilities that are now assessed at a higher rate because of a change of ownership from county ownership to a nonpublic nursing facility provider throughout State Fiscal Year (SFY) 2013-2014, the assessment methodology used in SFY 2013-2014 failed this statistical test for SFY 2014-2015. Without an immediate change in the assessment methodology, the Commonwealth would lose an estimated \$1 billion (assessment revenue and FFP) in SFY 2014-2015 used to support MA payments to nursing facilities.

Numerous options were discussed with the nursing facility trade associations. The proposal to maintain essentially the same assessment methodology that was used in SFY 2013-2014, but for an adjustment to the qualifications for the assessment rates was the result of three important considerations: (1) pass the delicately balanced B1/B2 statistical test previously referenced; (2) minimize the negative financial impact on nursing facilities, while generating a consistent level of revenue to support nursing home rates and supplemental payments; and (3) obtain CMS approval well in advance of the scheduled decrease in FFP.

Deferring the change for one assessment quarter as suggested by the commentator would result in a failed B1/B2 statistical test and, therefore, a loss of approximately \$1 billion used to support payments for medically necessary nursing facility services provided to MA recipients. In addition, of the 37 nursing facilities listed by the commentator, 8 of the nursing facilities will not be adversely impacted by this change since they will continue to be assessed at the lower rate as grandfathered Continuing Care Retirement Communities (CCRC) and another facility requested and was approved for a bed increase. Further, of the remaining 28 facilities on the commentator's list, 24 of them participate in the MA Program. As a result, the MA portion of their assessment cost will be reimbursed and they will also receive a supplemental payment which reflects their MA recipient population. Consequently, their combined allowable cost portion and supplemental payment may exceed their assessment cost if they provide medically necessary nursing facility services to a significant number of MA recipients.

Assessment Methodology and Rates for FY 2014-2015

The following nursing facilities will continue to be exempt from the Assessment Program in FY 2014-2015:

- (1) State owned and operated nursing facilities.
- (2) Veteran's Administration nursing facilities.
- (3) Nursing facilities that have not been licensed and operated by the current or previous owner for the full calendar quarter prior to the calendar quarter in which an assessment is collected.
- (4) Nursing facilities that provide nursing facility services free of charge to all residents.

The Department will assess nonexempt nursing facilities at two rates. One rate will apply to three categories of nursing facilities: county nursing facilities; nursing facilities that have 44 or fewer licensed beds; and certain CCRC nursing facilities. See 40 Pa.B. 7297 (December 18, 2010). The other rate will apply to all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010. Using the applicable rate, the Department will calculate each non-exempt facility's quarterly assessment amount by multiplying its assessment rate by the facility's non-Medicare resident days during the calendar quarter that immediately preceded the assessment quarter. This rate structure is essentially the same structure that was used in FY 2013-2014, but for an adjustment to the qualifications for the assessment rates.

Although the Department will maintain essentially the same basic rate structure for FY 2014-2015, the Department is decreasing the assessment rates for nonexempt nursing facilities from the rates in FY 2013-2014. For FY 2014-2015, the assessment rates for nonexempt nursing facilities will be as follows:

(1) For county nursing facilities, for nursing facilities that have 44 or fewer licensed beds and for qualified CCRC nursing facilities, the assessment rate will be \$8.01 per non-Medicare resident day.

(2) For all other nonexempt nursing facilities, the assessment rate will be \$29.46 per non-Medicare resident day.

Assessment payments are due the last day of the Assessment quarter or 30 days after publication of this second notice, whichever is later.

The Assessment Program due dates, along with supplemental payment dates, will be available on the Department's web site at <http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/longtermcarecasemixinformation/index.htm>.

Aggregate Assessment Amounts and Fiscal Impact

The Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$477.065 million. The Department will use the State revenue derived from the assessment fees and any associated Federal matching funds to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

Public Comment

Interested persons are invited to submit written comments regarding the contents of 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 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-912. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 14-2208. Filed for public inspection October 24, 2014, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$1,000,000 Peppermint Payout Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Peppermint Payout.

2. *Price:* The price of a Pennsylvania \$1,000,000 Peppermint Payout instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$1,000,000 Peppermint Payout instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a

"YOUR NUMBERS" area and a "DOUBLE BONUS PLAY" area. The play symbols and their captions located in the "WINNING NUMBERS" and the "DOUBLE BONUS PLAY" areas 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), Candy Cane (CNDYCNE) symbol and a Payout (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$25, \$30, \$40, \$50, \$100, \$250, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. A player can win up to 20 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct a Holiday Cheer Second-Chance Game for which non-winning Pennsylvania \$1,000,000 Peppermint Payout 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 \$1,000,000 Peppermint Payout instant lottery game.

8. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1MILL (ONE MIL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a lump-sum cash payment.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Payout (WINALL) symbol, and a prize symbol of \$500 (FIV HUN) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Candy Cane (CNDYCNE) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the Candy Cane (CNDYCNE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Payout (WINALL) symbol, and a prize symbol of \$50.00 (FIFTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "DOUBLE BONUS PLAY" symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Candy Cane (CNDYCNE) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the Candy Cane (CNDYCNE) symbol, 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 is a Payout (WINALL) symbol, and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "DOUBLE BONUS PLAY" symbol, and a prize symbol of \$250 (TWOHUNFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Candy Cane (CNDYCNE) symbol, and a prize symbol of \$250 (TWOHUNFTY) appears in the "prize" area under the Candy Cane (CNDYCNE) symbol, on a single ticket, shall be entitled to a prize of \$250.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "DOUBLE

BONUS PLAY" symbol, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Candy Cane (CNDYCNE) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the Candy Cane (CNDYCNE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Candy Cane (CNDYCNE) symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "prize" area under the Candy Cane (CNDYCNE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "DOUBLE BONUS PLAY" symbol, and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$40.⁰⁰ (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "DOUBLE BONUS PLAY" symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$30.⁰⁰ (THIRTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Candy Cane (CNDYCNE) symbol, and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the "prize" area under the Candy Cane (CNDYCNE) symbol, on a single ticket, shall be entitled to a prize of \$30.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Candy Cane

(CNDYCNE) symbol, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “prize” area under the Candy Cane (CNDYCNE) symbol, on a single ticket, shall be entitled to a prize of \$25.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Candy Cane (CNDYCNE) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the Candy Cane (CNDYCNE) symbol, on a single ticket, shall be entitled to a prize of \$20.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<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 4,800,000 Tickets:</i>
\$20 w/ CANDY CANE	\$20	15	320,000
\$20	\$20	15	320,000
\$25 w/ CANDY CANE	\$25	30	160,000
\$25	\$25	30	160,000
\$30 w/ CANDY CANE	\$30	50	96,000
\$30	\$30	75	64,000
\$20 × 2	\$40	300	16,000
(\$20 w/ CANDY CANE) × 2	\$40	150	32,000
\$20 w/ DOUBLE BONUS PLAY	\$40	300	16,000
\$40	\$40	300	16,000
\$25 × 2	\$50	300	16,000
\$25 w/ DOUBLE BONUS PLAY	\$50	50	96,000
\$50 w/ CANDY CANE	\$50	150	32,000
\$50	\$50	300	16,000
\$25 × 4	\$100	300	16,000
\$50 × 2	\$100	300	16,000
(\$25 w/ DOUBLE BONUS PLAY) × 2	\$100	300	16,000
\$100 w/ CANDY CANE	\$100	300	16,000
\$100	\$100	300	16,000
\$25 × 10	\$250	1,538	3,120
(\$25 w/ DOUBLE BONUS PLAY) × 5	\$250	685.71	7,000
(\$100 w/ DOUBLE BONUS PLAY) + \$50	\$250	800	6,000
(((\$100 w/ CANDY CANE) × 2) + \$50	\$250	800	6,000
\$250 w/ CANDY CANE	\$250	1,200	4,000
\$250	\$250	1,600	3,000
PAYOUT w/ (\$25 × 20)	\$500	517.24	9,280
\$50 × 10	\$500	15,000	320
\$250 × 2	\$500	15,000	320
(\$25 w/ DOUBLE BONUS PLAY) × 10	\$500	4,000	1,200
\$250 w/ DOUBLE BONUS PLAY	\$500	4,000	1,200
(((\$50 w/ CANDY CANE) × 5) + (((\$25 w/ CANDY CANE) × 10)	\$500	3,000	1,600
\$500 w/ CANDY CANE	\$500	3,000	1,600
\$500	\$500	4,800	1,000
PAYOUT w/ (\$50 × 20)	\$1,000	2,400	2,000
\$250 × 4	\$1,000	15,000	320
\$500 × 2	\$1,000	15,000	320
(\$250 w/ DOUBLE BONUS PLAY) × 2	\$1,000	12,000	400
\$500 w/ DOUBLE BONUS PLAY	\$1,000	12,000	400
(((\$100 w/ CANDY CANE) × 5) + (((\$50 w/ CANDY CANE) × 10)	\$1,000	12,000	400
\$1,000 w/ CANDY CANE	\$1,000	12,000	400
\$1,000	\$1,000	24,000	200
PAYOUT w/ (\$500 × 20)	\$10,000	192,000	25
(\$500 w/ DOUBLE BONUS PLAY) × 10	\$10,000	137,143	35
\$10,000	\$10,000	320,000	15
\$100,000	\$100,000	320,000	15
\$1,000,000	\$1,000,000	960,000	5

Reveal a “CANDY CANE” (CNDYCNE) symbol, win prize shown under it automatically.

Reveal a “PAYOUT” (WINALL) symbol, win all 20 prizes shown!

DOUBLE BONUS PLAY: When the DOUBLE BONUS PLAY number matches any YOUR NUMBER, win double the prize shown under the matching number.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-chance drawing:* Pennsylvania Lottery's Holiday Cheer Second-Chance Game (hereafter, the "Game").

(a) *Qualifying Tickets:* Non-winning PA-1115 Cookie Dough '14 (\$1), PA-1114 Secret Santa '14 (\$2), PA-1113 Merry & Bright (\$3), PA-1112 Holiday Gifts '14 (\$5), PA-1111 Freezin' Greetings '14 (\$10), and PA-1110 \$1,000,000 Peppermint Payout (\$20) instant lottery tickets ("Qualifying Tickets") are eligible for entry in the Game.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must enter the identifying information from at least one non-winning Qualifying Ticket via the Game's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Game. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) The entry period for the Game begins after 11:59:59 p.m. October 26, 2014 and ends at 11:59:59 p.m. January 5, 2015. All time references are Eastern Prevailing Time.

(4) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(5) Only one claimant per entry allowed.

(6) Entrants must be 18 years of age or older.

(7) Entry is limited to entrants that indicate, at the time of submitting the identifying information from a Qualifying Ticket, that their information is being submitted from an internet connected or mobile device located within Pennsylvania.

(8) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description.*

(1) Each entrant will have the opportunity to play a virtual non-prize-determinative holiday themed game that may reveal a predetermined cash prize or a predetermined prize that doubles the number of Game drawing entries the entrant receives by entering a Qualifying Ticket (the "Entry-doubler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(2) The number of entries an entrant will receive for the Game's drawing is determined by the purchase price of the Qualifying Ticket entered, and the Entry-doubler Prize if applicable. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1115 Cookie Dough '14 (\$1) = 1 entry; PA-1114 Secret Santa '14 (\$2) = 2 entries; PA-1113 Merry & Bright (\$3) = 3 entries; PA-1112 Holiday Gifts '14 (\$5) = 5 entries; PA-1111 Freezin' Greetings '14 (\$10) = 10 entries; and PA-1110 \$1,000,000 Peppermint Payout (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Game's drawing via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall not result in a cash prize or an Entry-doubler Prize, the play sequence will show the player receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

Qualifying Ticket	Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	1,262	606	101	61	25
Secret Santa '14	1,642	788	131	79	33
Merry & Bright	1,717	824	137	82	34
Holiday Gifts '14	3,846	1,846	308	185	77
Freezin' Greetings '14	3,779	1,814	302	181	76
\$1,000,000 Peppermint Payout	5,516	2,648	441	265	110

Qualifying Ticket	Approximate Odds of Winning An Instant Prize are 1 in:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	12,000	25,000	150,000	250,000	600,000
Secret Santa '14	6,000	12,500	75,000	125,000	300,000
Merry & Bright	4,000	8,333	50,000	83,333	200,000
Holiday Gifts '14	2,400	5,000	30,000	50,000	120,000
Freezin' Greetings '14	1,200	2,500	15,000	25,000	60,000
\$1,000,000 Peppermint Payout	600	1,250	7,500	12,500	30,000

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry-doubler Prize, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries that were assigned to the Qualifying Ticket

entered for the Game's drawing. The following table sets forth the approximate number of Entry-doubler Prizes and the approximate odds of winning an Entry-doubler Prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Entry Doubler Winners</i>	<i>Approximate Odds Are 1 in:</i>
Cookie Dough '14	7,573,425	2
Secret Santa '14	2,463,744	4
Merry & Bright	1,717,253	4
Holiday Gifts '14	2,307,367	4
Freezin' Greetings '14	755,833	6
\$1,000,000 Peppermint Payout	551,638	6

(4) The Lottery will conduct one Game drawing from among all the entries received during the entry period. The first entry selected in the drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between January 6, 2015 and January 7, 2015.

(e) *Game Drawing.*

(1) The odds of winning the Game's drawing depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Game's drawing winner.

(3) To be eligible to participate in the Game and drawing, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Game drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Game's drawing.

(6) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(7) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Game.

(9) All entries shall be subject to verification by the Pennsylvania Lottery.

(10) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be

tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(11) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(12) Winners of instant cash prizes awarded in the Game must claim their prize within 1 year of the date the prize was won. If no claim is made within 1 year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(13) The winner of the Game's drawing must claim their prize within 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(14) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(15) The payment of a prize awarded in the Game 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).

(16) A winner is responsible for all taxes arising from or in connection with any prize won.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$1,000,000 Peppermint Payout instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-

winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$1,000,000 Peppermint Payout, prize money from winning Pennsylvania \$1,000,000 Peppermint Payout 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 \$1,000,000 Peppermint Payout instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$1,000,000 Peppermint Payout or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-2209. Filed for public inspection October 24, 2014, 9:00 a.m.]

Pennsylvania Cookie Dough '14 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 Cookie Dough '14.

2. *Price:* The price of a Pennsylvania Cookie Dough '14 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Cookie Dough instant lottery game ticket will contain one play area. The play area will contain one "WINNING NUMBER" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBER" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN) and 12 (TWELVE). 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 (ELEVEN), 12 (TWELVE) and a Gingerbread Man (GBMAN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰

(TEN DOL), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$50, \$100, \$400 and \$5,000. A player can win up to 5 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct a Holiday Cheer Second Chance Game for which non-winning Pennsylvania Cookie Dough '14 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 19,200,000 tickets will be printed for the Pennsylvania Cookie Dough '14 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gingerbread Man (GBMAN) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in all five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gingerbread Man (GBMAN) symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all five of the "prize" areas, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gingerbread Man (GBMAN) symbol and a prize symbol of \$4⁰⁰ (FOR DOL) appears in all five of the "prize" areas, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol and a prize symbol of \$10⁰⁰ (TEN

DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Gingerbread Man (GB-MAN) symbol and a prize symbol of \$2^{.00} (TWO DOL) appears in all five of the “prize” areas, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$5^{.00} (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Gingerbread Man (GB-MAN) symbol and a prize symbol of \$1^{.00} (ONE DOL) appears in all five of the “prize” areas, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$4^{.00} (FOR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$3^{.00}

(THR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$2^{.00} (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of \$1^{.00} (ONE DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WINNING NUMBER” play symbol and a prize symbol of FREE (TICKET) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Cookie Dough instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match The 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 19,200,000 Tickets</i>
FREE	FREE \$1 TICKET	9.38	2,048,000
\$1 × 2	\$2	37.5	512,000
\$2	\$2	42.86	448,000
\$1 × 4	\$4	150	128,000
\$2 × 2	\$4	100	192,000
(\$1 × 2) + \$2	\$4	150	128,000
\$4	\$4	150	128,000
GINGERBREAD MAN w/ (\$1 × 5)	\$5	214.29	89,600
(\$2 × 2) + \$1	\$5	214.29	89,600
\$5	\$5	300	64,000
GINGERBREAD MAN w/ (\$2 × 5)	\$10	200	96,000
\$5 × 2	\$10	1,500	12,800
(\$3 × 2) + (\$2 × 2)	\$10	1,500	12,800
\$10	\$10	1,500	12,800
GINGERBREAD MAN w/ (\$4 × 5)	\$20	500	38,400
\$5 × 4	\$20	3,000	6,400
\$10 × 2	\$20	1,500	12,800
\$20	\$20	3,000	6,400
GINGERBREAD MAN w/ (\$10 × 5)	\$50	3,000	6,400
(\$20 × 2) + \$10	\$50	3,000	6,400
\$50	\$50	3,000	6,400
GINGERBREAD MAN w/ (\$20 × 5)	\$100	8,000	2,400
\$50 × 2	\$100	8,000	2,400
\$100	\$100	8,276	2,320
\$100 × 4	\$400	30,000	640
\$400	\$400	34,286	560
\$5,000	\$5,000	640,000	30

Reveal a “GINGERBREAD MAN” (GBMAN) symbol, win all 5 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-chance drawing:* Pennsylvania Lottery's Holiday Cheer Second-Chance Game (hereafter, the "Game").

(a) *Qualifying Tickets:* Non-winning PA-1115 Cookie Dough '14 (\$1), PA-1114 Secret Santa '14 (\$2), PA-1113 Merry & Bright (\$3), PA-1112 Holiday Gifts '14 (\$5), PA-1111 Freezin' Greetings '14 (\$10), and PA-1110 \$1,000,000 Peppermint Payout (\$20) instant lottery tickets ("Qualifying Tickets") are eligible for entry in the Game.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must enter the identifying information from at least one non-winning Qualifying Ticket via the Game's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Game. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) The entry period for the Game begins after 11:59:59 p.m. October 26, 2014 and ends at 11:59:59 p.m. January 5, 2015. All time references are Eastern Prevailing Time.

(4) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(5) Only one claimant per entry allowed.

(6) Entrants must be 18 years of age or older.

(7) Entry is limited to entrants that indicate, at the time of submitting the identifying information from a Qualifying Ticket, that their information is being submitted from an internet connected or mobile device located within Pennsylvania.

(8) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description.*

(1) Each entrant will have the opportunity to play a virtual non-prize-determinative holiday themed game that may reveal a predetermined cash prize or a predetermined prize that doubles the number of Game drawing entries the entrant receives by entering a Qualifying Ticket (the "Entry-doubler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(2) The number of entries an entrant will receive for the Game's drawing is determined by the purchase price of the Qualifying Ticket entered, and the Entry-doubler Prize if applicable. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1115 Cookie Dough '14 (\$1) = 1 entry; PA-1114 Secret Santa '14 (\$2) = 2 entries; PA-1113 Merry & Bright (\$3) = 3 entries; PA-1112 Holiday Gifts '14 (\$5) = 5 entries; PA-1111 Freezin' Greetings '14 (\$10) = 10 entries; and PA-1110 \$1,000,000 Peppermint Payout (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Game's drawing via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall not result in a cash prize or an Entry-doubler Prize, the play sequence will show the player receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

Qualifying Ticket	Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	1,262	606	101	61	25
Secret Santa '14	1,642	788	131	79	33
Merry & Bright	1,717	824	137	82	34
Holiday Gifts '14	3,846	1,846	308	185	77
Freezin' Greetings '14	3,779	1,814	302	181	76
\$1,000,000 Peppermint Payout	5,516	2,648	441	265	110

Qualifying Ticket	Approximate Odds of Winning An Instant Prize are 1 in:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	12,000	25,000	150,000	250,000	600,000
Secret Santa '14	6,000	12,500	75,000	125,000	300,000
Merry & Bright	4,000	8,333	50,000	83,333	200,000
Holiday Gifts '14	2,400	5,000	30,000	50,000	120,000
Freezin' Greetings '14	1,200	2,500	15,000	25,000	60,000
\$1,000,000 Peppermint Payout	600	1,250	7,500	12,500	30,000

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry-doubler Prize, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries that were assigned to the Qualifying Ticket

entered for the Game's drawing. The following table sets forth the approximate number of Entry-doubler Prizes and the approximate odds of winning an Entry-doubler Prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Entry Doubler Winners</i>	<i>Approximate Odds Are 1 in:</i>
Cookie Dough '14	7,573,425	2
Secret Santa '14	2,463,744	4
Merry & Bright	1,717,253	4
Holiday Gifts '14	2,307,367	4
Freezin' Greetings '14	755,833	6
\$1,000,000 Peppermint Payout	551,638	6

(4) The Lottery will conduct one Game drawing from among all the entries received during the entry period. The first entry selected in the drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between January 6, 2015 and January 7, 2015.

(e) *Game Drawing.*

(1) The odds of winning the Game's drawing depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Game's drawing winner.

(3) To be eligible to participate in the Game and drawing, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Game drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Game's drawing.

(6) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(7) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Game.

(9) All entries shall be subject to verification by the Pennsylvania Lottery.

(10) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be

tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(11) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(12) Winners of instant cash prizes awarded in the Game must claim their prize within 1 year of the date the prize was won. If no claim is made within 1 year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(13) The winner of the Game's drawing must claim their prize within 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(14) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(15) The payment of a prize awarded in the Game 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).

(16) A winner is responsible for all taxes arising from or in connection with any prize won.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Cookie Dough '14 instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-

winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Cookie Dough '14, prize money from winning Pennsylvania Cookie Dough '14 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 Cookie Dough '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Cookie Dough '14 or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-2210. Filed for public inspection October 24, 2014, 9:00 a.m.]

Pennsylvania Freezin' Greetings '14 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 Freezin' Greetings '14.

2. *Price:* The price of a Pennsylvania Freezin' Greetings '14 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Freezin' Greetings '14 instant 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 blue 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), 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 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), 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 printed in blue 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), 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 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), 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) and an Igloo (IGLOO) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$50,000 (FTY THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$30, \$50, \$100, \$150, \$200, \$400, \$500, \$1,000, \$50,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct a Holiday Cheer Second-Chance Game for which non-winning Pennsylvania Freezin' Greetings '14 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 Freezin' Greetings '14 instant 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 \$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, 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 \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

caption printed in blue ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in blue ink, and a prize symbol of \$10^{.00} (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(v) 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 \$30^{.00} (THIRTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Igloo (IGLOO) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$30^{.00} (THIRTY) appears under that Igloo (IGLOO) symbol, on a single ticket, shall be entitled to a prize of \$30.

(x) 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 \$20^{.00} (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Igloo (IGLOO) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$20^{.00} (TWENTY) appears under that Igloo (IGLOO) symbol, on a single ticket, shall be entitled to a prize of \$20.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, 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 \$15^{.00} (FIFTEEN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Igloo (IGLOO) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$15^{.00} (FIFTEEN) appears under that Igloo (IGLOO) symbol, on a single ticket, shall be entitled to a prize of \$15.

(bb) 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 \$10^{.00} (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Igloo (IGLOO) symbol, with the symbol and caption printed in black ink, and a prize symbol of \$10^{.00} (TEN DOL) appears under that Igloo (IGLOO) symbol, on a single ticket, shall be entitled to a prize of \$10.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets</i>
\$10 w/ IGLOO	\$10	440,000
\$10	\$10	550,000
\$15 w/ IGLOO	\$15	220,000
\$15	\$15	220,000
\$10 × 2	\$20	44,000
(\$10 w/ IGLOO) × 2	\$20	110,000
\$20 w/ IGLOO	\$20	110,000
\$20	\$20	33,000
\$15 × 2	\$30	33,000
(\$10 w/ IGLOO) × 3	\$30	33,000
\$30 w/ IGLOO	\$30	33,000
\$30	\$30	33,000
\$10 × 5	\$50	33,000
\$10 w/ BLUE MATCH	\$50	33,000
\$50 w/ IGLOO	\$50	33,000
\$50	\$50	33,000
\$50 × 2	\$100	11,000
\$10 × 10	\$100	11,000
\$20 w/ BLUE MATCH	\$100	11,000
\$100 w/ IGLOO	\$100	11,000
\$100	\$100	11,000
\$50 × 3	\$150	550
\$30 w/ BLUE MATCH	\$150	3,300
(\$50 w/ IGLOO) × 3	\$150	1,925
\$150 w/ IGLOO	\$150	1,925
\$150	\$150	550
\$50 × 4	\$200	550

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,600,000 Tickets
\$100 × 2	2,000	550
(\$10 w/ BLUE MATCH) × 4	4,800	1,375
\$200 w/ IGLOO	4,800	1,375
\$200	12,000	550
\$100 × 4	15,000	440
(\$10 w/ BLUE MATCH) × 8	4,800	1,375
\$400 w/ IGLOO	8,571	770
\$400	15,000	440
\$100 × 5	24,000	275
\$50 × 10	12,000	550
\$100 w/ BLUE MATCH	12,000	550
\$500 w/ IGLOO	12,000	550
\$500	24,000	275
(\$100 × 5) + (\$50 × 10)	30,000	220
\$500 × 2	60,000	110
\$100 × 10	30,000	220
\$200 w/ BLUE MATCH	30,000	220
\$1,000 w/ IGLOO	30,000	220
\$1,000	60,000	110
\$50,000	330,000	20
\$300,000	660,000	10

When matching numbers are blue, win 5 times the prize shown under the matching number. Reveal an "IGLOO" (IGLOO) symbol, win prize shown under it automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-chance drawing:* Pennsylvania Lottery's Holiday Cheer Second-Chance Game (hereafter, the "Game").

(a) *Qualifying Tickets:* Non-winning PA-1115 Cookie Dough '14 (\$1), PA-1114 Secret Santa '14 (\$2), PA-1113 Merry & Bright (\$3), PA-1112 Holiday Gifts '14 (\$5), PA-1111 Freezin' Greetings '14 (\$10), and PA-1110 \$1,000,000 Peppermint Payout (\$20) instant lottery tickets ("Qualifying Tickets") are eligible for entry in the Game.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must enter the identifying information from at least one non-winning Qualifying Ticket via the Game's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Game. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) The entry period for the Game begins after 11:59:59 p.m. October 26, 2014 and ends at 11:59:59 p.m. January 5, 2015. All time references are Eastern Prevailing Time.

(4) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(5) Only one claimant per entry allowed.

(6) Entrants must be 18 years of age or older.

(7) Entry is limited to entrants that indicate, at the time of submitting the identifying information from a Qualifying Ticket, that their information is being submitted from an internet connected or mobile device located within Pennsylvania.

(8) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description.*

(1) Each entrant will have the opportunity to play a virtual non-prize-determinative holiday themed game that may reveal a predetermined cash prize or a predetermined prize that doubles the number of Game drawing entries the entrant receives by entering a Qualifying Ticket (the "Entry-doubler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(2) The number of entries an entrant will receive for the Game's drawing is determined by the purchase price of the Qualifying Ticket entered, and the Entry-doubler Prize if applicable. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1115 Cookie Dough '14 (\$1) = 1 entry; PA-1114 Secret Santa '14 (\$2) = 2 entries; PA-1113 Merry & Bright (\$3) = 3 entries; PA-1112 Holiday Gifts '14 (\$5) = 5 entries; PA-1111 Freezin' Greetings '14 (\$10) = 10 entries; and PA-1110 \$1,000,000 Peppermint Payout (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Game's drawing via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-

determinative game play shall not result in a cash prize or an Entry-doubler Prize, the play sequence will show the player receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-

determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets:</i>				
	<i>\$25 Prize</i>	<i>\$50 Prize</i>	<i>\$75 Prize</i>	<i>\$100 Prize</i>	<i>\$500 Prize</i>
Cookie Dough '14	1,262	606	101	61	25
Secret Santa '14	1,642	788	131	79	33
Merry & Bright	1,717	824	137	82	34
Holiday Gifts '14	3,846	1,846	308	185	77
Freezin' Greetings '14	3,779	1,814	302	181	76
\$1,000,000 Peppermint Payout	5,516	2,648	441	265	110

<i>Qualifying Ticket</i>	<i>Approximate Odds of Winning An Instant Prize are 1 in:</i>				
	<i>\$25 Prize</i>	<i>\$50 Prize</i>	<i>\$75 Prize</i>	<i>\$100 Prize</i>	<i>\$500 Prize</i>
Cookie Dough '14	12,000	25,000	150,000	250,000	600,000
Secret Santa '14	6,000	12,500	75,000	125,000	300,000
Merry & Bright	4,000	8,333	50,000	83,333	200,000
Holiday Gifts '14	2,400	5,000	30,000	50,000	120,000
Freezin' Greetings '14	1,200	2,500	15,000	25,000	60,000
\$1,000,000 Peppermint Payout	600	1,250	7,500	12,500	30,000

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry-doubler Prize, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following table sets forth the approximate number of Entry-doubler Prizes and the approximate odds of winning an Entry-doubler Prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Entry Doubler Winners</i>	<i>Approximate Odds Are 1 in:</i>
Cookie Dough '14	7,573,425	2
Secret Santa '14	2,463,744	4
Merry & Bright	1,717,253	4
Holiday Gifts '14	2,307,367	4
Freezin' Greetings '14	755,833	6
\$1,000,000 Peppermint Payout	551,638	6

(4) The Lottery will conduct one Game drawing from among all the entries received during the entry period. The first entry selected in the drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between January 6, 2015 and January 7, 2015.

(e) *Game Drawing.*

(1) The odds of winning the Game's drawing depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Game's drawing winner.

(3) To be eligible to participate in the Game and drawing, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Game

drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Game's drawing.

(6) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(7) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Game.

(9) All entries shall be subject to verification by the Pennsylvania Lottery.

(10) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(11) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(12) Winners of instant cash prizes awarded in the Game must claim their prize within 1 year of the date the prize was won. If no claim is made within 1 year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(13) The winner of the Game's drawing must claim their prize within 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(14) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(15) The payment of a prize awarded in the Game 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).

(16) A winner is responsible for all taxes arising from or in connection with any prize won.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Freezin' Greetings '14 instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Freezin' Greetings '14, prize money from winning Pennsylvania Freezin' Greetings '14 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 Freezin' Greetings '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Freezin' Greetings '14 or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-2211. Filed for public inspection October 24, 2014, 9:00 a.m.]

Pennsylvania Holiday Gifts '14 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 Holiday Gifts '14.

2. *Price:* The price of a Pennsylvania Holiday Gifts '14 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Holiday Gifts '14 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: 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), Money (MONEY) symbol, Santa Hat (WIN100) symbol and a Holiday (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$500, \$5,000 and \$100,000. The player can win up to 15 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct a Holiday Cheer Second-Chance Game for which non-winning Pennsylvania Holiday Gifts '14 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Holiday Gifts '14 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$100,000 (ONEHUNTHO) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$5,000 (FIV THO) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$500 (FIV HUN) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a Holiday (WINALL) symbol in the play area, a prize symbol of \$40⁰⁰ (FORTY) in ten of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a Holiday (WINALL) symbol in the play area, a prize symbol of \$50⁰⁰ (FIFTY) in six of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) in two of the "prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) in five of the "prize" areas, and a prize symbol of \$10⁰⁰ (TEN DOL) in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with a Santa Hat (WIN100) symbol in the play area, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a Holiday (WINALL) symbol in the play area a prize symbol of \$10⁰⁰ (TEN DOL) in five of the "prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$40⁰⁰ (FORTY) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$15⁰⁰ (FIFTN) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$15.

(m) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) in the "prize" area under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with a Money (MONEY) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) in the "prize" area under that Money (MONEY) 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 "Money" (MONEY) 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 12,000,000 Tickets</i>
\$5	\$5	7.5	1,600,000
\$5 × 2	\$10	30	400,000
\$10	\$10	60	200,000
\$5 × 3	\$15	300	40,000
\$10 + \$5	\$15	200	60,000
\$15	\$15	200	60,000
\$5 × 4	\$20	300	40,000
\$10 × 2	\$20	300	40,000
(\$5 × 2) + \$10	\$20	600	20,000
\$20	\$20	600	20,000
\$5 × 8	\$40	600	20,000
\$10 × 4	\$40	600	20,000
\$20 × 2	\$40	600	20,000
\$40	\$40	600	20,000
\$10 × 5	\$50	600	20,000
(\$20 × 2) + \$10	\$50	600	20,000
\$40 + \$10	\$50	600	20,000
\$50	\$50	600	20,000
HOLIDAY w/ ((\$10 × 5) + (\$5 × 10))	\$100	400	30,000
\$10 × 10	\$100	685.71	17,500
\$50 × 2	\$100	800	15,000
(\$40 × 2) + \$20	\$100	800	15,000

<i>Reveal a "Money" (MONEY) 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 12,000,000 Tickets</i>
\$100 w/ SANTA HAT	\$100	375	32,000
\$100	\$100	800	15,000
HOLIDAY w/ (((\$50 × 6) + (\$40 × 2) + (\$20 × 5) + (\$10 × 2))	\$500	12,000	1,000
HOLIDAY w/ (((\$40 × 10) + (\$20 × 5)) \$50 × 10	\$500	12,000	1,000
\$100 × 5	\$500	24,000	500
(\$100 w/ SANTA HAT) × 5	\$500	8,000	1,500
\$500	\$500	12,000	1,000
\$500 × 10	\$5,000	1,000,000	12
\$5,000	\$5,000	1,000,000	12
\$100,000	\$100,000	1,200,000	10

Reveal a "SANTA HAT" (WIN100) symbol, win \$100 instantly!
Reveal a "HOLIDAY" (WINALL) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-chance drawing:* Pennsylvania Lottery's Holiday Cheer Second-Chance Game (hereafter, the "Game").

(a) *Qualifying Tickets:* Non-winning PA-1115 Cookie Dough '14 (\$1), PA-1114 Secret Santa '14 (\$2), PA-1113 Merry & Bright (\$3), PA-1112 Holiday Gifts '14 (\$5), PA-1111 Freezin' Greetings '14 (\$10), and PA-1110 \$1,000,000 Peppermint Payout (\$20) instant lottery tickets ("Qualifying Tickets") are eligible for entry in the Game.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must enter the identifying information from at least one non-winning Qualifying Ticket via the Game's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Game. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) The entry period for the Game begins after 11:59:59 p.m. October 26, 2014 and ends at 11:59:59 p.m. January 5, 2015. All time references are Eastern Prevailing Time.

(4) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(5) Only one claimant per entry allowed.

(6) Entrants must be 18 years of age or older.

(7) Entry is limited to entrants that indicate, at the time of submitting the identifying information from a Qualifying Ticket, that their information is being submitted from an internet connected or mobile device located within Pennsylvania.

(8) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description.*

(1) Each entrant will have the opportunity to play a virtual non-prize-determinative holiday themed game that may reveal a predetermined cash prize or a predetermined prize that doubles the number of Game drawing entries the entrant receives by entering a Qualifying Ticket (the "Entry-doubler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(2) The number of entries an entrant will receive for the Game's drawing is determined by the purchase price of the Qualifying Ticket entered, and the Entry-doubler Prize if applicable. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1115 Cookie Dough '14 (\$1) = 1 entry; PA-1114 Secret Santa '14 (\$2) = 2 entries; PA-1113 Merry & Bright (\$3) = 3 entries; PA-1112 Holiday Gifts '14 (\$5) = 5 entries; PA-1111 Freezin' Greetings '14 (\$10) = 10 entries; and PA-1110 \$1,000,000 Peppermint Payout (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Game's drawing via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall not result in a cash prize or an Entry-doubler Prize, the play sequence will show the player receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

Qualifying Ticket	Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	1,262	606	101	61	25
Secret Santa '14	1,642	788	131	79	33
Merry & Bright	1,717	824	137	82	34
Holiday Gifts '14	3,846	1,846	308	185	77
Freezin' Greetings '14	3,779	1,814	302	181	76
\$1,000,000 Peppermint Payout	5,516	2,648	441	265	110

Qualifying Ticket	Approximate Odds of Winning An Instant Prize are 1 in:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	12,000	25,000	150,000	250,000	600,000
Secret Santa '14	6,000	12,500	75,000	125,000	300,000
Merry & Bright	4,000	8,333	50,000	83,333	200,000
Holiday Gifts '14	2,400	5,000	30,000	50,000	120,000
Freezin' Greetings '14	1,200	2,500	15,000	25,000	60,000
\$1,000,000 Peppermint Payout	600	1,250	7,500	12,500	30,000

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry-doubler Prize, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following table sets forth the approximate number of Entry-doubler Prizes and the approximate odds of winning an Entry-doubler Prize:

Qualifying Ticket	Approximate Number of Entry Doubler Winners	Approximate Odds Are 1 in:	
Cookie Dough '14	7,573,425		2
Secret Santa '14	2,463,744		4
Merry & Bright	1,717,253		4
Holiday Gifts '14	2,307,367		4
Freezin' Greetings '14	755,833		6
\$1,000,000 Peppermint Payout	551,638		6

(4) The Lottery will conduct one Game drawing from among all the entries received during the entry period. The first entry selected in the drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between January 6, 2015 and January 7, 2015.

(e) *Game Drawing.*

(1) The odds of winning the Game's drawing depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Game's drawing winner.

(3) To be eligible to participate in the Game and drawing, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Game drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Game's drawing.

(6) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(7) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Game.

(9) All entries shall be subject to verification by the Pennsylvania Lottery.

(10) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(11) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(12) Winners of instant cash prizes awarded in the Game must claim their prize within 1 year of the date the prize was won. If no claim is made within 1 year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(13) The winner of the Game's drawing must claim their prize within 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(14) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(15) The payment of a prize awarded in the Game 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).

(16) A winner is responsible for all taxes arising from or in connection with any prize won.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Holiday Gifts '14 instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Holiday Gifts '14, prize money from winning Pennsylvania Holiday Gifts '14 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 Holiday Gifts '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Holiday Gifts '14 or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-2212. Filed for public inspection October 24, 2014, 9:00 a.m.]

Pennsylvania Merry & Bright 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 Merry & Bright.

2. *Price:* The price of a Pennsylvania Merry & Bright instant lottery game ticket is \$3.

3. *Play Symbols:* Pennsylvania Merry & Bright instant lottery game ticket will contain two "play grid" areas and a "WINNING SYMBOLS" area. Each "play grid" area consists of 16 spaces on a grid four vertical "LINES" wide and four horizontal "LINES" tall. The four vertical "LINES" on the first "play grid" are designated as "LINE 1," "LINE 2," "LINE 3" and "LINE 4." The four horizontal "LINES" on the first "play grid" are designated as "LINE 5," "LINE 6," "LINE 7" and "LINE 8." The four vertical "LINES" on the second "play grid" are designated as "LINE 9," "LINE 10," "LINE 11" and "LINE 12." The four horizontal "LINES" on the second "play grid" are designated as "LINE 13," "LINE 14," "LINE 15" and "LINE 16." Each "LINE" offers a separate chance to win. The play symbols and their captions located in the "play grid" areas are: Sack of Toys (TOYS) symbol, Wreath (WREATH) symbol, Sleigh (SLEIGH) symbol, Ornament (ORNMNT) symbol, Tree (TREE) symbol, Scarf (SCARF) symbol, Snowflake (SNOFLK) symbol, Stocking (STOCKING) symbol, Star (STAR) symbol, Nutcracker (NTCRKR) symbol, Mountain (MOUNTAIN) symbol, Mittens (MITTENS) symbol, Holly (HOLLY) symbol, Lantern (LANTERN) symbol, String of Lights (LIGHTS) symbol, Jacket (JACKET) symbol, Gift (GIFT) symbol, Bells (BELL) symbol, Bow (BOW) symbol, Fire (FIRE) symbol, Cabin (CABIN) symbol, Candle (CANDLE) symbol, Angel (ANGEL) symbol, Cup (CUP) symbol, Calendar (CLNDR) symbol, Candy Cane (CNDYCN) symbol, Reindeer (DEER) symbol, Gingerbread Man (GNBRMN) symbol, Horn (HORN) symbol, Hat (HAT) symbol, Goggles (GOGGLES) symbol and a Santa (SANTA) symbol. The play symbols and their captions located in the "WINNING SYMBOLS" areas are: Sack of Toys (TOYS) symbol, Wreath (WREATH) symbol, Sleigh (SLEIGH) symbol, Ornament (ORNMNT) symbol, Tree (TREE) symbol, Scarf (SCARF) symbol, Snowflake (SNOFLK) symbol, Stocking (STOCKING) symbol, Star (STAR) symbol, Nutcracker (NTCRKR) symbol, Mountain (MOUNTAIN) symbol, Mittens (MITTENS) symbol, Holly (HOLLY) symbol, Lantern (LANTERN) symbol, String of Lights (LIGHTS) symbol, Jacket (JACKET) symbol, Gift (GIFT) symbol, Bells (BELL) symbol, Bow (BOW) symbol, Fire (FIRE) symbol, Cabin (CABIN) symbol, Candle (CANDLE) symbol, Angel (ANGEL) symbol, Cup (CUP) symbol, Calendar (CLNDR) symbol, Candy Cane (CNDYCN) symbol, Reindeer (DEER) symbol, Gingerbread Man (GNBRMN) symbol,

Horn (HORN) symbol, Hat (HAT) symbol, Goggles (GOGGLES) symbol and a Santa (SANTA) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "Prize" area at the end of each "LINE" are: \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$150, \$300, \$1,000, \$5,000 and \$50,000. The player can win up to 6 times on each ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct a Holiday Cheer Second Chance Game for which non-winning Pennsylvania Merry & Bright instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 9,000,000 tickets will be printed for the Pennsylvania Merry & Bright instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$300 (THR HUN) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$150

(ONEHUNFTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$150.

(f) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$15.⁰⁰ (FIFTN) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which four of the "WINNING SYMBOLS" play symbols match the same exact four play symbols appearing in a complete vertical or horizontal "LINE," and a prize symbol of \$3.⁰⁰ (THR DOL) appears in the "Prize" area at the end of that "LINE," on a single ticket, shall be entitled to a prize of \$3.

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:

Scratch The Winning Symbols Area.
Then Scratch The Corresponding
Symbols Found On Either Grid.
When You Match All Four Symbols
In Any Horizontal Or Vertical Line,
Win Prize Shown For That Line.
Each Line Is Played Separately. Win
With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 9,000,000 Tickets	
\$3	\$3	9.09	990,000
\$5	\$5	13.89	648,000
\$5 × 2	\$10	58.82	153,000
\$10	\$10	58.82	153,000
\$3 × 5	\$15	333.33	27,000
\$5 × 3	\$15	333.33	27,000
\$15	\$15	250	36,000
\$5 × 6	\$30	500	18,000
\$10 × 3	\$30	1,000	9,000
(\$5 × 4) + \$10	\$30	500	18,000
\$30	\$30	1,000	9,000
\$10 × 5	\$50	1,500	6,000
(\$5 × 4) + \$30	\$50	1,333	6,750
(\$15 × 2) + (\$5 × 4)	\$50	1,333	6,750
\$50	\$50	2,000	4,500
(\$10 × 5) + \$50	\$100	2,000	4,500
(\$30 × 2) + (\$10 × 4)	\$100	2,667	3,375
(\$15 × 2) + (\$10 × 2) + \$50	\$100	8,000	1,125
\$100	\$100	4,000	2,250
\$30 × 5	\$150	12,000	750
\$50 × 3	\$150	15,000	600
(\$20 × 5) + \$50	\$150	10,000	900
(\$50 × 2) + (\$15 × 2) + (\$10 × 2)	\$150	10,000	900
\$100 + \$50	\$150	15,000	600
\$150	\$150	12,000	750
\$50 × 6	\$300	13,333	675
\$150 × 2	\$300	30,000	300
(\$30 × 5) + \$150	\$300	13,333	675
(\$100 × 2) + (\$50 × 2)	\$300	30,000	300
\$300	\$300	30,000	300
(\$150 × 4) + \$300 + \$100	\$1,000	30,000	300
(\$300 × 3) + \$100	\$1,000	30,000	300
\$1,000	\$1,000	30,000	300
\$5,000	\$5,000	120,000	75
\$50,000	\$50,000	600,000	15

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-chance drawing:* Pennsylvania Lottery’s Holiday Cheer Second-Chance Game (hereafter, the “Game”).

(a) *Qualifying Tickets:* Non-winning PA-1115 Cookie Dough ’14 (\$1), PA-1114 Secret Santa ’14 (\$2), PA-1113 Merry & Bright (\$3), PA-1112 Holiday Gifts ’14 (\$5), PA-1111 Freezin’ Greetings ’14 (\$10), and PA-1110 \$1,000,000 Peppermint Payout (\$20) instant lottery tickets (“Qualifying Tickets”) are eligible for entry in the Game.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must enter the identifying information from at least one non-winning Qualifying Ticket via the Game’s promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery’s

official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Game. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) The entry period for the Game begins after 11:59:59 p.m. October 26, 2014 and ends at 11:59:59 p.m. January 5, 2015. All time references are Eastern Prevailing Time.

(4) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(5) Only one claimant per entry allowed.

(6) Entrants must be 18 years of age or older.

(7) Entry is limited to entrants that indicate, at the time of submitting the identifying information from a Qualifying Ticket, that their information is being submitted from an internet connected or mobile device located within Pennsylvania.

(8) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description.*

(1) Each entrant will have the opportunity to play a virtual non-prize-determinative holiday themed game that may reveal a predetermined cash prize or a predetermined prize that doubles the number of Game drawing entries the entrant receives by entering a Qualifying Ticket (the "Entry-doubler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(2) The number of entries an entrant will receive for the Game's drawing is determined by the purchase price of the Qualifying Ticket entered, and the Entry-doubler Prize if applicable. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1115 Cookie Dough '14 (\$1) = 1 entry; PA-1114 Secret Santa '14 (\$2) = 2 entries; PA-1113 Merry & Bright (\$3) = 3 entries; PA-1112 Holiday Gifts '14 (\$5) =

5 entries; PA-1111 Freezin' Greetings '14 (\$10) = 10 entries; and PA-1110 \$1,000,000 Peppermint Payout (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Game's drawing via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall not result in a cash prize or an Entry-doubler Prize, the play sequence will show the player receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

Qualifying Ticket	Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	1,262	606	101	61	25
Secret Santa '14	1,642	788	131	79	33
Merry & Bright	1,717	824	137	82	34
Holiday Gifts '14	3,846	1,846	308	185	77
Freezin' Greetings '14	3,779	1,814	302	181	76
\$1,000,000 Peppermint Payout	5,516	2,648	441	265	110

Qualifying Ticket	Approximate Odds of Winning An Instant Prize are 1 in:				
	\$25 Prize	\$50 Prize	\$75 Prize	\$100 Prize	\$500 Prize
Cookie Dough '14	12,000	25,000	150,000	250,000	600,000
Secret Santa '14	6,000	12,500	75,000	125,000	300,000
Merry & Bright	4,000	8,333	50,000	83,333	200,000
Holiday Gifts '14	2,400	5,000	30,000	50,000	120,000
Freezin' Greetings '14	1,200	2,500	15,000	25,000	60,000
\$1,000,000 Peppermint Payout	600	1,250	7,500	12,500	30,000

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry-doubler Prize, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following table sets forth the approximate number of Entry-doubler Prizes and the approximate odds of winning an Entry-doubler Prize:

Qualifying Ticket	Approximate Number of	Approximate Odds
	Entry Doubler Winners	Are 1 in:
Cookie Dough '14	7,573,425	2
Secret Santa '14	2,463,744	4
Merry & Bright	1,717,253	4
Holiday Gifts '14	2,307,367	4
Freezin' Greetings '14	755,833	6
\$1,000,000 Peppermint Payout	551,638	6

(4) The Lottery will conduct one Game drawing from among all the entries received during the entry period. The first entry selected in the drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between January 6, 2015 and January 7, 2015.

(e) *Game Drawing.*

(1) The odds of winning the Game's drawing depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Game's drawing winner.

(3) To be eligible to participate in the Game and drawing, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Game drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Game's drawing.

(6) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(7) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Game.

(9) All entries shall be subject to verification by the Pennsylvania Lottery.

(10) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(11) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(12) Winners of instant cash prizes awarded in the Game must claim their prize within 1 year of the date the prize was won. If no claim is made within 1 year of the date the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(13) The winner of the Game's drawing must claim their prize within 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(14) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(15) The payment of a prize awarded in the Game 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).

(16) A winner is responsible for all taxes arising from or in connection with any prize won.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Merry & Bright instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Merry & Bright, prize money from winning Pennsylvania Merry & Bright 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 Merry & Bright instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Merry & Bright or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-2213. Filed for public inspection October 24, 2014, 9:00 a.m.]

Pennsylvania Secret Santa '14 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 Secret Santa '14.

2. *Price:* The price of a Pennsylvania Secret Santa '14 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Secret Santa '14 instant lottery game ticket will contain one play area and two "BONUS GIFT" areas. The "BONUS GIFT" area is played separately. The play symbols and their captions, located in the play area are: an Angel (ANGEL) symbol, Bell (BELL) symbol, Candle (CANDLE) symbol, Tree (TREE) symbol, Teddy Bear (TBEAR) symbol, Drum (DRUM) symbol, Earmuff (EARMF) symbol, Icicle (ICICLE) symbol, Hat (HAT) symbol, Holly (HOLLY) symbol, Horn (HORN) symbol, Fire (FIRE) symbol, Ornament (ORNAMENT) symbol, Mitten (MITTEN) symbol, Nutcracker (NTCRKR) symbol, Reindeer (RNDEER) symbol, Skate (SKATE) symbol, Cabin (CABIN) symbol, Snowflake (SNOWFLK) symbol, Snowman (SNOWMAN) symbol, Stocking (STOCKING) symbol, Lights (LIGHTS) symbol, Wreath (WREATH) symbol, Star (STAR) symbol, Candy (CANDY) symbol, Gift (GIFT) symbol, Cookies (COOKIE) symbol, Santa (SANTA) symbol and a Sleigh (SLEIGH) symbol. The Play symbols and their captions, located in the "BONUS GIFT" area are: NO BONUS (TRY AGAIN) symbol, TRY AGAIN (NO BONUS) symbol and a SECRET (WIN20) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 Ticket, \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. The player can win up to 12 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct a Holiday Cheer Second Chance Game for which non-winning Pennsylvania Secret Santa '14 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 12,600,000 tickets will be printed for the Pennsylvania Secret Santa '14 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$25,000 (TWYFIVTHO) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$1,000 (ONE THO) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$500 (FIV HUN) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a Sleigh (SLEIGH) symbol in the play area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in eight of the "prize" areas and a prize symbol of \$25⁰⁰ (TWY FIV) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$250 (TWOHUNFTY) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets with a Sleigh (SLEIGH) symbol in the play area, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in two of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(g) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a Sleigh (SLEIGH) symbol in the play area, and a prize symbol of \$25⁰⁰ (TWY FIV) appears in two 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.

(i) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$50⁰⁰ (FIFTY) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets with a Sleigh (SLEIGH) symbol in the play area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "prize" areas and a prize symbol of \$4⁰⁰ (FOR DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$40⁰⁰ (FORTY) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets with a Sleigh (SLEIGH) symbol in the play area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "prize" areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$25⁰⁰ (TWY FIV) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$20⁰⁰ (TWENTY) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets with a SECRET (WIN20) symbol in either of the "BONUS GIFT" areas, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$10⁰⁰ (TEN DOL) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$5⁰⁰ (FIV DOL) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$4⁰⁰ (FOR DOL) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of \$2⁰⁰ (TWO DOL) in the "prize" area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets with a Santa (SANTA) symbol in the play area, and a prize symbol of FREE (TICKET) in the “prize” area under that Santa (SANTA) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Secret Santa '14 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A “SANTA” (SANTA) 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 12,600,000 Tickets</i>
FREE	FREE \$2 TICKET	15	840,000
\$2	\$2	75	168,000
\$2 x 2	\$4	30	420,000
\$4	\$4	37.5	336,000
\$5	\$5	25	504,000
\$2 x 5	\$10	100	126,000
\$5 x 2	\$10	150	84,000
\$10	\$10	300	42,000
\$5 x 4	\$20	500	25,200
\$10 x 2	\$20	500	25,200
\$20 w/ BONUS GIFT	\$20	214.29	58,800
\$20	\$20	500	25,200
\$5 x 5	\$25	2,000	6,300
(\$20 w/ BONUS GIFT) + \$5	\$25	480	26,250
\$25	\$25	2,000	6,300
SLEIGH w/ ((\$10 x 2) + (\$2 x 10))	\$40	1,600	7,875
\$5 x 8	\$40	2,400	5,250
\$10 x 4	\$40	2,400	5,250
(\$20 w/ BONUS GIFT) x 2	\$40	2,000	6,300
\$40	\$40	2,400	5,250
SLEIGH w/ ((\$5 x 2) + (\$4 x 10))	\$50	1,600	7,875
\$10 x 5	\$50	6,000	2,100
(\$20 w/ BONUS GIFT) x 2 + \$10	\$50	5,455	2,310
\$50	\$50	6,000	2,100
SLEIGH w/ ((\$25 x 2) + (\$5 x 10))	\$100	6,000	2,100
\$25 x 4	\$100	12,000	1,050
\$50 x 2	\$100	12,000	1,050
(\$20 w/ BONUS GIFT) x 2 + (\$20 x 3)	\$100	12,000	1,050
\$100	\$100	12,000	1,050
SLEIGH w/ ((\$25 x 2) + (\$20 x 10))	\$250	40,000	315
\$50 x 5	\$250	120,000	105
(\$100 x 2) + \$50	\$250	120,000	105
\$250	\$250	120,000	105
SLEIGH w/ ((\$50 x 8) + (\$25 x 4))	\$500	120,000	105
\$100 x 5	\$500	120,000	105
\$500	\$500	120,000	105
\$250 x 4	\$1,000	120,000	105
\$1,000	\$1,000	120,000	105
\$25,000	\$25,000	1,260,000	10

Reveal a “SLEIGH” (SLEIGH) symbol, win all 12 prizes shown.

BONUS GIFT: Reveal a “SECRET” (WIN20) symbol in either BONUS GIFT, win \$20 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-chance drawing:* Pennsylvania Lottery’s Holiday Cheer Second-Chance Game (hereafter, the “Game”).

(a) *Qualifying Tickets:* Non-winning PA-1115 Cookie Dough '14 (\$1), PA-1114 Secret Santa '14 (\$2), PA-1113 Merry & Bright (\$3), PA-1112 Holiday Gifts '14 (\$5), PA-1111 Freezin’ Greetings '14 (\$10), and PA-1110 \$1,000,000 Peppermint Payout (\$20) instant lottery tickets (“Qualifying Tickets”) are eligible for entry in the Game.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Game. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Game, entrants must enter the identifying information from at least one non-winning Qualifying Ticket via the Game’s promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Game. No other method of

submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) The entry period for the Game begins after 11:59:59 p.m. October 26, 2014 and ends at 11:59:59 p.m. January 5, 2015. All time references are Eastern Prevailing Time.

(4) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(5) Only one claimant per entry allowed.

(6) Entrants must be 18 years of age or older.

(7) Entry is limited to entrants that indicate, at the time of submitting the identifying information from a Qualifying Ticket, that their information is being submitted from an internet connected or mobile device located within Pennsylvania.

(8) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Game.

(c) *Game Description.*

(1) Each entrant will have the opportunity to play a virtual non-prize-determinative holiday themed game that may reveal a predetermined cash prize or a predetermined prize that doubles the number of Game drawing entries the entrant receives by entering a Qualifying Ticket (the "Entry-doubler Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine the outcome of the non-prize-determinative game play.

(2) The number of entries an entrant will receive for the Game's drawing is determined by the purchase price of the Qualifying Ticket entered, and the Entry-doubler Prize if applicable. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1115 Cookie Dough '14 (\$1) = 1 entry; PA-1114 Secret Santa '14 (\$2) = 2 entries; PA-1113 Merry & Bright (\$3) = 3 entries; PA-1112 Holiday Gifts '14 (\$5) = 5 entries; PA-1111 Freezin' Greetings '14 (\$10) = 10 entries; and PA-1110 \$1,000,000 Peppermint Payout (\$20) = 20 entries.

(3) Players may review prizes won and their entries for the Game's drawing via the Game's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall not result in a cash prize or an Entry-doubler Prize, the play sequence will show the player receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative game play shall result in an award of a cash prize, the play sequence will show the player winning a cash prize and receiving the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following tables set forth the approximate number of cash prize winners for each cash prize, and the approximate odds of winning a cash prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Winners Based on 100% of Eligible Qualifying Tickets:</i>				
	<i>\$25 Prize</i>	<i>\$50 Prize</i>	<i>\$75 Prize</i>	<i>\$100 Prize</i>	<i>\$500 Prize</i>
Cookie Dough '14	1,262	606	101	61	25
Secret Santa '14	1,642	788	131	79	33
Merry & Bright	1,717	824	137	82	34
Holiday Gifts '14	3,846	1,846	308	185	77
Freezin' Greetings '14	3,779	1,814	302	181	76
\$1,000,000 Peppermint Payout	5,516	2,648	441	265	110

<i>Qualifying Ticket</i>	<i>Approximate Odds of Winning An Instant Prize are 1 in:</i>				
	<i>\$25 Prize</i>	<i>\$50 Prize</i>	<i>\$75 Prize</i>	<i>\$100 Prize</i>	<i>\$500 Prize</i>
Cookie Dough '14	12,000	25,000	150,000	250,000	600,000
Secret Santa '14	6,000	12,500	75,000	125,000	300,000
Merry & Bright	4,000	8,333	50,000	83,333	200,000
Holiday Gifts '14	2,400	5,000	30,000	50,000	120,000
Freezin' Greetings '14	1,200	2,500	15,000	25,000	60,000
\$1,000,000 Peppermint Payout	600	1,250	7,500	12,500	30,000

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Game indicates that the non-prize-determinative play sequence shall result in an award of an Entry-doubler Prize, the play sequence will show the player winning the Entry-doubler and receiving double the number of entries that were assigned to the Qualifying Ticket entered for the Game's drawing. The following table sets forth the approximate number of Entry-doubler Prizes and the approximate odds of winning an Entry-doubler Prize:

<i>Qualifying Ticket</i>	<i>Approximate Number of Entry Doubler Winners</i>	<i>Approximate Odds Are 1 in:</i>
	Cookie Dough '14	7,573,425
Secret Santa '14	2,463,744	4
Merry & Bright	1,717,253	4
Holiday Gifts '14	2,307,367	4
Freezin' Greetings '14	755,833	6
\$1,000,000 Peppermint Payout	551,638	6

(4) The Lottery will conduct one Game drawing from among all the entries received during the entry period. The first entry selected in the drawing will be the winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required federal income tax withholding. This prize shall be paid as a lump-sum cash payment. The drawing will occur between January 6, 2015 and January 7, 2015.

(e) *Game Drawing.*

(1) The odds of winning the Game's drawing depends upon the number of entries received for the drawing.

(2) A computer-generated randomizer will be used to select the Game's drawing winner.

(3) To be eligible to participate in the Game and drawing, entrants must have complied with the requirements of these rules.

(4) The Lottery is not responsible for late, lost or misdirected entries not entered into the Game. The Lottery is not responsible for entries that are not entered into the Game because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Pennsylvania Lottery's Game entry is selected as a winner and rejected during or following the Game drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(5) A computer generated randomizer will be used to select the winning entry for the Game's drawing.

(6) If any discrepancy exists between these rules and any material describing the Game, these rules shall govern.

(7) Employees of the Pennsylvania Lottery, MARC Advertising, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Game. Offer void where prohibited or restricted.

(8) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Game and change these rules if the Game cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Game.

(9) All entries shall be subject to verification by the Pennsylvania Lottery.

(10) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Game or to be acting in violation of these rules or applicable law.

(11) The Game is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(12) Winners of instant cash prizes awarded in the Game must claim their prize within 1 year of the date the prize was won. If no claim is made within 1 year of the date the prize was won, the right of an entrant to claim

the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(13) The winner of the Game's drawing must claim their prize within 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 year of the date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(14) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(15) The payment of a prize awarded in the Game 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).

(16) A winner is responsible for all taxes arising from or in connection with any prize won.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Secret Santa '14 instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Secret Santa '14, prize money from winning Pennsylvania Secret Santa '14 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 Secret Santa '14 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Secret Santa '14 or through normal communications methods.

DANIEL MEUSER,
Secretary

[Pa.B. Doc. No. 14-2214. Filed for public inspection October 24, 2014, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

West Pike Run Township Municipal Authority v. DEP; EHB Doc. No. 2014-141-R

The West Pike Run Township Municipal Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to West Pike Run Township Municipal Authority for the West Pike Run Township Municipal Authority STP in West Pike Run Township, Washington 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. 14-2215. Filed for public inspection October 24, 2014, 9:00 a.m.]

FISH AND BOAT COMMISSION

Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the addition of one stream section to its list of Class A Wild Trout Streams as set forth at 44 Pa.B. 5155 (July 26, 2014).

Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout popula-

tions represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 14-2216. Filed for public inspection October 24, 2014, 9:00 a.m.]

Classification of Wild Trout Streams; Additions and Adjustments

The Fish and Boat Commission (Commission) has approved the addition of eight new waters to its list of wild trout streams and the adjustment of the section limits of two waters on the list as published at 44 Pa.B. 5154 (July 26, 2014).

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams, and it is available on the Commission's web site at http://www.fish.state.pa.us/trout_repro.htm.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 14-2217. Filed for public inspection October 24, 2014, 9:00 a.m.]

Proposed Special Regulation Redesignation; Pine Creek, Lycoming County

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on January 21 and 22, 2015, the Commission will consider a proposal to remove the designation of Pine Creek, Lycoming County, from the confluence of Slate Run downstream to the confluence of Bonnell Run, as a Delayed Harvest Artificial Lures Only Area under 58 Pa. Code § 65.6 (relating to delayed harvest artificial lures only areas) and designate it as a Catch and Release All-tackle Area under 58 Pa. Code § 65.15 (relating to catch and release all-tackle areas), effective upon publication in the *Pennsylvania Bulletin*.

At this time, the Commission is soliciting public input concerning this redesignation. Persons with comments, objections or suggestions concerning the redesignation are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 60 days after publication of this notice 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

[Pa.B. Doc. No. 14-2218. Filed for public inspection October 24, 2014, 9:00 a.m.]

GAME COMMISSION

Temporary Closure of Hunting and Trapping Seasons Within Affected Portions of Wildlife Management Unit 3D and Temporary Closure of Affected Portions of State Game Lands 180, 183 and 221

Addendum Order #1

Whereas, On October 1, 2014, the Commission authorized: 1) the temporary closure of all hunting and trapping seasons within affected portions of Wildlife Management Unit 3D; and 2) the temporary closure of all public access to affected portions of State Game Lands 180, 183 and 221 in an effort to reduce or eliminate possible safety risks to hunters, trappers and to the general public in connection with the ongoing manhunt for the fugitive Eric Matthew Frein; and

Whereas, The Commission has since determined, in consultation with Pennsylvania State Police, that: 1) the closure of all hunting and trapping seasons within Lehman and portions of Blooming Grove and Porter Townships, Pike County can now be lifted; and 2) the closure of portions of State Game Land 180 located within Blooming Grove Township, Pike County can also be lifted; and

Whereas, Section 322 of the Game and Wildlife Code (34 Pa.C.S. § 322) authorizes the Commission to reduce or close any hunting or trapping season and otherwise take any necessary action to accomplish and assure the purposes of the Game and Wildlife Code, including assuring the health and safety of persons who hunt or take game or wildlife; and

Whereas, Section 135.41 (relating to state game lands) of Title 58 of the *Pennsylvania Code* (58 Pa. Code § 135.41) authorizes the Executive Director to close State Game Lands or portions thereof, when certain specified uses may conflict with the Commission's management or administration of State Game Lands.

Now Therefore, it is hereby ordered that:

1. Subject to the requirements of paragraph 6 below, the October 1, 2014 closure of all hunting and trapping seasons within affected portions of Pike County is rescinded as follows:

- a. Lehman Township—In its entirety;
 - b. Blooming Grove Township—Starting from its northern border of US Route 6 and thence moving in a southerly and westerly direction, those portions east of State Route 739, south of US Route 84 and east of State Route 402; and
 - c. Porter Township—Those portions east of State Route 402.
2. The October 1, 2014 closure of all hunting and trapping seasons within Pike County shall remain in full force and effect as follows:
- a. Greene Township—In its entirety;
 - b. Blooming Grove Township—Starting from its northern border of US Route 6 and thence moving in a southerly and westerly direction, those portions west of State Route 739, north of US Route 84 and west of State Route 402; and
 - c. Porter Township—Those portions west of State Route 402.

3. The October 1, 2014 closure of all hunting and trapping seasons within Price, Barrett and Paradise Townships, Monroe County shall remain in full force and effect.

4. The October 1, 2014 closure of those portions of State Game Lands 180 located within Blooming Grove Township, Pike County is rescinded in all portions east of State Route 739.

5. The October 1, 2014 closure of those portions of State Game Land 180 located west of State Route 739, State Game Land 183 located with Blooming Grove Township, Pike County and State Game Land 221 located within Barrett and Paradise Townships, Monroe County shall remain in full force and effect.

6. All persons participating in any hunting or trapping season within the open portions of Blooming Grove, Porter and Lehman Townships, Pike County shall wear a minimum of 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined so that it is visible in a 360° arc at all times while hunting or trapping or going to or from hunting or trapping locations.

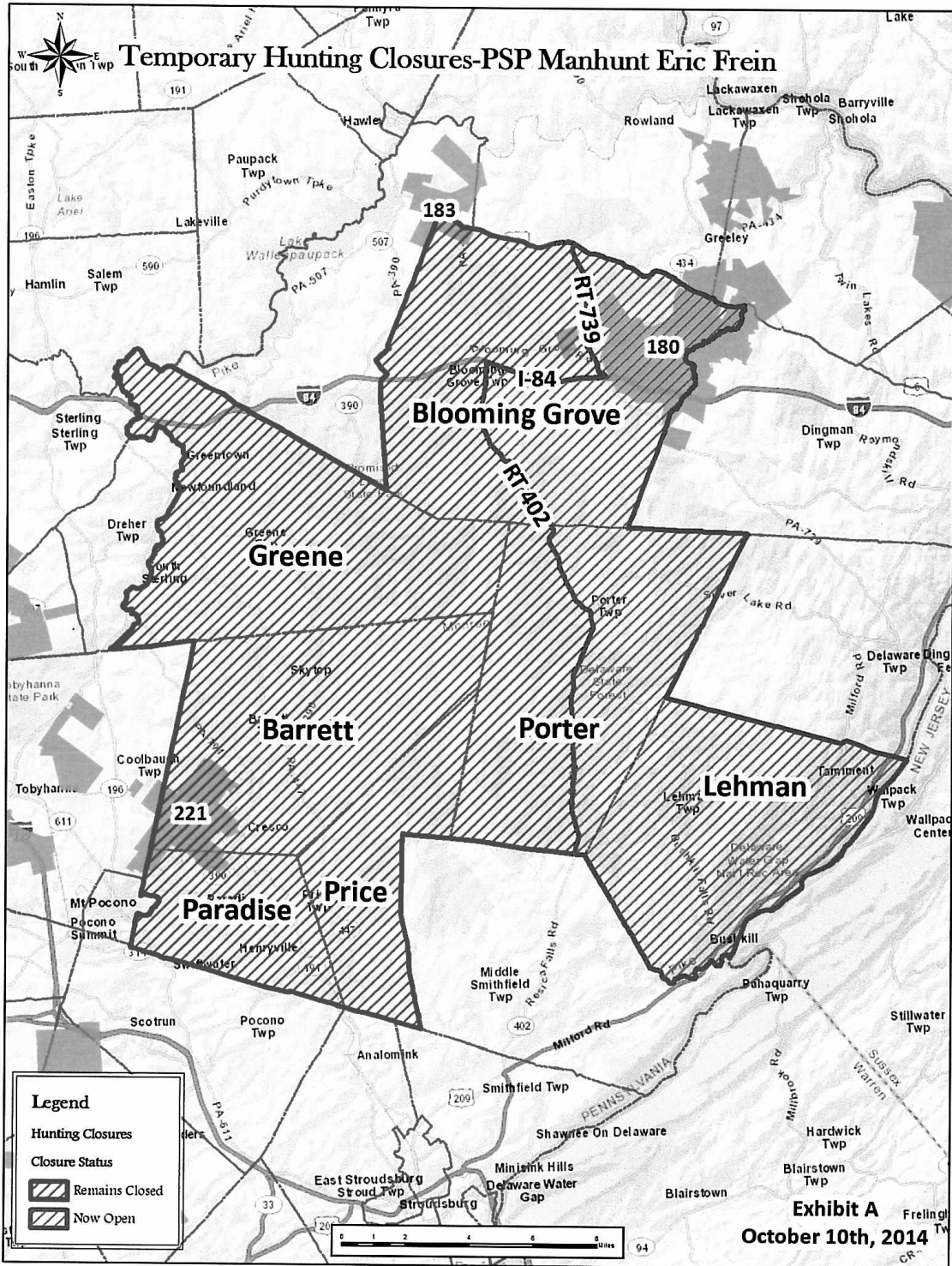
7. The requirements of paragraph 6 shall not apply to any person lawfully participating in any waterfowl season while in a stationary hunting position. The requirements of paragraph 6 shall continue to apply in full force and effect to any person lawfully participating in any waterfowl season while in motion or going to or from hunting locations.

8. The requirements of paragraph 6 are solely intended to raise the minimum protective material requirements for all affected seasons. As such, the requirements of paragraph 6 shall not be construed in any manner to reduce any greater protective material requirements established for any given season as set forth in 58 Pa. Code § 141.20.

9. This Order is effective immediately and shall remain in full force and effect until rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 10th day of October 2014.

R. MATTHEW HOUGH,
Executive Director



[Pa.B. Doc. No. 14-2219. Filed for public inspection October 24, 2014, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within two years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
#16A-723	Bureau of Professional and Occupational Affairs Schedule of Civil Penalties—Massage Therapists 44 Pa.B. 5487 (August 16, 2014)	09/15/14	10/15/14

**Bureau of Professional and Occupational Affairs
Regulation #16A-723 (IRRC #3069)
Schedule of Civil Penalties—Massage Therapists
October 15, 2014**

We submit for your consideration the following comments on the proposed rulemaking published in the August 16, 2014 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Bureau of Professional and Occupational Affairs (Bureau) to respond to all comments received from us or any other source.

Consistency with the Statute and Clarity.

As explained below, some of the citations to the Massage Therapy Law (Law) and the “Title/Description” are not clear. We ask the Bureau to review and amend the following for consistency with the statute and clarity:

- The first two citations to §§ 627.6(b)(i) and (ii) of the Law omit Paragraph (1) and should actually reference 63 P.S. §§ 627.6(b)(1)(i) and (ii).

- The reference to § 627.14 of the Law appears to be too broad. We presume it should be narrowed to § 627.14(a), based on the corresponding description.

- There is a citation to § 627.14(b) of the Law, but the corresponding description discusses an expired license, whereas the cited Law addresses the use of titles, and does not mention expiration of a license.

- Section 627.14(e) of the Law describes three conditions in the requirement to practice with “a valid, unexpired, unrevoked and unsuspended license.” However, the regulation only describes one category of a penalty for practicing on an expired license. The regulation should be consistent with the statute by including all three conditions set forth in the Law.

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 14-2220. Filed for public inspection October 24, 2014, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from www.irrc.state.pa.us.

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
#16-56	Department of State Lobbying Disclosure Registration Fee	10/07/14	10/23/14
<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
#125-184	Pennsylvania Gaming Control Board Possession of Weapons within a Licensed Facility	10/10/14	11/20/14
#6-332	State Board of Education Student Attendance	10/10/14	11/20/14

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
#17-76	Municipal Police Officers' Education and Training Commission Retired Law Enforcement Officers Identification and Qualification Cards	10/10/14	11/20/14

JOHN F. MIZNER, Esq.,
Chairperson

[Pa.B. Doc. No. 14-2221. Filed for public inspection October 24, 2014, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental General Insurance Company; Rate Increase Filing for Forms 405, 420 and 432

Continental General Insurance Company is requesting approval to increase the premium 63.8% on 167 policyholders of the following individual LTC policy form numbers: 405, 420 and 432.

Unless formal administrative action is taken prior to January 8, 2015, 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, 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. 14-2222. Filed for public inspection October 24, 2014, 9:00 a.m.]

General Guidance for Disclosure of Prescribed Differences from NAIC Statutory Accounting Principles; Notice No. 2014-12

This document supersedes the notice published at 39 Pa.B. 6849 (November 28, 2009) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

By Insurance Department Notice Nos. 1998-04 and 2000-02, all types of domestic insurers were advised of the requirement to adhere to the NAIC's codified *Accounting Practices and Procedures Manual* (Manual) in preparing financial statements to be filed with the Insurance Department (Department). The Manual establishes a comprehensive basis of accounting to be adhered to when not in conflict with the statutes or regulations of an insurer's domiciliary state or when the domiciliary state's statutes and regulations are silent. It does not preempt the legislative or regulatory authority of the states.

The Department has identified the following Pennsylvania laws and regulations regarding statutory financial statement presentation that may require disclosure¹ in the notes to financial statements and certified public accountant (CPA) audit reports filed by domestic insurers:

<i>Pennsylvania Laws and Regulations</i>	<i>NAIC Statements of Statutory Accounting Principles (SSAP) and Appendices</i>
31 Pa. Code § 161.6 (relating to revocation of reinsurer qualification or certification)	A-785 Credit for Reinsurance (9.e.)
Section 1008 of The Insurance Company Law of 1921 (40 P. S. § 968), regarding reserves of reciprocal and inter-insurance exchanges	SSAP No. 53 Property Casualty Contracts—Premiums
31 Pa. Code Chapter 84a (relating to minimum reserve standards for individual and group health and accident insurance contracts)	SSAP No. 54 Individual and Group Accident and Health Contracts and A-010 Minimum Reserve Standards for Individual and Group Health Insurance Contracts
Sections 714—716 of The Insurance Company Law of 1921 (40 P. S. §§ 910-14—910-16), regarding unearned premium reserves of title insurance companies	SSAP No. 57 Title Insurance and A-628 Title Insurance
31 Pa. Code Chapter 116 (relating to discounting of worker's compensation loss reserves)	SSAP No. 55 Unpaid Claims, Losses and Loss Adjustment Expenses and No. 65 Property and Casualty Contracts
Section 661 of The Insurance Company Law of 1921 (40 P. S. § 832), regarding premium reserves of surety companies	SSAP No. 53 Property Casualty Contracts—Premiums
Section 2434(d) of The Insurance Company Law of 1921 (40 P. S. § 991.2434(d)), regarding payment of deficiencies for fraternal benefit societies	SSAP No. 4 Definitions of Assets and Non-admitted Assets

¹ See SSAP No. 1, Disclosure of Accounting Policies, Risks & Uncertainties, and Other Disclosures and A-205, Illustrative Disclosure of Differences Between NAIC Statutory Accounting Practices and Procedures and Accounting Practices Prescribed or Permitted by the State of Domicile in the Manual.

*Pennsylvania Laws
and Regulations*

Section 319.1(b)(5) of The Insurance Company Law of 1921 (40 P. S. § 442.1(b)(5)), regarding to any other form of security acceptable to the Insurance Commissioner

*NAIC Statements of
Statutory Accounting
Principles (SSAP) and
Appendices*

SSAP No. 62R, A-785

This notice provides general guidance to assist in a domestic insurer's review of Pennsylvania laws and regulations to identify required disclosures in financial statements and CPA audit reports. The laws and regulations referenced in this notice are not intended to be an all-inclusive list.

Questions concerning this notice may be directed to Stephen J. Johnson, CPA, Deputy Insurance Commissioner, Insurance Department, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2142, fax (717) 787-8557, stjohanson@pa.gov.

MICHAEL F. CONSEDINE,
Insurance Commissioner

[Pa.B. Doc. No. 14-2223. Filed for public inspection October 24, 2014, 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 offices in Harrisburg and Pittsburgh, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearing Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Linda Nechetsky-Ruiz; file no. 14-119-171874; Nationwide Property & Casualty Insurance Company; Doc. No. P14-10-004; December 2, 2014, 10 a.m.

The following hearings will be held in Room 2019 Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Richard Mursch; file no. 14-116-169757; Erie Insurance Exchange; Doc. No. P14-08-022; November 20, 2014, 10 a.m.

Appeal of Carla Difante; file no. 14-188-168581; Travelers Home & Marine Insurance Company; Doc. No. P14-07-017; November 20, 2014, 1 p.m.

Appeal of Thomas Bensor; file no. 14-130-169107; State Farm Mutual Automobile Insurance; Doc. No. P14-08-021; November 20, 2014, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both.

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. 14-2224. Filed for public inspection October 24, 2014, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P. S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Hearing Room 2019, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Millville Mutual Insurance Company; file no. 14-130-171446; Estate of David White; Doc. No. P14-09-017; November 20, 2014, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence, or both. 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. 14-2225. Filed for public inspection October 24, 2014, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 1

Under the Milk Marketing Law (31 P.S. § 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 1 on December 3, 2014, at 10 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 1. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2013 and 2014; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 1. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 1.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by (1) having their attorney file with the Board on or before 3 p.m. on November 6, 2014, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on November 6, 2014, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, email or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on November 12, 2014, Board Staff shall file with the Board, in person or by mail, one original and five single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on November 19, 2014, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on November 26, 2014, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Regardless whether these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on November 21, 2014.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 14-2226. Filed for public inspection October 24, 2014, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the Milk Marketing Law (31 P.S. § 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 2 on December 3, 2014, at 10:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2013 and 2014; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937,

evidence and testimony will be considered regarding the heating fuel adjuster in Area 2. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 2.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by (1) having their attorney file with the Board on or before 3 p.m. on November 6, 2014, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on November 6, 2014, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, email or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on November 12, 2014, Board Staff shall file with the Board, in person or by mail, one original and five single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on November 19, 2014, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on November 26, 2014, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Regardless whether these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on November 21, 2014.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 14-2227. Filed for public inspection October 24, 2014, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 3

Under the Milk Marketing Law (31 P.S. § 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 3 on December 3, 2014, at 11 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 3. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2013 and 2014; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 3. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 3.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by (1) having their attorney file with the Board on or before 3 p.m. on November 6, 2014, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on November 6, 2014, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, email or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@pa.gov.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on November 12, 2014, Board Staff shall file with the Board, in person or by mail, one original and five single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on November 19, 2014, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on November 26, 2014, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other

proceedings before the Board or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Regardless whether these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on November 21, 2014.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 14-2228. Filed for public inspection October 24, 2014, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 11, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2014-2438829. Philadelphia Care, Inc. t/a Citizen Care Ambulance (434 East Wyoming Avenue, Philadelphia, Philadelphia County, PA 19120) for the right to begin to transport as a contract carrier, by motor vehicle in wheelchair vans, persons for Access to Care and Logisticare between points in the Counties of Bucks, Delaware, Montgomery and Philadelphia.

A-2014-2439084. Victor R. Johnsons t/a Miracle Transport Services (654 Patriot Drive, Lancaster, Lancaster County, PA 17601) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons who do not have valid licenses or who are physically or mentally impaired, from points in Berks, Chester, Dauphin, Lancaster and Lebanon Counties, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2229. Filed for public inspection October 24, 2014, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due November 10, 2014, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement; v. Paul E. Rosensteel t/a P&R Moving; Doc. No. C-2014-2407275

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Paul E. Rosensteel, P&R Moving, Respondent, maintains its principal place of business at Mountain View Specialty Care, 227 Sand Hill Rd., Greensburg, PA, 15601.

2. That, on the date of the violation alleged in this Complaint, Respondent DID NOT hold a Certificate of Public Convenience issued by this Commission.

3. That Information before this Commission indicates that on June 8, 2013, Respondent transported household goods in use for compensation between points in the Commonwealth of Pennsylvania, for Michelle Sloane.

4. That Respondent, in performing the act described in Paragraph 3 of this Complaint, violated 66 Pa.C.S. § 1101, in that Respondent transported property for compensation between points in the Commonwealth of Pennsylvania while not then holding a Certificate of Public Convenience issued by this Commission. The Bureau of Investigation and Enforcement's Prosecutory Staff's proposed civil penalty for this violation is \$1,000.00. Future violations may result in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Paul E. Rosensteel, t/a P&R Moving, the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/13/2014

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this Complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the Complaint proceeding shall be closed. In such case, to prevent the suspension of your vehicle registration(s), you must file an affidavit stating that you understand the rules and regulations of the Commission and that you will no longer provide transportation between points in the Commonwealth of Pennsylvania without first obtaining a Certificate of Public Convenience issued by this Commission. If no affidavit is received within the twenty (20) day time period, the Bureau of Transportation will

proceed with the request for suspension of your vehicle registration(s). Your response should be directed to:

Pennsylvania Public Utility Commission
Bureau of Technical Utility Services
Compliance Office
P. O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2230. Filed for public inspection October 24, 2014, 9:00 a.m.]

Transfer by Sale

A-2014-2447585. Pennsylvania Power Company.
Application of Pennsylvania Power Company for approval of the transfer by sale to Hodge Foundry, Inc. facilities located in Greenville Borough, Mercer County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before November 10, 2014. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Pennsylvania Power Company

Through and By Counsel: Tori L. Giesler, Esquire,
FirstEnergy, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 14-2231. Filed for public inspection October 24, 2014, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Motor Carrier Transfer Application for Limousine Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following named applicant

at Docket No. A-14-10-01 and published on October 25, 2014, in the *Pennsylvania Bulletin*. The company has applied to transfer the rights held by Family Car Service, Inc. (CPC No. 1016693-07) to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Academy Limousine Service, Inc., 4430 Carwithan Street, Philadelphia, PA 19136, registered with the Commonwealth on June 16, 2014.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by November 10, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 14-2232. Filed for public inspection October 24, 2014, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-090.3, Packer Avenue Building/Roof Leader Modification, until 2 p.m. on Tuesday, November 25, 2014. Information (including mandatory prebid information) can be obtained from the web site at www.philaport.com under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 14-2233. Filed for public inspection October 24, 2014, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

January 21, 2015 Bernard J. Ridgeley 1 p.m.
(Purchase of Service)

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Book, Assistant to the Executive Director at (717) 720-4617 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 14-2234. Filed for public inspection October 24, 2014, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Chau Nails and Spa; Doc. No. 1386-45-2014

On August 12, 2014, Chau Nails and Spa, license nos. CY195707 and CZ117266 of Lancaster, Lancaster County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Juan A. Ruiz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

KARIE M. SCHOENEMAN,
Chairperson

[Pa.B. Doc. No. 14-2235. Filed for public inspection October 24, 2014, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Sarah E. McGahan, LPN; File No. 14-51-07405; Doc. No. 1314-51-2014

On October 9, 2014, Sarah E. McGahan, license no. PN262619, last known of Shade Gap, Huntingdon County, was automatically suspended for 10 years from the date of conviction for a violation of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the

Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 14-2236. Filed for public inspection October 24, 2014, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Wendy R. Rhone, LPN; File No. 14-51-06850; Doc. No. 1312-51-2014

On October 9, 2014, Wendy R. Rhone, license no. PN260672L, last known of Mount Union, Huntingdon County and Fannettsburg, Franklin County, was automatically suspended for 1 year retroactive to July 31, 2014, for a violation of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 14-2237. Filed for public inspection October 24, 2014, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth’s Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and order management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachael Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Gretna View Farms 3709 North Colebrook Road Manheim, PA 17545	Lancaster County/ Mt. Joy Township	184	Layers	New	Approved
Brent A. Landis 891 North Little Britain Road Quarryville, PA 17566	Lancaster County/ East Drumore Township	198.22	Broilers	New	Approved
Noah W. Kreider & Sons, LLP—Risser Farm 1104 Woodlot Road Manheim, PA 17545	Lancaster County/ Penn Township	142	Pullets	New	Approved

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Hillcrest Saylor Dairy Farms, LLC—Shawn's Farm 651 Duppsstadt Road Rockwood, PA 15557	Somerset County/ Middlecreek Township	30	Cattle	New	Approved
Dale Weaver—Lebanon Farm 960 Stracks Dam Road Lebanon, PA 17046	Lebanon County/ Bethel Township	146.41	Layers	New	Approved
Drew Remley— David Remley Steer Farm 735 Salt Spring Road Roaring Branch, PA 17765	Tioga County/ Liberty Township	7.6	Cattle	New	Approved
Pigeon Hill Farms, LLC 9078 Orchard Road Spring Grove, PA 17362	York County/ Jackson Township	286.24	Pullet	New	Approved

DANA K. AUNKST,
Acting Chairperson

[Pa.B. Doc. No. 14-2238. Filed for public inspection October 24, 2014, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects from June 1, 2014, through July 31, 2014.

For further information contact Jason E. Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period specified previously:

Approvals By Rule Issued Under 18 CFR 806.22(e):

1. Mayapple Real Estate Holdings, Mayapple Golf Links, ABR-201406001, South Middletown Township, Cumberland County, PA; Consumptive Use of Up to 0.200 mgd; Approval Date: July 3, 2014.

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. Southwestern Energy Production Company, Pad ID: NR-03-COLWELL WEST-PAD, ABR-201406002, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: June 4, 2014.

2. Southwestern Energy Production Company, Pad ID: NR-17-COLEMAN-PAD, ABR-201406003, Great Bend and Oakland Townships, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: June 4, 2014.

3. Chief Oil & Gas LLC, Pad ID: Baumunk North B Drilling Pad, ABR-201406004, Fox Township, Sullivan County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: June 4, 2014.

4. Chief Oil & Gas LLC, Pad ID: Wissler Drilling Pad, ABR-201406005, McNett Township, Lycoming County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: June 4, 2014.

5. Chief Oil & Gas LLC, Pad ID: Clear Springs Dairy Drilling Pad #1, ABR-200091214.R1, Burlington Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: June 4, 2014.

6. Range Resources—Appalachia, LLC, Pad ID: Gulf USA 67H, ABR-201406006, Snow Shoe Township, Centre County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: June 6, 2014.

7. Southwestern Energy Production Company, Pad ID: Chamberlin, ABR-201008088.R1, Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: June 9, 2014.

8. Southwestern Energy Production Company, Pad ID: Strong Pad, ABR-201009085.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: June 9, 2014.

9. Southwestern Energy Production Company, Pad ID: Ross Pad, ABR-201009086.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: June 9, 2014.

10. Ultra Resources Inc., Pad ID: T Pierson Pad, ABR-20090903.R1, Gaines Township, Tioga County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: June 10, 2014.

11. Seneca Resources Corporation, Pad ID: CRV D08-Pad G, ABR-201406007, Norwich Township, McKean County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: June 13, 2014.

12. Chief Oil & Gas LLC, Pad ID: Clark Drilling Pad, ABR-201406008, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: June 13, 2014.

13. Anadarko E&P Onshore LLC, Pad ID: Lycoming H&FC Pad B, ABR-201009099.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 13, 2014.

14. Range Resources—Appalachia, LLC, Pad ID: Laurel Hill 1, ABR-20100154.R1, Jackson Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: June 13, 2014.

15. Chief Oil & Gas LLC, Pad ID: Czop Drilling Pad, ABR-201406009, Fox Township, Sullivan County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: June 16, 2014.

16. Chesapeake Appalachia, LLC, Pad ID: Judd, ABR-20090534.R1, Monroe Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 16, 2014.

17. Chesapeake Appalachia, LLC, Pad ID: Benscoter, ABR-20090601.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 16, 2014.

18. Chesapeake Appalachia, LLC, Pad ID: Chancellor, ABR-20090532.R1, Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 16, 2014.

19. Chesapeake Appalachia, LLC, Pad ID: Clapper, ABR-20090533.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 16, 2014.

20. Chesapeake Appalachia, LLC, Pad ID: Evanchick, ABR-20090604.R1, Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 16, 2014.

21. Chesapeake Appalachia, LLC, Pad ID: Mowry, ABR-20090527.R1, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 17, 2014.

22. Chesapeake Appalachia, LLC, Pad ID: May, ABR-20090528.R1, Granville Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 17, 2014.

23. Chesapeake Appalachia, LLC, Pad ID: VanNoy, ABR-20090535.R1, Granville Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 17, 2014.

24. Chesapeake Appalachia, LLC, Pad ID: Przybyszewski, ABR-20090555.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 17, 2014.

25. Chesapeake Appalachia, LLC, Pad ID: Strom, ABR-20090602.R1, Monroe Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 17, 2014.

26. Chesapeake Appalachia, LLC, Pad ID: Vargson, ABR-20090605.R1, Granville Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 17, 2014.

27. Seneca Resources Corporation, Pad ID: CRV Pad C08-X, ABR-201406010, Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: June 26, 2014.

28. Southwestern Energy Production Company, Pad ID: Ball, ABR-201007060.R1, Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: June 26, 2014.

29. Chesapeake Appalachia, LLC, Pad ID: Welles 1, ABR-20090610.R1, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: June 26, 2014.

30. Talisman Energy USA, Inc., Pad ID: Castle 01 047, ABR-20100128.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 26, 2014.

31. Talisman Energy USA, Inc., Pad ID: Hoover G 017, ABR-20100108.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 26, 2014.

32. Talisman Energy USA, Inc., Pad ID: Foust J 1H, ABR-20100109.R1, Granville Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 26, 2014.

33. Talisman Energy USA, Inc., Pad ID: Lutz T1, ABR-20100110.R1, Troy Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 26, 2014.

34. Talisman Energy USA, Inc., Pad ID: Vanblarcom R 004, ABR-20100103.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 30, 2014.

35. Talisman Energy USA, Inc., Pad ID: Lutz T2, ABR-20100111.R1, Troy Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 30, 2014.

36. Talisman Energy USA, Inc., Pad ID: TWL Assoc 01 016, ABR-20100129.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 30, 2014.

37. Talisman Energy USA, Inc., Pad ID: Thomas FT 2, ABR-20100113.R1, Troy Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 30, 2014.

38. Talisman Energy USA, Inc., Pad ID: Thomas FT 1, ABR-20100112.R1, Troy Township, Bradford County, PA; Consumptive Use of Up to 3.000 mgd; Approval Date: June 30, 2014.

39. Chesapeake Appalachia, LLC, Pad ID: Deremer, ABR-201407001, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: July 1, 2014.

40. Chesapeake Appalachia, LLC, Pad ID: Windswept, ABR-201407002, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: July 1, 2014.

41. Cabot Oil & Gas Corporation, Pad ID: WeissM P1, ABR-201407003, Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: July 1, 2014.

42. Cabot Oil & Gas Corporation, Pad ID: ShieldsG P2, ABR-20091023.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: July 1, 2014.

43. Cabot Oil & Gas Corporation, Pad ID: HibbardAM P2, ABR-20091224.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: July 1, 2014.

44. Southwestern Energy Production Company, Pad ID: Behrend Pad, ABR-201010031.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: July 1, 2014.

45. Southwestern Energy Production Company, Pad ID: Reeve Pad, ABR-20100403.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 1, 2014.
46. Southwestern Energy Production Company, Pad ID: Belcher Pad, ABR-201011015.R1, Clifford Township, Susquehanna County, PA; Consumptive Use of Up to 4.990 mgd; Approval Date: July 1, 2014.
47. Cabot Oil & Gas Corporation, Pad ID: HibbardAM P1, ABR-20091223.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: July 2, 2014.
48. Southwestern Energy Production Company, Pad ID: Ferguson, ABR-20100201.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 2, 2014.
49. Southwestern Energy Production Company, Pad ID: Robinson, ABR-20100653.R1, Stevens Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 2, 2014.
50. Southwestern Energy Production Company, Pad ID: Greenzweig (GU C Pad), ABR-201407004, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 2, 2014.
51. Pennsylvania General Energy Company, LLC, Pad ID: Tract 729 well #2384, ABR-20090734.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 9, 2014.
52. Pennsylvania General Energy Company, LLC, Pad ID: State Forest Tract 293 well pad #1, ABR-20090735.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.900 mgd; Approval Date: July 9, 2014.
53. Chief Oil & Gas LLC, Pad ID: Walters Unit #1H, ABR-20100135.R1, West Burlington Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: July 9, 2014.
54. Chief Oil & Gas LLC, Pad ID: Elliott Drilling Pad #1H, ABR-20100136.R1, Monroe Township, Bradford County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: July 9, 2014.
55. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 027C Pad A, ABR-201407005, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: July 11, 2014.
56. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 027C Pad B, ABR-201407006, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: July 11, 2014.
57. Chief Oil & Gas LLC, Pad ID: SGL-12 A Drilling Pad, ABR-201407007, Overton Township, Bradford County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: July 14, 2014.
58. Chesapeake Appalachia, LLC, Pad ID: White SUS, ABR-201407008, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: July 15, 2014.
59. Chesapeake Appalachia, LLC, Pad ID: McDonough, ABR-201407009, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: July 14, 2014.
60. Southwestern Energy Production Company, Pad ID: NR-20-COLWELL-PAD, ABR-201407010, Oakland Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 14, 2014.
61. Cabot Oil & Gas Corporation, Pad ID: PowersN P2, ABR-201407011, Middletown Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: July 22, 2014.
62. Southwestern Energy Production Company, Pad ID: Price (PU BB Pad), ABR-201407012, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 22, 2014.
63. WPX Energy Appalachia, LLC, Pad ID: Micks Pad Site, ABR-20090938.R1, Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 3.999 mgd; Approval Date: July 23, 2014.
64. Chief Oil & Gas LLC, Pad ID: Bacon Drilling Pad #1, ABR-20100202.R1, Burlington Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: July 23, 2014.
65. Chief Oil & Gas LLC, Pad ID: Dacheux B Drilling Pad, ABR-201407013, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: July 23, 2014.
66. Chief Oil & Gas LLC, Pad ID: Reibson Drilling Pad, ABR-201407014, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: July 23, 2014.
67. Southwestern Energy Production Company, Pad ID: RU-72-FOLKVAR-D-PAD, ABR-201407016, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: July 28, 2014.
68. Range Resources—Appalachia, LLC, Pad ID: Cornwall 6H-8H, ABR-201407017, Lewis Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: July 28, 2014.
69. Range Resources—Appalachia, LLC, Pad ID: Roupp, ABR-201407018, Mifflin Township, Lycoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: July 28, 2014.
70. EOG Resources, Inc., Pad ID: LEE 1H, ABR-20091122.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 1.999 mgd; Approval Date: July 29, 2014.
71. EOG Resources, Inc., Pad ID: LEE 2H, ABR-20091123.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 1.999 mgd; Approval Date: July 29, 2014.
72. EOG Resources, Inc., Pad ID: LEE 3H, ABR-20091124.R1, Springfield Township, Bradford County, PA; Consumptive Use of Up to 1.999 mgd; Approval Date: July 29, 2014.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: October 8, 2014.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 14-2239. Filed for public inspection October 24, 2014, 9:00 a.m.]

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects from August 1, 2014, through September 30, 2014.

For further information contact Jason E. Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumption uses of water) for the time period specified previously:

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. WPX Energy Appalachia, LLC, Pad ID: Knosky Pad Site, ABR-20090915.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 3.999 mgd; Approval Date: August 4, 2014.
2. Citrus Energy Corporation, Pad ID: Procter & Gamble Mehoopany Plant 2 1H, ABR-20091104.R1, Washington Township, Wyoming County, PA; Consumptive Use of Up to 5.000 mgd; Approval Date: August 4, 2014.
3. SWEPI LP, Pad ID: Courtney 129 1H-2H, ABR-20090729.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 4, 2014.
4. SWEPI LP, Pad ID: 212 1H, ABR-20090727.R1, Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 4, 2014.
5. SWEPI LP, Pad ID: 235A 1H, ABR-20090728.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 4, 2014.
6. SWEPI LP, Pad ID: Courtney H 255-1H, ABR-20090730.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 4, 2014.
7. SWEPI LP, Pad ID: Neal 134D, ABR-20090731.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 4, 2014.
8. SWEPI LP, Pad ID: Kipferl 261-1H, ABR-20090732.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 4, 2014.
9. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 018, ABR-20100219.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 4, 2014.
10. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 008, ABR-20100220.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 4, 2014.
11. Talisman Energy USA, Inc., Pad ID: Putnam 01 077, ABR-20100212.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 6, 2014.
12. Talisman Energy USA, Inc., Pad ID: Lutz 01 015, ABR-20100213.R1, Troy Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 6, 2014.
13. Talisman Energy USA, Inc., Pad ID: Longnecker 03 008, ABR-20100223.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 6, 2014.
14. Talisman Energy USA, Inc., Pad ID: Harvest Holdings 01 036, ABR-20100225.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 6, 2014.
15. Talisman Energy USA, Inc., Pad ID: Barrett 03 009, ABR-20100230.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 6, 2014.
16. Talisman Energy USA, Inc., Pad ID: Boor 03 015, ABR-20100232.R1, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 6, 2014.
17. Talisman Energy USA, Inc., Pad ID: Putnam 01 076, ABR-20100233.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: August 6, 2014.
18. Chesapeake Appalachia, LLC, Pad ID: Hunter, ABR-201408001, Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 8, 2014.
19. Chesapeake Appalachia, LLC, Pad ID: Kent, ABR-20090726.R1, Towanda Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 12, 2014.
20. Chesapeake Appalachia, LLC, Pad ID: Hershberger, ABR-20090739.R1, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 12, 2014.
21. Cabot Oil & Gas Corporation, Pad ID: LaRueC P3, ABR-20100138.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 12, 2014.
22. Cabot Oil & Gas Corporation, Pad ID: Baker P1, ABR-20100149.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 12, 2014.
23. Seneca Resources, Pad ID: CRV Pad C09-G, ABR-201408002, Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 12, 2014.
24. Chesapeake Appalachia, LLC, Pad ID: Fitzsimmons, ABR-20090809.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 15, 2014.
25. Chesapeake Appalachia, LLC, Pad ID: Bacorn, ABR-201408003, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 15, 2014.
26. Cabot Oil & Gas Corporation, Pad ID: ChudleighW P2, ABR-20100137.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 15, 2014.
27. Cabot Oil & Gas Corporation, Pad ID: CarlsonW P1, ABR-20100145.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: August 15, 2014.
28. Cabot Oil & Gas Corporation, Pad ID: ColwellA P1, ABR-201408004, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: August 18, 2014.

29. Chesapeake Appalachia, LLC, Pad ID: Farr, ABR-20090907.R1, Towanda Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 18, 2014.

30. Chesapeake Appalachia, LLC, Pad ID: Sharer, ABR-20090913.R1, Stevens Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 18, 2014.

31. Chesapeake Appalachia, LLC, Pad ID: Welles 2, ABR-20090940.R1, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 18, 2014.

32. Chesapeake Appalachia, LLC, Pad ID: Martin, ABR-20090906.R1, Granville Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 19, 2014.

33. Southwestern Energy Production Company, Pad ID: NR-23-FOUR BUCKS-PAD, ABR-201408005, Great Bend Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: August 19, 2014.

34. Chief Oil & Gas, LLC, Pad ID: Kupscznk Drilling Pad #1, ABR-20100224.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: August 19, 2014.

35. Chief Oil & Gas, LLC, Pad ID: PA Woodlands Drilling Pad, ABR-201408006, Fox Township, Sullivan County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: August 19, 2014.

36. Chief Oil & Gas, LLC, Pad ID: Stone Drilling Pad #1, ABR-20100228.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: August 19, 2014.

37. SWEPI LP, Pad ID: Thomas 503R, ABR-201408007, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 25, 2014.

38. SWEPI LP, Pad ID: Pazzaglia 506, ABR-201408008, Rutland Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 25, 2014.

39. Chesapeake Appalachia, LLC, Pad ID: Hunsinger, ABR-20090905.R1, Rush Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: August 25, 2014.

40. SWEPI LP, Pad ID: Becker 404, ABR-20090909.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 25, 2014.

41. SWEPI LP, Pad ID: Knight 271-1H, ABR-20090912.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 25, 2014.

42. SWEPI LP, Pad ID: Empson 235-1H, ABR-20090914.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 25, 2014.

43. SWEPI LP, Pad ID: Bowers 408, ABR-20090919.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 25, 2014.

44. SWEPI LP, Pad ID: Cole 236, ABR-20090936.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: August 25, 2014.

45. Cabot Oil & Gas Corporation, Pad ID: FontanaC P1, ABR-201408009, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: August 26, 2014.

46. Cabot Oil & Gas Corporation, Pad ID: DysonW P1, ABR-201408010, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: August 26, 2014.

47. Cabot Oil & Gas Corporation, Pad ID: LernerG P1, ABR-201408011, Ararat Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: August 27, 2014.

48. SWEPI, LP, Pad ID: Smith 253 1H, ABR-20090825.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 7, 2014.

49. SWEPI, LP, Pad ID: Sampson 147 1H-3H, ABR-20090824.R1, Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 8, 2014.

50. SWEPI, LP, Pad ID: Wheeler 268-1H, ABR-20090829.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 8, 2014.

51. SWEPI, LP, Pad ID: White 262-1H, ABR-20090910.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 8, 2014.

52. SWEPI, LP, Pad ID: Stefanowich 269-1H, ABR-20090911.R1, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 8, 2014.

53. SWEPI, LP, Pad ID: Sherman 234-1H, ABR-20090935.R1, Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 8, 2014.

54. Chief Oil & Gas, LLC, Pad ID: Phelps B Drilling Pad, ABR-201409001, Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: September 9, 2014.

55. Cabot Oil & Gas Corporation, Pad ID: Diaz Family P1, ABR-201409002, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: September 11, 2014.

56. Chief Oil & Gas, LLC, Pad ID: Sechrist Drilling Pad #1, ABR-20100337.R1, Canton Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: September 12, 2014.

57. Chesapeake Appalachia, LLC, Pad ID: Gowan, ABR-20091001.R1, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 22, 2014.

58. Chesapeake Appalachia, LLC, Pad ID: Doss, ABR-20091109.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 22, 2014.

59. Chesapeake Appalachia, LLC, Pad ID: CSI, ABR-20091112.R1, Burlington Township, Bradford County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 22, 2014.

60. Chesapeake Appalachia, LLC, Pad ID: Jayne, ABR-20091201.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 22, 2014.

61. Chesapeake Appalachia, LLC, Pad ID: Roger, ABR-20091209.R1, Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.500 mgd; Approval Date: September 22, 2014.

62. Samson Exploration, LLC, Pad ID: Pardee & Curtin Lumber Co. C-10H, ABR-20090901.R1, Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.500 mgd; Approval Date: September 22, 2014.

63. Samson Exploration, LLC, Pad ID: Pardee & Curtin Lumber Co. C-09H, ABR-20091103.R1, Shippen Township, Cameron County, PA; Consumptive Use of Up to 4.500 mgd; Approval Date: September 22, 2014.

64. Southwestern Energy Production Company, Pad ID: RU-51-WHITEHEAD-PAD, ABR-201409003, Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.999 mgd; Approval Date: September 22, 2014.

65. SWEPI, LP, Pad ID: Benson 130D, ABR-20091012.R1, Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 29, 2014.

66. Talisman Energy USA, Inc., Pad ID: Morgan 01 074, ABR-20100302.R1, Armenia Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 29, 2014.

67. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 013, ABR-20100308.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 29, 2014.

68. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 014, ABR-20100309.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 29, 2014.

69. Talisman Energy USA, Inc., Pad ID: Moretz 03 036, ABR-20100347.R1, Wells Township, Bradford County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 29, 2014.

70. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 005, ABR-20100354.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 29, 2014.

71. Talisman Energy USA, Inc., Pad ID: DCNR 587 02 006, ABR-20100355.R1, Ward Township, Tioga County, PA; Consumptive Use of Up to 6.000 mgd; Approval Date: September 29, 2014.

72. Cabot Oil & Gas Corporation, Pad ID: BerryD P1, ABR-20100215.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: September 29, 2014.

73. Chief Oil & Gas, LLC, Pad ID: Kingsley Drilling Pad #1, ABR-20100336.R1, Monroe Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: September 29, 2014.

74. Chief Oil & Gas, LLC, Pad ID: Duane Jennings Drilling Pad #1, ABR-20100334.R1, Granville Township, Bradford County, PA; Consumptive Use of Up to 2.000 mgd; Approval Date: September 29, 2014.

75. Chief Oil & Gas, LLC, Pad ID: Kuziak B Drilling Pad, ABR-201409004, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.500 mgd; Approval Date: September 29, 2014.

76. Cabot Oil & Gas Corporation, Pad ID: StraussE P1, ABR-201409005, Harford Township, Susquehanna County, PA; Consumptive Use of Up to 4.250 mgd; Approval Date: September 30, 2014.

77. Cabot Oil & Gas Corporation, Pad ID: RussoB P1, ABR-20100231.R1, Springville Township, Susquehanna County, PA; Consumptive Use of Up to 3.575 mgd; Approval Date: September 30, 2014.

78. Seneca Resources, Pad ID: Wolfinger Pad A, ABR-20108064.R1, Shippen Township, Cameron County; and City of St. Marys, Elk County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 30, 2014.

79. Seneca Resources, Pad ID: DNCR Tract 007 1V, ABR-20100613.R1, Shippen Township, Tioga County, PA; Consumptive Use of Up to 4.000 mgd; Approval Date: September 30, 2014.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: October 14, 2014.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 14-2240. Filed for public inspection October 24, 2014, 9:00 a.m.]

Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following list of projects from July 1, 2014, through August 31, 2014.

For further information contact Jason E. Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, being rescinded for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period specified previously:

Rescinded ABR Issued June 1—August 31, 2014

1. Chesapeake Appalachia, LLC, Pad ID: Graham, ABR-201012005, Morris Township, Tioga County, PA; Rescind Date: June 19, 2014.

2. Chesapeake Appalachia, LLC, Pad ID: Potluck Farm, ABR-201012022, Cherry Township, Sullivan County, PA; Rescind Date: June 19, 2014.

3. Chesapeake Appalachia, LLC, Pad ID: North40, ABR-201111026, Litchfield Township, Bradford County, PA; Rescind Date: June 19, 2014.

4. Chesapeake Appalachia, LLC, Pad ID: Molly J, ABR-201211003, Monroe and Overton Townships, Bradford County, PA; Rescind Date: June 19, 2014.

5. Chesapeake Appalachia, LLC, Pad ID: Ferris, ABR-201301004, Braintrim Township, Wyoming County, PA; Rescind Date: June 19, 2014.

6. Chesapeake Appalachia, LLC, Pad ID: Virginia, ABR-201303013, Auburn Township, Susquehanna County, PA; Rescind Date: June 19, 2014.

7. Chesapeake Appalachia, LLC, Pad ID: Wittiz, ABR-201304016, Franklin Township, Bradford County, PA; Rescind Date: June 19, 2014.

8. Carrizo (Marcellus), LLC, Pad ID: Wetterling, ABR-201208001, Owego Town, Tioga County, NY; Rescind Date: July 29, 2014.

9. Carrizo (Marcellus), LLC, Pad ID: Tomkins, ABR-201303002, McNett Township, Lycoming County, PA; Rescind Date: July 29, 2014.

10. Carrizo (Marcellus), LLC, Pad ID: Baumunk Lake South, ABR-201303004, Fox Township, Sullivan County, PA; Rescind Date: July 29, 2014.

11. Carrizo (Marcellus), LLC, Pad ID: Baumunk Lake North, ABR-201303005, Fox Township, Sullivan County, PA; Rescind Date: July 29, 2014.

12. SWEPI, LP, Pad ID: Staples 804, ABR-20100652, Clymer Township, Tioga County, PA; Rescind Date: August 11, 2014.

13. SWEPI, LP, Pad ID: Talley 488, ABR-201009081, Covington Township, Tioga County, PA; Rescind Date: August 11, 2014.

14. SWEPI, LP, Pad ID: Berguson 622, ABR-201010041, Covington Township, Tioga County, PA; Rescind Date: August 11, 2014.

15. SWEPI, LP, Pad ID: Stevens 413, ABR-201010043, Delmar Township, Tioga County, PA; Rescind Date: August 11, 2014.

16. SWEPI, LP, Pad ID: Parsons 613, ABR-201010053, Delmar Township, Tioga County, PA; Rescind Date: August 11, 2014.

17. SWEPI, LP, Pad ID: Smith 606, ABR-201102013, Duncan Township, Tioga County, PA; Rescind Date: August 11, 2014.

18. SWEPI, LP, Pad ID: Fenton 473, ABR-201102019, Charleston Township, Tioga County, PA; Rescind Date: August 11, 2014.

19. SWEPI, LP, Pad ID: Brucklacher 734, ABR-201106017, Jackson Township, Lycoming County, PA; Rescind Date: August 11, 2014.

20. SWEPI, LP, Pad ID: Hoffman 1201, ABR-201112038, Brookfield Township, Tioga County, PA; Rescind Date: August 11, 2014.

21. SWEPI, LP, Pad ID: Parker 727, ABR-201203022, Liberty Township, Tioga County, PA; Rescind Date: August 11, 2014.

22. SWEPI, LP, Pad ID: Brumwell 657, ABR-201212001, Richmond Township, Tioga County, PA; Rescind Date: August 11, 2014.

23. Hess Corporation, Pad ID: Miller, ABR-201007026, Scott Township, Wayne County, PA; Rescind Date: August 13, 2014.

24. Hess Corporation, Pad ID: Steinberg, ABR-201007027, Preston Township, Wayne County, PA; Rescind Date: August 13, 2014.

25. Hess Corporation, Pad ID: Medved, ABR-201007055, Preston Township, Wayne County, PA; Rescind Date: August 13, 2014.

26. Hess Corporation, Pad ID: Galiardo, ABR-201007056, Starrucca Borough, Wayne County, PA; Rescind Date: August 13, 2014.

27. Hess Corporation, Pad ID: Kraft, ABR-201008131, Starrucca Borough, Wayne County, PA; Rescind Date: August 13, 2014.

28. Hess Corporation, Pad ID: Steinberg 1H, ABR-201008132, Preston Township, Wayne County, PA; Rescind Date: August 13, 2014.

29. Hess Corporation, Pad ID: Gerhard, ABR-201008133, Scott Township, Wayne County, PA; Rescind Date: August 13, 2014.

30. Chevron Appalachia, LLC, Pad ID: Ritchey Unit Drilling Pad, ABR-20091010, Juniata Township, Blair County, PA; Rescind Date: August 13, 2014.

31. Chevron Appalachia, LLC, Pad ID: Lightner Drilling Pad #1, ABR-201007045, Juniata Township, Blair County, PA; Rescind Date: August 13, 2014.

32. Chevron Appalachia, LLC, Pad ID: Davis Drilling Pad #1, ABR-201007067, West St. Clair Township, Bedford County, PA; Rescind Date: August 13, 2014.

33. Chevron Appalachia, LLC, Pad ID: Boileau Drilling Pad #1, ABR-201010069, Goshen Township, Clearfield County, PA; Rescind Date: August 13, 2014.

34. Chevron Appalachia, LLC, Pad ID: Smithmyer Drilling Pad #1, ABR-201101020, Cambria County, PA; Rescind Date: August 13, 2014.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: October 10, 2014.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 14-2241. Filed for public inspection October 24, 2014, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for project 14-1458A:15-20 kilowatt power supply with high frequency capability of less than 10,000 hertz and an induction furnace with 50 pound bronze/brass capacity with manual tilt capability for the Metalcasting Technology Lab. Bid documents can be obtained from Carrie Harmon, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, harmon@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 14-2242. Filed for public inspection October 24, 2014, 9:00 a.m.]