

PENNSYLVANIA BULLETIN

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Agencies in this issue

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Department of Conservation and Natural Resources
Department of Environmental Protection
Department of General Services
Department of Health
Department of Human Services
Executive Board
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Game Commission
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Independent Regulatory Review Commission
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State Board of Pharmacy
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State Employees Retirement Board

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

No. 508, March 2017

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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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.

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2017.

4 Pa. Code (Administration)		201 Pa. Code (Rules of Judicial Administration)	
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THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated February 23, 2017, Charles Dee Septowski (# 61707) is Disbarred on Consent from the Bar of this Commonwealth. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,
Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

[Pa.B. Doc. No. 17-408. Filed for public inspection March 10, 2017, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

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

A. *Effective Date*

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

B. *Contact Person*

For further information on this final-form rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

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

D. *Purpose and Background*

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

E. *Summary of Change*

Glade Run Lake, a 52-acre impoundment owned by the Commonwealth and managed by the Commission, is located in Middlesex Township, Butler County, approximately 10 miles south of the City of Butler and 20 miles northeast of Pittsburgh. The dam impounds Glade Run near its headwaters. This lake was completely dewatered in July 2011 to make dam and spillway repairs and modifications per dam safety standards of the Department of Environmental Protection.

Following completion of the dam and spillway repairs and modifications as well as construction of numerous habitat enhancement devices, the impoundment will be refilled by the opening day of trout season in 2017. The Commission will begin to re-establish a high quality warmwater and coolwater fishery through plants of select forage fish species beginning in spring 2017 (if the lake is refilled to adequate levels) with gamefish and panfish fingerling plants later in 2017. This process will continue for several years.

To allow Glade Run Lake's forage base and warm and coolwater fish communities to develop, the Commission proposed placing Glade Run Lake under a miscellaneous special regulation that allows for the harvest of trout under Commonwealth inland seasons, sizes and creel limits but allows catch and release fishing only for all other fish species. The stocking of adult catchable trout will begin in spring 2017.

The Commission proposed this approach to allow a balanced fishery to develop under protective regulations while offering acceptable levels of recreational angling opportunities. The Commission proposed that the miscellaneous special regulation be established in early 2017 and extend until the warmwater fish populations rebuild appropriate levels. Commission staff will continue to monitor the fish populations as they develop and make the necessary adjustments to the species being stocked and the regulations governing the fishery to continually provide high quality recreational angling opportunities at Glade Run Lake. Once the warmwater fishery has been re-established, the Commission will consider removal of the miscellaneous special regulation on the Glade Run Lake and inclusion of the lake in one of the Commission's existing warmwater regulation programs.

The Commission amends § 65.24 to read as set forth in the proposed rulemaking published at 46 Pa.B. 5736 (September 3, 2016).

F. *Paperwork*

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

G. *Fiscal Impact*

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

H. *Public Involvement*

Notice of proposed rulemaking was published at 46 Pa.B. 5736. The Commission did not receive public comments regarding the proposed amendment.

Findings

The Commission finds that:

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

(2) A public comment period was provided and no public comments were received.

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.24 to read as set forth at 46 Pa.B. 5736.

(b) The Executive Director will submit this order and 46 Pa.B. 5736 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 46 Pa.B. 5736 and deposit them with the Legislative Reference Bureau as required by law.

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-272 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 17-409. Filed for public inspection March 10, 2017, 9:00 a.m.]

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

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

A. Effective Date

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

B. Contact Person

For further information on this final-form rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

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

D. Purpose and Background

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

E. Summary of Change

Harveys Lake is a 658-acre natural lake in Luzerne County. It is one of the few lakes in this Commonwealth managed as a put, grow and take stocked trout fishery. Brown trout survive year-round in Harveys Lake and commonly reach weights in excess of 10 pounds. The Commission established a miscellaneous special regulation to protect this fishery in 1998. Under this regulation, Harveys Lake is closed to all fishing for a 2-week period from April 1 to the opening day of trout season. Trout harvest is permitted at all other times of the year. The creel limit is 3 trout per day, only one of which may exceed 18 inches in length.

Commission law enforcement personnel have received numerous requests to open Harveys Lake to year-round fishing. In addition to trout, Harveys Lake supports excellent fisheries for Black Bass, Walleye, Yellow Perch, Rock Bass and Bluegill. Bass anglers in particular will appreciate this amendment because Harveys Lake is one of the few lakes in the region large enough to support power boating.

Allowing year-round fishing will benefit Harveys Lake anglers. It also will benefit stream anglers because it will allow the Commission to stock Harveys Lake in March, thus freeing up a stocking trip closer to opening day for a stream that has trout residency problems. However,

opening Harveys Lake to year-round fishing will also require a change in harvest dates. Currently, Harveys Lake is open to trout harvest from March 1 to March 31. Trout harvest should be prohibited from March 1 to opening day to make Harveys Lake consistent with other stocked trout waters that are open to year-round fishing. The closure to harvest is also necessary to allow recently stocked trout to avoid rapid harvest and grow to large sizes.

In summary, the Commission proposed two amendments to the miscellaneous special regulation, that is, to open Harveys Lake to year-round fishing and prohibit the harvest of trout from March 1 to opening day of trout season. The Commission amends § 65.24 to read as set forth in the proposed rulemaking published at 46 Pa.B. 7540 (December 3, 2016).

F. Paperwork

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

G. Fiscal Impact

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

H. Public Involvement

Notice of proposed rulemaking was published at 46 Pa.B. 7540. The Commission did not receive public comments regarding the proposed amendment.

Findings

The Commission finds that:

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

(2) A public comment period was provided and no public comments were received.

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.24 to read as set forth at 46 Pa.B. 7540.

(b) The Executive Director will submit this order and 46 Pa.B. 7540 to the Office of Attorney General for approval as to legality and form as required by law.

(c) The Executive Director shall certify this order and 46 Pa.B. 7540 and deposit them with the Legislative Reference Bureau as required by law.

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: Fiscal Note 48A-273 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 17-410. Filed for public inspection March 10, 2017, 9:00 a.m.]

GAME COMMISSION
[58 PA. CODE CH. 131]

Preliminary Provisions; Replacement Costs for Wildlife Killed

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 31, 2017, meeting, amended § 131.8 (relating to replacement costs for wildlife killed) to increase replacement costs for osprey from \$200 to \$2,500.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 46 Pa.B. 6868 (October 29, 2016).

1. *Purpose and Authority*

In accordance with the goals and objectives stated in the Management Plan for Osprey in Pennsylvania, 2015—2025, the osprey (*Pandion haliaetus*) has achieved a population level, geographical distribution and tolerance of human activity that no longer meets the definition of a threatened species. As a result, the Commission has removed the osprey from the Commonwealth's threatened species list. Former replacement costs for osprey as a listed threatened species were \$5,000. Upon delisting, replacement costs for osprey were reduced to a default of \$200. Notwithstanding its efforts to delist the osprey, the Commission determined that the species necessitates further protection from unlawful takings in the form of increased replacement costs upon its effective delisting date. As a result, the Commission amends § 131.8 to increase replacement costs for osprey from \$200 to \$2,500.

Section 925(i) of code (relating to jurisdiction and penalties) states that “[i]n addition to the fines and costs imposed for violations pursuant to subsection (b), the costs incurred by the commission for the replacement of the species involved in the violation shall be assessed by the magisterial district judge in such amount as is fixed by regulation of the commission.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 131.8 are adopted under this authority.

2. *Regulatory Requirements*

This final-form rulemaking amends § 131.8 to increase replacement costs for osprey from \$200 to \$2,500.

3. *Persons Affected*

Persons who unlawfully take or kill ospreys within this Commonwealth will be affected by this final-form rulemaking.

4. *Comment and Response Summary*

There were no official comments received regarding this final-form rulemaking.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in additional cost or paperwork.

6. *Effective Date*

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding this final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

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

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 131, are amended by amending § 131.8 to read as set forth at 46 Pa.B. 6868.

(b) The Executive Director of the Commission shall certify this order and 46 Pa.B. 6868 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: Fiscal Note 48-401 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 17-411. Filed for public inspection March 10, 2017, 9:00 a.m.]

GAME COMMISSION
[58 PA. CODE CH. 133]
Wildlife Classification; Birds

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 31, 2017, meeting, amended § 133.21 (relating to classification of birds) to remove the osprey from the Commonwealth's list of threatened and endangered birds.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 46 Pa.B. 6869 (October 29, 2016).

1. Purpose and Authority

In accordance with the goals and objectives stated in the Management Plan for Osprey in Pennsylvania, 2015—2025 (Plan), the osprey (*Pandion haliaetus*) has achieved a population level, geographical distribution and tolerance of human activity that no longer meets the definition of a threatened species under § 133.4 (relating to definitions). As of the 2016 nesting season, osprey populations have met the objectives of at least 50 total nesting pairs with a steady or increasing population, including at least 10 nesting pairs in each of 4 watersheds for the second consecutive comprehensive survey. As a result, the Commission amends § 133.21 to remove the osprey from the Commonwealth's list of threatened and endangered birds. Notwithstanding this delisting, ospreys will continue to be a protected species under the code and will continue to be afforded protection under the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712). Commission staff will continue to implement the Plan and monitor osprey nests to ensure that this species does not regress toward endangerment.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to “[a]dd to or change the classification of any wild bird or wild animal.” Section 2167 of the code (relating to endangered or threatened species) states that “[t]he commission may, by regulation, add or remove any wild bird or wild animal native to this Commonwealth to or from the Pennsylvania native list of endangered or threatened species.” The amendments to § 133.21 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 133.21 to remove the osprey from the Commonwealth's list of threatened and endangered birds.

3. Persons Affected

Persons concerned with the protected status of the osprey within this Commonwealth will be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

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

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

Order

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

(a) The regulations of the Commission, 58 Pa. Code Chapter 133, are amended by amending § 133.21 to read as set forth at 46 Pa.B. 6869.

(b) The Executive Director of the Commission shall certify this order and 46 Pa.B. 6869 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: Fiscal Note 48-400 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 17-412. Filed for public inspection March 10, 2017, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code).

A. Effective Date

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

B. Contact Person

For further information on this proposed rulemaking, contact Laurie E. Shepler, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's website at www.fishandboat.com.

C. Statutory Authority

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

D. Purpose and Background

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

E. Summary of Proposal

In 2011 and 2012, the Commission applied two black bass angling regulation changes to the Susquehanna River from Sunbury downriver to York Haven (middle Susquehanna River), the Susquehanna River from York Haven downriver to Holtwood Dam (lower Susquehanna River) and the Juniata River from Port Royal downriver to the mouth (lower Juniata River). In 2011, the Commission removed these river sections from the Big Bass Program and a year-round catch-and-immediate release regulation was enacted. In 2012, the Commission adjusted this regulation to include a closed season for black bass from May 1 to the opening day of bass season in mid-June, with a catch and immediate release regulation remaining for the rest of the year. Bass tournaments were limited to catch-measure-immediate release only, with no weigh-in tournaments allowed.

The regulations implemented during 2011 and 2012 to protect Smallmouth Bass residing in the middle and lower Susquehanna River and the lower Juniata River were not intended to be permanent. Additionally, the Commission has received a number of complaints since these regulations went into effect stating that anglers are violating the closed season and the regulation is largely unenforceable. Further, recent changes in population characteristics of Smallmouth Bass in the middle Susquehanna River, lower Susquehanna River and lower

Juniata River warrant a review of the current regulations to determine whether they are continuing to serve their intended role as part of managing this fishery.

The Commission proposes to use an adaptive management approach to remove and reinstitute, if necessary, closed season regulations currently applied to these river reaches. By establishing a set of population recovery benchmarks, Commission staff developed guidance on when to remove current closed season regulations as well as when to reinstitute them should conditions change negatively in the future. A secondary benefit of this approach is public transparency as benchmark values for different metrics will be disseminated and annual evaluations will allow for up-to-date comparisons against benchmarks. This approach may streamline and expedite future regulatory action.

Commission staff developed a series of metrics to assess changes to the Smallmouth Bass population that could warrant removal as well as the application of closed season regulations based upon population characteristics. These data and literature-derived values set benchmarks for amending existing regulations as well as provide guidance for reinstitution should conditions change negatively in the future. These benchmarks are scientifically based using available data and literature and are set at a standard to reflect the world-class fishery for which these waters are renowned. The application of the benchmarks will be similar to adaptive management strategies utilized by the Atlantic States Marine Fisheries Commission and the Great Lakes Fishery Commission. These metrics focus on a combination of measures of relative abundance and size composition of the population.

Commission staff recommend a review period of at least 5 years be used for evaluation based on the inherent variability in the factors controlling the population, variability in data collection and longevity of Smallmouth Bass. For these same reasons, staff propose that benchmarks must be met for minimum time periods (for example, 3 of 5 years) rather than for definitive time periods (for example, consecutive years) given natural variability in healthy fish populations. Additionally, staff suggest that benchmarks be achieved for two of the three metrics for each reach for a five-survey evaluation period.

Review of the most contemporary survey data revealed that all three of the subject reaches met the recovery benchmarks to allow removal of closed season regulations beginning in the 2017 season. Staff will continue to survey population characteristics moving forward to guide future regulatory actions should population characteristics change.

Based on the foregoing, the Commission proposes that the closed bass (Smallmouth Bass and Largemouth Bass) season be removed from May 1 to mid-June (with dates described by the usual formula) and no tournaments be permitted during this period. Catch and release restrictions will continue to be applied to those portions of the Susquehanna River and Juniata River currently included under this miscellaneous special regulation (Figure 1). Bass tournaments occurring outside of the mid-April to mid-June period will continue to be restricted to catch-measure-immediate release only as will all bass angling. The Commission proposes that § 65.24 be amended to read as set forth in Annex A.

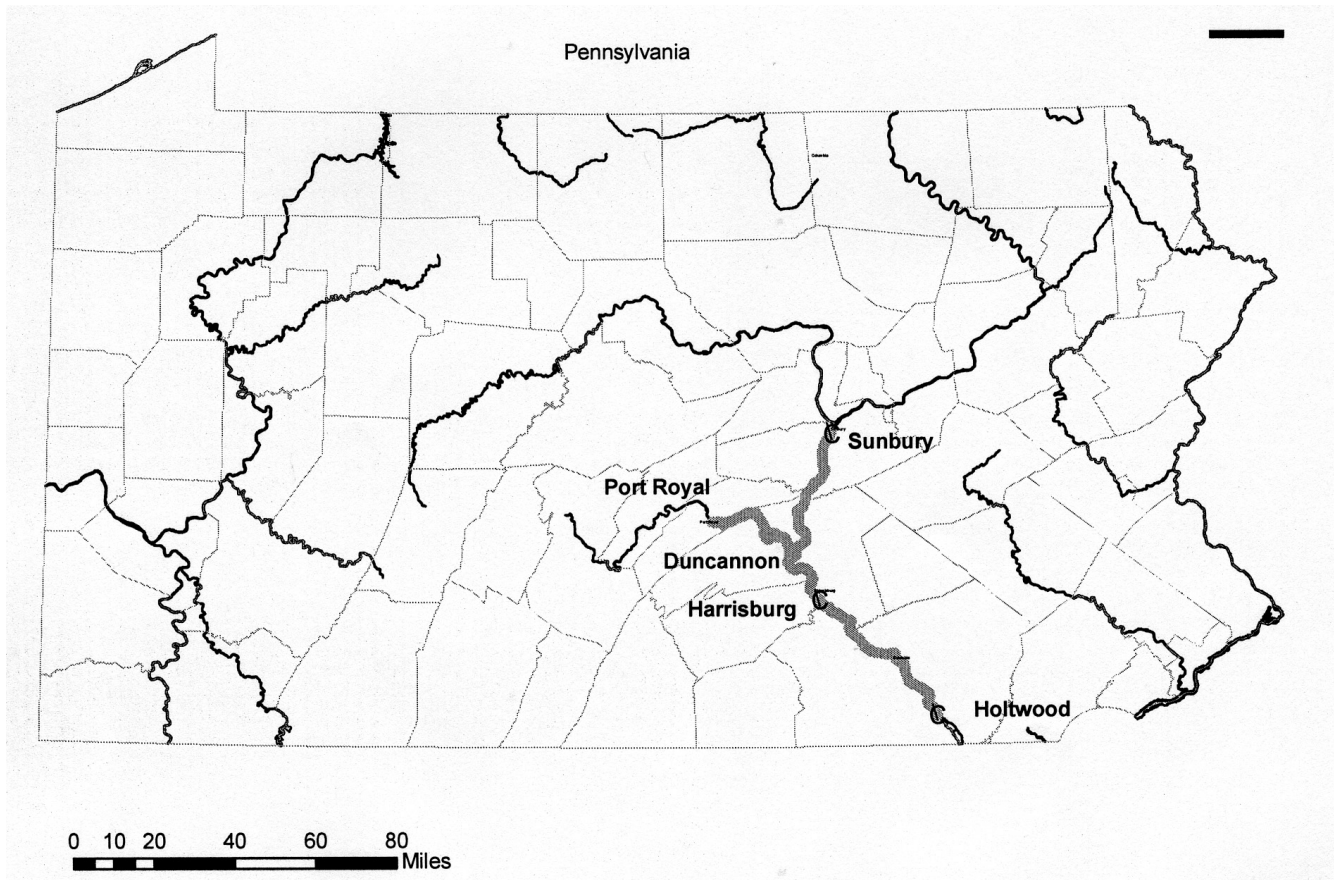


Figure 1. Location on the lower Susquehanna River and lower Juniata River where a closed bass season with no tournaments permitted will be removed. Year-round black bass catch and immediate release regulations will continue to apply to these locations. No tournaments will be permitted during the mid-April to mid-June closed season consistent with other waters in the Commonwealth. Catch-measure-immediate release tournaments will be permitted at other times of year.

Commission staff also recommend that in the future the lower Susquehanna River reach be treated independently while the middle Susquehanna River and lower Juniata River reaches be treated jointly for removal or application of closed season regulations. Unrestricted movement of fish between the two systems would complicate treatment of each exclusively. The joint treatment of those reaches would defer to the most conservative option for either reach based upon their data relative to benchmarks.

F. Paperwork

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

G. Fiscal Impact

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

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000 within 60 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

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

JOHN A. ARWAY,
Executive Director

Fiscal Note: 48A-274. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
* * * * *		
Cumberland, Dauphin, Juniata, Lancaster, Northumberland, Perry, Snyder, York	Susquehanna River (98.0 miles) from the inflatable dam near Sunbury downstream to Holtwood Dam, including all tributaries to a point 1/2 mile upstream from the confluence	<p>[Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.]</p> <p>Bass (Smallmouth and Largemouth)—No harvest year-round—catch and immediate release only.</p> <p>From 12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11—No Bass tournaments.</p> <p>Remainder of the year—Catch-measure-immediate release tournaments only.</p>
Dauphin, Juniata, Perry	Juniata River (31.7 miles) from SR0075 bridge at Port Royal downstream to the mouth, including all tributaries to a point 1/2 mile upstream from the confluence	<p>[Bass (smallmouth and largemouth)—From May 1 to 12:01 a.m. the first Saturday after June 11—Closed season; no tournaments. During the closed season, it is unlawful to target or attempt to catch a bass. A bass that is accidentally caught during the closed season must be immediately released unharmed without being removed from the water. It is unlawful to possess bass in, on or along these waters. Remainder of the year—No harvest—Catch and immediate release only; catch-measure-immediate release tournaments only.]</p> <p>Bass (Smallmouth and Largemouth)—No harvest year-round—catch and immediate release only.</p> <p>From 12:01 a.m. the first Saturday after April 11 to 12:01 a.m. the first Saturday after June 11—No Bass tournaments.</p> <p>Remainder of the year—Catch-measure-immediate release tournaments only.</p>
* * * * *		

[Pa.B. Doc. No. 17-413. Filed for public inspection March 10, 2017, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Hunting Hours

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend Chapter 141, Appendix G (relating to hunting hours) to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2017-2018 hunting/trapping license year.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission is proposing to amend Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2017-2018 hunting/trapping license year.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to Appendix G are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend Appendix G by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2017-2018 hunting/trapping license year.

3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2017-2018 hunting/trapping license year will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

The effective dates of this proposed rulemaking are July 1, 2017, to June 30, 2018.

6. Contact Person

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of

Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-407. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Appendix G. HUNTING HOURS

(Editor's Note: As part of this proposed rulemaking, the Commission is proposing to replace the tables which appear in 58 Pa. Code pages 141-34—141-36, serial pages (381024)—(381026), with the following tables.)

HUNTING HOURS TABLE FOR JULY 1, 2017, THROUGH JUNE 30, 2018

Dates	Begin A.M.	End P.M.
July 1	5:06	9:03
July 2—8	5:10	9:01
July 9—15	5:15	8:58
July 16—22	5:20	8:53
July 23—29	5:27	8:47
July 30—Aug. 5	5:33	8:39
Aug. 6—12	5:40	8:31
Aug. 13—19	5:46	8:21
Aug. 20—26	5:53	8:07
Aug. 27—Sept. 2	6:00	8:00
Sept. 3—9	6:06	7:49
Sept. 10—16	6:13	7:37
Sept. 17—23	6:19	7:25
Sept. 24—30	6:26	7:14
Oct. 1—7	6:33	7:03
Oct. 8—14	6:40	6:52
Oct. 15—21	6:48	6:42
Oct. 22—28	6:55	6:33
Oct. 29—Nov. 4	7:03	6:25
Nov. 5—11 **Ends	6:11	5:18
Nov. 12—18	6:19	5:12
Nov. 19—25	6:27	5:08
Nov. 26—Dec. 2	6:35	5:05
Dec. 3—9	6:41	5:05
Dec. 10—16	6:45	5:06
Dec. 17—23	6:50	5:07
Dec. 24—30	6:52	5:11
Dec. 31—Jan. 6	6:52	5:16
Jan. 7—13	6:51	5:22
Jan. 14—20	6:51	5:29
Jan. 21—27	6:47	5:37
Jan. 28—Feb. 3	6:42	5:45
Feb. 4—10	6:36	5:54
Feb. 11—17	6:28	6:02
Feb. 18—24	6:19	6:10
Feb. 25—Mar. 3	6:10	6:18
Mar. 4—10	5:59	6:26
Mar. 11—17 *Begins	6:48	7:33
Mar. 18—24	6:37	7:41
Mar. 25—31	6:24	7:49
Apr. 1—7	6:15	7:55
Apr. 8—14	6:04	8:02
Apr. 15—21	5:53	8:09
Apr. 22—28	5:43	8:16
Apr. 29—May 5	5:35	8:23
May 6—12	5:25	8:30
May 13—19	5:17	8:37

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
May 20—26	5:11	8:44
May 27—June 2	5:06	8:50
June 3—9	5:03	8:55
June 10—16	5:02	9:01
June 17—23	5:03	9:02
June 24—30	5:05	9:03

*Daylight Saving Time Begins

**Ends

**MIGRATORY GAME BIRD HUNTING
HOURS TABLE
2017-2018**

<i>Dates</i>	<i>Begin A.M.</i>	<i>End P.M.</i>
Aug. 27—Sept. 2	6:00	7:30
Sept. 3—9	6:06	7:19
Sept. 10—16	6:13	7:07
Sept. 17—23	6:19	6:55
Sept. 24—30	6:26	6:43
Oct. 1—7	6:33	6:34
Oct. 8—14	6:40	6:22
Oct. 15—21	6:48	6:12
Oct. 22—28	6:55	6:03
Oct. 29—Nov. 4	7:03	5:55
Nov. 5—11 **Ends	6:11	4:48
Nov. 12—18	6:19	4:42
Nov. 19—25	6:27	4:38
Nov. 26—Dec. 2	6:35	4:35
Dec. 3—9	6:41	4:35
Dec. 10—16	6:45	4:36
Dec. 17—23	6:50	4:37
Dec. 24—30	6:52	4:41
Dec. 31—Jan. 6	6:52	4:46
Jan. 7—13	6:51	4:52
Jan. 14—20	6:51	4:59
Jan. 21—27	6:47	5:07
Jan. 28—Feb. 3	6:42	5:15
Feb. 4—10	6:36	5:24
Feb. 11—17	6:28	5:32
Feb. 18—24	6:19	5:40
Feb. 25—Mar. 3	6:10	5:48
Mar. 4—10	5:59	5:56
Mar. 11—17 *Begins	6:48	7:03
Mar. 18—24	6:37	7:11
Mar. 25—31	6:24	7:19
Apr. 1—7	6:15	7:25
Apr. 8—14	6:04	7:32

*Daylight Saving Time Begins

**Ends

[Pa.B. Doc. No. 17-414. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 141]

Hunting and Trapping; Wild Pheasant Recovery Areas

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 141.28 (relating to wild pheasant recovery areas) to reduce the size of the Central Susquehanna Wild Pheasant Recovery Area (WPRAs), open the Central Susquehanna WPRAs to limited youth pheasant hunting opportunities authorized by executive order, eliminate small game hunting restrictions within WPRAs and shorten the dog training restricted period within WPRAs.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

Huntible populations of wild pheasants have been successfully established in portions of the Central Susquehanna WPRAs, while other portions of the WPRAs contain very few or no pheasants. In keeping with the goals of the WPRAs program, a reduction in size of the WPRAs is being proposed which will open unsuccessful portions to general pheasant hunting and to the stocking of pen-reared pheasants. Simultaneously, as a conservative approach in reopening the successful portions of the WPRAs to pheasant hunting, a proposed amendment will enable the Executive Director to authorize permit-based, youth-only pheasant hunting opportunities in the Central Susquehanna WPRAs. A hunt could occur as early as 2017-2018.

When WPRAs were established, restrictions on small game hunting and dog training were included to avoid potential negative impacts to reintroduced pheasant populations. Research and monitoring results for all WPRAs have demonstrated that outside the nesting season, effects of these activities on pheasants are negligible. Therefore, it is proposed that small game hunting restrictions (except for those related to pheasants) be removed from WPRAs and that the restricted period for dog training be shortened. As the WPRAs program transitions to an operational phase, these changes will provide additional recreational opportunities for hunters and dog handlers without jeopardizing wild pheasant populations.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.28 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 141.28 to reduce the size of the Central Susquehanna WPRAs, open the Central Susquehanna WPRAs to limited youth pheasant hunting opportunities authorized by executive order, eliminate small game hunting restrictions within WPRAs and shorten the dog training restricted period within WPRAs.

3. Persons Affected

Persons wishing to hunt or take pheasants or train dogs on small game within this Commonwealth may be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

The majority of this proposed rulemaking should not result in additional cost or paperwork. However, this proposed rulemaking will result in the creation of a new class of permit that will be required for youth hunters. The Commission anticipates that this permit will be made available through the Pennsylvania Automated License System, therefore paperwork requirements to the general public will be nominal. The Commission determined that there will be limited personnel and administrative costs associated with the implementation of this new permit program. The Commission anticipates that these costs will be accommodated through existing staffing and existing budgets.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-403. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.28. Wild pheasant recovery areas.

(a) *Definition.* For the purpose of this section, the phrase “wild pheasant recovery area” (WPRa) includes and is limited to the following geographic locations.

* * * * *

(2) *Central Susquehanna WPRa.* [Portions of WMU 4E in Northumberland, Montour, Columbia and Lycoming counties from the West Branch of the Susquehanna River south to the intersection with PA Rt. 642 and the West Branch of the Susquehanna River in Milton. The southern boundary is defined by PA Rt. 642 east from Milton to Maudsley, then north on PA Rt. 642 to just south of Jerseytown, proceeding east on Eversgrove Rd. to Evers Grove at PA Rt. 42. Proceeding south on PA Rt. 42 to Mordansville, northeast of Mordansville along Robbins Rd. (Rt. 600) to Mordansville Rd. (Rt. 541), south on Millertown Rd. (Rt. 4011), then continuing east to follow Mount Pleasant Rd. (Rt. 4020) and Mount Pleasant St. (PA Rt. 4034) to Orangeville at the southeast corner of the WPRa. PA Rt. 487 lines the eastern boundary from Orangeville north to Maple Grove/intersection with PA Rt. 254. The northern boundary begins with PA Rt. 254 west of Maple Grove to the intersection with Winters Rd. (Rt. 459) proceeding west to the intersection with Austin Trail (PA Rt. 4039). Continuing west on Owl Rd. (Rt. 599), north and west on Reese Rd. (Rt. 578), and north and west on Trivelpiece Rd. (Rt. 576). Eagle Rd. (PA Rt. 4037) then continues northwest to the intersection with Whitehorse Rd./Whitehorse

Pike (Rt. 661) heading west to just south of Sereno, and then south on PA Rt. 42 to Millville. From Millville, proceeding southwest on PA Rt. 254 to Jerseytown. Then northwest on PA Rt. 44, north on Swartz Rd., west on Shultz Rd., north on Ants Hill Rd., west on Wolf Hollow Rd., then north on Katy’s Church Rd. Crossing into Lycoming County and proceeding northwest on G Wagner Rd., west on Ridge Rd., crossing into Montour County, southwest on County Line Rd., south on Muncy Exchange Rd. (PA Rt. 1003), west on Hickory Rd. (PA Rt. 1008), west on Mingle Rd. (Rt. 433), west on Hickory Rd. (PA Rt. 1008) for the second time, and proceeding north on Gearhart Hollow Rd. (Rt. 441). Continuing west on Showers Rd. (PA Rt. 1010), crossing into Northumberland County, proceeding north and west on Pugmore Lane, north on Hockley Hill Rd. (PA Rt. 1011), west on Miller Rd. (Rt. 653), continuing southwest on Balliet Rd. (Rt. 664). Proceeding northwest and west on Schmidt Rd. (Rt. 564), continuing north on Susquehanna Trail (PA Rt. 1007), continuing west on Hughes Rd. (Rt. 655), crossing under I-180, proceeding south on Crawford Rd. (Rt. 507) to PA Rt. 54. Proceeding northwest on PA Rt. 54 to the West Branch of the Susquehanna River.] Portions of WMU 4E in Northumberland, Montour and Columbia Counties, bounded and described as follows. Beginning in the southwestern extent of the WPRa at the intersection of Interstate 80 and Interstate 180, proceed north on Interstate 80 for approximately 7.2 miles to the intersection of Hughes Road. The boundary follows Hughes Road east for 0.2 mile to Susquehanna Trail. Follow Susquehanna Trail south for 0.2 mile to Schmidt Road. Follow Schmidt Road for 1.6 miles to Miller Road. Follow Miller Road east for 1.1 miles to intersection of Hockey Hill Road. Go right on Hockey Hill Road then left onto Pugmore Lane. Follow Pugmore Lane for 0.7 mile to Harrison Road. The boundary follows Harrison Road south for 0.7 mile to Showers Road. Follow Showers Road for 1.2 miles east to intersection of Gearhart Road. Turn right on Gearhart Road and go south for 0.6 mile to the intersection of Hickory Road. The boundary follows Hickory Road east for 0.6 mile then left onto Mingle Road for 0.9 mile until rejoining Hickory Road for another 0.8 mile to the intersection of Muncy Exchange Road. The boundary follows Muncy Exchange Road south for 1.4 miles to bridge over the West Branch of Chillisquaque Creek near the intersection of State Highway 44. The boundary follows the West Branch of Chillisquaque Creek south for approximately 2.1 miles to the bridge on Arrowhead Road. The boundary follows Arrowhead Road west for 0.8 mile to the intersection of State Highway 54. Follow State Highway 54 south for 2.6 miles to the intersection of State Highway 254. Follow State Highway 254 east for 5.9 miles to the intersection of State Highway 44. Follow State Highway 44 south for 1.1 miles to the intersection of State Highway 642. Follow State Highway 642 southwest for 2.3 miles to the intersection of Billhime Road. Turn right onto Billhime Road and go 1.1 miles to the intersection of East Diehl Road. Turn left on East Diehl Road then right onto Cameltown Hill Road. Follow Cameltown Hill Road for 1 mile to the intersection of Blee Hill Road. The boundary follows Blee Hill Road northwestward for 0.6 mile to the intersection of Hillside Drive. Turn left onto Hillside Drive and

follow west for 3.2 miles until State Highway 54. Cross State Highway 54 onto Steckermill Road and go 0.4 mile to the intersection of Keefer Mill Road. Turn right onto Keefer Mill Road and follow north for 0.8 mile to the intersection Mexico Road. Turn right on Mexico Road for 0.1 mile and then turn left onto Keefer Mill Road for 0.6 mile to the intersection of State Highway 254. The boundary follows State Highway 254 west for 5.5 miles to the intersection of Interstate 80. Follow Interstate 80 west for 3.4 miles to the intersection Interstate 180 and the point of origin.

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(b) *Prohibitions.* It is unlawful to:

(1) Release artificially propagated pheasants any time within any area designated as a [**wild pheasant recovery area**] WPRA.

(2) Train dogs in any manner [**or hunt small game except crows, woodchucks and waterfowl from the first Sunday in February**] from March 1 through July 31 within any area designated as a WPRA.

(3) **Hunt pheasants within any area designated as a WPRA, except the Director may authorize limited youth pheasant hunting opportunities by Commission-issued access permit in the Central Susquehanna WPRA. During any year youth pheasant hunting opportunities are authorized in the Central Susquehanna WPRA, the Director will establish the number of hunting access permits to be issued, a manner of distribution for a limited number of access permits to be raffled off by an organization promoting pheasant recovery efforts within this Commonwealth, and designate one or more pheasant hunt zones within the WPRA prior to the opening of the earliest established youth pheasant season. The Director or a designee will establish the application deadline and the date, time and location for the random drawing of applications for the issuance of any remaining limited youth pheasant hunting access permits within the Central Susquehanna WPRA. Limited youth pheasant hunting access permits are not transferrable. A pheasant hunting access permit shall be signed and carried on person when hunting or taking pheasants within the Central Susquehanna WPRA.**

[Pa.B. Doc. No. 17-415. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 135]

Lands and Buildings; Pymatuning Wildlife Management Area

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 135.106 (relating to Pymatuning Wildlife Management Area) to establish new parameters for establishing and managing the Pymatuning Wildlife Management Area (PWMA) controlled deer hunt.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

Controlled deer hunts have been held at the PWMA (State Game Lands 214) since at least the 1970s. Over the years various formats have been used to manage the controlled deer hunts, including hunts during the regular firearms deer season, flintlock/archery hunts during the after-Christmas season and flintlock/archery hunts outside the regular seasons. Season lengths have also varied over the years ranging from hunts lasting 1 day to others lasting 5 days. The Commission has observed that the very limited time frame and extent of this hunting pressure within the PWMA coupled with the higher hunting pressure on surrounding areas outside of the PWMA has resulted in dramatic increases in deer populations during the fall. This increase in population, albeit temporary, has had a significant negative impact on the PWMA's existing habitat.

The PWMA controlled deer hunts have proven quite popular with hunters, with over 1,000 applications received every year. The prehunt influx and retention of higher deer populations is expected to be the cause of this popularity as hunters have regularly described abundant deer sightings. The Commission has observed that typical hunts in the PWMA result in low harvest, but high wounding loss, likely the result of the high hunting pressure in the area during the controlled deer hunt.

The Commission proposes to amend § 135.106 to establish new parameters for establishing and managing the PWMA controlled deer hunt. The goal of these proposed amendments is to provide a higher quality hunt for the participants of this limited program primarily by spreading the same number of hunters across a few weeks of the regularly established fall deer seasons rather than a few days. Hunting opportunities within the PWMA will be managed by a lottery process that is intended to more predictably and logically distribute hunting access to participants.

Section 721(a) of the code (relating to control of property) provides “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations...for its use and protection as necessary to properly manage these lands or waters.” The amendments to § 135.106 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 135.106 to establish new parameters for establishing and managing the PWMA controlled deer hunt.

3. *Persons Affected*

Persons wishing to participate in the PWMA controlled deer hunt will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-411. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter F. SPECIAL WILDLIFE MANAGEMENT AREAS

§ 135.106. Pymatuning Wildlife Management Area.

(a) In addition to §§ 135.2 and 135.41 (relating to unlawful actions; and State game lands) and this subchapter, the following pertain to the Pymatuning Wildlife Management Area:

(1) Entering, hunting or trapping on the controlled goose and duck areas is by permit only.

(2) Waterfowl hunting is permitted Monday, Wednesday, Friday and Saturday. **[Starting time shall conform with State and Federal regulations. Shooting ends at 12:30 p.m.]**

(3) **Hunting shall conform to the legal hunting hours in § 141.4 and Chapter 141, Appendix G (relating to hunting hours), except legal hunting hours for waterfowl hunting ends each open day at 12:30 p.m.**

(b) The following apply to reservations for the controlled duck hunting area:

(1) Reservations will be made on each designated shooting day at the registration center. Hunting is limited to 85 hunters at one time on the **[two] 2** areas combined. Reservations will be issued on a first-come, first served basis if there are 85 hunters or less applying at the registration center and 1 1/2 hours prior to the opening hunting hour. If there are more than 85 applicants present, a drawing will be held to determine to whom the 85 permits are issued.

(2) Permits returned to the registration center prior to 10 a.m. may be released to another applicant.

(c) The following apply to the controlled duck hunting areas:

(1) Ducks, **coots and mergansers** are the only legal game; taking other wild birds or mammals is prohibited, except by permit issued by the Director or a designee.

(2) A hunter shall **[display] possess on his person** the identification tag furnished by the Commission while on the areas. The identification tag is valid for entry upon the area indicated on the tag. Entry upon another area is prohibited. Identification tags shall be returned to the registration center at check-out time.

[(3) Boats without motors are permitted on controlled duck areas.

(d) The following apply to special hunts on the controlled area:

(1) Special deer hunts will be by permit only, limited to archery and muzzleloading firearms.

(2) Notwithstanding the provisions in § 135.161(2) (relating to Commission-owned or leased lands or waters), the Executive Director may designate dates for deer hunting outside of established seasons and bag limits.

(3) A drawing of applications to determine successful hunters will be held at the Pymatuning Wildlife Management Area headquarters on a date and time designated by the Executive Director or a designee.

(4) Applications will be received at the area headquarters no later than the close of business of the day prior to the date and time of the drawing.

(5) One official application per person to hunt deer on the controlled area may be submitted each license year. Anyone submitting more than one application for a permit will have all applications rejected. The application shall contain archery or muzzleloading license stamp numbers.

(6) The number of permits to be drawn shall be set by the Executive Director or a designee prior to the drawing.

(7) If a successful applicant does not appear to claim a reservation on the day assigned, prior to the opening hunting hour, the permit becomes invalid and is not transferable.

(8) A successful hunter shall submit a harvested deer for examination to the management area headquarters on the date of the permit, no later than 1 hour after the daily closing of hunting hours.

(9) Unsuccessful hunters shall return the permit to the management area headquarters on the date of the permit, no later than 1 hour after the daily closing of hunting hours.

(10) Hunters participating in the special archery and muzzleloading hunts inside the controlled area shall wear a minimum of 250 square inches of fluorescent orange-colored material on the head, back and chest combined.]

(d) The following apply to special deer hunts within the Pymatuning Wildlife Management Area:

(1) **Authority to establish special hunt.** The Director may authorize special deer hunts within the Pymatuning Wildlife Management Area by permit. The Director will establish the number of access permits to be issued and designate the one or more hunt zones within the controlled area prior to the opening of the earliest established deer season.

(2) **Permit authorization.** During any year the Director authorizes a special deer hunt within the Pymatuning Wildlife Management Area, permitted hunters are eligible to access the controlled area to hunt deer during any applicable antlered or antlerless deer season established in § 139.4 (relating to seasons and bag limits for the license year) using valid antlered and antlerless licenses and harvest tags issued to them. Notwithstanding § 135.161(2) (relating to Commission-owned or leased), the Executive Director may designate dates for deer hunting outside of established seasons and bag limits within the controlled area as authorized by § 139.3 (relating to authority to alter seasons and bag limits).

(3) *Applications.* An individual possessing a valid hunting license for the current license year may submit a maximum of one application per year to participate in a special deer hunt within the Pymatuning Wildlife Management Area. Applications must include the applicant's name, address, date of birth, Commission-issued Customer Identification Number and any other information required by the Commission. Applicants shall submit completed applications in the manner directed by the Director or a designee. Incomplete, illegible or duplicate applications will not be included in the drawing.

(4) *Drawing.* The Director or a designee will establish the application deadline and the date, time and location for the random drawing of applications for the issuance of special deer hunt permits within the Pymatuning Wildlife Management Area. Special deer hunt access permits are not transferable.

(5) *Hunting hours and duration of access limited.* Hunting during the special deer hunt shall conform to the legal hunting hours in § 141.4 and Chapter 141, Appendix G, except legal hunting hours for deer begins each open day at 12:30 p.m. Permittees may access the controlled area no sooner than the start of legal hours and all permittees shall vacate the controlled area within 1 hour after the close of hunting hours. Entering or remaining in the controlled area after this period shall be authorized in advance by the Commission after a report is made to the Commission's Northwest Regional Office.

(6) *Access to controlled area limited.* A permittee may enter and hunt deer only within the hunt zone or hunt zones designated by his permit. Entry into other hunt zones or areas outside of the hunt zones to pursue a wounded deer shall be authorized in advance by the Commission after a report is made to the Commission's Northwest Regional Office.

(7) *Parking.* A permittee shall park only in assigned parking areas and shall display the provided parking placard on the dashboard of the vehicle in a manner that allows it to be read from the exterior of the vehicle.

(8) *Reporting.* A permittee that successfully harvests a deer during the special deer hunt shall report the harvest to the Commission within 10 days of the kill by completing the report card supplied with the special deer hunt permit for reporting deer killed and mail the report card to the Pymatuning Wildlife Management Area in Hartstown, PA, or by any other method designated by the Director.

(9) *Violations.* A person violating any requirement or restriction established within this section may be prosecuted under section 721 of the act (relating to control of property) or other applicable provision of the act and, upon conviction, be sentenced to pay the fine prescribed in the act. Furthermore, the Director may deny, revoke or suspend a permit for any violation of the requirements of this subchapter upon written notice to the permittee.

[Pa.B. Doc. No. 17-416. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 135]

Lands and Buildings; Shooting Ranges

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 135.181 (relating to rifle and handgun ranges) to address various substantive and housekeeping concerns within the State game lands firearms range usage requirements.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

State game land range users, Commission staff and other interested parties have identified a number of areas in need of improvement in the Commission's shooting range use regulation. The Commission proposes to amend § 135.181 to address the following substantive and housekeeping concerns: 1) expand the 8 a.m. to sunset operational hours on Sundays preceding regular firearms deer and bear seasons to also include Sundays occurring throughout the duration of these seasons to improve hunter access to its ranges when they are most needed; 2) prohibit range users from intentionally shooting at or damaging the target frames or stands in an effort to reduce waste and improve operational availability of ranges; 3) provide clarity that use of automatic firearms, not to include semi-automatic firearms, is prohibited at Commission ranges; 4) expand the six-round loading and discharge limitation to both rifle and handgun ranges; 5) prohibit range users from operating, manipulating or discharging a loaded firearm in negligent disregard for the safety of other persons present at or nearby the range to improve safety; 6) provide greater clarity concerning range reservation, range closure, range designation and general range usage violations; and 7) remove firearms possession related violations from this section to more closely conform to the limitations in 18 Pa.C.S. § 6109(m.3)(2) (relating to licenses).

Section 721(a) of the code (relating to control of property) provides "[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations...for its use and protection as necessary to properly manage these lands or waters." The amendments to § 135.181 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 135.181 to address various substantive and housekeeping concerns within the State game lands firearms range usage requirements.

3. Persons Affected

Persons wishing to State game lands firearms ranges will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-408. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter J. SHOOTING RANGES

§ 135.181. Rifle and handgun ranges.

(a) *General provisions.* In addition to § 135.2 (relating to unlawful actions) and except as provided in § 135.182 (relating to **[Ranges] ranges**, State Game Lands No. 176), the following pertain to lands under Commission ownership, lease or jurisdiction, designated as rifle or handgun ranges:

(1) Rifle and handgun ranges are open from 8 a.m., prevailing time, until sunset Monday through Saturday and from 12 noon to sunset Sundays, unless otherwise posted; except the Sunday immediately preceding **and any Sunday throughout the duration of** the regular **[antlered and antlerless] firearms** deer seasons and the regular **firearms** bear **[season] seasons**, when the hours are 8 a.m. to sunset.

(2) A range may be reserved for exclusive use by an organized group from January 1 through October 1. **[An organized group desiring to reserve the range shall make necessary arrangements] Applications for a range reservation shall be made** through the appropriate regional director or a designee at least 20 days in advance.

(3) An individual may not use the range **[when in use on days when it is] during any period** reserved by an organized group.

(4) An individual or an organized group using the range is responsible for keeping the area clean and free of debris, and may not discard, deposit, leave or throw litter except in approved refuse containers. Range users shall remove targets from range backboards when shooting is completed and prior to leaving the range.

(5) The Commission is not responsible for anyone injured on the range. An individual using Commission owned ranges does so at his own risk and assumes all responsibility for injuries to a person or property caused by or to him.

(6) When more than one person is using the range, a range officer shall be designated.

(7) An individual under 16 years of age may not use the range unless accompanied by a person 18 years of age or older.

(8) The appropriate regional director or designee may close a range by posting signs to that effect. **An individual or organized group may not use the range during a period when it is posted as closed.**

(b) *Prohibited acts.* At a rifle and handgun range located on land under Commission ownership, lease or jurisdiction, except when authorized by the appropriate regional director or a designee, it is unlawful to:

(1) **[Possess a loaded firearm, except at an established shooting station on the firing line.] Discharge a firearm from any location on the range other than an established shooting station on the firing line.**

(2) Discharge a firearm**[, except from an established shooting station on the firing line] at any target other than** a paper target placed on a permanent target backboard **mounted by the Commission. Users are prohibited from intentionally shooting at or damaging the frames or stands constructed by the Commission to mount permanent target backboards.**

(3) Discharge armor piercing, incendiary, explosive, tracer or multiple projectile ammunition.

(4) Be intoxicated, use or possess an intoxicating beverage or controlled substance on the range.

(5) **[Possess an automatic weapon.] Discharge an automatic firearm.**

(6) **[Possess, load] Load or discharge a firearm that contains more than [three] six rounds of single projectile ammunition[, except as provided in subsection (c)].**

(7) Shoot clay birds anywhere except areas designated by the Director by signs stating that clay bird shooting is permitted.

(8) **[Possess, load] Load or discharge a firearm or use a range facility** for any reason without possessing a valid Pennsylvania hunting or furtaker license or a Commission-issued range permit signed by its holder. This prohibition does not apply to persons 15 years of age or younger or up to one person accompanying another person in possession of a valid Pennsylvania hunting or furtaker license or a Commission-issued range permit.

(9) **Operate, manipulate or discharge a firearm in negligent disregard for the safety of other persons present at or nearby the range. This is specifically intended to include loading a firearm, operating or manipulating a loaded firearm or discharging a firearm anywhere on the firing range while another person is downrange.**

(10) **Use a Commission range in violation of any other requirement of this section or posted signage.**

(c) **[Exceptions for a handgun range. At a Commission range specifically designated as a handgun range, it is permitted for an individual to load and discharge a handgun containing a maximum of six rounds of single projectile ammunition at any one time. Other rules and regulations pertaining to shooting ranges under Commission ownership, lease or jurisdiction shall be in effect.] Range designation.** The default designation for Commission ranges, regardless of length or size, is as a rifle

range. The Commission may designate any range as a handgun only range by posting appropriate signage.

[Pa.B. Doc. No. 17-417. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 135]

Lands and Buildings; State Game Lands

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 135.41 (relating to State game lands) to prohibit a person from engaging in dog training activities from the Monday prior to the start of the youth pheasant season until the opening of the regular pheasant season on lands designated as State game lands.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The Commission traditionally conducts the majority of its annual pheasant stocking operations on State game lands to provide adequate pheasant hunting opportunities across this Commonwealth. Pheasant hunting opportunities in this Commonwealth are directly linked to and limited by the existence and availability of pheasants stocked by the Commission each year. The Commission has become increasingly aware that dog training activities occurring on State game lands during the periods just prior to and concurrent with the youth pheasant season and prior to the opening of the regular pheasant season are consistently causing pheasants recently stocked by the Commission to scatter and disperse far away from designated release sites where they are intended to temporarily remain for the duration of the pheasant seasons. The Commission proposed to amend § 135.41 to prohibit a person from engaging in dog training activities from the Monday prior to the start of the youth pheasant season until the opening of the regular pheasant season on lands designated as State game lands. The proposed amendment will not limit dog training activities on private lands.

Section 721(a) of the code (relating to control of property) provides “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations...for its use and protection as necessary to properly manage these lands or waters.” The amendment to § 135.41 is proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 135.41 to prohibit a person from engaging in dog training activities from the Monday prior to the start of the youth pheasant

season until the opening of the regular pheasant season on lands designated as State game lands.

3. *Persons Affected*

Persons wishing to engage in dog training activities on State game lands may be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-414. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter C. STATE GAME LANDS

§ 135.41. State game lands.

* * * * *

(c) *Additional prohibitions.* In addition to the prohibitions contained in the act pertaining to State game lands and § 135.2, except with the written permission of the Director, it is unlawful to:

* * * * *

(23) Operate, control, retrieve or launch an unmanned aerial vehicle of any size, design or specification on or from lands or waters designated as State game lands. This provision may not be construed to limit activities specifically authorized by the Commission in writing or Federal, State or local governmental response to fire, rescue, police or other emergency matter, or engagement in legitimate governmental function.

(24) Engage in dog training activities on small game from the Monday prior to the start of the youth pheasant season until the opening of the regular pheasant season in § 139.4 (relating to seasons and bag limits for the license year). This paragraph may not be construed to limit dog training activities on any other public or private lands or waters not designated as State game lands.

[Pa.B. Doc. No. 17-418. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 139]
Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2017-2018 hunting/trapping license year.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission is proposing to amend § 139.4 to provide updated seasons and bag limits for the 2017-2018 license year. The 2017-2018 seasons and bag limits are proposed to be amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

Proposed amendments to small game seasons include: eliminating the post-Christmas segment of the ruffed grouse season in an effort to improve adult survival in light of significant recent population declines; opening the Central Susquehanna Wild Pheasant Recovery Area to a youth-only pheasant hunting season; and opening wildlife management unit (WMU) 5A to put-and-take bobwhite quail hunting given the lack of wild quail in this area and the low likelihood of reintroduction efforts in this WMU in the near future—closures can be enacted at this WMU or smaller scales as needed if and when restoration activities occur.

Proposed amendments to wild turkey seasons include opening a conservative, midweek fall season in WMU 5B while reducing fall season length in three WMUs that have exhibited declining trends in turkey population indices. Specifically, seasons would decrease from 2 weeks + 3 days to 1 week + 3 days in WMUs 4A and 4B, and from 3 weeks + 3 days to 2 weeks + 3 days in WMU 4E.

Proposed amendments to white-tailed deer seasons include adjusting WMUs 5A and 5B from a concurrent

antlered/antlerless white-tailed deer season to a split antlered/antlerless white-tailed deer season. While not a seasons and bag limits issue per se, it should be noted that the use of large Deer Management Assistance Program areas surrounding locations of Chronic Wasting Disease-positive deer is being recommended instead of Disease Management Area permits to provide a simpler mechanism for hunters to reduce deer populations around known disease hotspots.

For black bear, the Commission is recommending an earlier and 1-day longer Statewide archery season, concurrent with the Monday through Saturday of the next to last week of the Statewide archery deer season. This proposed amendment addresses requests from staff and constituents and would likely provide for a moderate increase in overall bear harvest.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking. . . .” The amendments to § 139.4 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 139.4 to provide updated seasons and bag limits for the 2017-2018 hunting/trapping license year.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2017-2018 hunting/trapping license year will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

The effective dates of this proposed rulemaking are July 1, 2017, to June 30, 2018.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-405. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 139. SEASONS AND BAG LIMITS

(Editor's Note: As part of this proposed rulemaking, the Commission is proposing to replace the table which appears in 58 Pa. Code pages 139-3—139-13, serial pages (381003)—(381013), with the following table.)

§ 139.4. Seasons and bag limits for the license year.

**2017-2018 OPEN HUNTING AND FUR TAKING SEASONS, DAILY LIMIT,
 FIELD POSSESSION LIMIT AND SEASON LIMIT
 OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrel—(Combined species) Eligible Junior Hunters only, with or without the required junior license	Sept. 30	Oct. 14	6	18
Squirrel—(Combined species)	Oct. 14	Nov. 25	6	18
	and			
	Dec. 11	Dec. 23		
	and			
	Dec. 26	Feb. 28, 2018		
Ruffed Grouse	Oct. 14	Nov. 25	2	6
	and			
	Dec. 11	Dec. 23		
Rabbit, Cottontail—Eligible Junior Hunters only, with or without the required junior license	Sept. 30	Oct. 14	4	12
Rabbit, Cottontail	Oct. 14	Nov. 25	4	12
	and			
	Dec. 11	Dec. 23		
	and			
	Dec. 26	Feb. 28, 2018		
Ring-necked Pheasant—There is no open season for the taking of pheasants in the Somerset, Hegins-Gratz or Franklin County Wild Pheasant Recovery Areas.				
Ring-necked Pheasant Eligible Junior Hunters only, with or without the required junior license WMUs 2A, 2C, 4C, 4E, 5A and 5B— Male only	Oct. 7	Oct. 14	2	6
WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D— Male or female				
Central Susquehanna Wild Pheasant Recovery Area—Male only	As authorized by the Executive Order.			
Ring-necked Pheasant	Oct. 21	Nov. 25	2	6
	and			
WMUs 2A, 2C, 4C, 4E, 5A and 5B— Male only	Dec. 11	Dec. 23		
	and			
	Dec. 26	Feb. 28, 2018		
WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D— Male or female				

PROPOSED RULEMAKING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Bobwhite Quail	Oct. 21	Nov. 25	4	12
Hare (Snowshoe Rabbits) or Varying Hare	Dec. 26	Jan. 1, 2018	1	3
Woodchuck (Groundhog)	No closed season except during the regular firearms deer season(s). Hunting on Sundays is prohibited.		Unlimited	
<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey, Fall—Male or Female			1	1
WMU 2B (Shotgun, Bow and Arrow only)	Oct. 28	Nov. 17		
	and			
	Nov. 23	Nov. 25		
WMU 1B	Oct. 28	Nov. 4		
WMUs 1A, 2A, 4A and 4B	Oct. 28	Nov. 4		
	and			
	Nov. 23	Nov. 25		
WMUs 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4C, 4D and 4E	Oct. 28	Nov. 11		
	and			
	Nov. 23	Nov. 25		
WMU 2C	Oct. 28	Nov. 17		
	and			
	Nov. 23	Nov. 25		
WMU 5A	Nov. 2	Nov. 4		
WMU 5B	Oct. 31	Nov. 2		
WMUs 5C and 5D	Closed to fall turkey hunting.			
Turkey, Spring ¹ Bearded Bird only, Eligible Junior Hunters only with the required junior license	Apr. 21, 2018	Apr. 21, 2018	1	1
Turkey, Spring ¹ Bearded Bird only			1	2
	Apr. 28, 2018	May 12, 2018	May be hunted 1/2 hour before sunrise to 12 noon	
	and			
	May 14, 2018	May 31, 2018	May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	

MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about February 28 of each year.

Exceptions:

(a) Hunting hours in § 141.4 (relating to hunting hours).

(b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Crow (Hunting permitted on Friday, Saturday and Sunday only)	July 1	Apr. 8, 2018	Unlimited	

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Starling and English Sparrow	No closed season except during the regular firearms deer seasons.		Unlimited	

FALCONRY

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrel—(Combined species)	Sept. 1	Mar. 31, 2018	6	18
Quail	Sept. 1	Mar. 31, 2018	4	12
Ruffed Grouse	Sept. 1	Mar. 31, 2018	2	6
Cottontail Rabbits	Sept. 1	Mar. 31, 2018	4	12
Snowshoe or Varying Hare	Sept. 1	Mar. 31, 2018	1	3
Ring-necked Pheasant—Male and Female—(Combined)	Sept. 1	Mar. 31, 2018	2	6

Migratory Game Bird—Seasons and bag limits shall be in accordance with Federal regulations.

WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Archery (Antlered and Antlerless) ² With the required archery license WMUs 2B, 5C and 5D	Sept. 16	Nov. 25	One antlered deer, and an antlerless deer with each required antlerless license.
	Dec. 26	Jan. 27, 2018	
Deer, Archery (Antlered and Antlerless) ² With the required archery license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Sept. 30	Nov. 11	One antlered deer, and an antlerless deer with each required antlerless license.
	Dec. 26	Jan. 13, 2018	
Deer, Muzzleloading (Antlerless only) With the required muzzleloading license	Oct. 14	Oct. 21	An antlerless deer with each required antlerless license.
Deer, Special firearms (Antlerless only) Only Junior and Senior License Holders, ³ Commission Disabled Person Permit Holders (to use a vehicle as a blind) and Residents serving on active duty in the United States Armed Forces or United States Coast Guard	Oct. 19	Oct. 21	An antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered and Antlerless) ² WMUs 2B, 5C and 5D	Nov. 27	Dec. 9	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered only) ² WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Nov. 27	Dec. 1	One antlered deer.
Deer, Regular firearms (Antlered and Antlerless) ² WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 2	Dec. 9	One antlered deer, and an antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) ² With the required muzzleloading license WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E, 5A and 5B	Dec. 26	Jan. 13, 2018	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Flintlock (Antlered or Antlerless) ² With the required muzzleloading license WMUs 2B, 5C and 5D	Dec. 26	Jan. 27, 2018	One antlered or one antlerless deer, plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties	Dec. 26	Jan. 27, 2018	An antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County, and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

BLACK BEAR

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Bear, Archery ⁴ WMUs 2B, 5C and 5D	Sept. 16	Nov. 25	1
Bear, Archery ⁴ WMU 5B	Sept. 30	Nov. 11	1
Bear, Archery ⁴ WMUs 1A, 1B, 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 4E and 5A	Oct. 30	Nov. 4	1
Bear, Muzzleloader ⁴ WMUs 2B, 5B, 5C and 5D	Oct. 14	Oct. 21	1
Bear, Special firearms ⁴ Only Junior and Senior License Holders, ³ Commission Disabled Person Permit Holders (to use a vehicle as a blind) and Residents serving on active duty in the United States Armed Forces or in the United States Coast Guard, with required bear license WMUs 2B, 5B, 5C and 5D	Oct. 19	Oct. 21	1
Bear, Regular Firearms ⁴ (Statewide)	Nov. 18	Nov. 22	1
Bear, Extended firearms ⁴ WMUs 3B, 3C and 3D	Nov. 27	Dec. 2	1
Bear, Extended firearms ⁴ WMUs 2B, 5B, 5C and 5D	Nov. 27	Dec. 9	1
Bear, Extended firearms ⁴ WMUs 1B, 2C, 3A, 4B, 4C, 4D and 4E	Nov. 29	Dec. 2	1

ELK

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Elk, Special Conservation Tag ⁵ and Special-License Tag ⁵ (Antlered and Antlerless)	Sept. 1	Nov. 4	1
Elk, Regular ⁵ (Antlered and Antlerless)	Oct. 30	Nov. 4	1
Elk, Extended ⁵ (Antlered and Antlerless)	Nov. 6	Nov. 11	1

FUR TAKING—TRAPPING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Mink and Muskrat	Nov. 18	Jan. 7, 2018	Unlimited	
Beaver	Dec. 26	Mar. 31, 2018		
WMUs 1A, 1B and 3C (Combined)			20	40
WMUs 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
Coyote, Fox, Opossum, Raccoon, Striped Skunk and Weasel	Oct. 22	Feb. 18, 2018	Unlimited	
Coyote and Fox Use of cable restraint devices authorized with required certification	Dec. 26	Feb. 18, 2018	Unlimited	
Bobcat, with required bobcat permit WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Dec. 16	Jan. 7, 2018	1	1
Fisher, with required fisher permit WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4D and 4E	Dec. 16	Dec. 27	1	1
River Otter, with required otter permit WMUs 3C and 3D	Feb. 17, 2018	Feb. 24, 2018	1	1

FUR TAKING—HUNTING

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyote—(Outside of any big game season)	May be taken with a hunting license or a furtaker's license.		Unlimited	
Coyote—(During any big game season)	May be taken while lawfully hunting big game or with a furtaker's license.		Unlimited	
Opossum, Striped Skunk, Weasel	No closed season.			
Raccoon and Fox	Oct. 21	Feb. 17, 2018	Unlimited	
Bobcat, with required bobcat permit WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Jan. 13, 2018	Feb. 7, 2018	1	1
Porcupine	Sept. 1	Mar. 31, 2018	3	10
No open seasons on other wild birds or wild mammals.				

¹ Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of two spring gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

² Only one antlered deer (buck) may be taken during the hunting license year.

³ Includes residents and nonresident license holders who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

⁴ Only one bear may be taken during the hunting license year with the required bear license.

⁵ Only one elk may be taken during the hunting license year with the required elk license.

[Pa.B. Doc. No. 17-419. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 139]

Seasons and Bag Limits; Field Possession and Transportation Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 139.6 (relating to field possession and transportation limits) to increase the daily possession limit from double to triple the daily limit.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The Commission first established triple possession limits in § 139.4 (relating to seasons and bag limits for the license year) for the 2014-2015 license year. Unfortunately, the Commission did not contemporaneously amend § 139.6 with these same amendments. The Commission proposes to amend § 139.6 to increase the daily possession limit from double to triple the daily limit.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to “fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife.” Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to “promulgate regulations relating to seasons and bag limits for hunting or furtaking. . . .” The amendments to § 139.6 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 139.6 to increase the daily possession limit from double to triple the daily limit.

3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-415. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 139. SEASONS AND BAG LIMITS

§ 139.6. **Field possession and transportation limits.**

(a) *Opening day of season.* It is unlawful for a person to possess or transport game or wildlife [,] in excess of the daily limit as set forth in § 139.4 (relating to seasons and bag limits for the license year).

(b) [*Following opening*] *Second day of season.* [**It**] **On the second day of the season, it** is unlawful for a person to possess or transport game or wildlife, at or between the place where taken and his place of permanent residence, in excess of twice the daily limit, or the season limit, whichever applies, as set forth in § 139.4.

(c) *Following the second day of season. After second day of the season, it is unlawful for a person to possess or transport game or wildlife, at or between the place where taken and his place of permanent residence, in excess of triple the daily limit, or the season limit, whichever applies, as set forth in § 139.4.*

[Pa.B. Doc. No. 17-420. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 139]

Seasons and Bag Limits; Wildlife Management Units

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 139.17 (relating to wildlife management units) to expand wildlife management unit (WMU) 2E southward into WMU 2C to realign the southwest boundary line of WMU 2E from Route 422 to Route 22.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

A uniform system of WMUs was implemented in 2003 to replace the system of multiple species-specific management units. The primary objective of this new WMU system was to develop and implement wildlife management decisions on a system of more homogenous units based on physiographic, land cover and use, human population density and land ownership. WMU boundaries were defined using readily recognizable features on the landscape rather than hard to identify political boundaries. In 2008, the Commission conducted a 5-year evaluation of the structure of the WMU system which resulted in the development and implementation of four WMU map revisions. The Commission has again conducted an evaluation of the structure of the WMU system and developed a WMU map revision to expand WMU 2E

southward into WMU 2C to realign the southwest boundary line of WMU 2E from Route 422 to Route 22.

Section 322(c)(4) of the code (relating to powers and duties of commission) specifically authorizes the commission to “[d]efine geographic limitations or restrictions.” Section 322(c)(6) of the code specifically empowers the commission to “[l]imit the number of hunters or furtakers in any designated area and prescribe the lawful methods of hunting or taking furbearers in these areas.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 139.17 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 139.17 to expand WMU 2E southward into WMU 2C to realign the

southwest boundary line of WMU 2E from Route 422 to Route 22.

3. Persons Affected

Persons wishing to hunt or take game or wildlife within WMUs 2C and 2E may be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-404. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 139. SEASONS AND BAG LIMITS

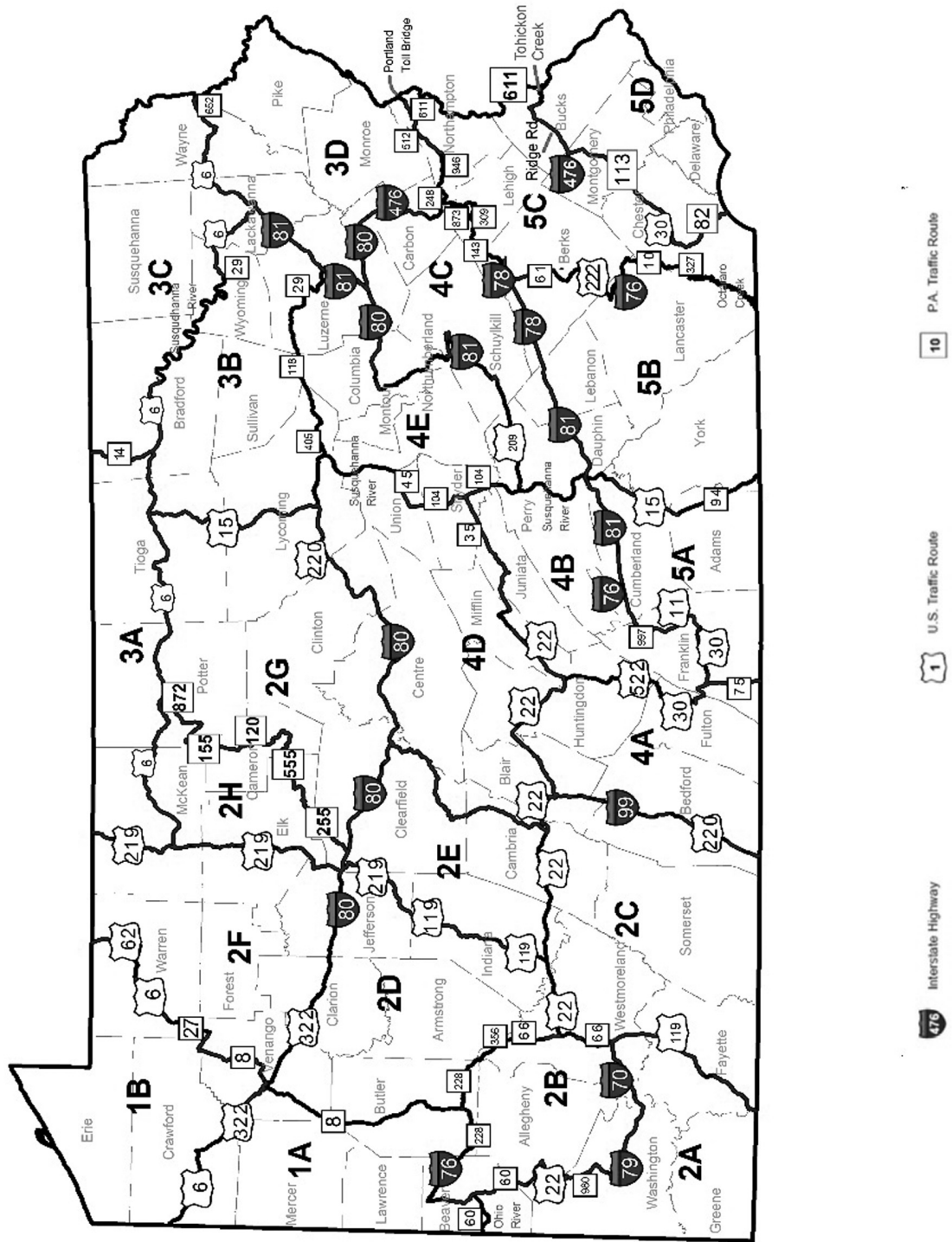
§ 139.17. Wildlife management units.

(a) The divisional line between two or more wildlife management units shall be the center of the highway, natural water course or other natural boundary.

(b) The outline map of Pennsylvania sets forth wildlife management units.

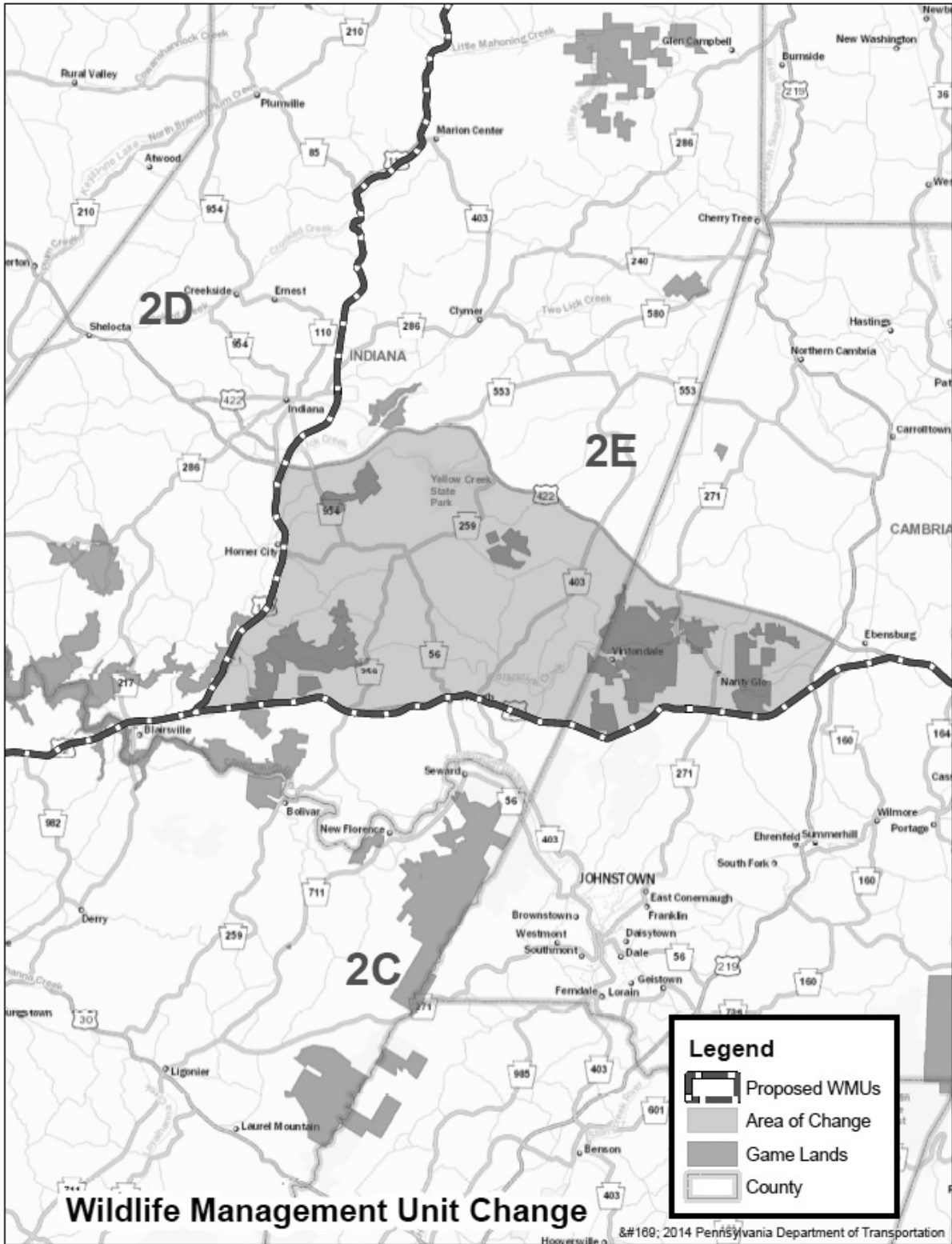
(Editor’s Note: As part of this proposed rulemaking, the Commission is proposing to replace the map which appears in 58 Pa. Code page 139-18, serial page (381018), with the following map.)

Wildlife Management Units



New WMU 2C—From the West Virginia/PA state line, US Route 119 north to Toll Road Route 66 near New Stanton. Toll Road Route 66 north to US Route 22 near Delmont. US Route 22 east to I-99 near Hollidaysburg. I-99 south to US Route 220 near Bedford. US Route 220 south to the Maryland/PA state line.

New WMU 2E—From near DuBois, I-80 east to PA Route 53 near Kylertown. PA Route 53 south to US Route 22 near Cresson. US Route 22 west to US Route 119 near Blairsville. US Route 119 north to US Route 219 near DuBois. US Route 219 north to I-80 near DuBois.



[Pa.B. Doc. No. 17-421. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 147]
Special Permits; Deer Control

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend §§ 147.552 and 147.553 (relating to application; and permit) to replace the dawn to dusk terminology with a reference to legal hunting hours as set forth in § 141.4 and Chapter 141, Appendix G (relating to hunting hours) and to delete the requirement that an applicant be enrolled in one of the Commission's public access programs for 2 years to be eligible for the Red Tag permit.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

Current regulations limit subpermittees exercising the privileges of a Red Tag permit to hunting and taking white-tailed deer from "dawn to dusk." Most participants in this program understand this ambiguous time frame to coincide with legal hunting hours, but this link is not clear in the regulations. The Commission proposes to amend § 147.553 to replace the dawn to dusk terminology with a reference to legal hunting hours as set forth in § 141.4 and Chapter 141, Appendix G. These proposed amendments will more effectively guide and instruct subpermittees on the lawful periods during which they may exercise the privileges of this program. The Commission is also proposing to amend § 147.552 to delete the requirement that an applicant be enrolled in one of the Commission's public access programs for 2 years to be eligible for the Red Tag permit. This proposed amendment will alleviate constraints on farmers wishing to participate in the Red Tag Program who cannot wait the 2-year public access program enrollment period due to current deer damage problems.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." The amendments to §§ 147.552 and 147.553 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend §§ 147.552 and 147.553 to replace the dawn to dusk terminology with a reference to legal hunting hours as set forth in § 141.4 and Chapter 141, Appendix G and to delete the requirement that an applicant be enrolled in one of the Commission's public access programs for 2 years to be eligible for the Red Tag permit.

3. Persons Affected

Persons wishing to make application and participate in the Red Tag deer control program may be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-409. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 147. SPECIAL PERMITS
Subchapter R. DEER CONTROL
AGRICULTURE

§ 147.552. Application.

* * * * *

(b) [**Except in wildlife management units 5C and 5D, applications**] Applications will only be accepted from persons who [**have been**] are currently enrolled in one of the Commission public access programs (Farm Game Project or Safety Zone—P.1-2-3) [**for a minimum of 2 years and are currently enrolled in the Program**].

* * * * *

§ 147.553. Permit.

The deer control permit authorizes the permittee to enlist the aid of a limited number of subpermits. The maximum number of subpermits issued will be no more than one for every 5 acres of land that is under cultivation unless the wildlife conservation officer recommends an increase in the number due to warranted circumstances.

(1) *Validity.* The permit is valid from February 1 to September 28 each calendar year, excluding Sundays, during [**the hours of dawn to dusk only**] legal hunting hours as set forth in § 141.4 and Chapter 141, Appendix G (relating to hunting hours).

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[Pa.B. Doc. No. 17-422. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 147]
Special Permits; Deer Management Assistance
Program Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to amend § 147.673 (relating to eligibility and application for

DMAP) to allow the Commission to accept Deer Management Assistance Program (DMAP) applications from political subdivisions and government agencies to enable them to manage deer harvest within a conglomeration of distinct, privately-owned and publically-owned lands under their jurisdiction.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The Commission is statutorily charged with managing white-tailed deer herds in this Commonwealth on behalf of citizens. To accomplish this responsibility, the Commission allocates antlerless deer licenses across this Commonwealth among its various wildlife management units to utilize hunter harvest as the primary management tool of white-tailed deer. These allocations are adjusted each year to allow the deer herd to grow, stabilize or decrease, and are based on the best available science and in consideration of the broad and disparate interests of various stakeholders in this Commonwealth. This system addresses deer management Statewide.

In 2003, DMAP was established to provide both public and private landowners with an additional tool for the management of local white-tailed deer herds on lands where excessive deer numbers have compromised the landowners' land uses and other interests. Some communities in more urbanized areas have documented evidence that requiring individual landowners to individually submit DMAP applications has not been an effective method towards resolving localized deer management concerns. Subsequently, the Commission has recognized the need to increase deer harvests in local areas in response to growing concerns related to disease outbreaks.

The Commission is proposing to amend § 147.673 to allow the Commission to accept DMAP applications from political subdivisions and government agencies to enable them to manage deer harvest within a conglomeration of distinct, privately-owned and publically-owned lands under their jurisdiction. By expanding political subdivisions' and government agencies' ability to apply for permits on behalf of property owners, the Commission hopes to improve efforts to control deer populations using regulated DMAP hunting. Political subdivisions and government agencies making application in this manner will be required to submit a management plan. The Commission will allocate DMAP harvest permits based on current conditions relative to goals and objectives outlined in the Commission-approved management plan.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." The amendments to § 147.673 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend § 147.673 to allow the Commission to accept DMAP applications from

political subdivisions and government agencies to enable them to manage deer harvest within a conglomeration of distinct, privately-owned and publically-owned lands under their jurisdiction.

3. *Persons Affected*

Political subdivisions and government agencies wishing to make application for participation in DMAP on behalf of a conglomeration of distinct, privately-owned and publically-owned lands may be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-406. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter R. DEER CONTROL

DEER MANAGEMENT ASSISTANCE PROGRAM PERMITS

§ 147.673. Eligibility and application for DMAP.

(a) Owners or lessees of private land, hunting clubs or authorized officers or employees of political subdivisions or government agencies [**shall apply for the DMAP on a form provided by the Commission**] are eligible to make application for a DMAP.

(1) Applications shall be submitted **on a form provided by the Commission** to a regional office by May 1 immediately preceding the first fall deer season and include the name of the owner, lessee, political subdivision or government agency that is applying for the DMAP and the name and address of the contact person for the DMAP as well as other information required on the application.

(2) One DMAP harvest permit will be allocated for every 5 acres of land enrolled in the DMAP where material destruction of cultivated crops, fruit trees or vegetables by deer has been or can be documented. One DMAP harvest permit will be allocated for every 50 acres of land enrolled in the DMAP for all other lands. Additional DMAP harvest permits may be allocated dependent on current conditions relative to goals and objectives outlined in a Commission-approved management plan.

(3) Applications will not be accepted for the following areas without an approved management plan:

(i) Areas within 1 air mile of another DMAP area that is owned, leased or controlled by the same person, political subdivision or governmental agency.

(ii) Areas owned or leased by a Federal agency, State agency or municipal political subdivision.

(iii) Areas with less than 5 acres of cultivated crops, fruit trees or vegetables, or less than 50 acres of other lands.

(iv) **Collective areas comprised of distinct, privately-owned and publically-owned lands managed by a local political subdivision or government agency applicant.**

(b) Management plans must include at least the following information:

* * * * *

[Pa.B. Doc. No. 17-423. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 147]

Special Permits; Pheasant Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to add Chapter 147, Subchapter Q (relating to pheasant permit) to define and implement the Pheasant Hunting Permit Program in this Commonwealth and provide for the issuance of hunting permits authorizing eligible individuals to hunt pheasants during applicable pheasant hunting seasons.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

Pheasant hunting in this Commonwealth has relied entirely upon stocking of farm-raised pheasants during the past 20—30 years subsequent to disappearance of the wild pheasant population in this Commonwealth. Four pheasant farms operated by the Commission have historically produced about 200,000 pheasants per year. This program is popular and has many values related to hunter recruitment/retention/reactivation as well as providing an upland game bird hunting opportunity at a time when wild upland game bird populations are gone or in serious decline. However, the pheasant program has been costing the Commission about \$4.7 million per year with no fee mechanism established to sustain the program. Recent budget pressures caused by increases in personnel benefit costs and declines in revenue have forced the Commission to initiate cost cutting measures including closure of two of the four pheasant farms. These closures are estimated to save \$1.7 million per year while changes in operations are being implemented to further reduce costs while minimizing adverse impacts on the bird quality and quantity. The Commission is proposing to add Chapter 147, Subchapter Q to define and implement the Pheasant Hunting Permit Program in this Commonwealth and provide for the issuance of hunting permits authorizing eligible individuals to hunt pheasants during applicable pheasant hunting seasons. Adoption of the

proposed pheasant hunting permit at cost of \$25 for adults is projected to produce about \$1.5 million of new revenue. Adoption of this pheasant stamp would make the program more self-sufficient and help ensure the future of pheasant hunting in this Commonwealth.

Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” Chapter 147, Subchapter Q is proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will add Chapter 147, Subchapter Q to define and implement the Pheasant Hunting Permit Program in this Commonwealth and provide for the issuance of hunting permits authorizing eligible individuals to hunt pheasants during applicable pheasant hunting seasons.

3. *Persons Affected*

Persons wishing to hunt or take pheasants in this Commonwealth will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking will result in the creation of a new class of permit that will be required for adult hunters. The Commission anticipates that this permit will be made available through the Pennsylvania Automated License System, therefore paperwork requirements to the general public will be nominal. The Commission determined that there will be limited personnel and administrative costs associated with the implementation of this new permit program. The Commission anticipates that these costs will be accommodated through existing staffing and existing budgets.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-402. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 147. SPECIAL PERMITS

Subchapter Q. PHEASANT PERMIT

- Sec. 147.315. Purpose.
- 147.316. Application.
- 147.317. Permit.
- 147.318. Violations.

§ 147.315. Purpose.

The purpose of this subchapter is to define and implement the Pheasant Hunting Permit Program in this Commonwealth and provide for the issuance of hunting permits authorizing eligible individuals to hunt pheasants

during applicable pheasant hunting seasons established in § 139.4 (relating to seasons and bag limits for the license year).

§ 147.316. Application.

(a) *Form and content.* Applications for pheasant hunting permits issued under this subchapter shall be made through the Commission or any of its authorized license-issuing agents on the appropriate form designated by the Commission for this purpose. Each application must include the applicant’s name, address, date of birth and Commission-issued Customer Identification Number, and any other information required by the Commission.

(b) *Eligibility.* Adult pheasant hunting permit applications are available for submission by applicants in possession of a valid resident or nonresident adult or senior hunting license or a valid mentored adult hunting permit. The fee for an adult pheasant hunting permit is \$25, plus any applicable transactional and issuing agent fees.

§ 147.317. Permit.

(a) A pheasant hunting permit is required for an adult to hunt or take pheasants by any means or manner or device, including the use of dogs, in this Commonwealth.

(b) A pheasant hunting permit shall be signed and carried on person when hunting or taking pheasants in this Commonwealth.

(c) This section and subchapter may not be construed to require a permit for individuals engaged in lawful pheasant hunting activities under a valid commercial or noncommercial regulated hunting grounds issued under section 2928 of the act (relating to regulated hunting grounds permits).

§ 147.318. Violations.

Violations of this subchapter will be prosecuted under section 2908 of the act (relating to violations). Furthermore, the Director may deny, revoke or suspend a permit for a violation of this subchapter upon written notice to the permittee.

[Pa.B. Doc. No. 17-424. Filed for public inspection March 10, 2017, 9:00 a.m.]

[58 PA. CODE CH. 137]

Wildlife; Chronic Wasting Disease Restrictions

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its January 31, 2017, meeting to adopt § 137.35 (relating to Chronic Wasting Disease restrictions) to give more permanent status and structure to the requirements and restrictions previously established and maintained by executive order during the past decade.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the January 31, 2017, meeting of the Commission. Comments can be sent until March 24, 2017, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

Chronic Wasting Disease (CWD) is an infectious and progressive neurological disease that is found in, and

always proves fatal to, members of the family Cervidae (deer, elk and moose, and other susceptible species, collectively called cervids). CWD is caused by prions (abnormal infectious protein particles) that are known to be concentrated in the nervous system and lymphoid tissues of infected cervids. There are no known treatments for CWD infection, no vaccines to protect against CWD infection and no approved tests that can detect the presence of CWD in live cervids. CWD is designated as a “dangerous transmissible disease” of animals by order of the Secretary of Agriculture under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases). CWD is known to be transmissible from infected to uninfected cervids by contact with or ingestion of CWD-infected or contaminated cervid parts or materials. CWD is of particular concern to this Commonwealth because it has potential to have a catastrophic detrimental impact on both wild and captive cervid populations in this Commonwealth. The Department of Agriculture has detected CWD in captive deer in Adams, Franklin, Jefferson and York Counties. The Commission has also detected CWD in free-ranging deer in Bedford, Blair, Cambria and Fulton Counties. The Maryland Department of Natural Resources has detected CWD in free-ranging deer in Allegany County within 10 miles of the Pennsylvania border. The Commission proposes to add § 137.35 to give more permanent status and structure to the requirements and restrictions previously established and maintained by executive order during the past decade.

Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” Section 137.35 is proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will add § 137.35 to give more permanent status and structure to the requirements and restrictions previously established and maintained by executive order during the past decade.

3. Persons Affected

Persons wishing to import high-risk parts or materials from cervids harvested, taken or killed within a CWD-endemic state or Canadian province or persons wishing to remove or export high-risk parts or materials from cervids harvested, taken or killed within a Disease Management Area within this Commonwealth will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Thomas P. Grohol, Director, Bureau of

Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,
Executive Director

Fiscal Note: 48-412. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 137. WILDLIFE

§ 137.35. Chronic Wasting Disease restrictions.

(a) *Importation.*

(1) It is unlawful to import any high-risk parts or materials from cervids harvested, taken or killed within any Chronic Wasting Disease (CWD)-endemic state or Canadian province into this Commonwealth.

(2) This subsection may not be construed to limit the importation of non-high-risk parts or materials from cervids harvested, taken or killed within any CWD-endemic state or Canadian province into this Commonwealth.

(b) *Exportation.*

(1) It is unlawful to remove or export any high-risk parts or materials from cervids harvested, taken or killed, including by vehicular accident, within any Disease Management Area established within this Commonwealth.

(2) This subsection may not be construed to limit the removal or exportation of non-high-risk parts or materials from cervids harvested, taken or killed within any Disease Management Area established within this Commonwealth.

(3) This subsection may not be construed to limit the removal or exportation of high-risk parts or materials from cervids harvested, taken or killed in any Disease Management Area established within this Commonwealth if the parts or materials are transported directly to any location or facility designated and approved in advance by the Commission to receive high-risk cervid parts for waste disposal, taxidermy or butchering purposes. Locations or facilities designated and approved to receive high-risk cervid parts for waste disposal, taxidermy or butchering purposes will be made known through public announcement, web site and other means reasonably intended to reach the widest audience.

(4) All cervids harvested, taken or killed within any Disease Management Area established within this Commonwealth are subject to disease testing. This testing may require hunters to present cervids, or cervid parts, for checking and sampling at prescribed locations under conditions in a forthcoming notice. The submission process, if any, will be made known through public announcement, web site and other means reasonably intended to reach the widest audience. The cost of testing, sampling and analysis will be borne by the Commission.

(5) It is unlawful to rehabilitate wild, free-ranging cervids within any Disease Management Area established within this Commonwealth.

(6) It is unlawful to use or possess cervid urine-based attractants in any outdoor setting within any Disease Management Area established within this Commonwealth.

(7) It is unlawful to directly or indirectly feed wild, free-ranging cervids within any Disease Management

Area established within this Commonwealth. This prohibition may not be construed to apply to normal or accepted agricultural, habitat management, oil and gas drilling, mining, forest management, or other legitimate commercial or industrial practices. If otherwise lawful feeding is attracting cervids, the Commission may provide written notice prohibiting this activity. Failure to discontinue this activity is a violation of this section.

(8) The Commission will not issue any new permit to possess or transport live cervids within any Disease Management Area established within this Commonwealth.

(c) *Nonapplicability.*

(1) Nothing in this section shall be construed to extend to the regulation of captive cervids held under 3 Pa.C.S. Chapter 23 (relating to Domestic Animal Law) or the requirements of a lawful quarantine order issued by the Department of Agriculture.

(2) Nothing in this section shall be construed to limit the Commission's authority to establish or enforce additional importation, exportation, possession, transportation, or testing requirements or restrictions on cervid parts or materials under the authority of § 137.34 (relating to Chronic Wasting Disease and emergency authority of Director).

(d) *Authority to designate.* The Executive Director has the authority to designate and publish a list of current CWD-endemic states and Canadian provinces and Disease Management Areas established within this Commonwealth. The Executive Director will publish this list and any updates in the *Pennsylvania Bulletin*.

(e) *Definitions.* The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

CWD—Chronic Wasting Disease—The transmissible spongiform encephalopathy of cervids.

CWD-endemic states or Canadian provinces—States or Canadian provinces where CWD has been detected in wild or captive cervid populations.

Cervid—Any member of the family Cervidae (deer), specifically including the following species: black-tailed deer; caribou; elk; fallow deer; moose; mule deer; red deer; sika deer; white-tailed deer; and any hybrids thereof.

Disease Management Area—Any geographic area of this Commonwealth influenced by a positive case of CWD and targeted by the Commission for CWD management activities.

Feeding—The act of placing any artificial or natural substance for the use or consumption of wild, free-ranging cervids on an annual, seasonal or emergency basis.

High-risk parts or materials—Any parts or materials, derived from cervids, which are known to accumulate abnormal prions. This includes any of the following: head (including brain, tonsils, eyes and lymph nodes); spinal cord/backbone (vertebra); spleen; skull plate with attached antlers, if visible brain or spinal cord material is present; cape, if visible brain or spinal cord material is present; upper canine teeth, if root structure or other soft material is present; any object or article containing visible brain or spinal cord material; and brain-tanned hide.

Non-high-risk parts or materials—Any parts or materials, derived from cervids, which are not known to accumulate abnormal prions. This includes any of the following: meat, without the backbone; skull plate with

attached antlers, if no visible brain or spinal cord material is present; tanned hide or rawhide with no visible brain or spinal cord material present; cape, if no visible brain or spinal cord material is present; upper canine teeth, if no root structure or other soft material is present; and taxidermy mounts, if no visible brain or spinal cord material is present.

(f) *Violations.* A person violating a requirement or restriction in this section may be prosecuted under section 2102 or 2307 of the act (relating to regulations; and unlawful taking or possession of game or wildlife) and, upon conviction, be sentenced to pay the fine prescribed in the act.

[Pa.B. Doc. No. 17-425. Filed for public inspection March 10, 2017, 9:00 a.m.]

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CH. 682a AND 683a]

Four Card Prime and Cajun Stud; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), proposes to add Chapters 682a and 683a (relating to Four Card Prime; and Cajun Stud) to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

This proposed rulemaking will add new table games to the compliment of games available for play in this Commonwealth.

Explanation

Sections 682a.1 and 683a.1 (relating to definitions) contain the definitions used throughout the chapters. Sections 682a.2 and 683a.2 (relating to Four Card Prime table physical characteristics; and Cajun Stud table physical characteristics) contain the physical characteristics of the table layout. Sections 682a.3 and 683a.3 (relating to cards; number of decks) detail the number of cards and decks used to play the game. Sections 682a.4 and 683a.4 (relating to opening of the table for gaming) address how the dealer is to open the table game for play.

Sections 682a.5 and 683a.5 (relating to shuffle and cut of the cards) detail how the cards are to be shuffled and cut. Sections 682a.6 and 683a.6 (relating to Four Card Prime rankings; and Cajun Stud rankings) address the rank of the cards and hands. Sections 682a.7 and 683a.7 (relating to wagers) outline the permissible wagers players may place during a round of play.

Sections 682a.8—682a.10 and 683a.8—683a.10 address how the cards are to be dealt and the number of cards dealt to each player. Sections 682a.11 and 683a.11 (relating to procedures for completion of each round of play) specify how wagers are to be settled and a round of play completed. Sections 682a.12 and 683a.12 (relating to payout odds; Bad Beat Bonus; payout limitation; and payout odds; payout limitation) outline the permissible payout odds for winning wagers and allow the operator to place a payout limit, per player per round of play.

Sections 682a.13 and 683a.13 (relating to irregularities) address how a dealer is to handle irregularities during play.

In Four Card Prime, the approved payout tables in § 682a.12 have a hold percentage of between 2.13% and 2.63% for required wagers. For optional wagers, the hold percentage ranges from 1.11% to 6.6% for the Aces Bonus Wager, between 6.74% to 18.1% for the All Six Bonus Wager and from 4.74% to 9.8% for the Prime Wager.

In Cajun Stud, the approved payout tables in § 683a.12 have a hold percentage of between 1.37% and 4.28% for the required wagers. For optional wagers, the hold percentage ranges from 7.18% to 8.71% for the Lo Ball Wager, between 2.14% and 7.1% for the Board Bonus, between 6.74% and 18.1% for the All Six Bonus Wager (the same wager offered in Four Card Prime) and between 4.52% and 9.95% for the Pocket Bonus Wager.

Fiscal Impact

Commonwealth. The Board does not expect that this proposed rulemaking will have a fiscal impact on the Board or other Commonwealth agencies. Updates to Rules Submission forms and internal control procedures will be reviewed by existing Board staff.

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

Private sector. This proposed rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Four Card Prime or Cajun Stud within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and purchase new equipment—specifically table layouts corresponding to the game and wagers offered. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

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

Paperwork Requirements

If a certificate holder selects different options for the play of table games, the certificate holder will be required to submit an updated Rules Submission form reflecting the changes. These forms are available and submitted to Board staff electronically.

Effective Date

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

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be addressed to Susan A. Yocum, Senior Counsel, Attention: Regulation # 125-204 Public Comment, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060.

Contact Person

The contact person for questions about this proposed rulemaking is Susan Yocum, Senior Counsel, (717) 346-8300.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 1, 2017, the Board submitted a copy of this proposed rulemaking and a copy of a

Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee.

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 in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Board, the General Assembly and the Governor.

DAVID M. BARASCH,
Chairperson

Fiscal Note: 125-204. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 682a. FOUR CARD PRIME

Sec.	
682a.1.	Definitions.
682a.2.	Four Card Prime table physical characteristics.
682a.3.	Cards; number of decks.
682a.4.	Opening of the table for gaming.
682a.5.	Shuffle and cut of the cards.
682a.6.	Four Card Prime rankings.
682a.7.	Wagers.
682a.8.	Procedures for dealing the cards from a manual dealing shoe.
682a.9.	Procedures for dealing the cards from the hand.
682a.10.	Procedures for dealing the cards from an automated dealing shoe.
682a.11.	Procedures for completion of each round of play.
682a.12.	Payout odds; Bad Beat Bonus; payout limitation.
682a.13.	Irregularities.

§ 682a.1. Definitions.

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

Aces Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

All-Six Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Ante Wager—The wager that a player is required to make prior to any cards being dealt to compete against the dealer's hand.

Bad Beat Bonus—A payout based the player's Ante Wager when the rank of the player's four-card hand is a three-of-a-kind or higher but is lower in rank than the dealer's four-card hand.

Prime Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Raise Wager—An additional wager of one, two or three times the player's Ante Wager that a player shall make if the player opts to remain in competition against the dealer.

Win Bonus—An additional payout based on the value of the player's Ante Wager when the rank of the player's

four-card hand is a three-of-a-kind or higher and is higher in rank than the dealer's four-card hand.

§ 682a.2. Four Card Prime table physical characteristics.

(a) Four Card Prime shall be played at a table having betting positions for no more than six 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 Four Card Prime table shall be submitted to the Bureau of Gaming Operations 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) Two separate betting areas designated for the placement of Ante and Raise Wagers for each player.

(3) If the certificate holder offers the optional Prime Wager authorized under § 682a.7(d)(2) (relating to wagers), the Aces Bonus Wager authorized under § 682a.7(d)(3) or the All-Six Bonus Wager authorized under § 682a.7(d)(4), a separate area designated for the placement of each of the wagers for each player.

(4) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Four Card Prime table.

(5) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 682a.12(g) (relating to payout odds; Bad Beat Bonus; payout limitation), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Four Card Prime table.

(c) Each Four Card Prime table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Four Card Prime table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 682a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Four Card Prime shall be played with 1 deck of 52 cards that are identical in appearance and 1 cover card.

(b) If an automated card shuffling device is utilized, Four Card Prime may be played with 2 decks of 52 cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck are placed in the discard rack at any given time.

(c) The decks of cards used in Four Card Prime shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 682a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for any defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 682a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c).

(e) If the decks of cards received at the table are preinspected and preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 682a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were preshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated card shuffling device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 682a.8, § 682a.9 or § 682a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were preshuffled, cut the cards in accordance with subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for the commencement of play.

(e) After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(f) If there is no gaming activity at a Four Card Prime table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 682a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (d)—(f) do not apply.

§ 682a.6. Four Card Prime rankings.

(a) The rank of the cards used in Four Card Prime, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a 2, 3 and 4 but may not be combined with any other sequence of cards (for example, queen, king, ace and 2). All suits shall be equal in rank.

(b) The permissible Poker hands in the game of Four Card Prime, in order of highest to lowest rank, shall be:

(1) A four-of-a-kind, which is a hand consisting of four cards of the same rank with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind.

(2) A straight flush, which is a hand consisting of four cards of the same suit in consecutive ranking, with an ace, king, queen and jack being the highest ranking straight flush and an ace, 2, 3 and 4 being the lowest ranking straight flush.

(3) A three-of-a-kind, which is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind.

(4) A flush, which is a hand consisting of four cards of the same suit, regardless of rank.

(5) A straight, which is a hand consisting of four cards of more than one suit and of consecutive rank, with an ace, king, queen and jack being the highest ranking straight and an ace, 2, 3 and 4 being the lowest ranking straight.

(6) Two pairs, which is a hand consisting of two sets of two cards of the same rank, with two aces and two kings

being the highest ranking two pairs and two 3s and two 2s being the lowest ranking two pair.

(7) A pair, which is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair.

(c) When comparing two Poker hands that are of identical rank under subsection (b), or that contain none of the hands in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not contained in the other hand, shall be considered the higher ranking hand. If the hands are of equal rank after the application of this section, the hands shall be considered a tie.

(d) If a certificate holder offers the Aces Bonus Wager, the hands eligible for a payout shall be:

(1) Four aces, which is a hand consisting of four aces.

(2) A four-of-a-kind, which is a hand consisting of four cards of the same rank, other than four aces.

(3) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(4) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, other than a royal flush.

(5) Three aces, which is a hand consisting of three aces.

(6) A three-of-a-kind, which is a hand consisting of three cards of the same rank, other than three aces.

(7) A flush, which is a hand consisting of five cards of the same suit.

(8) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

(9) Two pair, which is a hand consisting of two sets of two cards of the same rank.

(10) Two aces, which is a hand consisting of two aces.

(e) If a certificate holder offers the All-Six Bonus Wager, the rank of the hands shall be:

(1) A six-card royal flush, which is a hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

(2) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(3) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, other than a royal flush.

(4) A four-of-a-kind, which is a hand consisting of four cards of the same rank, regardless of suit.

(5) A full house, which is a hand consisting of three-of-a-kind and a pair.

(6) A flush, which is a hand consisting of five cards of the same suit.

(7) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

(8) A three-of-a-kind, which is a hand consisting of three cards of the same rank, regardless of suit.

§ 682a.7. Wagers.

(a) Wagers at Four Card Prime shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Four Card Prime table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers, except the Raise Wager, shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 682a.8, § 682a.9 or § 682a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 682a.11(b) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Four Card Prime:

(1) A player may compete solely against the dealer's Four Card Prime hand by placing an Ante Wager then a Raise Wager, in an amount equal to one, two or three times the player's Ante Wager, in accordance with § 682a.11(b).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Four Card Prime table the option to make an additional Prime Wager which shall win if at least four of player's five cards are of the same color.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Prime table the option to make an additional Aces Bonus Wager, which shall win if the player's five cards contain a pair of aces or better as provided in § 682a.6(d) (relating to Four Card Prime rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Four Card Prime table the option to make an additional All-Six Bonus Wager, which shall win if the player's five cards and the additional All-Six Bonus card form a three-of-a-kind or better as provided in § 682a.6(e).

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 682a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 682a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce "no more bets." To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) If a player has placed an All-Six Bonus Wager, the dealer shall deal the first card face down to the area of

the layout designated for the All-Six Bonus card. Thereafter, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 682a.7(d)(1) (relating to wagers) and to the dealer until each player who placed an Ante Wager has five cards and the dealer has six cards. All cards shall be dealt face down.

(d) After five cards have been dealt to each player and six cards to the dealer, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (e), place the stub in the discard rack without exposing the cards.

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(g) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 682a.9. Procedures for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated card shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 682a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce "no more bets."

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. If a player has placed an All-Six Bonus Wager, the dealer shall deal the first card face down to the area of the layout designated for the All-Six Bonus card. Thereafter, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 682a.7(d)(1) (relating to wagers) and to the dealer until each player who placed an Ante Wager has five cards and the dealer has six cards. All cards shall be dealt face down.

(c) After five cards have been dealt to each player and six cards to the dealer, the dealer shall, except as

provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 682a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 682a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "no more bets."

(b) The dealer shall deliver the first stack of five cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager in accordance with § 682a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of five cards face down to the area designated for the placement of the dealer's cards. The dealer shall then remove the next stack of five cards dispensed by the automated dealing shoe and if any player placed an All-Six Bonus Wager, the dealer shall deal the top card of the stack face down to the area of the layout designated for the All-Six Bonus card. The dealer shall then deal a sixth card face down to the dealer's hand and place the remaining cards in the discard rack.

(c) After all cards have been dispensed and delivered in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 682a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 682a.8, § 682a.9 or § 682a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at Four Card Prime shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(2) Each player shall keep his five cards in full view of the dealer at all times.

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Raise Wager in an amount equal to one, two or three times the player's Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and an optional Prime, Aces Bonus or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager but does not forfeit the Prime, Aces Bonus or All-Six Bonus Wager.

(c) After each player who has placed an Ante Wager has either placed a Raise Wager on the designated area of the layout or forfeited his Ante Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Prime, Aces Bonus or All-Six Bonus Wager, and place the cards in the discard rack.

(d) The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking four-card hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the cards of each player face up on the layout and compare the player's four-card hand to the dealer's four-card hand.

(2) If the player's highest ranking four-card hand is:

(i) Higher than or equal to the dealer's hand, as described in § 682a.6(b) (relating to Four Card Prime rankings), the dealer shall pay the winning Ante and Raise Wagers in accordance with § 682a.12(a) (relating to payout odds; Bad Beat Bonus; payout limitation). Additionally, after paying the player's winning Ante and Raise Wagers, if the player's hand is a three-of-a-kind or better,

the dealer shall pay a Win Bonus, based on the value of the player's Ante Wager, in accordance with § 682a.12(b).

(ii) Lower than the dealer's hand, and the player's losing hand:

(A) Is not a three-of-a-kind or better, the dealer shall collect the player's losing Ante and Raise Wagers.

(B) Is a three-of-a-kind or better, the dealer shall collect the player's losing Raise Wager, return the player's Ante Wager and pay the player a Bad Beat Bonus on the player's Ante Wager in accordance with § 682a.12(c).

(e) After settling the player's Ante and Raise Wagers, the dealer shall settle any optional wagers as follows:

(1) For the Prime Wager, if four or more of the player's five cards:

(i) Are not the same color, the dealer shall collect the losing Prime Wager.

(ii) Are of the same color, the dealer shall pay the winning Prime Wager in accordance with § 682a.12(d).

(2) For the Aces Bonus Wager, if the player's five-card hand:

(i) Does not contain a pair of aces or better, as described in § 682a.6(d), the dealer shall collect the losing Aces Bonus Wager.

(ii) Contains a pair of aces or better, as described in § 682a.6(d), the dealer shall pay the winning Aces Bonus Wager in accordance with § 682a.12(e).

(3) For the All-Six Bonus Wager, the dealer shall expose the All-Six Bonus card and combine it with the player's five cards to form the highest ranking six-card hand as provided in § 682a.6(e). If the hand:

(i) Does not contain a three-of-a-kind or better, as described in § 682a.6(e), the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, as described in § 682a.6(e), the dealer shall pay the winning All-Six Bonus Wager in accordance with § 682a.12(f).

(f) After all wagers of the player have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 682a.12. Payout odds; Bad Beat Bonus; payout limitation.

(a) A certificate holder shall pay winning Ante and Raise Wagers at odds of 1 to 1.

(b) A certificate holder shall pay a Win Bonus based on the value of the player's Ante Wager in accordance with the following payout table:

<i>Hand</i>	<i>Payout</i>
Four-of-a-kind	25 for 1
Straight flush	20 for 1
Three-of-a-kind	2 for 1

(c) A certificate holder shall pay a Bad Beat Bonus on the player's Ante Wager in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

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<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Four-of-a-kind	25 to 1	50 to 1	100 to 1	100 to 1
Straight flush	20 to 1	40 to 1	50 to 1	50 to 1
Three-of-a-kind	2 to 1	5 to 1	5 to 1	10 to 1

(d) A certificate holder shall pay out winning Prime Wagers in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
All five same color	6 to 1	5 to 1
Four of the same color	1 to 1	1 to 1

(e) A certificate holder shall pay out winning Aces Bonus Wagers in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Four aces	500 to 1	500 to 1	500 to 1	500 to 1
Four-of-a-kind	100 to 1	100 to 1	100 to 1	100 to 1
Royal flush	50 to 1	40 to 1	50 to 1	50 to 1
Straight flush	30 to 1	30 to 1	40 to 1	30 to 1
Three aces	20 to 1	15 to 1	25 to 1	20 to 1
Three-of-a-kind	10 to 1	10 to 1	10 to 1	10 to 1
Flush	5 to 1	5 to 1	5 to 1	5 to 1
Straight	4 to 1	4 to 1	3 to 1	3 to 1
Two pair	2 to 1	2 to 1	2 to 1	2 to 1
Two aces	1 to 1	1 to 1	1 to 1	1 to 1

<i>Hand</i>	<i>Paytable E</i>	<i>Paytable F</i>	<i>Paytable G</i>	<i>Paytable H</i>
Four aces	500 to 1	50 to 1	50 to 1	50 to 1
Four-of-a-kind	100 to 1	50 to 1	50 to 1	50 to 1
Royal flush	50 to 1	30 to 1	30 to 1	40 to 1
Straight flush	20 to 1	30 to 1	30 to 1	40 to 1
Three aces	15 to 1	7 to 1	9 to 1	8 to 1
Three-of-a-kind	10 to 1	7 to 1	9 to 1	8 to 1
Flush	5 to 1	6 to 1	6 to 1	5 to 1
Straight	3 to 1	5 to 1	4 to 1	4 to 1
Two pair	2 to 1	2 to 1	2 to 1	3 to 1
Two aces	1 to 1	1 to 1	1 to 1	1 to 1

(f) A certificate holder shall pay out winning All-Six Bonus Wagers as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1
Full house	25 to 1	25 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1
Straight	10 to 1	10 to 1	9 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1

<i>Hand</i>	<i>Paytable D</i>	<i>Paytable E</i>
Six-card royal flush—diamonds		200,000 to 1
Six-card royal flush—hearts, spades or clubs		20,000 to 1
Royal flush	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1

<i>Hand</i>	<i>Paytable D</i>	<i>Paytable E</i>
Four-of-a-kind	100 to 1	50 to 1
Full house	20 to 1	20 to 1
Flush	15 to 1	15 to 1
Straight	10 to 1	10 to 1
Three-of-a-kind	7 to 1	5 to 1

(g) Notwithstanding the payout odds in subsections (e) and (f), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. If the certificate holder is offering the All-Six Bonus Wager and selects payable E, the aggregate payout limit established may not include the payout for the six card royal flush.

§ 682a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

(c) If a player or the dealer is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If one or more of the dealer's cards is inadvertently exposed prior to the player's placing a Raise Wager in accordance with § 682a.11(b) (relating to procedures for completion of each round of play), all hands shall be void, all Ante and Raise Wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Prime, Aces Bonus or All-Six Bonus Wager, those wagers shall be settled in accordance with § 682a.11(e).

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

CHAPTER 683a. CAJUN STUD

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§ 683a.1. Definitions.

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

All-Six Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Ante Wager—The wager a player is required to make prior to any cards being dealt to participate in a round of play.

Board Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Community card—A card which is used by all players to form the best possible five-card Poker hand.

Fold—The withdrawal of a player from a round of play by not making Raise Wagers.

Lo Ball Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Pocket Bonus Wager—An optional wager a player shall make prior to any cards being dealt to compete against a posted payout table.

Raise Wager—An additional wager of one, two or three times the player's Ante Wager that a player shall make after examining the two cards dealt to the player and after the first and second community cards are revealed if the player opts to remain in the round of play.

§ 683a.2. Cajun Stud table physical characteristics.

(a) Cajun Stud shall be played on a table having betting positions for no more than six 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 Cajun Stud table shall be submitted to the Bureau of Gaming Operations 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) A separate betting area designated for the placement of the Ante Wager and three separate betting areas designated for the placement of the Raise Wagers for each player.

(3) If the certificate holder offers the optional Pocket Bonus Wager authorized under § 683a.7(d)(2) (relating to wagers), the Board Bonus Wager authorized under § 683a.7(d)(3), the Lo Ball Wager authorized under § 683a.7(d)(4) or the All-Six Bonus Wager authorized under § 683a.7(d)(5), a separate area designated for the placement of each of the wagers for each player.

(4) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Cajun Stud table.

(5) If the certificate holder establishes a payout limit, per player, per round of play, as authorized under § 683a.12(f) (relating to payout odds; payout limitation), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Cajun Stud table.

(c) Each Cajun Stud table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Cajun Stud table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 683a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Cajun Stud shall be played with 1 deck of 52 cards that are identical in appearance and 1 cover card.

(b) If an automated card shuffling device is utilized, Cajun Stud may be played with 2 decks of 52 cards in accordance with the following requirements:

(1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.

(2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.

(3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.

(4) The cards from only one deck shall be placed in the discard rack at any given time.

(c) The decks of cards used in Cajun Stud shall be changed at least every:

(1) Four hours if the cards are dealt by hand.

(2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 683a.4. Opening of the table for gaming.

(a) After receiving one or more decks of cards at the table, the dealer shall inspect the cards for defects. The floorperson assigned to the table shall verify the inspection.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 683a.5 (relating to shuffle and cut of the cards).

(d) If an automated card shuffling device is utilized and two decks of cards are received at the table, each deck of cards shall be spread for inspection, mixed, stacked and shuffled in accordance with subsections (a)—(c).

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

§ 683a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each round of play has been completed or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or automated card shuffling device shall place the deck of cards in a single stack. The certificate holder may use an automated card shuffling device which, upon completion of the shuffling of the cards, inserts the stack of cards directly into a dealing shoe.

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

(c) After the cards have been shuffled and stacked, the dealer shall:

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 683a.8, § 683a.9 or § 683a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

(2) If the cards were shuffled manually or were reshuffled, cut the cards in accordance with subsection (d).

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for the commencement of play.

(e) After the cards have been cut and before any cards have been dealt, a floorperson or above may require the cards to be recut if the floorperson determines that the

cut was performed improperly or in any way that might affect the integrity or fairness of the game.

(f) If there is no gaming activity at a Cajun Stud table that is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 683a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

(g) A certificate holder may utilize a dealing shoe or other device that automatically reshuffles and counts the cards provided that the device is submitted to the Bureau of Gaming Laboratory Operations and approved in accordance with § 461a.4 (relating to submission for testing and approval) prior to its use in the licensed facility. If a certificate holder is utilizing the approved device, subsections (d)—(f) do not apply.

§ 683a.6. Cajun Stud rankings.

(a) The rank of the cards used in Cajun Stud, in order of highest to lowest rank, must be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. Notwithstanding the foregoing, an ace may be used to complete a straight flush or a straight with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, queen, king, ace and 2). All suits shall be equal in rank.

(b) The permissible Poker hands in the game of Cajun Stud, in order of highest to lowest rank, must be:

(1) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(2) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, other than a royal flush.

(3) A four-of-a-kind, which is a hand consisting of four cards of the same rank.

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank.

(7) A three-of-a-kind, which is a hand consisting of three cards of the same rank.

(8) Two pairs, which is a hand consisting of two sets of two cards which are of the same rank.

(9) Pair, which is a hand consisting of two cards of the same rank.

(c) If a certificate holder offers the Pocket Bonus Wager, the player's two cards eligible for a payout must be:

(1) A pair of aces, which is a hand consisting of two aces.

(2) Suited ace, which is a hand consisting of a jack, queen or king and an ace all of the same suit.

(3) Unsuited ace, which is a hand consisting of a jack, queen or king and an ace of different suits.

(4) Pair, which is a hand consisting of two cards of the same rank.

(d) If a certificate holder offers the Board Bonus Wager, the hands eligible for a payout must be:

(1) A mini-royal, which is a hand consisting of an ace, king and queen of the same suit.

(2) A straight flush, which is a hand consisting of three cards of the same suit in consecutive ranking, other than a mini-royal.

(3) A three-of-a-kind, which is a hand consisting of three cards of the same rank.

(4) A straight, which is a hand consisting of three cards of more than one suit and of consecutive rank.

(5) A flush, which is a hand consisting of three cards of the same suit, regardless of rank.

(6) Pair, which is a hand consisting of two cards of the same rank.

(e) If a certificate holder offers the All-Six Bonus Wager, the rank of the hands must be:

(1) A six-card royal flush, which is a hand consisting of an ace, king, queen, jack, 10 and 9 of the same suit.

(2) A royal flush, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

(3) A straight flush, which is a hand consisting of five cards of the same suit in consecutive ranking, other than a royal flush.

(4) A four-of-a-kind, which is a hand consisting of four cards of the same rank, regardless of suit.

(5) A full house, which is a hand consisting of three-of-a-kind and a pair.

(6) A flush, which is a hand consisting of five cards of the same suit.

(7) A straight, which is a hand consisting of five cards of consecutive rank, regardless of suit.

(8) A three-of-a-kind, which is a hand consisting of three cards of the same rank, regardless of suit.

§ 683a.7. Wagers.

(a) Wagers at Cajun Stud shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Cajun Stud table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers, except Raise Wagers, shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 683a.8, § 683a.9 or § 683a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 683a.11(b), (d) and (f) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Cajun Stud:

(1) To compete in a round of play, a player shall place an Ante Wager then Raise Wagers, in an amount equal to one, two or three times the player's Ante Wager, in accordance with § 683a.11(b), (d) and (f).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Cajun Stud table the option to make an additional Pocket Bonus Wager which shall win if the two cards dealt to the player are a pair or better as provided in § 683a.6(c) (relating to Cajun Stud rankings).

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Cajun Stud table the option to make an additional Board Bonus Wager, which shall win if the three community cards contain a pair or better as provided in § 683a.6(d).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Cajun Stud table the option to make an additional Lo Ball Wager which shall win if the highest five-card hand formed from the player's two cards and the three community cards is a single jack or lower or a single queen or lower, depending on the payout table selected by the certificate holder.

(5) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Cajun Stud table the option to make an additional All-Six Bonus Wager, which shall win if the player's two cards and the four additional All-Six cards form a three-of-a-kind or better as provided in § 683a.6(e).

(e) A certificate holder shall specify in its Rules Submission under § 601a.2 the number of adjacent boxes on which a player may place a wager in one round of play.

§ 683a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 683a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce "no more bets." To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) If a player has placed an All-Six Bonus Wager, the dealer shall deal the first four cards face down to the area of the layout designated for the All-Six Bonus cards. Thereafter, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 683a.7(d)(1) (relating to wagers) until each player who placed an Ante Wager has two cards and the area designated for the placement of the community cards has three cards. All cards shall be dealt face down.

(d) After two cards have been dealt to each player and three cards have been dealt to the area designated for the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (e), place the stub in the discard rack without exposing the cards.

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present,

is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(g) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 683a.9. Procedures for dealing the cards from the hand.

(a) If the cards are dealt from the dealer's hand, the following requirements shall be observed:

(1) An automated card shuffling device shall be used to shuffle the cards.

(2) After the procedures required under § 683a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(3) Prior to dealing any cards, the dealer shall announce "no more bets."

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. If a player has placed an All-Six Bonus Wager, the dealer shall deal the first four cards face down to the area of the layout designated for the All-Six Bonus cards. Thereafter, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 683a.7(d)(1) (relating to wagers) until each player who placed an Ante Wager has two cards and the area designated for the placement of the community cards has three cards. All cards shall be dealt face down.

(c) After two cards have been dealt to each player and three cards have been dealt to the area designated for the community cards, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 683a.10. Procedures for dealing the cards from an automated dealing shoe.

(a) If the cards are dealt from an automated dealing shoe, the following requirements shall be observed:

(1) After the procedures required under § 683a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce “no more bets.”

(b) The dealer shall deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed an Ante Wager in accordance with § 683a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager.

(c) After each stack of two cards has been dispensed and delivered in accordance with this section, the dealer shall remove the remaining cards from the automated dealing shoe and follow the procedures in § 683a.9(a)(2) (relating to procedures for dealing the cards from the hand) and deal the remaining cards as follows:

(1) If any player placed an All-Six Bonus Wager, deal four cards face down to the area of the layout designated for the placement of the All-Six Bonus Wager.

(2) Deal the three community cards. Except as provided in subsection (d), after all three community cards have been dealt, the dealer shall place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 52 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 52 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 52 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 683a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 683a.8, § 683a.9 or § 683a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures

for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at Cajun Stud shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(2) Each player shall keep his five cards in full view of the dealer at all times.

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer’s left and moving clockwise around the table, ask each player who placed an Ante Wager if he wishes to make a Raise Wager in an amount equal to one, two or three times the player’s Ante Wager or forfeit the Ante Wager and end his participation in the round of play. If a player has placed an Ante Wager and an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager but does not forfeit the Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager. After each player who has placed an Ante Wager has either placed a Raise Wager on the designated area of the layout or forfeited his Ante Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, and place the cards in the discard rack.

(c) Once all players have either placed a Raise Wager or folded, the dealer shall turn over and reveal the first community card.

(d) Each player shall then make a second Raise Wager, in an amount equal to one, two or three times the player’s Ante Wager or forfeit the Ante Wager and the first Raise Wager and end his participation in the round of play. If a player has placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager and the first Raise Wager but does not forfeit the Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager. After each player who has placed an Ante Wager has either placed a second Raise Wager on the designated area of the layout or forfeited, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, and place the cards in the discard rack.

(e) Once all remaining players have either placed a second Raise Wager or folded, the dealer shall turn over and reveal the second community card.

(f) Each player shall then make a third Raise Wager, in an amount equal to one, two or three times the player’s Ante Wager or forfeit the Ante Wager and the first and second Raise Wagers and end his participation in the round of play. If a player has placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager but does not make a Raise Wager, the player shall forfeit the Ante Wager and the first and second Raise Wagers but does not forfeit the Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager. After each player who has placed an Ante Wager has either placed a third Raise Wager on the designated area of the layout or forfeited, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, and place the cards in the discard rack.

(g) Once all remaining players have either placed a third Raise Wager or folded, the dealer shall turn over and reveal the third community card.

(h) Beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn over and reveal the player's cards. The dealer shall then evaluate and announce the best possible five-card Poker hand that can be formed using the player's two cards and the three community cards. The wagers of each remaining player shall be resolved one player at a time regardless of outcome. All Ante and Raise Wagers shall be settled as follows:

(1) If a player's highest ranking five-card hand is a pair of sixes or higher, as provided in § 683a.6(b) (relating to Cajun Stud hand rankings), the dealer shall pay the winning Ante and Raise Wagers in accordance with § 683a.12(a) (relating to payout odds; payout limitation).

(2) If a player's highest ranking five-card hand is lower than a pair of sixes, as provided in § 683a.6(b), the dealer shall collect the player's losing Ante and Raise Wagers.

(i) After settling the player's Ante and Raise Wagers, the dealer shall settle any optional wagers as follows:

(1) For the Pocket Bonus Wager, if the two cards dealt to the player:

(i) Are not a pair or better, as provided in § 683a.6(c), the dealer shall collect the losing Pocket Bonus Wager.

(ii) Are a pair or better, as provided in § 683a.6(c), the dealer shall pay the winning Pocket Bonus Wager in accordance with § 683a.12(b).

(2) For the Board Bonus Wager, if the three community cards:

(i) Do not contain a pair or better, as provided in § 683a.6(d), the dealer shall collect the losing Board Bonus Wager.

(ii) Contains a pair or better, as provided in § 683a.6(d), the dealer shall pay the winning Board Bonus Wager in accordance with § 683a.12(c).

(3) For the Lo Ball Wager, if the player's five-card hand formed from the player's two cards and the three community cards:

(i) Forms a five-card Poker hand, as provided in § 683a.6(b), or is higher than a single jack or a single queen, depending on the payout table selected by the certificate holder, the dealer shall collect the losing Lo Ball Wager.

(ii) Does not form a five-card Poker hand, as provided in § 683a.6(b), but is a single jack or lower, or a single queen or lower, depending on the payout table selected by the certificate holder, the dealer shall pay the winning Lo Ball Wager in accordance with § 683a.12(d).

(4) For the All-Six Bonus Wager, the dealer shall expose the four All-Six Bonus cards and combine them with the player's two cards to form the highest ranking six-card hand as provided in § 683a.6(e). If the hand:

(i) Does not contain a three-of-a-kind or better, as provided in § 683a.6(e), the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, as provided in § 683a.6(e), the dealer shall pay the winning All-Six Bonus Wager in accordance with § 683a.12(e).

(j) After all wagers of the players have been settled, the dealer shall remove any remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand in the event of a question or dispute.

§ 683a.12. Payout odds; payout limitation.

(a) A certificate holder shall pay winning Ante and Raise Wagers in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	500 to 1	500 to 1	500 to 1
Straight flush	100 to 1	100 to 1	100 to 1
Four-of-a-kind	40 to 1	40 to 1	40 to 1
Full house	10 to 1	11 to 1	11 to 1
Flush	6 to 1	7 to 1	7 to 1
Straight	4 to 1	4 to 1	5 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1
Two pair	2 to 1	3 to 2	3 to 2
Pair of jacks or better	1 to 1	1 to 1	1 to 1
Pair of 6s to 10s	Push	Push	Push

(b) A certificate holder shall pay out winning Pocket Bonus Wagers in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Pair of aces	30 to 1	25 to 1	30 to 1
Ace and a king, queen or jack of the same suit	20 to 1	20 to 1	20 to 1
Ace and a king, queen or jack of different suits	10 to 1	10 to 1	10 to 1
Pair of 2s—kings	5 to 1	5 to 1	4 to 1

(c) A certificate holder shall pay out winning Board Bonus Wagers in accordance with one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Mini-royal	40 to 1	40 to 1	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1	40 to 1	40 to 1
Three-of-a-kind	30 to 1	30 to 1	30 to 1	30 to 1
Straight	6 to 1	5 to 1	5 to 1	6 to 1
Flush	4 to 1	4 to 1	4 to 1	3 to 1
Pair	1 to 1	1 to 1	1 to 1	1 to 1

(d) A certificate holder shall pay out winning Lo Ball Wagers as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
7 high	100 to 1	100 to 1
8 high	50 to 1	50 to 1
9 high	15 to 1	10 to 1
10 high	5 to 1	5 to 1
Jack high	1 to 1	1 to 1
Queen high	Loss	Push

(e) A certificate holder shall pay out winning All-Six Bonus Wagers as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>
Royal flush	1,000 to 1	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1	200 to 1
Four-of-a-kind	50 to 1	50 to 1	100 to 1
Full house	25 to 1	25 to 1	20 to 1
Flush	20 to 1	15 to 1	15 to 1
Straight	10 to 1	10 to 1	9 to 1
Three-of-a-kind	5 to 1	5 to 1	8 to 1

<i>Hand</i>	<i>Paytable D</i>	<i>Paytable E</i>
Six-card royal flush—diamonds		200,000 to 1
Six-card royal flush—hearts, spades or clubs		20,000 to 1
Royal flush	1,000 to 1	1,000 to 1
Straight flush	200 to 1	200 to 1
Four-of-a-kind	100 to 1	50 to 1
Full house	20 to 1	20 to 1
Flush	15 to 1	15 to 1
Straight	10 to 1	10 to 1
Three-of-a-kind	7 to 1	5 to 1

(f) Notwithstanding the payout odds in subsection (a), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum Ante and Raise Wager, whichever is greater.

§ 683a.13. Irregularities.

(a) A card that is found face up in the shoe or the deck while the cards are being dealt may not be used in that round of play and shall be placed in the discard rack. If more than one card is found face up in the shoe or the

deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(b) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe or the deck.

(c) If a player or the area designated for the placement of the community cards is dealt an incorrect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If any of the community cards are exposed prior to the dealer revealing the community cards in accordance with § 683a.11(c), (e) and (g) (relating to procedures for

completion of each round of play), all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Pocket Bonus, Board Bonus, Lo Ball or All-Six Bonus Wager, those wagers shall be settled in accordance with § 683a.11(i).

(e) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(f) If an automated dealing shoe is being used and the device jams, stops dealing cards or fails to deal all cards during a round of play, the round of play shall be void, all wagers shall be returned to the players and the cards shall be removed from the device and reshuffled with any cards already dealt.

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe shall be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

[Pa.B. Doc. No. 17-426. Filed for public inspection March 10, 2017, 9:00 a.m.]

STATE BOARD OF PHARMACY

[49 PA. CODE CH. 27]

Compounding

The State Board of Pharmacy (Board) proposes to amend §§ 27.1 and 27.12 (relating to definitions; and practice of pharmacy and delegation of duties), and add §§ 27.601—27.624 to read as set forth in Annex A.

Effective Date

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

Statutory Authority

This rulemaking is proposed under the authority of sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act (act) (63 P.S. §§ 390-4(j) and 390-6(k)(1) and (9)).

Background and Need for the Amendment

Since at least 2010, the Board has been considering promulgating regulations setting standards for the compounding of drug products by pharmacists. In October 2012, National headlines reported a meningitis outbreak of epidemic proportions. The cause was quickly identified as contaminated compounded injectable medications made by a commercial compounding pharmacy in Massachusetts. Since that time, representatives of the Board have met with interested parties and stakeholders, including representatives from the United States Food and Drug Administration (FDA). Through careful review and input from stakeholders, the Board now proposes to update its regulations to incorporate developments and improvements in the profession's safe, sterile practices and procedures for the compounding of pharmaceutical products for patients.

Description of Proposed Amendments

Definitions of "FDA" and "USP" are proposed to be added to § 27.1.

Section 27.12 is proposed to be amended to permit a pharmacy technician to assist the pharmacist in the compounding of drug products.

Description of Proposed Provisions on Compounding

Proposed § 27.601 (relating to compounding of preparations) would require that all compounding shall be done in accordance with the current version of the *United States Pharmacopeia* (USP), specifically chapters governing compounding, which is consistent with Federal law. At the present time, Chapters 795 and 797, regarding pharmaceutical compounding—nonsterile preparations and pharmaceutical compounding—sterile preparations, are the most relevant. There are other chapters of the USP that are relevant and are subject to change. For this reason, the Board refers to the current version of the USP chapters governing compounding. The FDA requires that compounded drug products conform with USP standards in accordance with section 503a of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 353a), regarding pharmacy compounding. Compounded drugs that do not conform to the USP chapters on compounding may be deemed adulterated or misbranded, which would make them commercially unavailable for consumption. On November 27, 2013, the Federal Drug Quality and Security Act (DQSA) (Pub.L. No. 113-54) was enacted. Title I of the DQSA enacted the Compounding Quality Act, which included important provisions regarding the FDA's oversight of compounding of human drugs, and enhanced communication with state boards of pharmacy. In June 2016, the FDA issued a guidance document, "Pharmacy Compounding of Human Drug Products under Section 503a of the Federal Food, Drug, and Cosmetic Act—Guidance," that is intended to explain how the FDA will interpret section 503a of the Federal Food, Drug and Cosmetic Act while it engages in the rulemaking process. It is available for review on the FDA's web site at <http://www.fda.gov/ucm/groups/fdagov-public/@fdagov-drugs-gen/documents/document/ucm469119.pdf>. Because the FDA requires that pharmacies follow the USP chapters on compounding, the Board proposes to likewise require compounding by pharmacies in this Commonwealth to comply with the USP.

Proposed § 27.602 (relating to compounding commercially available product) would permit compounding of drug products that are commercially available in the marketplace if the compounded product is changed to produce for a patient a significant medical difference, as authorized by the prescriber, between the compounded drug and the comparable commercially available drug product, or if use of the compounded product is in the best interest of the patient. An example of a significant medical difference would include the removal of a dye to which the patient is allergic.

Proposed § 27.603 (relating to bulk drug substances) addresses the use of bulk drug substances for compounding drugs, including the required registration and certification of analysis of these substances.

Proposed § 27.604 (relating to dispensing compounded drugs) addresses dispensing a compounded drug and the circumstances under which compounding is permitted prior to the pharmacist's receipt of a valid prescription for a particular patient, based on that patient's prescription history. Bulk compounding shall comply with proposed § 27.603 and § 27.623 (relating to production record for drugs compounded in bulk quantities).

Proposed § 27.605 (relating to resale of compounded drug products) would prohibit the wholesale distribution of compounded drug products to other pharmacies, commercial entities or prescribers except in certain circumstances relating to medical practitioners. Pharmacists may only compound nonprescription over-the-counter products for sale pursuant to a prescription and shall comply with FDA labeling requirements and restrictions.

Proposed § 27.606 (relating to compounding prohibited) would prohibit compounding of certain FDA-identified drugs and restricts the compounding of certain commercially available products beyond that otherwise permitted under § 27.602.

Proposed § 27.607 (relating to pharmacist responsibilities) would set forth the pharmacist's responsibilities regarding compounding practice.

Proposed § 27.608 (relating to protective apparel) would specify the clothing required to be worn by pharmacy personnel engaged in compounding and, in certain circumstances involving sterile pharmaceuticals, additional gowning components required by the USP.

Proposed § 27.609 (relating to drug compounding facility requirements) would set forth the requirements regarding facility conditions to minimize the possibility of contamination or decomposition.

Proposed § 27.610 (relating to equipment) would require that the equipment used in compounding of drug products must comply with the USP chapters on equipment.

Proposed § 27.611 (relating to equipment maintenance) addresses the cleaning and sanitizing of the equipment and utensils used for compounding prior to their use to prevent contamination of the drug product.

Proposed § 27.612 (relating to specialized equipment) would provide for measures including the use of dedicated equipment or the meticulous cleaning of contaminated equipment prior to its return to inventory to prevent cross-contamination.

Proposed § 27.613 (relating to use of automated equipment) would require the routine inspection and calibration of equipment used in compounding and the maintenance of the related documentation of these tasks.

Proposed § 27.614 (relating to control of containers and closures) would require drug product containers and closures to meet the requirements of the USP chapters regarding drug product containers and closures.

Proposed § 27.615 (relating to storage) would require that components, bulk drug substances and other materials used in compounding drug products shall be stored in accordance with the USP storage requirements. It also describes the requirement that the composition of the drugs, containers or closures permit the appropriate handling and storage, the cleaning of the work area and the rotating of those items to ensure that the oldest stock of each is utilized first.

Proposed § 27.616 (relating to drug compounding controls) expressly assigns the responsibility of accountability for quality control to the compounding pharmacist.

Proposed § 27.617(a) (relating to standard operating procedures required) would require the establishment of standard operating procedures implementing the applicable USP chapters to ensure the safety, identity, strength, quality and purity of the finished product. Subsection (b) requires standard operating procedures that are designed to prevent microbiological contamination

of purportedly sterile compounded drug products. Subsection (c) requires standard operating procedures regarding the tests or examinations to be conducted designed to ensure the reasonable uniformity and integrity of compounded drug products.

Proposed § 27.618 (relating to accuracy) provides additional quantity and quality control procedures regarding weights, measures, subdivision and container labels.

Proposed § 27.619 (relating to production record) specifies the necessary contents and retention of production records for each drug product compounded for an individual patient, as to be distinguished from the production records for each batch of drug product compounded, as required under proposed § 27.623.

Proposed § 27.620 (relating to label information required) itemizes the specific information required on the label affixed to the dispensing container, or on the container itself, of a compounded drug product dispensed by a pharmacy pursuant to a prescription or drug order.

Proposed § 27.621 (relating to compounding records) provides that records required by this chapter shall be retained as original records and shall be readily available at the pharmacy for inspection and photocopying by authorized authorities for at least 2 years following the date of the record. Prescriptions for products compounded at the pharmacy shall be maintained on file at the pharmacy as required under § 27.18(b) (relating to standards of practice).

Proposed § 27.622 (relating to master formula record) specifies the necessary contents of the master formula record for each drug product compounded in bulk quantity.

Proposed § 27.623 specifies the necessary contents and retention of production records for each batch of drug product compounded.

Proposed § 27.624 (relating to label information) itemizes the specific information to be recorded on the label affixed to the container of each batch of drug product compounded.

Fiscal Impact

This proposed rulemaking would have little fiscal impact on the Commonwealth, its political subdivisions or the public. A pharmacy that elects to engage in compounding pharmaceuticals may incur a cost regarding compliance with the standards in this proposed rulemaking. However, as the Board is unable to determine at this time how many pharmacies engage in compounding or may elect to do so at some future date, it is impossible to estimate the fiscal impact on the regulated community.

Paperwork Requirements

This proposed rulemaking would impose additional paperwork requirements on the regulated community. Pharmacies that engage in compounding of pharmaceuticals will have to keep records on file as required by the regulations. The Board will need to alter its inspection forms to capture information relating to compounding, but no other paperwork requirements would be imposed on the Commonwealth.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 1, 2017, the Board submitted a

copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Board, the General Assembly and the Governor.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Board Counsel, State Board of Pharmacy, P.O. Box 69523, Harrisburg, PA 17106-9523, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking. Reference No. 16A-5419 (Compounding) when submitting comments.

JANET GETZEY HART, RPh,
Chairperson

Fiscal Note: 16A-5419. No fiscal impact; additional inspection costs would be absorbed by the Board and licensing fees would be adjusted accordingly; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 27. STATE BOARD OF PHARMACY
GENERAL PROVISIONS

§ 27.1. Definitions.

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

* * * * *

Drug order—

(i) An oral or written order issued by a medical practitioner which is either written on or entered by computer into the medical record of a patient in an institution for the dispensing of a drug or device for administration to the patient.

(ii) The term does not include an order for a drug for a patient in an institution which the patient will self-administer which will be considered a prescription.

FDA—The United States Food and Drug Administration, a division of the United States Department of Health and Human Services.

FDLE—Federal Drug Law Examination.

* * * * *

Satellite pharmacy—

(i) A pharmacy in an institution which provides specialized services for the patients of the institution and which

is dependent upon the centrally located pharmacy for administrative control, staffing and drug procurement.

(ii) The term does not include a pharmacy serving the public on the premises of the institution nor does it include a pharmacy located off premises from the centrally located pharmacy of the institution regardless of whether the pharmacy is owned by the same person or entity which owns the institution.

USP—United States Pharmacopeia—A compendium of drug information published by the United States Pharmacopeial Convention.

STANDARDS

§ 27.12. Practice of pharmacy and delegation of duties.

* * * * *

(d) Pharmacy technicians.

(1) A pharmacy technician may work only under the direct, immediate, personal supervision of a pharmacist in accordance with subsection (b)(2).

(2) The following are examples of the types of activities which a pharmacy technician may perform:

* * * * *

(vi) Enter prescription, drug order or patient information in a patient profile.

(vii) Assist the pharmacist in the compounding of drug products.

(3) A pharmacy technician may not:

* * * * *

(Editor's Note: Sections 27.601—27.624 are new and printed in regular type to enhance readability.)

COMPOUNDING

§ 27.601. Compounding of preparations.

The compounding of sterile and nonsterile preparations shall be done in accordance with the current version of the USP chapters governing compounding.

§ 27.602. Compounding commercially available product.

Based on the existence of a pharmacist/patient/prescriber relationship and the presentation of a valid prescription or drug order, pharmacists may compound, for an individual patient, drug products that are commercially available in the marketplace if one of the following conditions is met:

(1) The compounded preparation is changed to produce for that patient a significant medical difference, as authorized by the prescriber, between the compounded drug and the comparable commercially available drug product. An example of "significant medical difference" includes the removal of a dye for a medical reason such as an allergic reaction.

(2) Use of the compounded preparation is in the best interest of the patient.

§ 27.603. Bulk drug substances.

Bulk drug substances to be used in compounding drugs must meet one of the following:

(1) When a monograph exists, bulk drug substances must comply with the applicable USP or National Formulary monograph and the USP chapters on pharmaceutical compounding.

(2) If not subject to a monograph, bulk drug substances must meet one of the following:

(i) The bulk drug substances are ingredients of drugs that the FDA has approved.

(ii) The bulk drug substances appear on the FDA list of approved bulk drug substances not subject to a monograph.

(iii) Peer-reviewed medical literature supports and, in the professional judgment of the pharmacist and prescriber, demonstrates the safety and effectiveness of the bulk drug substances.

§ 27.604. Dispensing compounded drugs.

A compounded drug shall only be dispensed pursuant to a prescription or drug order by the prescriber for a specific patient. Pharmacists may compound drugs in anticipation of receiving a valid prescription based on a history of receiving valid prescriptions generated solely within an established practitioner/patient/pharmacist relationship. Bulk compounding shall comply with §§ 27.603 and 27.623 (relating to bulk drug substances; and production record for drugs compounded in bulk quantities).

§ 27.605. Resale of compounded drug products.

(a) The wholesale distribution of compounded drug products to other pharmacies, commercial entities or prescribers is considered manufacturing and is prohibited, except for distribution to a medical practitioner to administer to an individual patient if the medical practitioner has an administrative system whereby the product can be tracked through the medical practitioner to the individual patient.

(b) Pharmacists may compound for sale over-the-counter products in which all components are nonprescription. The products may be compounded only pursuant to a prescription and shall comply with FDA labeling requirements and restrictions in 21 CFR Part 201 (relating to labeling).

§ 27.606. Compounding prohibited.

Pharmacists may not compound any of the following:

(1) Drugs that have been identified by the FDA as withdrawn or removed from the market because the drugs were found to be unsafe or ineffective as set forth in 21 CFR 216.24 (relating to drug products withdrawn or removed from the market for reasons of safety or effectiveness).

(2) Drugs that are essentially copies of a commercially available drug product, except as provided in § 27.602 (relating to compounding commercially available product).

(3) Drugs that have been identified by the FDA in the Federal Food, Drug, and Cosmetic Act (21 U.S.C.A. §§ 301—399h) or the *Code of Federal Regulations* as products which may not be compounded.

§ 27.607. Pharmacist responsibilities.

(a) As in the dispensing of prescription drugs, the pharmacist has the responsibility for all of the following:

(1) Inspection and approval or rejection of all components, bulk drug substances, drug product containers, closures, in-process materials and labeling.

(2) Preparation and review of all compounding records to assure that errors have not occurred in the compounding process.

(3) Proper maintenance, cleanliness and use of all facilities and equipment used in compounding practice.

(b) If errors have occurred, the pharmacist is responsible for conducting a full investigation, and creating and maintaining a record of the investigation which must include conclusions and corrective action.

§ 27.608. Protective apparel.

Pharmacy personnel engaged in the compounding of drugs shall wear clean clothing appropriate to the operation being performed. Protective apparel, such as a coat or jacket, apron, or hand or arm coverings, shall be worn as necessary to protect drug products from contamination. For a sterile compounding operation involving one or more aseptic manipulations, sterile gowning components are necessary as required by the USP chapter on sterile compounding.

§ 27.609. Drug compounding facility requirements.

Pharmacies engaged in compounding shall provide all of the following:

(1) A specifically designated area for the orderly placement of equipment and materials to be used to compound medications and to prevent mix-ups or contamination among components, containers, labels, in-process materials and finished drug products.

(2) Washing facilities, easily accessible to the compounding area of the pharmacy, including a sink with hot and cold running water, soap or detergent, and air driers or single use towels.

(3) Lighting, heating, ventilation and air conditioning to prevent contamination or decomposition of components in compliance with the USP provisions regarding facility requirements.

§ 27.610. Equipment.

Equipment used in the compounding of drug products must comply with the USP chapters on equipment.

§ 27.611. Equipment maintenance.

Equipment and utensils used for compounding shall be cleaned and sanitized in accordance with the USP chapters on equipment maintenance prior to use to prevent contamination that would alter the safety, identity, strength, quality or purity of the drug product beyond that desired.

§ 27.612. Specialized equipment.

If drug products with special precautions to prevent contamination are involved in a compounding operation, appropriate measures, including either the dedication of equipment for the operations or the meticulous cleaning of contaminated equipment prior to its return to inventory, shall be utilized to prevent cross-contamination.

§ 27.613. Use of automated equipment.

Automatic, mechanical or electronic equipment, or other types of equipment or related systems, may be used in the compounding of drug products. If this equipment is used, it shall be inspected and calibrated in accordance with the manufacturer's recommendations to ensure proper performance. Documentation of inspection and calibration shall be kept on file for 2 years from the date of inspection and calibration.

§ 27.614. Control of containers and closures.

Drug product containers and closures must meet the requirements of the USP chapters regarding drug product containers and closures.

§ 27.615. Storage.

(a) Components, bulk drug substances and other materials used in the compounding of drug products shall be stored in accordance with the USP storage requirements.

(b) Components, bulk drug substances, drug product containers, closures, and bagged or boxed parts of drug product containers and closures used in the compounding of drug products must allow for all of the following:

(1) Handling and storage in a manner to prevent contamination and to permit inspection.

(2) Cleaning of the work area, including floors.

(3) Rotating of components, bulk drug substances, drug product containers and closures for use in compounding of drug products to ensure use of oldest stock first.

§ 27.616. Drug compounding controls.

Accountability for quality control is the responsibility of the compounding pharmacist.

§ 27.617. Standard operating procedures required.

(a) The pharmacist shall establish and implement standard operating procedures for the compounding of drug products in accordance with applicable USP chapters to ensure the safety, identity, strength, quality and purity of the finished product. These procedures must include maintaining a listing of the bulk drug substances and components, their amounts in weight or volume, the order of bulk drug substance and component addition, and a description of the compounding processes. Equipment, utensils and the container closure system relevant to the sterility and stability of the intended use of the compounded drug product must be listed.

(b) The pharmacist shall establish standard operating procedures in accordance with applicable USP chapters that are designed to prevent microbiological contamination of compounded drug products purported to be sterile, including validation of any sterilization process.

(c) To ensure the reasonable uniformity and integrity of compounded drug products, the pharmacist shall establish standard operating procedures that describe the tests or examinations to be conducted on the product being compounded. Control procedures must include all of the following, as appropriate:

(1) Capsule weight variation.

(2) Adequacy of mixing to ensure uniformity and homogeneity.

(3) Clarity, completeness or pH of solutions.

§ 27.618. Accuracy.

(a) Components and bulk drug substances used in the compounding of drug products shall be accurately weighed, measured or subdivided as appropriate. These operations shall be verified at each stage of the process to ensure that each weight or measure is correct as stated in the compounding procedures.

(b) If a component or bulk drug substance is removed from the original container and stored in another container, the new container must be identified with all of the following:

(1) Name.

(2) Lot number.

(3) Manufacturer's name.

(4) Beyond-use date.

§ 27.619. Production record.

The pharmacist shall prepare and keep a production record for a minimum of 2 years for each drug product compounded. The record must include all of the following information:

(1) Production date.

(2) List of ingredients and quantity of each ingredient used.

(3) Initials or other identifier of the person or persons involved in the compounding.

(4) Initials or other identifier of the pharmacist verifying the final compounded product.

(5) Internal control or prescription number and, if the prescription is filled using a product compounded in bulk, the internal control number assigned to the batch and recorded in the batch production record in accordance with § 27.623 (relating to production record for drugs compounded in bulk quantities).

§ 27.620. Label information required.

The label affixed to or on the dispensing container of a compounded drug product dispensed by a pharmacy pursuant to a prescription or drug order must bear the information as required in § 27.18(d) (relating to standards of practice) and all of the following:

(1) The name of the compounded drug, the strength, dosage form and quantity of the drug dispensed.

(2) Beyond-use date.

§ 27.621. Compounding records.

Compounding records required by this chapter shall be retained as the original records and shall be readily available at the pharmacy for inspection and photocopying by agents of the Board or other authorized authorities for at least 2 years following the date of the record. Prescriptions for all products compounded at the pharmacy shall be maintained on file at the pharmacy as required under § 27.18(b) (relating to standards of practice).

BULK COMPOUNDING

§ 27.622. Master formula record.

A pharmacist may compound drugs in bulk quantities for subsequent prescription labeling and dispensing in accordance with § 27.604 (relating to dispensing compounded drugs). For each drug product compounded in bulk quantity, a master formula record shall be prepared containing all of the following information:

(1) Name, strength and dosage form of the drug product compounded.

(2) All components and an accurate statement of the weight or measure of each component.

(3) Equipment needed to prepare the drug product.

(4) Mixing instructions.

(5) Beyond-use date.

(6) Container, closures and packaging materials used in dispensing.

(7) Storage requirements.

(8) Labels and labeling with appropriate beyond-use date and instructions for storage and use.

(9) Quality control procedures to include identification of the person or persons performing and directly supervising or checking each significant step in the compounding.

(10) Other factors pertinent to the replication of the drug product as compounded.

§ 27.623. Production record for drugs compounded in bulk quantities.

For each batch of drug product compounded, a production record shall be prepared and maintained containing all of the following information:

- (1) The information from the master formula record.
- (2) Records of each step in the compounding process including all of the following:
 - (i) Documentation of the name and strength of the compounded drug product.
 - (ii) Formulation record reference for the drug product.
 - (iii) Sources and lot numbers of the components.
 - (iv) Total number of dosage units compounded.
 - (v) Name of the person who prepared the drug product.
 - (vi) Name of the pharmacist who approved the drug product.
 - (vii) Date of preparation.
 - (viii) Prescription number or assigned internal identification number.

(ix) The results of quality control procedures as described in the pharmacy's continuous quality improvement program.

- (3) Beyond-use date.
- (4) Internal control number.
- (5) Total yield.

§ 27.624. Label information.

For each batch of drug product compounded, labels containing all of the following information shall be prepared and affixed to each container:

- (1) Drug product name or formula.
- (2) Dosage form.
- (3) Strength.
- (4) Quantity per container.
- (5) Internal control number.
- (6) Beyond-use date.

[Pa.B. Doc. No. 17-427. Filed for public inspection March 10, 2017, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Environmental Protection

The Executive Board approved a reorganization of the Department of Environmental Protection effective February 23, 2017.

The organization chart at 47 Pa.B. 1516 (March 11, 2017) 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. 17-428. Filed for public inspection March 10, 2017, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending February 28, 2017.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-21-2017	CNB Bank Clearfield Clearfield County	535 Washington Street Buffalo Erie County, NY	Opened
2-23-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2067 Interchange Road Erie Erie County	Approved
2-23-2017	Orrstown Bank Shippensburg Cumberland County	301 West Main Street New Holland Lancaster County	Approved
2-23-2017	Orrstown Bank Shippensburg Cumberland County	1601 Manheim Pike Lancaster Lancaster County	Approved
2-23-2017	PeoplesBank, A Codorus Valley Company York York County	1800 Village Circle Lancaster Lancaster County (Limited Service Facility)	Approved
2-23-2017	Univest Bank and Trust Co. Souderton Montgomery County	216 Hartman Bridge Road Strasburg (Ronks) Lancaster County	Approved
2-23-2017	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	243 Memorial Highway Dallas Luzerne County	Approved
2-27-2017	Meridian Bank Malvern Chester County	1760 Market Street Philadelphia Philadelphia County	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 17-429. Filed for public inspection March 10, 2017, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, March 22, 2017, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Gretchen Leslie at (717) 772-9084. Persons who wish to participate during the public comment section are encouraged to submit their comments in writing to Gretchen Leslie, Advisor, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Katie Woodbury directly at (717) 783-5878 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 17-430. Filed for public inspection March 10, 2017, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061344 (Industrial)	Westwood Generation LLC 490 W Main Street Tremont, PA 17981-1716	Schuylkill County Frailey Township	Lower Rausch Creek (7-D)	Yes
PA0044466 (Sewage)	Lake Bryn Mawr Camp Inc. 593 Bryn Mawr Road Honesdale, PA 18431-7884	Wayne County Oregon Township	Unnamed Tributary to Big Brook (1-B)	Yes
PA0064092 (Sewage)	Beach Lake Municipal Authority WWTP PO Box 151 Beach Lake, PA 18405	Wayne County Berlin Township	Beach Lake Creek (1-A)	Yes
PA0065315 (Sewage)	Roger & Denise Radcliff SRSTP 4279 Chestnut Drive Walnutport, PA 18088-9691	Northampton County Lehigh Township	Unnamed Tributary of Lehigh River (2-C)	Yes
PAS802227 (Stormwater)	Dayton Superior Corporation—Allentown Distribution Center 7130 Ambassador Drive Allentown, PA 18106-9254	Lehigh County Upper Macungie Township	Unnamed Tributary to Iron Run (2-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0260908—SEW	Bethanne Schott 9499 Brogueville Road Felton, PA 17322	York County/ Chanceford Township	Carter Creek/7I	Y
PA0081302—SEW	South Londonderry Twp Muni Authority 20 West Market Street PO Box 3 Campbelltown, PA 17010	Lebanon County/ South Londonderry Twp	UNT Spring Creek/7D	Y
PA0084484—SEW	Salisbury Township— Rosehill STP 5581 Old Philadelphia Pike Gap, PA 17527-9791	Lancaster County/ Salisbury Twp	UNT Pequea Creek/7K	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0221627 (Sewage)	Stone Ridge Park MHP 7473-12 Sharon Mercer Road Mercer, PA 16137	Mercer County Lackawannock Township	Unnamed Tributary to Little Neshannock Creek (20-A)	Yes
PAS238302 (Storm Water)	Matheson Tri Gas Inc. 1700 Scepter Road Waverly, TN 37185	Elk County Saint Marys City	Unnamed Tributary to West Creek (8-A)	Yes

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. Phone: 412.442.4000.

PA0022331 A-1, Sewage, SIC Code 4952, **West Elizabeth Sanitary Authority**, 125 Lower First Street, West Elizabeth, PA 15088. Facility Name: West Elizabeth STP. This existing facility is located in West Elizabeth Borough, **Allegheny County**.

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

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed NPDES Permit change is as follows:

This is a Department initiated action to remove the NPDES permit requirement for the West Elizabeth Sanitary Authority (WESA) to develop and implement a Pretreatment Program under 40 CFR Part 403 for the West Elizabeth Sewage Treatment Plant (STP). Part C, Item III, POTW Pretreatment Program Implementation, has been removed from NPDES Permit PA0022331 issued on October 1, 2014 by this Amendment. The remainder of the permit is in full force and effect.

The EPA Waiver is not in effect.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.

PA0050504, Sewage, SIC Code 4952, **East Goshen Municipal Authority Chester County**, 1580 Paoli Pike, West Chester, PA 19380-6107. Facility Name: East Goshen Municipal Authority STP & Sewer System. This existing facility is located in East Goshen 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), Ridley Creek, is located in State Water Plan watershed 3-G and is classified for Mi and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.75 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	125	188	XXX	20	30	40
May 1 - Oct 31	62	94	XXX	10	15	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	62	94	XXX	10.0	15.0	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ammonia-Nitrogen						
Nov 1 - Apr 30	44	XXX	XXX	7.0	XXX	14
May 1 - Oct 31	16	XXX	XXX	2.5	XXX	5
Total Phosphorus	3.0	XXX	XXX	0.5	XXX	1

The proposed effluent limits for Outfall 002 are based on a design flow of 0.135 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
					Max	

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	125	188	XXX	20	30	40
May 1 - Oct 31	62	94	XXX	10	15	20
Total Suspended Solids	62	94	XXX	10.0	15.0	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	44	XXX	XXX	7.0	XXX	14
May 1 - Oct 31	16	XXX	XXX	2.5	XXX	5
Total Phosphorus	3.0	XXX	XXX	0.5	XXX	1

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

- No stormwater
- Property Rights
- Disposal of collected screenings and solids
- Responsible operator notification

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

PA0060135, Sewage, SIC Code 4952, **Shickshinny Borough Sewer Authority (SSABS) Luzerne County**, PO Box 62, Shickshinny, PA 18655-0062. Facility Name: SSABS WWTP a.k.a. Shickshinny Sanitary Authority WWTP. This existing facility is located in Shickshinny Borough, **Luzerne County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 5-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.45 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Iron, Total	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.45 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	2.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Influent	Report	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	94	150	XXX	25.0	40.0	50.0
Total Suspended Solids						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	113	169	XXX	30.0	45.0	60.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX

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

- Chesapeake Bay conditions; Solids Management conditions; Stormwater prohibition; Necessary property rights; Chlorine Minimization; High Flow Management Plan; and Changes in Effluent/Stream.

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.

PA0247740, Sewage, SIC Code 7999, **Big Spring Fish & Game**, 844 Big Spring Road, Newville, PA 17241-9105. Facility Name: Big Spring Fish & Game Properties. This proposed facility is located in North Newton Township, **Cumberland County**.

Description of Proposed Activity: The application is for an NPDES permit for discharge of treated SFTF Sewage.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0006 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

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.

PA0085405, Sewage, SIC Code 4952, 7011, **Baladerry Inn LP**, 40 Hospital Road, Gettysburg, PA 17325-7798. Facility Name: Baladerry Inn Bed & Breakfast. This existing facility is located in Cumberland Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Rock Creek, is located in State Water Plan watershed 13-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 0.0014 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0014 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.19	XXX	0.63

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0014 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	13.5	XXX	26.7
May 1 - Oct 31	XXX	XXX	XXX	4.5	XXX	8.9

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

- The TRC interim limits will be enforced until the TRC control device is implemented. Subsequently, the TRC limits will be 0.19 mg/l as an average monthly and 0.63 mg/l as an instantaneous maximum.

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.

PA0086428, Sewage, SIC Code 0172, **Mazza Vineyards Inc.**, 2775 Lebanon Road, Manheim, PA 17545. Facility Name: Mt Hope Estate & Winery. This existing facility is located in Rapho Township, **Lancaster 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), Chiques Creek, is located in State Water Plan watershed 7-G and is classified for Migratory Fishes and 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 0.025 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Nitrate-Nitrite as N	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report Total Mo	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	19.5	XXX	39
May 1 - Oct 31	XXX	XXX	XXX	6.5	XXX	13
Total Kjeldahl Nitrogen	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report Total Mo	XXX	XXX	2.0	XXX	4
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	Report Total Annual	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.065 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Nitrate-Nitrite as N	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report Total Mo	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	19.5	XXX	39
May 1 - Oct 31	XXX	XXX	XXX	6.5	XXX	13
Total Kjeldahl Nitrogen	Report Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report Total Mo	XXX	XXX	0.5	XXX	1
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	1,674 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	152 Total Annual	XXX	XXX	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3636.

PA0232823, Industrial, SIC Code 1389, **Hydro Recovery LP**, 1975 Waddle Road, State College, PA 16803-1639.

Facility Name: HSF Manufacturing Blossburg. This proposed facility will be located in Blossburg Borough, **Tioga County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated industrial waste. This publication notice replaces an earlier version and has corrected several errors.

The receiving streams, Johnson Creek and Boone Run, are located in State Water Plan watershed 4-A and is classified for Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.288 MGD:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	18.0	36.0	45
Chemical Oxygen Demand (COD)	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	Report	Report	XXX	61.3	216.0	270
Total Dissolved Solids	Report	Report	XXX	500.0	1,000.0	1,250
Oil and Grease	Report	Report	XXX	15.0	XXX	30.0
Ammonia-Nitrogen	Report	XXX	XXX	4.96	9.92	12.4
Aluminum, Total	1.27	2.54	XXX	0.53	1.06	1.325
Barium, Total	Report	Report	XXX	10.0	20.0	25
Cadmium, Total (µg/L)	1.90	3.81	XXX	0.795	1.59	1.98
Copper, Total	0.21	0.33	XXX	0.757	0.865	1.89
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total (µg/L)	0.74	1.48	XXX	310.0	620.0	775
Manganese, Total (µg/L)	0.81	1.63	XXX	340.0	680.0	850
Strontium, Total	Report	Report	XXX	10.0	20.0	25
Zinc, Total	Report	Report	XXX	0.420	0.497	1.05
o-Cresol	Report	Report	XXX	0.561	1.92	2.4
2,4,6-Trichlorophenol	Report	Report	XXX	0.106	0.155	0.26
Phenol	Report	Report	XXX	1.08	3.65	4.56
Acetone	Report	Report	XXX	7.97	30.2	37.75
Acetophenone	Report	Report	XXX	0.056	0.114	0.14
alpha-BHC (pCi/L)	XXX	XXX	XXX	0.041	0.082	0.102
Benzene	Report	Report	XXX	Report	Report	XXX
Benzidine (µg/L)	0.002	0.004	XXX	0.001	0.002	0.0025
beta-BHC (pCi/L)	XXX	XXX	XXX	0.143	0.286	0.357
Chloride	Report	Report	XXX	250.0	500.0	625
2-Butanone	Report	Report	XXX	1.85	4.81	6.01
N-Nitrosodiphenylamine	Report	Report	XXX	Report	Report	XXX
p-Cresol	Report	Report	XXX	0.205	0.698	0.87
Pyridine	Report	Report	XXX	0.182	0.370	0.455
Temperature (deg F) (°F)						
Jan 1 - 31	XXX	XXX	XXX	XXX	45.2	XXX
Feb 1 - 28	XXX	XXX	XXX	XXX	45.8	XXX
Mar 1 - 31	XXX	XXX	XXX	XXX	56.6	XXX
Apr 1 - 15	XXX	XXX	XXX	XXX	67.0	XXX
Apr 16 - 30	XXX	XXX	XXX	XXX	71.0	XXX
May 1 - 15	XXX	XXX	XXX	XXX	64.9	XXX
May 16 - 31	XXX	XXX	XXX	XXX	68.9	XXX
Jun 1 - 15	XXX	XXX	XXX	XXX	66.8	XXX
Jun 16 - 30	XXX	XXX	XXX	XXX	70.8	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	70.3	XXX
Aug 1 - 15	XXX	XXX	XXX	XXX	69.7	XXX
Aug 16 - 31	XXX	XXX	XXX	XXX	69.7	XXX
Sep 1 - 15	XXX	XXX	XXX	XXX	67.1	XXX
Sep 16 - 30	XXX	XXX	XXX	XXX	63.1	XXX
Oct 1 - 15	XXX	XXX	XXX	XXX	57.3	XXX
Oct 16 - 31	XXX	XXX	XXX	XXX	53.3	XXX
Nov 1 - 15	XXX	XXX	XXX	XXX	50.1	XXX
Nov 16 - 30	XXX	XXX	XXX	XXX	46.1	XXX
Dec 1 - 31	XXX	XXX	XXX	XXX	45.6	XXX

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

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	0.0			
Net Total Phosphorus	Report	0.0			

The proposed effluent limits for Outfalls 002 & 003 are based on a design flow of 0.0 MGD:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease						
Other Stormwater	XXX	XXX	XXX	XXX	Report	XXX

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

- Chesapeake Bay Nutrient Requirements
- WQM Application Submission
- Chemical Additives
- Requirements Applicable to Stormwater Outfalls
- Process Area Stormwater
- Thermal Requirements
- Radiation Protection Action Plan

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3636.

The EPA Waiver is in effect.

PA0232785, Industrial, SIC Code 2048, **Cargill Animal Nutrition**, 9380 Excelsior Boulevard, Hopkins, MN 55343-3444. Facility Name: Cargill Feed & Nutrition. This proposed facility is located in Union Township, **Union County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of treated Industrial Waste and stormwater.

The receiving stream(s), Winfield Creek and Unnamed Tributary to Winfield Creek, is located in State Water Plan watershed 10-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed monitoring requirements for Outfall 002 are:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed monitoring requirements for Outfall 003 are:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed monitoring requirements for Outfall 004 are:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for IMP101 are based on a design flow of 0.006798 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Dissolved Solids	113.3	226.7	XXX	2,000.0	4,000.0	5,000

The proposed monitoring requirements for IMP 201 are:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 6316404, Sewage, **Charleroi Borough Authority Washington County**, PO Box 211, Charleroi, PA 15022-0211.

This proposed facility is located in Charleroi Borough, **Washington County**.

Description of Proposed Action/Activity: construction and operation of sanitary sewage pumping stations, force mains, and sewage screening and disinfection facilities.

WQM Permit No. 462S105 A-2, Sewage, **Upper St Clair Township**, 1820 McLaughlin Run Road, Bridgeville, PA 15241.

This existing facility is located in Upper Saint Clair Township, **Allegheny County**.

Description of Proposed Action/Activity: Brush Run Sewage Pump Station Upgrades and Forcemain Relocation

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

WQM Permit No. WQG010058, Sewage, **David & Deborah Sonnie**, 118 North Quicksilver Avenue, Castle Rock, CO 80104.

This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Action/Activity: Small Flow Treatment Plant for a Single Residence.

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

WQM Permit No. 5217402, Sewage, **Mahanoy City Sewer Authority Schuylkill County**, 130 East Centre Street, Mahanoy City, PA 17948-0215.

This proposed facility is located in Mahanoy Township, **Schuylkill County**.

Description of Proposed Action/Activity: Installation of new grease/grit removal unit and Magnesium Hydroxide Chemical Addition Unit at Treatment Plant.

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

WQM Permit No. 3601405, Amendment No. 4, Sewerage, Black Rock Retreat Association, 1345 Kirkwood Pike, Quarryville, PA 17566.

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

Description of Proposed Action/Activity: Seeking permit approval for the Oakwood Dining Hall and Cabin Upgrade, addition of one (1) RSF/wetland denitrification system to treat wastewater flow from the project. Final disposal will be to the existing elevated sand mound and disposal beds previously permitted.

WQM Permit No. 3117201, CAFO, William Wingert, 5497 Shade Lane, Alexandria, PA 16611.

This proposed facility is located in Porter Township, **Huntingdon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction of manure storage and handling facilities on the existing Wingert Dairy operation.

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

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

Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown, PA 18104.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390022	James Gentile Polaris Corner LP 645 W. Hamilton St. Suite 208 Allentown, PA 18102	Lehigh	South Whitehall Township	Cedar 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>
PAD450008	Robert Weseloh 815 Seven Bridge Road East Stroudsburg, PA 18301	Monroe	Hamilton Township	UNT to Appenzell Creek (HQ-CWF, MF)

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>
PAD210002	Charter Homes at Walden, Inc. 1190 Dillerville Road Lancaster, PA 17601 With Co-Applicant: Silver Spring Township 8 Flowers Drive Mechanicsburg, PA 17050	Cumberland	Silver Spring Township	Trindle Spring Run (HQ-CWF) Hogestown Run (CWF, MF)
PAD210005	RE Invest Tire and Wheel Renewal, LLC 111-A North Gold Drive Robbinsville, NJ 08691	Cumberland	Carlisle Borough	Letort Spring Run (HQ-CWF, MF)
PAD360008	John R. Zimmerman 1087 Silver Hill Road Narvon, PA 17555	Lancaster	Brecknock Township	UNT Black Creek (HQ-WWF)
PAD360009	Benjamin Siegrist 1770 Oregon Pike Lancaster, PA 17601	Lancaster	Salisbury Township	UNT West Branch Brandywine Creek (HQ-TSF, MF)

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

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD260003	National Pike Water Authority P.O. Box 10 Markleysburg, PA 15459	Fayette County	Wharton Township and Henry Clay Township	Meadow Run (HQ-CWF); Deadman Run (HQ-CWF); Braddock Run (HQ-CWF); Fike Run (HQ-CWF); Pinkham Run (HQ-CWF)

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD560001	Pennsylvania Turnpike Commission P.O. Box 67676 Harrisburg, PA 17106	Somerset County	Jefferson Township; Lincoln Township; and Somerset Township	Clear Run (HQ-CWF); Keller Run (HQ-CWF); Crab Run (HQ-CWF); UNT to Crab Run (HQ-CWF); UNT to Quemahoning Creek (CWF); UNT to East Branch of Coxes Creek (WWF)
PAI056508002R	Maronda Homes, Inc. 1383 State Route 30 Clinton, PA 15026	Westmoreland County	North Huntingdon Township	UNT to Long Run (HQ-TSF); Crawford Run (WWF)
<i>Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.</i>				
<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD100002	John Allen Jr. Family Trust P.O. Box 430 Saxonburg, PA 16056	Butler	Buffalo Township	UNT to Little Buffalo Creek/HQ-TSF

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.

Permit No. PAG123609, CAFO, **L & W Farms LLC**, 4251 Fletcher Drive, Greencastle, PA 17225.

This existing facility is located in Antrim Township, **Franklin County**.

Description of size and scope of existing operation/activity: 402.07 AEU: Poultry (Layer), Dairy (Heifer).

The receiving stream, Unnamed Tributary of Conococheague Creek, is in watershed 13-C and classified for: Migratory Fishes and Warm Water Fishes.

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.

Permit No. PAG123540, CAFO, **Swatara Creek Swine LLC**, 411 Chestnut Street, Lebanon, PA 17042.

This existing facility is located in East Hanover Township, **Lebanon County**.

Description of size and scope of existing operation/activity: 593.88 AEU: Swine (Grow to Finish, Gestating Sow, Sow and Litter, Boars, Gilts).

The receiving stream, Unnamed Tributary to Swatara Creek, is in watershed 7-D and classified for: Migratory Fishes and Warm Water Fishes.

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.

Permit No. PAG123739, CAFO, **Hidden Acres Farms**, 2115 Rohrer Road, Manheim, PA 17545.

This existing facility is located in Rapho Township, **Lancaster County**.

Description of size and scope of existing operation/activity: 997.55 AEU: Swine (Finishing), Beef (Steer, Calves).

The receiving stream, Unnamed Tributary to Chiques Creek, is in watershed 7-G and classified for: Warm Water Fishes.

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.

Permit No. PAG123728, CAFO, Good Barry L, 1695 Rake Road, Mohrsville, PA 19541.

This existing facility is located in Centre Township, **Berks County**.

Description of size and scope of existing operation/activity: Poultry (Layers): 315.0 AEU's.

The receiving stream, Plum Creek, is in watershed 3-C and classified for: Migratory Fishes and Warm Water Fishes.

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.

CAFO NMP

PUBLIC NOTICE SPREADSHEET—APPLICATIONS (Submission)

<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>New or Renewal</i>
Philadelphia Park Casino and Racetrack AKA "PARX" 3001 Street Road Bensalem, PA 19020	Bucks	452.4	1,500.00	Equine	N/A	Renewal
Zack Akers 339 Akers Rd Clearville, PA 15535	Bedford	132.5	151.33	Duck Beef	NA	Renewal

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the

30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Application No. 6617502, Public Water Supply.

Applicant	Mehoopany Township Municipal Authority P.O. Box 61 Mehoopany, PA 18629
[Township or Borough]	Mehoopany Township
Responsible Official	Steven Comstock, Authority Chairman P.O. Box 61 Mehoopany, PA 18629
Type of Facility	PWS
Consulting Engineer	Michele A. Aukerman, PE Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Application Received Date	2/27/2017
Description of Action	Application proposes the construction of a new 20,000 gallon finished water storage tank, treatment building for metering and disinfection, revision of well yield to 12 gpm including flow control valve, 4-log demonstration study submission, extend well casing and add well cap, and construction of individual residential booster pump station.

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

Permit No. 5016505, Minor Amendment, Public Water Supply.

Applicant	Pfautz Rentals, LP
Municipality	Penn Township
County	Perry
Responsible Official	Suzanne H. Hammaker, Partner 10 Dicken Drive Marysville, PA 17053
Type of Facility	Public Water Supply
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Application Received:	8/5/2016
Description of Action	Installation of treatment facilities to enhance arsenic removal.

Permit No. 2816503 MA, Minor Amendment, Public Water Supply.

Applicant	Quincy Township
Municipality	Quincy Township
County	Franklin
Responsible Official	Robert Gunder, Chairman, Board of Supervisors 7575 Mentzer Gap Road Waynesboro, PA 17268
Type of Facility	Public Water Supply
Consulting Engineer	John M. High, P.E. William A. Brindle Associates Inc. 336 Lincoln Way East Chambersburg, PA 17201
Application Received:	9/29/2016
Description of Action	Waterline extension to the PSL water system.

Permit No. 3616516 MA, Public Water Supply.

Applicant	Western Heights Water Authority
Municipality	Earl Township
County	Lancaster
Responsible Official	Fred Wissler, Chairman 517 North Railroad Avenue New Holland, PA 17557
Type of Facility	Public Water Supply
Consulting Engineer	Mark L. Homan, P.E. Becker Engineering LLC 111 Millersville Road Lancaster, PA 17603
Application Received:	10/6/2016
Description of Action	Replacement of an existing booster pump with a three-pump system operating with a VFD.

Permit No. 0617501 MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania—American Water Company
Municipality	Exeter Township
County	Berks
Responsible Official	David R. Kauffman 800 West Hershey Park Drive Hershey, PA 17033
Type of Facility	Public Water Supply
Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055
Application Received:	2/1/2017
Description of Action	Blasting and repainting of the interior and exterior of the 0.25 MG Neversink Tank No. 2.

Permit No. 4417501 MA, Minor Amendment, Public Water Supply.

Applicant	The Municipal Authority of the Borough of Lewistown
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Municipality Granville Township
 County **Mifflin**
 Responsible Official Craig Bubb, Superintendent
 70 Chestnut Street
 Lewistown, PA 17004-2216

Type of Facility Public Water Supply
 Consulting Engineer Patrick J. Ward, P.E.
 Uni-Tec Consulting Engineers,
 Inc.
 2007 Cato Avenue
 State College, PA 16801

Application Received: 2/17/2017
 Description of Action The existing West End Storage
 Tank will be demolished and a
 new glass-lined steel tank will be
 installed at the same location.

Permit No. 3617504 MA, Minor Amendment, Public
 Water Supply.

Applicant **Quiet Haven Motel**
 Municipality East Lampeter Township
 County **Lancaster**
 Responsible Official M Susan. Zimmerman, Owner
 2556 Siegrist Road
 Ronks, PA 17572

Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley & Associates,
 Inc.
 18 South George Street
 York, PA 17401

Application Received: 2/10/2017
 Description of Action Installation of facilities to
 provide 4-log treatment of
 viruses.

Permit No. 2117504, Public Water Supply.

Applicant **North Middleton Authority**
 Municipality North Middleton Township
 County **Cumberland**
 Responsible Official E Lee. Koch, Authority Manager
 240 Clearwater Drive
 Carlisle, PA 17013

Type of Facility Public Water Supply
 Consulting Engineer Peter Lusardi, P.E.
 GHD, Inc.
 1240 N. Mountain Rd.
 Harrisburg, PA 17112

Application Received: 2/14/2017
 Description of Action A new chlorine booster station
 will be installed at the existing
 Cranes Gap Road water storage
 tank. The station will feed
 sodium hypochlorite to tank
 effluent.

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

Permit No. 3217522, Public Water Supply.

Applicant **Indiana County Municipal
 Services Authority**
 602 Kolter Drive
 Indiana, PA 15701

[Township or Borough] Armstrong Township
 Responsible Official Michael Duffalo, Executive
 Director
 Indiana County Municipal
 Services Authority
 602 Kolter Drive
 Indiana, PA 15701

Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering Co.,
 Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Application Received: February 15, 2017
 Date
 Description of Action Replacement of pumps in the
 Ben Franklin pump station.

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. 3211503GWR-A2, Minor Amend-
 ment.**

Applicant **Indiana County Municipal
 Services Authority**
 602 Kolter Drive
 Indiana, PA 15701

[Township or Borough] Pine Township
 Responsible Official Michael Duffalo, Executive
 Director
 Indiana County Municipal
 Services Authority
 602 Kolter Drive
 Indiana, PA 15701

Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering Co.,
 Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Application Received: February 21, 2017
 Date
 Description of Action Amendment to the Authority's
 Pine Township water system
 groundwater rule approval.

Application No. 3217523MA, Minor Amendment.

Applicant	Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
[Township or Borough]	Armstrong Township
Responsible Official	Michael Duffalo, Executive Director Indiana County Municipal Services Authority 602 Kolter Drive Indiana, PA 15701
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	February 15, 2017
Description of Action	Installation of approximately 3,300 feet of waterline along SR 0422.

WATER ALLOCATIONS**Applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth**

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

WA26-1000C, Water Allocations. **Jefferson Township Authority**, PO Box 158, Fayette City, PA 15438, **Fayette County**. The applicant is requesting the right to purchase 150,000 gallons of water per day from the Newell Municipal Authority.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**UNDER ACT 2, 1995
PREAMBLE 1****Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907)**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the

intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Wilkes-Barre/Scranton International Airport, 100 Terminal Drive, Pittston Township, **Luzerne County**. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Wilkes-Barre/Scranton International Airport, 100 Terminal Drive, Suite 1, Avoca, PA 18641, submitted a Notice of Intent to Remediate. A release of hydraulic oil occurred at this site on or about June 27, 2016. The Notice of Intent to Remediate was published in *The Scranton Times* on February 15, 2017.

Kings Cleaners, 225 Ferry Street, Easton City, **Northampton County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of Lehigh Valley Economic Development Corp., 2158 Avenue C, Suite 200, Bethlehem, PA 18017, submitted a Notice of Intent to Remediate. Historically the site was used as a dry cleaning and fabric dyeing facility and contamination of volatile organic compounds were detected in soils at this site. The Notice of Intent to Remediate was published in *The Morning Call* on February 10, 2017.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Logos Academy Expansion, 243 West King Street, York, PA 17401, City of York, **York County**. Independen-

dence Environmental Consulting, LLC, 1750 Kaylor Road, Hummelstown, PA 17036, on behalf of Logos Academy, 250 West King Street, York, PA 17401, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with leaded gasoline. The site will be remediated to the Residential Statewide Health and Site Specific Standards. Future use of the site will be for non-residential operations. The Notice of Intent to Remediate was published in *The York Dispatch/York Sunday News and York Daily Record* on February 15, 2017.

914 South 13th Street, Harrisburg, PA 17103, 914 South 13th Street, Harrisburg, PA 17103, City of Harrisburg, **Dauphin County**. BL Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Nancy L. Martin, 219 Westview Drive, Elizabethtown, PA 17022, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with arsenic and chlorinated solvents. The site will be remediated to the Site Specific Standard. Future use of the site is to be used as a daycare facility. The Notice of Intent to Remediate was published in *The Patriot News* on January 19, 2017.

Kenneth Cramer Property, 3567 Kettle Road, Altoona, PA 16601, Tyrone Township, **Blair County**. P. Joseph Lehman Consulting Engineers, 117 Olde Farm Office Road, Suite 113, Altoona, PA 16635, on behalf of Kenneth Cramer, 3567 Kettle Road, Altoona, PA 16601, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Altoona Mirror* on January 25, 2017.

Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass.

Lower Bucks YMCA, 601 South Oxford Valley Road, Bristol Township, **Bucks County**. Matthew Mercuri, Mercuri & Associates, Inc., 2198 Pennsbury Drive, Jamison, PA 18929, Joe Crooks, Super Tank & Energy Co LLC, 302 Jefferson Avenue, Bristol, PA 19007-5241 on behalf of Joe Natale, Lower Bucks YMCA, 610 South Oxford Valley Road, Fairless Hills, PA 19030 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the proposed future use of the property will remain commercial. A Notice of Intent to Remediate was published in the *Bucks County Courier Times* on January 26, 2017. PF815666.

Exeter 6400 Bristol Pike, 6400 Bristol Pike, Bristol Township, **Bucks County**. Thomas S. Jones, Penn Environmental & Remediation, Inc, 2755 Bergey Road, Hatfield, PA 19440, Michael A. Christie, P. G., Penn Environmental & Remediation, Inc, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Jason A. Honesty, Exeter 6400 Bristol, LLC, 101 West Elm Street, Suite 600, Conshohocken, PA 19428 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of voc and metals. The propose future use of the property is anticipated to remain non-residential for commercial use. A Notice of Intent to Remediate was published in the *Bucks County Courier Times* on December 22, 2016. PF814727.

Davisville Shopping Center, 800 East Street Road, Warminster Township, **Bucks County**. Jeffery Smith, Langan Engineering and Environmental Services, Inc., Stone Manor Corporate Center 2700 Kelly Road, Suite

200, Warrington, PA 18976 on behalf of Matthew J. Kelly, IL Davisville Associates, LP, 307 Fellowship Road, Suite 300, Mt. Laurel, NJ 08054 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of chlorinated vocs. The proposed future use of the property will remain non-residential. A Notice of Intent to Remediate was published in the *Intelligencer* on January 30, 2017. PF620246.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR114. PPT Research, Inc., 515 Business Park Lane, Allentown, PA 18109. A permit renewal application for continued coverage under General Permit WMGR114 for the processing and beneficial use of spent polyethylene glycol slurry containing silicon and silicon carbide or diamond to be used as fresh slurry and in production of ingots; spent aluminum cold rolling fluids for reuse; and petroleum based silicon carbide slurry for reuse. The PPT Research facility is located in the City of Allentown, **Lehigh County**. The application was received by the Department on February 9, 2017 and deemed administratively complete by the Regional Office on February 28, 2017.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received, under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate a Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

Permit ID No. 101534. Laurel Highlands Landfill, Inc., 260 Laurel Ridge Road, Johnstown, PA 15909. Request for renewal of permit for operation of a municipal waste landfill in Jackson Township, **Cambria County**. Application was received in the Regional Office on February 13, 2017.

Applications deemed administratively complete under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate a Solid Waste Processing or Disposal Area or Site.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

Permit ID No. 301372. Mt. Carmel Stabilization Group, Inc., P.O. Box 458, 1611 College Dr., Mt. Carmel, IL 62863-2614; Site: Aleppo Township, **Greene County.** The project involves stabilization of vertical drill cuttings for beneficial use applications at natural gas well sites for well pads, compressor stations, access roads and other drive surfaces or working pads. This application was originally published as a research and development project under WMGR097 on April 16, 2016, and is now being reviewed as an application for a demonstration facility under 25 Pa. Code §§ 287.501—287.506.

Written comments concerning the application should be directed to Stacy Daugherty, Environmental Chemist, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place “Comments on 301372” in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held,

if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

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

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

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

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

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

09-0174G: Liberty Coating LLC. (21 South Steel Road, Morrisville, PA 19067), The Department has received an application for an interior and exterior blasting operation with an associated dust collector for their facility located at 21 South Steel Road, Morrisville, PA 19067 in Falls Township, **Bucks County.** The Plan Approval will contain monitoring and recordkeeping requirements to keep the source operating within the allowable emissions and all applicable air quality requirements.

23-0047I: Evonik Degussa Corp. (1200 West Front Street, Chester, PA 19013) for the installation of two new mills, silo, and associated baghouse and reconfiguration of operations in the City of Chester, **Delaware County.** The company manufactures silica from sodium silicate. The pollutant of concern is Particulate Matter (PM), controlled by a baghouse. This change will not change the existing PM emission limit for the facility. The Plan Approval and Operating permit will include monitoring, record keeping & reporting requirements designed to address all applicable air quality requirements.

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

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

42-246A: National Fuel Gas Supply Corporation (6363 Main Street, Williamsville, NY 14221); The Department intends to issue a plan approval to National Fuel Gas Supply Corporation for authorization to construct and operate the following at their proposed Keelor Compressor Station facility (non-Title V) to be located in Wetmore Township, **McKean County**:

- Three (3) rich burning natural gas fired Waukesha SI RICE engines, Model L5794GSI, rated 1,380 bhp each, used for natural gas compression o Equipped with Non-Selective Catalytic Reduction (NSCR) catalyst
- One (1) rich burning natural gas fired Caterpillar SI RICE engine, Model G3412, rated 622 bhp, used for emergency power generation
 - o Equipped with Non-Selective Catalytic Reduction (NSCR) catalyst,
- Three (3) natural gas fired generator turbines manufactured by FlexEnergy, Model MT333, rated 0.33 MW each, used to supply non-emergency electricity during normal operation
- One (1) natural gas dehydration system manufactured by Frederick Logan, rated 105 MMscfd, Source ID: Dehy-001
 - o Controlled by an enclosed flare, 98% control efficiency
 - o Equipped with one associated reboiler burner, rated 1.5 MMBtu/hr
 - o Equipped with one associated flashtank
- One (1) natural gas fired pipeline heater, rated 4.0 MMBtu/hr
- One (1) 16,800 gallon produced water storage tank, estimated 67,200 gallons per year throughput
 - o Must be equipped with a pressure and vacuum relief valve
- One (1) natural gas fired fuel heater, rated 0.11 MMBtu/hr
- Twelve (12) natural gas fired catalytic space heaters, each rated 0.05 MMBtu/hr
- Pigging and miscellaneous gas venting/fugitive leaks
- Miscellaneous lube oil and glycol storage tanks

The engines' emissions will be reduced by means of nonselective catalytic reduction technology (NSCR) which is consistent with current best available technology (BAT). This source will be subject to 40 CFR Part 60 Subpart JJJJ—Stationary Spark Ignition Internal Combustion Engines. The plan approval will require compliance with this Federal regulation. Emissions associated with the dehydration of natural gas will be reduced by means of an enclosed flare.

The Plan Approval will contain emission and fuel restrictions, along with, testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

Total estimated potential emissions from the facility's sources: (as quantified in tons per year): 28.03 of NO_x, 11.54 of VOC, 19.14 of CO, 3.03 of HAP, and 3.6 of PM₁₀.

The Plan Approval may subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit 42-246A: National Fuel Gas Supply Corporation and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs. For additional information contact Christina S. Wilhelm at (814) 332-6411.

PLAN APPROVAL

PUBLIC HEARINGS

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

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

Transcontinental Gas Pipe Line Company, LLC

Compressor Station 520

Mifflin Township, Lycoming County

The Department of Environmental Protection will conduct a public meeting at 6:00 p.m. on Wednesday, April 19, 2017 at the Salladasburg Elementary School, 3490 State Route 287, Jersey Shore, PA 17740, to discuss the proposed Air Quality plan approval (41-00001B) submitted by Transcontinental Gas Pipe Line Co., LLC (Transco) for construction of a Solar Mars 100 combustion turbine and an emergency generator at Compressor Station 520 located in Mifflin Township, Lycoming County.

Staff from DEP's Air Quality Program will explain the application review process and applicable regulations, and Transco officials will provide an overview of the project to the audience. These presentations will be followed by a question and answer session with the local community.

Transco submitted an Air Quality plan approval application to the department on March 13, 2015, for construc-

tion of a 16,000 horsepower natural gas-fired lean-burn pre-mix simple cycle Solar Mars 100 turbine and a Waukesha P48GL emergency generator powered by a 1065 horsepower natural gas-fired engine at Compressor Station 520 in Mifflin Township, Lycoming County. The proposed project will provide the facility with additional compression capacity to support the expansion of their gas pipeline network in the region.

The public meeting will be followed by a DEP public hearing beginning at 7:15 p.m. during which time citizens will have an opportunity to present oral testimony regarding the proposed Air Quality plan approval. Anyone who wishes to present oral testimony during the public hearing may register that evening prior to the hearing. Citizens will have a maximum of five minutes each to present testimony. Written testimony of any length also will be accepted. The testimony will be recorded by a court reporter and transcribed into a written document. DEP will respond in writing to all testimony provided during the public hearing relevant to the proposed plan approval (41-00001B).

Persons unable to attend the public hearing can submit a written statement to the department by the close of business on Monday, May 1, 2017, at 4:00 p.m. The statement should be sent to: Muhammad Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Air Quality Program, 208 West Third St., Suite 101, Williamsport, PA 17701.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact Mr. Daniel Vilello at 570.327.3763 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate your needs.

OPERATING PERMITS

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

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

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

35-00002: PEI Power Corp., Archbald Power Station (PO Box 157, 170 Power Blvd., Archbald, PA 18403-0157). The Department intends to issue a renewal Title V Operating Permit for transmission and utilities electric services operations in Archbald Borough, **Lackawanna County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources at this facility consist of boilers and turbines. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit shall include emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

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

29-05001: JLG Industries, Inc. (1 JLG Drive, McConnellsburg, PA 17233) to modify a Title V Operating Permit for the aerial work platform and telescoping material handler manufacturing facility located in Ayr Township, **Fulton County**. The Title V Operating permit is undergoing a significant modification to incorporate applicable requirements of 25 Pa. Code § 129.52d for the coating operations at the facility as well as to incorporate emission restrictions and recordkeeping requirements to comply with the RACT II requirements of §§ 129.96—129.100. 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.

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

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

17-00001: NRG REMA LLC (121 Champion Way, Canonsburg, PA 1531) to issue a modification to the Title V Operating Permit (TVOP) 17-00001 for their Shawville Generating Station located in Bradford Township, **Clearfield County**. The facility is currently operating under Title V Operating Permit 17-00001 as amended on October 25, 2013 (DEP Auth ID: 988474). The operating permit modification will affect the utility boilers (Source IDs 031 through 034). There is no construction or physical source modification associated with this significant permit modification application.

On December 6, 2016, NRG applied for a significant permit modification to incorporate a new sulfur dioxide (SO₂) emission limitation for Source IDs 031 and 032 and a new SO₂ emission limitation for Source ID 033 and 034. The new emission limitations as well as the statutory authority are identified below. The potential emissions of SO₂ from the sources will decrease as a result of the permit modification. The potential SO₂ emissions from these sources is reportedly equal to approximately 84,306 tons per year (tpy). Upon the effective date the revised TVOP 17-00001, the potential emissions from these sources will be equal to 27,462.6 tpy based on 8,760 hours of operation. The new SO₂ emission limitations are, as follow:

[Applying 40 CFR 50.4, National primary ambient air quality standards for sulfur oxides (sulfur dioxide, SO₂) in conjunction with 40 CFR 51.1204, enforceable emission limits providing for attainment]

- The combined SO₂ emissions from Source IDs 031 and 032 shall not exceed 2,690.0 pounds per hour (lb/hr) 1-hour average (on a clock-hour average basis).

- The combined SO₂ emissions from Source IDs 033 and 034 shall not exceed 3,580.0 pounds per hour (lb/hr) 1-hour average (on a clock-hour average basis).

Based on the information included in the significant permit modification application as identified above, the Department proposes to issue an operating permit modification to TVOP 17-00001 for the incorporation of the new SO₂ emission limitations as provided above.

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.

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

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

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

23-00048: Glasgow, Inc., (P.O. Box 1089, Glenside, PA 19038-6089) for a synthetic minor facility located in Montgomery Township, **Montgomery County**. This action is to renew the facility's Operating Permit. The operating permit includes a Hot Mix Asphalt plant and quarry operations. The renewal will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

35-00055: McGregor Industries, Inc. (46 Line Street, Dunmore, PA 18512-1432) The Department intends to issue a State-Only Operating Permit renewal for operation of a miscellaneous metals fabrication facility in Dunmore Borough, **Lackawanna County**. The source includes one spray paint booth fitted with panel filters. The proposed operating permit includes emission limitations, work practice standards, testing, monitoring, recordkeeping and reporting requirements used to verify facility compliance with applicable Federal and State air pollution regulations.

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

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

67-03146: Johnson Controls, Grantley Plant (631 Richland Avenue, York, PA 17403), to issue a State Only Operating Permit renewal for Grantley Plant in Spring Garden Township, **York County**. The actual 2015 emissions from the facility were VOC 1.95 ton, NO_x 3 tons, SO_x 0.01 ton, CO 2.5 tons, and 0.26 ton of PM₁₀. 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 for Sources derived from 25 Pa. Code Chapters 123 and 127 for restrictions, monitoring, recordkeeping, and reporting. A new natural gas fired emergency engine is subject to 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. Also, existing two diesel engines and five natural gas fired engines are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

28-05022: Signature Companies (5171 Innovation Way, Chambersburg, PA 17201) to issue a State Only Operating Permit for the wood furniture (i.e., cabinets, stairs, and railings) manufacturing facility located in Greene Township, **Franklin County**. The actual emissions from the facility in 2015 were reported to be 17.8 tons VOC; 1.4 ton xylene; 1.1 ton toluene; 0.7 ton

ethylbenzene; 0.3 ton formaldehyde; 0.2 ton dibutylphthalate; and 3.6 tons total HAPs. The Operating Permit will include emission limits and work practice standards along with testing, 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 § 129.52 (Source IDs 101, 102, 103, and 104) and 25 Pa. Code § 129.77 (Source ID 105).

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

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

49-00056: Quikrete Co. Inc. (5517 Snyderstown Rd, Paxinos, PA 17860) for issuance of a State-Only Operating Permit renewal for operation of its Harrisburg Plant facility located in Shamokin Township, **Northumberland County**. Quikrete Co. Inc., operates wet receiving and drying systems (Source ID P101) which includes one 80-ton per hour Astec rotary drum aggregate (sand and gravel) dryer equipped with a Hauck Starjet model SJ150 natural gas-fired burner with a maximum capacity of 27.9 million Btu per hour, four 250-ton "wet" aggregate (sand and gravel) storage bins, two aggregate (sand and gravel) feed hoppers, one bucket elevator, and associated belt conveyors and screw conveyors; Q-line storage silos and batch system (Source ID P102) which includes one 50-ton capacity Astec pneumatically-loaded lime storage silo, one 90-ton capacity Astec pneumatically-loaded two compartment lime/masonry sand and flyash storage silo ("powders split silo"), one 95-ton capacity Astec pneumatically-loaded Portland cement storage silo, one 90-ton capacity Astec two compartment dried aggregate (sand and gravel) storage silo ("aggregate split silo"), one weigh hopper, and associated screw conveyors; Q-line mixing and packaging system (Source ID P103) which includes one pan mixer, one rotary screen, one bucket elevator, triple air packers, one bulk bag filling station, and associated hoppers, belt conveyors; C-line and OMB packaging systems (Source ID P104) which includes one dual impeller packer, one OMB packer, one OMB sealer, one bucket elevator, and associated hoppers, belt conveyors; and one 0.388 MMBtu/hr natural-gas fired HVAC unit (identified in the miscellaneous section as insignificant). This facility has the potential to emit 52.70 tons of carbon monoxide, 17.69 tons of nitrogen oxides, 19.41 tons of particulate matter (including particulate matter less than 10 microns and particulate matter less than 2.5 microns), 0.12 ton of sulfur oxides, 2.88 tons of volatile organic compounds, insignificant amount of hazardous air pollutants, and 14,483.39 tons of CO₂e. 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 State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. 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.

17-00008: Triangle Suspension Systems, Inc. (P.O. Box 425, Dubois, PA 15801) for issuance of a State-Only Operating Permit renewal for operation of its Dubois Plant facility located in Sandy Township, **Clearfield**

County. Triangle Suspension Systems operates 36 natural-gas fired space heaters ranging from 0.048 MMBtu/hr to 0.10 MMBtu/hr (Source ID 031), 31 natural-gas fired space heaters ranging from 0.15 MMBtu/hr to 0.40 MMBtu/hr (Source ID P032), 2 dip tanks—one amber and one black and associated drying racks (Source ID P101), one 4.27 MMBtu/hr natural-gas fired Unit Draw Furnace No. 1062 (Source ID P202), 8 natural-gas fired furnaces ranging from 0.40 MMBtu/hr to 2.5 MMBtu/hr (Source ID P400), 3 natural-gas fired furnaces each rated 0.20 MMBtu/hr, 1 rated 1.5 MMBtu/hr, 1 rated 2.1 MMBtu/hr, and 1 rated 2.3 MMBtu/hr (Source ID P500), 1 annealing process consisting of a 4.64 MMBtu/hr natural-gas fired Walking Beam Furnace No. 1057 and 7,000-gallon quench oil tank (Source ID P601), 1 annealing process consisting of a 7.56 MMBtu/hr natural-gas fired Walking Beam Furnace No. 1058 and 7,800-gallon quench oil tank (Source ID P602), 1 annealing process consisting of a 8.50 MMBtu/hr natural-gas fired Walking Beam Furnace No. 1080 and 4,000- and 8,000-gallon quench oil tanks (Source ID P603), 1 5,000-gallon quench oil tank, and 2 Safety Kleen remote-reservoir cleaning machines rated 16 gallons and 30 gallons (Source ID P701). This facility has the potential to emit 18.27 tons of carbon monoxide, 21.75 tons of nitrogen oxides, 1.66 ton of particulate matter (including particulate matter less than 10 microns and particulate matter less than 2.5 microns), 0.10 ton of sulfur oxides, 11.40 tons of volatile organic compounds, 0.42 ton of hazardous air pollutants, and 25,931.65 tons of CO₂e. 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 State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. 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: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

03-00093: Murray Keystone Processing, Inc. (46226 National Road, Saint Clairsville, OH 43950), for a renewed facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Keystone Cleaning Plant, located in Plumcreek Township, **Armstrong County**. The facility contains air contamination sources consisting of a scalper, dry screens, wet screens, coal cleaning plant, and roadways. Air pollution prevention equipment at the facility includes in-building operation, enclosures, water sprays, water truck, sweeper, and tarping of truck loads. Maximum raw coal throughput is 7,063,000 tons per year. Facility emissions are 29 tons of PM₁₀, 5 tons of PM_{2.5}, and 1 ton of VOC per year. The facility is subject to the applicable requirements of 40 CFR 60, Subpart Y and 25 Pa. Code 25 Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Murray Keystone Processing's State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State

Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Bob Novak at robernovak@pa.gov or 412.442.4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 03-00093) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (mhochhause@pa.gov, fax 412-442-4194).

03-00179: Leading Technologies, Inc. (1153 Industrial Park Road, PO Box 628, Leechburg, PA 15656) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Leading Technologies to authorize the continued operation of their semiconductor lead frames and other electronic interconnecting products manufacturing facility located in Parks Township, **Armstrong County**.

The activities include a variety of stamping, chemical etching, plating, coating degreasing and stripping operations. The facility consists of two boilers, electroplating system, rack plate machine, parts cleaning machine, scrubbers and other miscellaneous equipment associated with this type of operations. Emissions from this facility are less than 1 ton per year of PM, 1 ton per year of VOCs and 1 ton per year of HAPs. The proposed SOOP contains emission restriction, testing, monitoring,

recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (03-00179) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Leading Technologies State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Leading Technologies State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225. All comments must be received prior to the close of business 30 days after the date of this publication.

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

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

25-00688: UPMC Hamot Erie (201 State Street, Erie, PA 16550-0002) for issuance of the State Only Operating Permit for the medical and surgical hospital located in Erie City, **Erie County**. The sources at the facility include, three natural gas/oil fired boilers, emergency generators, a plants parts washer, and an ethylene oxide sterilizer controlled by a scrubber. Five of the emergency generators are subject to the New Source Performance Standards (NSPS) of 40 CFR Part 60 Subpart IIII pertaining to stationary combustion ignition internal combustion engines (ICE). An additional engine is subject to the NSPS of 40 CFR Part 60 Subpart JJJJ pertaining to spark ignition ICE. The ethylene oxidize sterilizer is subject to 40 CFR Part 63 Subpart WWWW pertaining to National Emission Standards for Hospital Ethylene Oxide Sterilizers. 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. The potential emissions from the facility are 72.2 TPY NO_x, 5.3 TPY SO_x, 35.1 TPY CO, 3.0 TPY PM₁₀, 3.0 TPY PM_{2.5}, 6.0 TPY VOCs, and 0.58 TPY HAPs. The facility is a natural minor.

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

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

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

S15-008: Constitution Health Plaza. (1930 South Broad St, Philadelphia, PA 19145) for the operation of a healthcare center in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include:

one (1) 20.95 MMBTU/hr boiler and one (1) 16.7 MMBTU/hr boiler, each firing natural gas or No. 2 oil; and four (4) 400-200 kW emergency generators, each firing No. 2 oil.

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

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

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

64-00006A: Hanson Aggregates PA LLC (7660 Imperial Way, Allentown, PA 18195) for their facility in Lake Township, **Wayne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Hanson Aggregates PA LLC (7660 Imperial Way, Allentown, PA 18195) for their facility in in Lake Township, Wayne County. This Plan Approval No. 64-00006A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No.64-00006A is for the replacement of the current baghouse components with new baghouse components. Particulate Matter (PM) emissions from the plant will remain under their 100 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.13 for PM emissions. These limits will meet BAT requirements for this source. The company shall also be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the

information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 64-00006A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

56841612 and NPDES No. PA0588491 and GP12-56841612. Wilson Creek Energy, LLC, (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Wilson Creek Coal Preparation Plant in Black Township, **Somerset County** and related NPDES permit. Includes renewal of Air Quality GPA/GP12 Authorization. No additional discharges. The application was considered administratively complete on February 22, 2017. Application received April 26, 2016.

33071301 and NPDES No. PA0236080. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Kocjancic Mine in Snyder Township, **Jefferson County**, Horton Township, **Elk County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on February 23, 2017. Application received November 16, 2016.

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

Permit No. 11010102 and NPDES No. PA0249009. E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722, permit renewal for reclamation only of a bituminous surface mine in Reade Township, **Cambria County**, effecting 102 acres. Receiving streams: Fallentimber Run and Powells Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 15, 2017.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

33850118. P. and N. Coal Company, Inc. (P.O. Box 332, Punxsutawney, PA 15767) Revision to an existing bituminous surface and auger mine to add 5.0 acres in Winslow Township, **Jefferson County**, affecting a total of 190.1 acres. Receiving streams: Unnamed tributaries to Soldier Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 17, 2017.

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

17050101. Glenn O. Hawbaker, Inc. (1952 Waddle Road, Suite 203, State College, PA 16803). Permit revision for a land use change from forestland to unmanaged natural habitat for 13.1 acres on a bituminous surface and auger mine located in Penn and Pike Townships, **Clearfield County** affecting 267.9 acres. Receiving stream(s): Kratzer Run, Bilger Run and Anderson Creek classified for the following use(s): CWF and MF. There are no potable water supply intakes within 10 miles downstream. Application received: February 7, 2017.

17010110 and NPDES PA024132. River Hill Coal Company, Inc. (P.O. Box 141, Kylertown, PA 16847). Permit renewal for continued operation and restoration of a bituminous surface and auger mine located in Bigler

and Woodward Townships, **Clearfield County** affecting 320.0 acres. Receiving stream(s): Unnamed Tributary to Upper Morgan Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: February 7, 2017.

17990103 and NPDES PA0238244. River Hill Coal Company, Inc. (P.O. Box 141, Kylertown, PA 16847). Permit renewal for continued operation and restoration of a bituminous surface and auger mine located in Bigler Township, **Clearfield County** affecting 228.8 acres. Receiving stream(s): Unnamed Tributaries to Upper Morgan Run and Alexander Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: February 7, 2017.

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

Permit No. 54830209T and PAM114019. Keystone Anthracite Co., Inc., (259 N. 2nd Street, Girardville, PA 17935), transfer and correction of an existing anthracite coal refuse reprocessing, coal refuse disposal and preparation plant operation and GP104 Permit from South Tamaqua Coal Pockets, Inc. in West Penn Township, **Schuylkill County** affecting 17.6 acres (37.0 acres reduced to 17.6 acres), receiving stream: Little Schuylkill River, classified or the following use: cold water fishes. Application received: February 14, 2017.

Permit No. 54-305-038GP12. Keystone Anthracite Co., Inc., (259 N. 2nd Street, Girardville, PA 17935), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit,

BAQ-GPA/GP-12 on Surface Mining Permit No. 54830209 in West Penn Township, **Schuylkill County**. Application received: February 14, 2017.

Permit No. 54860207T and PAM112037. Keystone Anthracite Co., Inc., (259 N. 2nd Street, Girardville, PA 17935), transfer and correction of an existing anthracite coal refuse reprocessing and coal refuse disposal operation and GP104 Permit from South Tamaqua Coal Pockets, Inc. in West Penn Township, **Schuylkill County** affecting 8.6 acres (65.0 acres reduced to 8.6 acres), receiving stream: Little Schuylkill River, classified or the following use: cold water fishes. Application received: February 14, 2017.

Permit No. 54860207R6 and PAM112037. Keystone Anthracite Co., Inc., (259 N. 2nd Street, Girardville, PA 17935), renewal of an existing anthracite coal refuse reprocessing and coal refuse disposal operation and GP104 Permit in West Penn Township, **Schuylkill County** affecting 8.6 acres, receiving stream: Little Schuylkill River, classified or the following use: cold water fishes. Application received: February 14, 2017.

Permit No. 54901302R5 and NPDES Permit No. PA0594792. Carline Coal Co., Inc., (P.O. Box 188 Sacramento, PA 17968), renewal of an existing anthracite underground mine operation and NPDES Permit for discharge of treated mine drainage in Hegins Township, **Schuylkill County** affecting 5.0 acres, receiving stream: West Branch Rausch Creek, classified for the following use: cold water fishes. Application received: February 15, 2017.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 4074SM12 and NPDES No. PA0599352, New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of NPDES permit, located in Jefferson Township, **Somerset County**. Receiving streams: unnamed tributary to Kooser Run classified for the following use: High Quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 17, 2017.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

10000305. Three Rivers Aggregates, LLC (1807 Shenango Road, Grove City, PA 16127) Renewal of existing NPDES Permit No. PA0241792 in Worth Township, **Butler County**. Receiving streams: Black Run and unnamed tributary to Black Run, both classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 9, 2017.

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

57112501 and NPDES PA0257826. Jack L. McClintock (1522 Highway 220, Muncy Valley, PA 17758). NPDES renewal for continue operation and reclamation of a general permit GP-105 bluestone mining site located in Shrewsbury Township, **Sullivan County** affecting 5.0 acres mining and 5.0 acres support. Receiving stream(s): Unnamed Tributary to Muncy Creek classified for the following use(s): EV. Application received: February 6, 2017.

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

Permit No. 67870301C12. York Building Products Co., Inc., (PO Box 1708, York, PA 17404), correction to an existing quarry operation to revise the mining limit to remove the southern pre-act highwall and update the permitted acres from 264.9 to 269.8 acres, receiving stream: Willis Run, classified for the following use: warm water fishes. Application received: February 6, 2017.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

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

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice

and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0263206 (Mining Permit No. 56110104), Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for reclamation activities only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 132.5 acres. Receiving streams: unnamed tributary to/and Hoffman Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: December 9, 2016.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The stormwater outfall listed below discharges to unnamed tributary to Hoffman Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfall: (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfall listed below discharges to Hoffman Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
002	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfalls: (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

including the relevant facts upon which they are based.

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E-50-261: Pennsylvania DCNR, 6th Floor, Rachel Carson State Office Building, P.O. Box 8451, Harrisburg, PA 17105 in Toboyne Township, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

To 1) Remove the four 48" reinforced concrete and steel pipe culverts in and across Horse Valley Run (HQ, CWF, MF); 2) restore approximately 35 linear feet of the streambank of Horse Valley Run Road (HQ, CWF, MF); 3) place and maintain fill for the proposed road crossing in approximately 5,122 square feet of the floodway of Horse Valley Run (HQ, CWF, MF); 4) construct and maintain approximately 12 linear feet of 33'-0" x 4'-3" box beam structure in and across Horse Valley Run (HQ, CWF, MF); 5) place and maintain fill and two 18" CMP culverts across approximately 112 square feet of Palustrine Forested (PFO) and Palustrine Scrub Shrub (PSS) wetland, for the purpose of replacing an existing culvert (Latitude: 40°16'54.2658" N; Longitude: 77°35'57.1634).

E06-715: Reading Area Water Authority, 1801 Kutztown Rd, Reading, PA 19604 Birdsboro Borough, **Berks County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain a fire hydrant in the floodplain of Hay Creek (EV, MF). The project proposes 3 square feet of impact.

E07-465: Allegheny Township Supervisors, 3131 Colonial Drive, Duncansville, PA in Allegheny Township, **Blair County**, U.S. Army Corps of Engineers Baltimore District.

To maintain and construct an addition to the Allegheny Township Municipal Building within the floodplain of Spencer Run (WWF, MF). Impacts within the floodplain involve grading, additional fill, and the building addition with total permanent impacts of 0.16 acre. No wetland impacts are anticipated. The project is located in Duncansville, northwest at the intersection of Municipal Drive and Colonial Drive off of S.R. 0764 (Hollidaysburg, PA Quadrangle, Latitude: 40°26'42", Longitude: -78°25'52"). The purpose of the project is to construct a building addition for necessary site amenities to the existing Allegheny Township Municipal Building.

E21-456: South Middleton Township Municipal Authority, 345 Lear Lane, P.O. Box 8, Boiling Springs, PA 17007 in South Middleton Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a new 12-inch steel water main as an aerial stream crossing over Letort Spring Run (EV, MF). The water main will attach to a new steel beam attached to the existing Quarry Bridge on the downstream bridge side impacting 40.0 linear feet of stream. Then the new water main will be installed by open cutting and placing below existing grade within the floodway, impacting 0.01 acre of floodway, on either side of the bridge. The project is located at the intersection of N. Garden Street and Quarry Road (Latitude: 40°10'42", Longitude: -77°11'12") in South Middleton Township, Cumberland County. The purpose of the project is to provide public water service to South Middleton Township, Carlisle, Boiling Springs, and Mt. Holly Springs. No loss of wetland is proposed and therefore no compensatory wetland mitigation is required as part of this project.

E36-964: PennDOT Engineering District 8-0, 2140 Herr Street Harrisburg, PA 17103-1699, in Paradise and Leacock Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to install and maintain a 150-foot x 38-foot 0.5-inch bridge over Pequea Creek (WWF, MF) with R-8, R-6, and R-4 Riprap scour protection. The project proposed to permanently impact 129 linear feet of stream channel and temporarily impact 172 linear feet for the purpose of improving roadway safety. The project is located in Paradise and Leacock Township, Lancaster County. (40° 00' 51.8", -76° 07' 53.8").

E36-958: Lititz Land Trust, LLC, 750 Lititz Pike, Lititz, PA 17543, in Warwick Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To place and maintain fill in 0.07 acre of palustrine emergent wetlands for the purpose of constructing a two unit apartment building. To compensate for the wetland impacts, the applicant proposes to create 0.088 acre of wetlands onsite. The project is located near the intersection of Landis Valley Road and S. Broad Street (Latitude: 40° 8' 25.33"N; Longitude: 76° 18' 18.45"W) in Warwick Township, Lancaster County.

E01-321: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Franklin and Menallen Townships, **Adams County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a single span pre-stressed concrete spread box beam bridge with a span of 60.0 feet, an out-to-out width of 30.00 feet, and an underclearance of 10.79 feet and concrete end walls, over Conewago Creek (HQ-CWF, MF). Impacts are associated with the SR 0234 bridge replacement over Conewago Creek (Latitude 39.9463°; Longitude -77.3402°) for the purpose of improving safety standards. No wetlands will be impacted by this project.

E21-458: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Cooke Township, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to install and maintain 1) a single-cell precast concrete box culvert with baffles, having a total span of 24.0 feet, an underclearance of 5.0 feet, and inverts depressed 1.0-foot below the streambed crossing over Toms Run (HQ-CWF, MF) and 2) a relocation of a 76.0-foot section of an Unnamed Tributary to Toms Run (HQ-CWF, MF) downstream of the bridge due to interference with a wingwall. The project is located in Pine Grove Furnace State Park on SR 0233 (Centerville Road) in Gardners, PA, Cooke Township, Cumberland County (Latitude 40° 02' 01", Longitude -77° 18' 14"). The project will temporarily impact 0.006 acre of Palustrine Shrub (PSS) wetland, 0.032 acre of permanent stream impacts, and 0.02 acre of floodway impacts. The purpose of the project is to improve the roadway to current safety standards. The project will have a detour implemented to maintain traffic control.

E36-954: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, in Salisbury Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to install and maintain a concrete bridge spanning 44 feet, being 38 feet

wide, with rock riprap scour protection over Indian Spring Run (CWF, MF) (Latitude 40° 01' 29.80", Longitude -75° 56' 55.40") for the purpose of improving roadway safety standards.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E08-497. Rome Township, 38507 Route 187, Rome, PA 18837, Rome Township, **Bradford County**, U.S. Army Corps of Engineers, Baltimore District.

Rome Township is proposing to rehabilitate both banks with R6 rip-rap protection toe protection through a 1,120-foot portion of Parks Creek in order to reduce sediment delivery to waters of the Commonwealth. The project is located on the property of Steve Unis. Excavation for this project will be limited to a 2' deep by 5.4' wide core trench in the stream bed for the length of the project to prevent undercutting, and 6' long by 5.4' wide start and end bank keys to prevent flanking of the structure. The banks through this section of Parks Creek are eroding at a considerably accelerated rate. This project proposes to stabilize the banks to reduce sediment delivery to the stream channel, thereby improving water quality and aquatic habitat through this reach as well as downstream. This project will also prevent potential gravel and debris deposition around and under the Rome Township bridge which is immediately downstream of the proposed project.

The project is located at Quadrangle, Latitude: 41° 53' 2.6739", Longitude: -76° 20' 2.8316".

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

E02-1757, North Shore XIV, LLC, 395 East Waterfront Drive, Suite 300; Homestead, PA 15120, City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

Construct, operate, and maintain a building and replace, operate and maintain a parking area within approximately 0.47 Acre of floodway along the Allegheny River (WWF; add N) for the purpose of constructing a 7 story retail/office building and associated parking area at the corner of Tony Dorset Drive and North Shore Drive (Pittsburgh West, PA USGS topographic quadrangle; N:12.8 inches; W:1.3 inches; Latitude: 40° 26' 45"; Longitude: -80° 0' 32"; Sub-basin 18A; Pittsburgh Corps District) in the City of Pittsburgh, Allegheny County.

E63-659-A1, PennDOT District 12-0, 825 North Gallatin Avenue, Uniontown, PA 15401, Fallowfield Township, **Washington County**, Pittsburgh ACOE District.

The applicant proposes to:

Amend the existing permit to include placement and maintenance of fill in 213 ft of an unnamed tributary to Maple Creek (WWF) with a drainage area less than 100 acres, construction and maintenance of a 200 ft long replacement channel, placement and maintenance of fill in 0.07 acre of PEM/PSS wetland, and additional temporary impacts to 235 linear feet of stream and 0.01 acre of PEM/PSS wetland. Mitigation for the additional stream impacts will occur offsite on North Branch Pigeon Creek (WWF) in Somerset Township, Washington County. Mitigation for the additional wetland impacts will take place offsite at the State Game Lands 297 Bank in North Bethlehem Township, Washington County. The existing

permit authorizes the removal of the existing SR 481, 116 ft long, 10 ft wide by 6 ft high, RC arch enclosure; construction and maintenance of a 10 ft by 8 ft, 80 ft long RC box culvert replacement on a UNT to Pigeon Creek (WWF) with a drainage area of 189 acres, Latitude 40° 7' 29" and Longitude -79° 57' 35"; extension 104 ft upstream and 110 ft downstream, and maintenance of an existing SR 70, 292 ft long, 6 ft by 7 ft RC box enclosure with a final length of 506 ft and with a drainage area of 139 acres; placement and maintenance of fill in a 378 ft long section of UNT to Pigeon Creek between the SR 481 enclosure replacement and the SR 70 enclosure extension; and construction and maintenance of a relocated 328 ft long open channel replacement of the filled UNT Pigeon Creek with a drainage area of 189 acres. In addition the project includes installation and maintenance of road associated stormwater outfalls; placement and maintenance of fill in 340 ft of UNTs to Pigeon Creek (WWF) with drainage areas less than 100 acres; construction and maintenance of a 138 ft long open channel of UNTs to Pigeon Creek with drainage areas less than 100 acres; placement and maintenance of fill in 0.4 acre of PEM/PSS wetland; and temporary impacts to 1,731 ft of stream and 0.17 acre of PEM wetland for construction of the encroachments. Stream mitigation will occur offsite on Sherrick Run (WWF), located in Mount Pleasant Township, Westmoreland County. Wetland mitigation will occur offsite at the State Game Lands 297 Bank in North Bethlehem Township, Washington County.

This project is associated with the SR 70 and SR 481 interchange improvement project with these encroachments extending approximately half a mile east and west from the SR 481 and SR 70 intersection Fallowfield Township, Washington County (Beginning Monongahela Quadrangle, North 0.6 inches and West 12.1 inches, Latitude 40° 7' 38" and Longitude -79° 57' 38"; and extending to California Quadrangle, North 22.2 inches and West 12.1 inches, Latitude 40° 7' 25" and Longitude -79° 57' 29").

E65-987, PennDOT Engineering District 12-0, 825 North Gallatin Avenue, Uniontown, PA 15401, South Huntingdon Township, **Westmoreland County**, Pittsburgh ACOE District.

The applicant proposes to:

1. Construct and maintain a 53' extension of the existing 196' long 54" pipe enclosure carrying SR 70 over an unnamed tributary to Dutch Hollow (WWF) with a drainage area less than 100 acres for a total enclosure length of 249'; upstream of the pipe, place and maintain fill in 50' of the UNT to Dutch Hollow and construct and maintain 50' of relocated replacement channel; downstream of the pipe, remove 110' of existing 14" pipe conveying the UNT to Dutch Hollow and construct and maintain 110' of relocated replacement channel.

2. Permanently impact 4' of a second UNT to Dutch Hollow (WWF) with a drainage area less than 100 acres for the construction of the first UNT to Dutch Hollow channel.

3. Place and maintain fill in 580' of the headwaters to an unnamed tributary to Hunters Run (WWF); the hydrology for this stream will be diverted into a stormwater swale.

4. Remove the existing 263' long 60" pipe enclosure carrying a ramp to SR 70 over the same UNT to Hunters Run (WWF) with a drainage area of 109 acres and construct and maintain a relocated replacement 207' long 60" pipe enclosure; downstream remove the existing 84'

long 66" pipe carrying SR 31 over the UNT to Hunters Run and construct and maintain a relocated replacement 116' long 66" pipe enclosure; place and maintain fill in 537' of the UNT to Hunters Run and construct and maintain a 593' long relocated replacement channel with a drainage area of 112 acres.

5. Construct and maintain a 36' extension of the existing 200' long 36" pipe enclosure carrying SR 70 over a second UNT to Hunters Run (WWF) with a drainage area less than 100 acres for a total enclosure length of 236'; downstream of the pipe extension place and maintain fill in 48' of this same UNT and construct and maintain 48' of relocated replacement channel.

6. Place and maintain fill in 122' of a third UNT to Hunters Run (WWF) with a drainage area less than 100 acres and construct and maintain 122' of relocated replacement channel.

7. Place and maintain fill in 300' of the headwaters of an unnamed tributary to Lick Run (WWF); the hydrology for this stream will be diverted into a stormwater swale.

8. Construct and maintain a 63' extension of the existing 230' long 34" pipe enclosure carrying SR 70 over a second UNT to Lick Run (WWF) with a drainage area less than 100 acres for a total enclosure length of 293'; upstream and downstream of the culvert place and maintain fill in 50' of the same UNT and construct and maintain two 50' long relocated replacement channels.

9. In addition, place and maintain fill in 0.62 acre of PEM wetland; construct and maintain roadway associated stormwater outfalls; construct and maintain minor improvements and repairs to existing encroachments; and temporarily impact 4,313' of streams and 0.14 acre of PEM wetland for the purpose of constructing these encroachments. Stream and wetland mitigation will take place onsite.

These encroachments are associated with the SR 70 improvement project extending from approximately 1.8 mile west of the SR 70 and SR 31 interchange (Smithton, PA Quadrangle; beginning Latitude: 40° 10' 12.43" and Longitude: -79° 43' 41.11"), and extending to approximately 1.1 mile east of the SR 70 and SR 31 interchange (Smithton, PA quadrangle ending Latitude: 40° 11' 51.21" and Longitude: -79° 41' 3.29") in South Huntingdon Township, Westmoreland County.

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

E62-434, National Fuel Gas Supply Company, 1100 State Street, PO Box 2081, Erie, PA 16512. Line QP Replacement Project Warren, in Tidioute and Limestone Township, **Warren County**, ACOE Pittsburgh District. The proposed project starts at Tidioute Boro, Tidioute, PA Quadrangle N: 41°, 40', 55.12"; W: 79°, 24', 34.78" and ends at Limestone Township Cobham, PA Quadrangle N: 41°, 37', 40.44"; W: 79°, 20', 7.78".

The project consists of the installation and maintenance of approximately 3.95 miles long, 4-inch pipeline and appurtenant structures in an existing National Fuel Gas right of way. The proposed project impacts in Warren County include a total of 1,933 linear feet of temporary impacts to Allegheny River (WWF), UNT's to Allegheny River (CWF and WWF), Meyers Run (CWF), Dunn Run (CWF), UNTs to East Hickory Creek (CWF and HQ), a total of 751 linear feet of permanent impacts to Allegheny

River (WWF), UNT's to Allegheny River (CWF and WWF), Meyers Run (CWF), Dunn Run (CWF), UNTs to East Hickory Creek (CWF and HQ) and 8.07 acres of floodway impacts, 0.495 acre of temporary impacts to Palustrine Emergent wetlands and 0.03 acre of permanent impacts to Palustrine Emergent wetlands.

The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 3.95 miles in Pennsylvania between Tidioute Boro, Warren County, PA and Limestone Township, Warren County, PA.

The applicant is also proposing to replace 1,000 feet of natural gas pipeline under E62-435 and replace 1 mile of natural gas pipeline under GP112717601.

For more detailed information regarding the Warren County Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact Lori Boughton at 814.332.6879 to request a file review.

E62-435, National Fuel Gas Supply Company, 1100 State Street, PO Box 2081, Erie, PA 16512, in Tidioute Boro, **Warren County**, ACOE Pittsburgh District. The proposed project starts at Tidioute Boro, Tidioute, PA Quadrangle N: 41°, 40', 55.12"; W: 79°, 24', 34.78" and ends at Limestone Township, PA Quadrangle N: 41°, 40', 48.38"; W: 79°, 24', 34.90".

The project consists of the installation and maintenance of approximately 1,000 feet long, 12-inch pipeline and appurtenant structures. The proposed project impacts in Warren County include a total of 664 linear feet of temporary impacts to Allegheny River (WWF) and McGuire Run (CWF), a total of 664 linear feet of permanent impacts to Allegheny River (WWF) and McGuire Run (CWF) and 0.023 acre of floodway impacts.

The proposed project impacts in this permit application are associated with a proposed transmission pipeline project extending approximately 0.19 mile in Pennsylvania between Tidioute Boro, Warren County, PA and Limestone Township, Warren County, PA.

The applicant is also proposing to replace 4.95 miles of natural gas pipeline under E62-434 and GP112717601 which also includes the installation of a 6-inch pipeline conduit to be buried in the same trench as the proposed 12-inch pipeline across the Allegheny River.

For more detailed information regarding the Warren County Chapter 105 permit application related to this proposed project, which is available in the DEP regional office, please contact Lori Boughton at 814.332.6879 to request a file review.

E20-601, Crawford Central School District, 11280 Mercer Pike, Meadville, PA 16335. Cochranon Jr/Sr High School Football Stadium, in Cochranon Borough, **Crawford County**, ACOE Pittsburgh District (Cochranon, PA Quadrangle N: 41°, 31', 22"; W: -80°, 3', 18").

The project is to replace the existing high school stadium football field home side bleachers, pressbox, and concession stand, and remove 2 sheds in the floodplain of French Creek. The project will result in an increase of approximately 491 cubic feet of obstruction.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217166 (Sewage)	Grey Personal Care STP 13259 US Route 422 Kittanning, PA 16201-4035	Armstrong County Kittanning Township	Unnamed Tributary to Cowanshannock Creek (17-E)	Yes
PA0024171 (Sewage)	Colver STP PO Box 247 Revloc, PA 15948	Cambria County Cambria Township	Elk Creek (18-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS122204 (Storm Water)	Samuel Adams PA Brewery Co. American Craft Brewery 7880 Penn Drive Breinigsville, PA 18031	Lehigh County Upper Macungie Township	Iron Run (2-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083011	Newberry Township Municipal Authority 400 Cly Road York Haven, PA 17370-9091	Newberry Township York County	Susquehanna River/ Watershed 7-E	Y
PA0008265	Mr. Phillip Pack Appvion Inc. 100 Paper Mill Road Roaring Spring, PA 16673-1488	Roaring Spring Borough, Blair County	Frankstown Branch Juniata River and Halter Creek in Watershed 11-A	Y
PA0029041	Joni Hufford Living Waters Camp and Conference Center 300 Camp Living Water Road Schellsburg, PA 15559-8379	Napier Township, Bedford County	Shawnee Branch in Watershed 11-C	Y

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

<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>
PA0043583 (Sewage)	Hartley Township Municipal Authority PO Box 175 Laurelton, PA 17835-0175	Union County Hartley Township	Laurel Run (6-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0103675 (Sewage)	Miracle Mountain Ranch 101 Rodeo Drive Spring Creek, PA 16436-2829	Warren County Spring Creek Township	Unnamed Tributary to Brokenstraw Creek (16-B)	Yes
PA0000809 (Industrial)	Aqua PA Shenango Valley WTP 644 N Water Avenue Sharon, PA 16146-1515	Mercer County Sharon City	Shenango River (20-A)	Yes

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. Phone: 412.442.4000.

NPDES Permit No. PA0110591, Industrial, SIC Code 3399, **North American Hoganas High Alloys LLC**, 101 Bridge Street, Johnstown, PA 15902.

This existing facility is located in Johnstown City, **Cambria County**.

Description of Existing Action/Activity: Renewal of an NPDES permit for existing discharges of treated powdered metal manufacturing production wastewaters, non-contact cooling water, groundwater, and storm water.

NPDES Permit No. PA0004278, Industrial, SIC Code 3315, **Lafarge North American Inc.**, 6205 Newton Falls Bailey Road SW, Warren, OH 44481.

This existing facility is located in West Mifflin Borough, **Allegheny County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater and stormwater runoff.

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

NPDES Permit No. PA0264776, Sewage, SIC Code 4952, 8800, **Ruth McClellan**, 585 College Street, Youngsville, PA 16371.

This proposed facility is located in Pittsfield Township, **Warren County**.

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

NPDES Permit No. PA0264814, Sewage, SIC Code 8800, **Jeffrey Ricketts**, 10851 Sidehill Road, North East, PA 16428.

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

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

NPDES Permit No. PA0264831, Sewage, SIC Code 8800, **Benjamin Hornberger**, 133 Ridge Drive, Karns City, PA 16041.

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

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

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

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

WQM Permit No. 2616200, Industrial, SIC Codes 6531, 4225, 5712, **JD&D Enterprises**, 100 Ross Street, Pittsburgh, PA 15219.

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

Description of Proposed Action/Activity: Installation of a passive groundwater treatment system.

WQM Permit No. 6516401, Sewage, **Sewickley Township Municipal Sewer Authority**, 312 Sewickley Avenue, Herminie, PA 15637.

This proposed facility is located in Sewickley Township, **Westmoreland County**.

Description of Proposed Action/Activity: Proposed sewage collection, conveyance, and treatment facilities in the Village of Hutchinson.

WQM Permit No. 3279406 A-4, Sewage, SIC Code 4952, **Indiana Borough Indiana County**, 80 N 8th Street, Indiana, PA 15701.

This existing facility is located in Indiana Borough, **Indiana County**.

Description of Proposed Action/Activity: Installation of new sludge dewatering facilities at the Indiana Borough Waste Water Treatment plant.

WQM Permit No. 0297202 A-3, T-1 Industrial, SIC Code 8733, **Naval Reactors Laboratory Field Office**, P.O. Box 109, West Mifflin, PA 15122-0109.

This existing facility is located in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Replacement of existing groundwater intercept treatment system.

WQM Permit No. 0278207 A-3, Industrial, SIC Code 3312, **U.S. Steel Corporation**, 13th Street and Braddock Avenue, Braddock, PA 15104.

This existing facility is located in Braddock Borough, **Allegheny County**.

Description of Proposed Action/Activity: Installation of a new filter belt press for use in the Basic Oxygen Process, Exhaust Gas Cleaning system.

WQM Permit No. 0216200, Industrial, SIC Code 3621, **Curtiss-Wright Electro-Mechanical Corporation**, 1000 Wright Way, Cheswick, PA 15024-1300.

This proposed facility is located in Harmar Township, **Allegheny County**.

Description of Proposed Action/Activity: Installation of a pH adjustment system employing mixed bed ion exchange vessels and calcium carbonate polishing for three of the company's wastewater discharges.

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

WQM Permit No. WQG02131601, Sewage, SIC Code 4952, **Summit Hill Borough Carbon County**, 40 West Amidon Street, Summit Hill, PA 18250-0000.

This proposed facility is located in Summit Hill Borough, **Carbon County**.

Description of Proposed Action/Activity: For the relocation of the Carbon Alley Sanitary Sewer Line.

WQM Permit No. 4816202, Sewage, SIC Code 4952, **Easton Area Joint Sewer Authority**, 50a S Delaware Drive, Easton, PA 18042-9405.

This proposed facility is located in Easton City, **Northampton County**.

Description of Proposed Action/Activity:

Major improvements at the following locations: The Lehigh Drive Pump Station, The 2nd Street Pump Station, and the South Delaware Drive Pump Station, all located in Easton, PA. Improvements will include the replacement of all pumps (six pumps (6) at South Delaware, five (5) pumps at 2nd St and three (3) pumps at Lehigh Drive) and associated suction and discharge piping and valving, and installation of new variable frequency drives (VFDs) and the installation of new wet well mixing systems. At South Delaware and 2nd St, new influent sewer lines will be installed to enable the wet well sections to be segregated for maintenance.

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

WQM Permit No. 0694419, Sewerage, **Matthew H. Rohrbach**, 5454 Oley Turnpike Road, Reading, PA 19606-9572.

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

Description of Proposed Action/Activity:

This permit transfer approves the operation of sewage facilities consisting of:

Concrete 2-compartment septic tank, >1,200 gallons combined

Singulair aerator and woven filter, manufactured by Norweco

500-gallon dosing tank with high-level alarm and submersible pump
 92 1/2 ft² subsurface sand filter
 250-gallon chlorine contact tank
 Tablet chlorinator

Gravity flow to outfall, 80 linear feet, 4" Φ PVC discharge line

Planning Approval: M3-06932-141-3.S.

WQM Permit No. 3698413, Sewerage, **Eli S and Rebecca S Beiler**, 314 Brethren Church Road, Leola, PA 17540-9722.

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

Description of Proposed Action/Activity:

This transfer approves the operation of sewage facilities consisting of:

The subject small flow facility consists of a (1) 1,000-gal septic tank, (1) 500-gallon septic tank, (1) 300 gallon dosing tank, 756 square foot subsurface sand filter, a Jet-Chlor 100 model chlorinator, and a 415-gallon chlorine contact tank discharging to Big Beaver Creek.

WQM Permit No. 0603408, Sewerage, **SGRO Ronald**, 131 Camp Strauss Road, Bethel, PA 19507-9564.

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

Description of Proposed Action/Activity:

This permit transfer approves the operation and transfer of sewage facilities consisting of:

Concrete 1,000-gallon and 500-gallon septic tanks

Concrete 500-gallon dosing tank

Submersible dosing pump

High-level audible alarm

Subsurface sand filter

250-gallon chlorine contact tank

Tablet chlorinator

4" Φ gravity-flow discharge pipe to a buried storm sewer

Planning Approval: A3-06922-230-3S (5/13/2003).

WQM Permit No. 0516402, Sewerage, **Joni Hufford**, Living Waters Camp and Conference Center, 300 Camp Living Water Road, Schellsburg, PA 15559-8379.

This proposed facility is located in Napier, Township, **Bedford County**.

Description of Proposed Action/Activity:

This permit/amendment of original permit approves the construction/modification/operation of sewage facilities consisting of:

3 1,000-gallon septic tanks in series at each of 2 wash houses (total of 6 tanks)

1 1,000-gallon septic tank at dining hall for toilets

1 1,000-gallon septic tank at kitchen, used as grease trap

1 Lift station with concrete wet well

1 Dosing Tank, approximately 5,000-gallon capacity

2 Sand Filters, approximately 40' \times 50' each

1 500-gallon concrete collection tank

1 submersible pump, 50 gpm

Liquid chlorine feed, with 30-gallon storage container and a peristaltic pump

1 1,000-gallon concrete Chlorine Contact Tank, 2 compartments

Gravity-flow discharge pipe to stream

(Original design approval dates to 1966, granted by Dept. of Health, Div. of Sanitary Engineering, application # 566S023).

WQM Permit No. 0516402, Sewerage, **Victor J Jackson**, 12932 Polecat Hollow Road, Mapleton Depot, PA 17052.

This proposed facility is located in Union, Township, **Huntingdon County**.

Description of Proposed Action/Activity:

This transfer approves the operation/transfer of sewage facilities consisting of:

- Two 575-gallon septic tanks

- A 575-gallon dosing tank
- A 24-ft. by 25-ft. subsurface sand filter
- Jet Chlor model 100 Tablet Chlorinator and chlorine contact tank

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

WQM Permit No. 6216408, Sewage, **Ruth McClellan**, 585 College Street, Youngsville, PA 16371.

This proposed facility is located in Pittsfield Township, **Warren County**.

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

WQM Permit No. 2516413, Sewage, **Jeffrey Ricketts**, 10851 Sidehill Road, North East, PA 16428.

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

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

WQM Permit No. 1016408, Sewage, **Benjamin Hornberger**, 133 Ridge Drive, Karns City, PA 16041.

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

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

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAD510008	Penrose Park Associates, L.P. 1750 Walton Road Blue Bell, PA 19422-0465	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF
PAI015116005	Philadelphia Water Department 1101 Market Street Philadelphia, PA 19107	Philadelphia	City of Philadelphia	Delaware River WWF-MF Pennypack Creek WWF-MF
PAD510004	Nueva Esperanza, Inc. 4261 North 5th Street Philadelphia, PA 19140	Philadelphia	City of Philadelphia	Delaware Estuary WWF-MFC
PAI011516020	Penns Grove Holding, LLC 1160 State Road Lincoln University, PA 19352	Chester	Upper Oxford Township	Unnamed Tributary to East Branch Big Elk Creek HQ-TSF
PAD460001	Stoneridge Acquisitions, L.P. 404 Sumneytown Pike North Wales, PA 19454	Montgomery County	Lower Providence Township	Unnamed Tributary of Perkiomen Creek TSF-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>
PAI030515001 Issued	USCOC of Pennsylvania RSA No. 10-B2 3806 Thirlane Road Roanoke, VA 24019	Bedford County	Colerain Township	UNT Sweet Root Creek (HQ-CWF, MF) UNT Cove Creek (EV, MF)
PAI030710002R Issued	Mueller's Auto Recycling and Sales, Inc. 1555 Mill Run Road Altoon, PA 16602	Blair County	Logan Township	Mill Run (HQ-CWF, MF)
PAI032815002 Issued	Tom Scott Divinity Investments, LLC 418 Epic Drive Chambersburg, PA 17201	Franklin County	Antrim Township	UNT Muddy Run Adjacent Wetlands
PAI033616005 Issued	Samuel S. King 6289 Plank Road Narvon, PA 17555	Lancaster County	Salisbury Township	UNT Pequea Creek (HQ-CWF, MF)
PAI033615010 Issued	Jonathan K. Stoltzfus 145 School Road Leola, PA 17540	Lancaster County	Leacock Township	UNT Umbles Run (HQ-CWF)

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI034416001 Issued	Happy Holiday, LLC 5114 Maple Leaf Court Mechanicsburg, PA 17055	Mifflin County	Brown Township	UNT Tea 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 Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<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>
Upper Darby Township Delaware County	PAC230015	Primos PA Self Storage Propco LLC 1875 Connecticut Avenue NW 10th Floor Washington, DC 20009	Muckinipattis Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Media Borough Delaware County	PAC230008	Commonwealth Real Estate Investors 203 East Baltimore Avenue Media, PA 19063-3343	Ridley Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAC090035	Kalimar Properties 1 Elsa Way Richboro, PA 18954	Martins Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAC090031	Zaveta Custom Homes, LLC 4030 Skyron Drive Doylestown, PA 18940	Pidcock Creek 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>
Newtown Township Bucks County	PAC090028	Newtown Racquetball Association 120 Pheasant Run Newtown, PA 18940	Core Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAG02004616072	Lower Salford Township Authority 57 Main Street Harleysville, PA 19438	Unnamed Tributary to Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Pottsgrove Township Montgomery County	PAG02004616047	Valley Forge Properties, LP 910 Germantown Pike Plymouth Meeting, PA 19462	Sanatoga Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Perkiomen Township Montgomery County	PAC460030	H & K Group, Inc., d.b.a. Reading Site Contractors 2052 Lucon Road Skippack, PA 19474	Unnamed Tributary to Perkiomen Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAC460010	LSOP 3 PA 1 LLC 2 Post Road West Westport, CT 06880	Pine Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAG02004616077	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Harrisburg, PA 17057	Pennypack Creek CWF-TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAG02004616079	Applewood Partners, Inc. 123 Oxford Road Lansdale, PA 19446	Unnamed Tributary to East Branch Perkiomen Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Abington Township Montgomery County	PAG02004616066	Molly Court Associates, LLC 1525 Campus Drive Warminster, PA 18974	Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAC460005	Lecesse Moore Road LLC 650 South North Lake Boulevard Suite 100 Altamonte Springs, FL 32701-6176	Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510011	L&M Real Estate Development 3020 Richmond Street Philadelphia, PA 19134	Delaware Estuary WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511506	Philadelphia Parks and Recreation and Department of Public Property 1515 Arch Street 11th Floor Philadelphia, PA 19102-1504	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510001	City of Philadelphia Parks and Recreation 1515 Arch Street 10th Floor Philadelphia, PA 19102	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<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	PAC510013	HOW Properties Acquisitions, LLC 1145 Forrest Street Suite 300 Conshohocken, PA 19128	Delaware Estuary WWF-MFC	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

Northeast Region: Waterways and Wetlands 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>
City of Scranton Lackawanna County	PAC350007	University of Scranton Smurfit Arts Center 445 Madison Avenue Scranton, PA 18510	Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Washington Township Northampton County	PAC480007	Bruce Cameron Cameron Construction 794 Sunrise Blvd. Mount Bethel, PA 18343	UNT to Oughoughton Creek (CWF, MF) UNT to Allegheny Creek (CWF, MF)	Northampton County Conservation District 610-746-1971

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

<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>
Mount Joy Township Issued	PAC010021	Henry High 175 King Road Gettysburg, PA 17325	UNT Rock Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Monroe Township Bedford County Issued	PAC050007	CFC Everett Properties, LLC 2700 Clemens Road Hatfield, PA 19440	UNT Clear Creek (TSF)	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900 x4
Bethel Township Berks County Issued	PAC060010	Leslie Burkholder 56 Wintersville Road Richland, PA 17087	UNT Little Swatara Creek (CWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Marion Township Berks County Issued	PAC060025	Glenn and Janet E. Brubaker 1124 Route 419 Womelsdorf, PA 19567	UNT Tulpehocken Creek (TSF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Brecknock Township Berks County Issued	PAC060006	Lester Stoltzfus Vir Mar Family Partnership P.O. Box 564 Adamstown, PA 19501	UNT Little Muddy Creek (TSF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657

<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>
Tulpehocken Township Berks County Issued	PAC060043	Larry Dean Martin 7 Cherry Hill Road Richland, PA 17087	Tributary 09944 Little Swatara Creek (CWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Borough of Robeson and Heidelberg Township Berks County Issued	PAC060024	Jack Keener 519 North Second Street Lebanon, PA 17046	Furnace Creek (CWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Marion Township Berks County Issued	PAC060048 (PAG02000616035)	Mervin and Mabel Weiler 4221 Conrad Weiser Parkway Womelsdorf, PA 19567	Tulpehocken Creek (TSF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Silver Spring Township Cumberland County Issued	PAC210018	Tim and Kellie Jones 335 Southview Drive Mechanicsburg, PA 17055	Conodoguinet Creek (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Hanover Borough York County Issued	PAG02006716055	Royal BLDG, Inc. Jeffrey A. Stough 160 Ram Drive Hanover, PA 17331	Oil Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Franklin Township York County Issued	PAC670014	Barry & Crystal Klein 108 Fairway Drive Dillsburg, PA 17019	UNT Dogwood Run (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Penn Township York County Issued	PAC670027	Meadow Springs, LLC Paul Burkentine 1800 Baltimore Pike Hanover, PA 17331	Oil Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County Issued	PAC670024	ABWE International 522 Lewisberry Road New Cumberland, PA 17070	UNT to Yellow Breeches (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Loganville Borough York County Issued	PAC670009	Falling Creek Investments, Inc. Steve Parisi P O Box 655 Brodheads ville, PA 18322	East Branch Codus Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

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*Facility Location:
Municipality &
County*

Conewago Township
York County
Issued

Permit No.
PAG02006714066-1

*Applicant Name &
Address*
Gerald R. Horst
120 North Pointe Blvd
Suite 101
Lancaster, PA 17603

*Receiving
Water/Use*
Billion Run
(TSF)

*Contact Office &
Phone No.*
York County
Conservation District
118 Pleasant Acres
Road
York, PA 17402
717.840.7430

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

*Facility Location &
Municipality*

Burlington, Granville,
Towanda, Troy, W.
Burlington, Wysox
Twps, Bradford Cnty

Permit No.
PAC080003

*Applicant Name &
Address*
Kristin Susick
Pennsylvania Electric Company
341 White Pond Road
Akron, OH 44320

*Receiving
Water/Use*
Sugar Creek (TSF),
S. Branch Sugar
Creek (TSF), Mud
Creek (TSF),
Canfield Run (TSF),
Bailey Run (WWF),
Towanda Creek
(WWF), N. Branch
Towanda Creek
(CWF) Preacher
Brook (CWF),
Susquehanna River
(WWF)

*Contact Office &
Phone No.*
Bradford County
Conservation District
Stoll Natural
Resource Ctr
200 Lake Rd
Ste E
Towanda, PA 18848
(570) 265-5539, X 6

Worth Twp
Centre Cnty

PAC140008

Gerald Greenland
2608 W. Pine Grove Rd
Pennsylvania Furnace, PA
16865

UNT-Bald Eagle
Creek
CWF-MF

Centre County
Conservation District
414 Holmes Ave
Ste 4
Bellefonte, PA 16823
(814) 355-6817

Spring Twp
Centre Cnty

PAC140006

Graymont (PA) Inc.
965 E. Collage Avenue
Pleasant Gap, PA 16823

Logan Branch
CWF

Centre County
Conservation District
414 Holmes Ave
Ste 4
Bellefonte, PA 16823
(814) 355-6817

Clinton Twp
Lycoming Cnty

PAC410007

Eric Moore
WBRA
127 Girton Dr
Muncy, PA 17756

Black Hole Creek
TSF, MF

Lycoming County
Conservation District
542 County Farm Rd
Ste 202
Montoursville, PA
17754
(570) 433-3003

Franklin Twp
Snyder Cnty

PAC550003

Ken Blank
548 White Church Road
Middleburg, PA 17842

UNT to Middlecreek
CWF
Middlecreek TSF

Snyder County
Conservation District
403 W Market St
Middleburg, PA
17842
(570) 837-3000 X110

Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

*Facility Location and
Municipality*

Armagh Borough
East Wheatfield
Township

Permit No.
PAC320004

*Applicant Name and
Address*
Peoples TWP, LLC
205 North Main Street
Butler, PA 16001

*Receiving
Water/Use*
Mardis Run (CWF)
UNTs to Mardis Run
(CWF)

*Contact Office and
Phone No.*
Indiana County
Conservation District
625 Kolter Drive
Suite 8
Indiana, PA 15701
(724) 471-4751

Cranberry Township
Butler County

PAC100011

Mars Real Estate Holding, LLC
120 Marguerite Drive
Unit 302
Cranberry Township, PA 16066

UNT to Brush
Creek/WWF

Butler County
Conservation District
724-284-5270

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Muddy Creek and Worth Townships Butler County	PAG02001016024	PA Department of Transportation, Engineering District 10-0 2550 Oakland Avenue Indiana, PA 15701	Muddy Creek/WWF	Butler County Conservation District 724-284-5270
Slippery Rock Township Lawrence County	PAC370002	Pennsylvania Power Company 341 White Pond Drive Akron, OH 44320	UNT to Big Run Big Run/WWF	Lawrence County Conservation District 724-652-4512

General Permit Type—PAG-3

<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>
Muhlenberg Township Berks County	PAR233543 A-1	Don Pierce Airgas USA LLC PO Box 13577 Reading, PA 19605-3577	to UNT to Schuylkill River in Watershed 3-C	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Muncy Borough Lycoming County	PAG034840	Blackhawk Specialty Tools LLC 130 Equity Boulevard Houma, LA 70360-8364	Unnamed Tributary of Wolf Run—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

General Permit Type—PAG-4

<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>
Exeter Township/ Berks County	PAG043631	Matthew H. Rohrbach 5454 Oley Turnpike Road Reading, PA 19606-9572	UNT to Monocacy Creek in Watershed 3-D	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Providence Township/ Lancaster County	PAG043607	Eli Beiler Beiler Eli S & Beiler Rebecca S 314 Brethren Church Road Leola, PA 17540-9722	UNT to South Fork Big Beaver Creek in Watershed 7-K	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Bethel Township/ Berks County	PAG043709	Ronald Sgro 131 Camp Strauss Road Bethel, PA 19507-9564	UNT of Meck Creek in Watershed 7-D	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Union Township/ Huntingdon County	PAG043605 A-1	Victor Jackson Polecat Hollow Road Mapleton Depot, PA 17052	UNT to Smith Run in Watershed 12-C	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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>
D & S Gross Farm # 1 4505 North Sherman St. Ext Mount Wolf, PA 17437	PAG083505	Springettsbury Township WWTF 3501 North Sherman Street Ext. York, PA 17402	Same As Facility	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
East Manchester Township/ York County				

<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>
D & S Gross Farm # 2 365 Jerusalem School Road Mount Wolf, PA 17434	PAG083505	Springettsbury Township WWTF 3501 North Sherman Street Ext York, PA 17402	Same As Facility	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
East Manchester Township/ York County				
D & S Gross Farm # 3 520 Codorus Furnace Road Mount Wolf, PA 17434	PAG083505	Springettsbury Township WWTF 3501 North Sherman Street Ext York, PA 17402	Same As Facility	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
East Manchester Township/ York County				
D & S Gross Farm # 4 700 Block of Conewago Creek Road Manchester, PA 17345	PAG083505	Springettsbury Township WWTF 3501 North Sherman Street Ext York, PA 17402	Same As Facility	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Conewago Township/ York County				

General Permit Type—PAG-8

<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>
Danville Borough Montour County	PAG084802	Danville Municipal Authority 12 West Market Street Danville, PA 17821	Danville Municipal Authority Sewage Treatment Plant Danville Borough Montour County	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.0530

General Permit Type—PAG-9

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Young's Sanitary Septic Service, Inc. 350 Kralltown Road Wellsville, PA 17365	PAG093501	Young's Sanitary Septic Service, Inc. PO Box 704 Dillsburg, PA 17019	Same As Facility	DEP—SCRO—Clean Water 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County/ Washington Township				
Countryside Pumping Service 183 Riverview Road Liverpool, PA 17045	PAG093549	S. Dean Stephens 183 Riverview Road Liverpool, PA 17045	Same As Facility	DEP—SCRO—Clean Water 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Perry County/ Liverpool Township				

General Permit Type—PAG-12

<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>
Mount Joy Township Lancaster County	PAG123659	Benjamin Nissley Brookside Acres Farm 159 Yoder Road Bainbridge, PA 17502	Watershed 7-G	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<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>
Locust Township Columbia County	PAG124856	Scattered Acres Farms 190 Tyson School Road Catawissa, PA 17820-8212	Unnamed Tributary of Roaring Creek— 5-E	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4616521, Construction. Public Water Supply.

Applicant	Pennsylvania, Inc. 1885 Swamp Pike Suite 109 Gilbertsville, PA 19525
Township	Douglass
County	Montgomery
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. 1885 Swamp Pike Suite 109 Gilbertsville, PA 19525

Permit to Construct Issued February 17, 2017

Permit No. 4616534, Construction. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Springfield
County	Montgomery
Type of Facility	PWS
Consulting Engineer	GDH 1240 North Mountain Road Harrisburg, PA 17112

Permit to Operate Issued February 21, 2017

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

Permit No. 0616514 MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania-American Water Company
Municipality	Reading and Saint Lawrence Borough
County	Berks
Responsible Official	David R. Kauffman 800 West Hershey Park Drive Hershey, PA 17033
Type of Facility	Woodvale booster pump station sodium hypochlorite chemical feed pump replacement and Mount Penn interconnect corrosion inhibitor chemical feed pump replacement.

Consulting Engineer David M. Lentowski, P.E.
Pennsylvania-American Water Company
4 Wellington Boulevard
Wyomissing, PA 19610

Permit to Construct Issued 12/29/2016

Permit No. 6716510 MA, Minor Amendment, Public Water Supply.

Applicant	West Manchester Township Authority
Municipality	West Manchester Township
County	York

Responsible Official Kevin Gable, Chairman
2115 Log Cabin Road
York, PA 17408

Type of Facility West Manchester Township
Authority Well No. 3 Chlorine
Detention Pipe.

Consulting Engineer Diana M. Young, P.E.
Buchart-Horn, Inc.
445 West Philadelphia Street
York, PA 17401

Permit to Construct 12/29/2016
Issued

Permit No. 3817501 MA, Minor Amendment, Public Water Supply.

Applicant **Harper's Tavern**

Municipality East Hanover Township

County **Lebanon**

Responsible Official Joey L. Straw, Owner
10486 Jonestown Rd
Annville, PA 17003

Type of Facility Installation of a sodium
hypochlorite feed system with 6,
80-gallon Clack retention tanks
to achieve 4-Log treatment of
viruses.

Consulting Engineer Bryon Killian, P.E.
Entech Engineering Inc
201 Penn Street
Reading, PA 19602

Permit to Construct 1/19/2017
Issued

Operation Permit No. 0615506 MA issued to: **Reading Area Water Authority (PWS ID No. 3060059)**, Ontelaunee Township, **Berks County** on 12/21/2016 for facilities approved under Construction Permit No. 0615506 MA.

Operation Permit No. 3616520 MA issued to: **Irvin Manheim MHP (PWS ID No. 7360074)**, Penn Township, **Lancaster County** on 2/17/2017 for facilities approved under Construction Permit No. 3616520 MA.

issued to: **United Zion Retirement Community (PWS ID No. 7360072)**, Warwick Township, **Lancaster County**

Transferred Comprehensive Operation Permit No. 3060015 issued to: **Acorns Mobile Home Park, LLC (PWS ID No. 3060015)**, Earl Township, **Berks County** on 2/15/2017. Action is for a Change in Ownership for the operation of facilities previously issued to James R. Meade.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 4916501-MA—Operation—Public Water Supply.

Applicant **Pennsylvania American Water Company**

Township/Borough White Deer Township and Milton Borough

County **Union and Northumberland**

Responsible Official Mr. David Kaufman
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued February 22, 2017

Description of Action Permit authorizes replacement of the gas chlorination with sodium hypochlorite disinfection facilities at the Milton and White Deer filtration plants.

Permit No. 4189521-T1—Transfer/Operation—Public Water Supply.

Applicant **BCS Property Solutions LLC**

Township/Borough Richmond Township

County **Tioga**

Responsible Official Mr. Chris Stanis
619 West Fourth St.
Williamsport, PA 17701

Type of Facility Public Water Supply

Consulting Engineer N/A

Permit Issued February 24, 2017

Description of Action Approves operation of the existing public water system, including Well No. 1, soda ash pH adjustment, blended phosphate corrosion control, sodium hypochlorite disinfection, a 200-gallon detention tank, two hydropneumatic tanks, and the distribution system.

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

Permit No. 0316503, Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
Hershey, PA 17033

[Borough or Township] Kittanning Borough and Rayburn Township

County **Armstrong**

Type of Facility Kittanning WTP

Consulting Engineer Pennsylvania American Water Company
800 West Hersheypark Drive
Hershey, PA 17033

Permit to Construct February 16, 2017
Issued

Permit No. 3216509, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
602 Kolter Drive
Indiana, PA 15701

[Borough or Township] Canoe Township

County **Indiana**

Type of Facility Rossiter water storage tank

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

Permit to Construct February 24, 2017
Issued

Operations Permit issued to: **Central Indiana County Water Authority**, 30 East Wiley Street, Homer City, PA 15748, (PWSID # 5320040) Center Township, **Indiana County** on February 24, 2017 for the operation of facilities approved under Construction Permit # 3215507.

Operations Permit issued to: **Central Indiana County Water Authority**, 30 East Wiley Street, Homer City, PA 15748, (PWSID #5320040) Center Township, **Indiana County** on February 24, 2017 for the operation of facilities approved under Construction Permit # 3215506.

Permit No. 3016513MA, Minor Amendment. Public Water Supply.

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

[Borough or Township] Jefferson Township

County **Greene**

Type of Facility Dry Tavern waterline

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

Permit to Construct February 22, 2017
Issued

Permit No. 3016514MA, Minor Amendment. Public Water Supply.

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

[Borough or Township] Franklin Township

County **Greene**

Type of Facility Strophe Road waterline

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

Permit to Construct February 22, 2017
Issued

Permit No. 3016515MA, Minor Amendment. Public Water Supply.

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

[Borough or Township] Center Township

County **Greene**

Type of Facility SR0018 to Holbrook waterline

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

Permit to Construct February 22, 2017
Issued

Permit No. 3016516MA, Minor Amendment. Public Water Supply.

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

[Borough or Township] Center Township

County **Greene**

Type of Facility Hargus Creek Road waterline

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

Permit to Construct February 22, 2017
Issued

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

Permit No. 2515507, Public Water Supply

Applicant **Summit Township Water Authority**

Township or Borough Summit Township

County **Erie**

Type of Facility Public Water Supply

Consulting Engineer August E. Maas, P.E.
Greenman-Pedersen Inc.
8 Gibson Street
North East, PA 16428

Permit to Construct February 24, 2017
Issued

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Liverpool Township	1121 Ridge Rd. Liverpool, PA 17045	Perry

Plan Description: The exemption request for the Ty-Jorel D. Kline Subdivision, DEP Code No. A3-50914-074-2E, APS Id 934116, is disapproved. The purpose of this plan is to create one new single family residential lot to use an individual onlot sewage disposal system. The project is located along State Route 17, south of the junction with Davidson Road. The application is denied because the onlot absorption areas designated for proposed lot 2 are underlain by carbonate geology (Keyser

and Tonoloway formations, undivided), as confirmed by USGS mapping. Reference Chapter 71, section 71.51(b)(ii).

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Pennsylvania Electric Company (Penelec) Bedford District Office, RD 5, Box 1238, US Route 30, Bedford, PA 15522, Snake Spring Township, **Bedford County**. Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Pennsylvania Electric Company, P.O. Box 16001, Reading, PA 19612, submitted a Final Report concerning remediation of site groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

Shama Express LLC Project, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Shama Express, LLC, 1013 Commerce Drive, Grafton, OH 44044, has submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Montaire Farms of Delaware, Old Lycoming Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Montaire Farms of Delaware, 701 West Sunset Avenue, Greensboro, MD 21639, has submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Covenant Transport US Route 15S Diesel Fuel Release Cleanup, White Deer Township, **Union County**. Northridge Group, Inc., PO Box 231, Northumberland, PA 17857, on behalf of covenant Transport Group, 40 Birmingham Highway, Chattanooga, TN 37422, has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Estes Express Lines I80 E MM 203 Accident Cleanup, White Deer Township, **Union County**. Northridge Group, Inc., PO Box 231, Northumberland, PA 17857, on behalf of Estes Express Lines, 6848 Mount Herman Road, Morrisville, NC 27560, has submitted a Final report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document the site to meet the Statewide Health Standard.

Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.

2201 East Auburn Street, 201 East Auburn Street, City of Philadelphia, **Philadelphia County**. James Manuel, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Nora Lichtash, Women's Community Revitalization Project, 100 West Oxford Street, Suite E-2300, Philadelphia, PA 19122 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with pah, arsenic and heating oil compounds. The report is intended to document remediation of the site to meet the Site Specific Standards/Statewide Health Standard. PF784657.

Pathan Chemical Site, 425-447 Moyer Street, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Kevin Gray, New Kensington Community Development Corporation, 515 Frankford Avenue, Philadelphia, PA 19125 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvent. The report is intended to document remediation of the site to meet the Site Specific Standard. PF636522.

Sunoco Inc. Philadelphia Refinery A01-5, 3144 Passyunk Road, City of Philadelphia, **Philadelphia County**. Charles Barksdale, Jr., Philadelphia Energy Solutions Refining and Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145, Tiffani Doerr, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 100, Wilmington, DE 19803 on behalf of Kevin McKeever, Langan Engineering and Environmental Services, 1818 Market Street, Suite 3300, Philadelphia, PA

19103 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF748141.

Budget/Avis Rent a Car, 6501 Essington Avenue and 6439 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tripp Fischer, P.G. Brownfield Science & Technology, 3157 on behalf of Bernie Boldt, MCK Real Estate Corporation, 152 East 22nd Street, Suite B, Indianapolis, IN 46202 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with metals, vocs and svocs. The report is intended to document remediation of the site to meet the Site Specific Standard. PF785096.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Harley-Davidson Motor Company, Inc., 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110 on behalf of Harley-Davidson Motor Company Operations, Inc., 1425 Eden Road, York, PA 17402, submitted a Groundwater Risk Assessment Report concerning remediation of site groundwater contaminated with VOCs and chlorinated solvents. The Report was approved by the Department on February 17, 2017.

Martin Oil Company, Reighard's Service Station, 3205 Sixth Avenue, Altoona, PA 16602, City of Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Martin Oil Company, 528 North First Street, Bellwood, PA 16617, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report was administratively incomplete and was disapproved by the Department on February 23, 2017.

Rose Transportation, Inc., Diesel Fuel Release, 2991 Admire Road, Dover, PA 17315, Dover Township, **York County**. EP&S of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Rose Transportation, Inc., 618 Roadway Boulevard, Pitcairn, PA 15140, and William Evaugh, 2991 Admire Road, Dover, PA 17315, submitted a Final Report concerning site soil contaminated with diesel fuel. The Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on February 23, 2017.

3434 Lincoln Highway East Property, 3434 Lincoln Highway East, Paradise, PA 17562, Paradise Township, **Lancaster County**. Mulry and Cresswell Environmental, Inc., 1679 Horseshoe Pike, Glenmoore, PA 19343, on behalf of Doutrich Homes, Inc., 333 Lincoln Highway East, Paradise, PA 17562, submitted a Final Report concerning site soil and groundwater contaminated with leaded gasoline. The Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on February 23, 2017.

Supreme Corp./Former Sterling Packaging, Inc., 24900 State Road 72, Jonestown, PA 17038 Union Township, **Lebanon County**. TecServ Environmental, Inc., 1911 Clover Road, Suite 10, Mishawaka, IN 46545, on behalf of Supreme Corporation, 411 Jonestown Road, Jonestown, PA 17038, submitted a Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents and petroleum hydrocarbons. The Final Report did not meet the Site Specific Standard, and was disapproved by the Department on February 27, 2017.

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

Wheeler Property, State College Borough, **Centre County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Stephen Wheeler, 534 Glenn Road, State College, PA, has submitted a Final Report concerning remediation of soils contaminated with fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 10, 2017.

Harbison Walker Line Unit No. 122, Pike Township, **Clearfield County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Range Resources, 3000 Town Center Blvd, Canonsburg, PA 15317, has submitted a Final report concerning remediation of site soils contaminated with inorganics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 15, 2017.

Southwest Region: Environmental Cleanup & Brown-field Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Forest Hills Transfer, 740 Stanton Street, Greensburg, **Westmoreland County**. Cribbs & Associates, P.O. Box 44, Delmont, PA 15626 on behalf of Forest Hills Transfer, 2101 Ardmore Boulevard, Pittsburgh, PA 15222 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with benzene, ethylbenzene, naphthalene, 1,2-dibromoethane, 1,2,4-TMP, 1,3,5-TMP. The Final report demonstrated attainment of the Statewide Health standard and was approved by the Department on February 21, 2017.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

Hazardous Waste Transporter License Reissued

Ace Environmental Services, LLC, 3512 Fairfield Road, Baltimore, MD 21226. License No. PA-AH 0823. Effective Feb 23, 2017.

Bethlehem Apparatus Company, Inc., PO Box Y, Hellertown, PA 18055. License No. PA-AH 0681. Effective Feb 28, 2017.

Hazardous Waste Transporter License Voluntarily Terminated

New York Environmental Technologies, Inc., PO Box 24398, Rochester, NY 14624. License No. PA-AH 0762. Effective Feb 28, 2017.

Renewal Applications Received

Ace Environmental Services, LLC, 3512 Fairfield Road, Baltimore, MD 21226. License No. PA-AH 0823. Effective Feb 21, 2017.

Bethlehem Apparatus Company, Inc., PO Box Y, Hellertown, PA 18055. License No. PA-AH 0681. Effective Feb 27, 2017.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and the act of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

AdvoWaste Medical Services, LLC, PO Box 356, Lakewood, NJ 08701. License No. PA-HC 0264. Effective Feb 28, 2017.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

AdvoWaste Medical Services, LLC, PO Box 356, Lakewood, NJ 08701. License No. PA-HC 0264. Effective Feb 28, 2017.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

PAD003043353. Cherokee Pharmaceuticals, LLC, a Subsidiary of Merck, Sharpe and Dohme Corporation, 100 Avenue C, Riverside, PA 17868, located in Riverside Borough, **Northumberland County**. A permit modification was issued on February 21, 2017 for the repurposing of a storage tank for waste.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP5-18-04: NCL Natural Resources, LLC (25231 Grogan's Mill Road, Suite 500, The Woodlands, TX, 77380) on February 24, 2017, for the construction and operation of one 203 bhp Caterpillar model G3306TA four-stroke rich-burn natural-gas-fired compressor engine equipped with a Miratech model IQ-10-04-EC1 non-selective catalytic reduction unit and one (1) 500 bbl

(2,100 gallon) produced fluids tank under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5 at the Tract 678 Compressor Station in Noyes Township, **Clinton County**.

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

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

GP5-10-412A: Pine Run Midstream, LLC (1000 Commerce Drive, Park Place One, Suite 100, Pittsburgh PA 15275) on February 21, 2017, for the authority to construct and/or operate five (5) natural gas fired compressor engines (Caterpillar 3606 & 3612), natural gas-fired emergency generator, two (2) glycol dehydrators/reboilers, flare, and associated storage tanks (BAQ-GPS/GP5) located at their facility in Clinton Township, **Butler County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

46-0142E: Custom Process Services LLC (461 State Street, East Greenville, PA 18041-1701) On February, 21, 2017 for the replacement of an existing baghouse with a cyclone and a new baghouse on a coarse system in East Greenville, **Montgomery County**.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

63-00983A: Columbia Gas Transmission, LLC (455 Race Track Rd., Washington, PA 15301) Extension effective February 28, 2017 to extend the period of temporary operation of two natural gas-fired Solar Centaur turbines rated at 4,700 bhp and one Waukesha emergency generator engine rated at 440 bhp authorized under PA-63-00983A at its Redd Farm Compressor Station located in Amwell Township, **Washington County**.

63-00096C: Union Electric Steel Corporation (31 Union Electric Rd., Burgettstown, PA 15021) Extension effective February 28, 2017, to extend the period of temporary operation of one natural gas-fired scrap pre-heat furnace rated at 15 mmbtu/hr authorized under PA-63-00096C at the Harmon Creek Facility located in Smith Township, **Washington County**.

11-00356C: Allegheny Valley Connector, LLC (625 Liberty Ave., Suite 1700, Pittsburgh, PA 15222) Extension effective February 28, 2017, to extend the period of temporary operation of one lean burn natural gas-fired compressor engine rated at 1,340 bhp and known as Laurel Ridge Engine # 3, and one thermal oxidizer controlling dehydrators # 1 & # 2 authorized under PA-11-00356C at Rager Mountain/Laurel Ridge Compressor Station located in Jackson Township, **Cambria County**.

32-00055G: NRG Homer City Services LLC (1750 Power Plant Rd., Homer City, PA 15748) Extension effective February 28, 2017, to allow continued temporary operation of the boiler Unit 1 & 2 activated carbon injection (“ACI”) systems to control mercury emissions at

Homer City Generating Station located in Black Lick and Center Townships, **Indiana County**.

63-00549A: Arden Landfill, Inc. (200 Rangos Lane, Washington, PA 15301) on February 23, 2017, to extend the temporary operation period for the landfill gas renewable energy facility at the Arden Landfill located in Chartiers Township, **Washington County**. The new expiration date is August 28, 2017.

65-00979A: Laurel Mountain Midstream Operating, LLC (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275) Extension effective February 28, 2017, to extend the period of temporary operation of the Caterpillar G3612LE lean burn natural gas-fired compressor engine rated at 3,550 bhp and controlled by an oxidation catalyst authorized under plan approval PA-65-00979A at the Herminie Compressor Station located in South Huntingdon Township, **Westmoreland County**.

26-00597A: Bullsken Stone & Lime, LLC (117 Marcia Street, Latrobe, PA 15650) On February 21, 2017, for the continued operation of a stationary nonmetallic mineral processing plant at the existing Bullsken No. 1 Mine located in Bullsken Township, **Fayette County**.

03-00253A: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-9642) on February 21, 2017, to extend the period of temporary operation for the 800,000 tons per year Parkwood Mine Coal Preparation Plant in Plumcreek Township, **Armstrong County**. The new expiration date is August 28, 2017.

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

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

33-002E: Owens-Brockway Glass Container, Inc.—Crenshaw Plant # 19 (3831 Route 219 North, Brockport, PA 15823) on February 24, 2017 effective February 28, 2017, has issued a plan approval extension for the modification of Furnace C, due to the age of the furnace and its general condition, to reduce NO_x emissions in Snyder Township, **Jefferson County** until August 31, 2017. This is a Title V facility.

43-270I: CCL Container Corporation (1 Llodio Drive, Hermitage, PA 16148) on February 24, 2017 effective February 28, 2017, for the plan approval extension for the installation of four (4) can manufacturing lines, three (3) inside liner baghouses and a regenerative thermal oxidizer (RTO). The facility manufactures aluminum cans used for packaging various consumer products until August 31, 2017. This facility is located in the City of Hermitage, **Mercer County**.

43-363A: Pennex Aluminum Company (93 Werner Road, Greenville, PA 16125-9499) on February 22, 2017 has issued a plan approval extension for the operation of two (2) melting furnaces, a hold furnace, two (2) homogenizing furnaces, and three (3) billet saws until August 31, 2017. This facility will be located in Sugar Grove Township, **Mercer County**.

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

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

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

09-00030: Brightsmith LLC (120 Enterprise Ave, Morrisville, PA 19067-3703) On February 2, 2017 for the renewal of their Title V Operating Permit for their metal coil coating operation located in Falls Township, **Bucks County**.

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 19401.

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

09-00232: Sigmapharm Lab. LLC/Bensalem (3375 Progress Drive, Bensalem, PA 19020) On February 21, 2017, for the initial issuance of and incorporation of plan approval 09-0232 into the of a State-Only Operating Permit for their facility in Bensalem Township, **Bucks County**.

23-00033: Dee Paper Co., Inc., dba Dee Packaging Solutions. (100 Broomall St., Chester, PA 19013) On February 21, 2017, for renewal of the State Only Operating Permit for a cardboard box manufacturing and printing facility, located in the City of Chester, **Delaware County**.

46-00112: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) On February 21, 2017, for the renewal of a Synthetic Minor facility for their manufacturing facility for intermediate product materials, specifically resins and friction particles located in Skippack Township, **Montgomery County**.

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

Contact: Tom Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

32-00429: Reparex Fabricated Systems, Inc./RPX Composites (895 Acorn Road, Commodore, PA 15729) on February 28, 2017 the Department issued a State Only Operating Permit for the operation of a reinforced composite manufacturing plant located in Green Township, **Indiana County**.

32-00335: C&J Spec Rent Services, Inc./Black Lick Facility (Route 119 North, Black Lick, PA 15716) for on February 27, 2017, the Department issued a State Only Operating Permit renewal for the manufacturing of hydraulic cement for use in the gas and oil industry located in Burrell Township, **Indiana County**.

26-00475: Amerikohl Aggregates, Inc./Jim Mountain Quarry (State Route 653, Mill Run, PA 15464) on February 22, 2017, the Department issued a State Only Operating Permit renewal for the operation of a limestone processing plant located in Springfield Township, **Fayette County**.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

25-00006: Russell Standard Corporation Waterford Plant (PO Box 86, Union City, PA 16438-0086) on February 28, 2017 the Department issued a Synthetic Minor Permit to operate an asphalt paving mixtures manufacturing facility in Le Boeuf Township, **Erie County**. The facility uses a drum hot mix asphalt plant with a baghouse. The dryer is fueled with natural gas. The facility also has potential fugitives from storage piles and cold aggregate handling. The facility has a restriction

of production rate not more than 434,000 TPY to be considered a Synthetic Minor facility. The actual production in 2015 was 151,021 tons which resulted in estimated actual CO emissions of 30.4 TPY, NO_x emissions of 1.9 TY, PM₁₀ emissions of 11.1 TPY, SO_x emissions of 0.3 TPY, and VOC emissions of 1.9 TPY.

25-00929: Russell Standard Corporation Millcreek Plant (2002 Pittsburgh Avenue, Erie, PA 16502). The Department issued a Synthetic Minor Permit to operate an asphalt paving mixtures manufacturing facility in Millcreek Township, **Erie County**. The facility uses a batch mix asphalt plant with a baghouse and cyclone separator. The dryer is fueled with natural gas. The facility has a restriction of production rate not more than 495,000 TPY to be considered a Synthetic Minor facility. The actual production in 2015 was 97,341 tons which resulted in estimated actual CO emissions of 19.6 TPY, NO_x emissions of 1.2 TY, PM₁₀ emissions of 7.1 TPY, SO_x emissions of 0.2 TPY, and VOC emissions of 1.2 TPY.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

46-00200: John Middleton Co. (PO Box 85108, Richard, VA 23285), On February 21, 2017, the Operating Permit was amended to remove the No. 2 fuel oil approval for the 350 hp boiler and the two regenerative thermal oxidizers at the King of Prussia facility since the fuel oil tank that supplied the sources was removed. Requirements of 40 CFR Part 60 Subpart Dc and 25 Pa. Code Section 123.22 pertaining to the use of No. 2 fuel oil were removed from the Operating Permit. Emission limits were lowered, where applicable, to reflect the use only of natural gas by the source. John Middleton Co.'s state only facility is located in Upper Merion Township, **Montgomery County**.

09-00220: Donaldson Company, Inc. (85 Railroad Drive, Ivyland, PA 18974), On February 22, 2017, the State Only Operating Permit was amended to incorporate the conditions of Plan Approval 09-0220 for their facility located in South Hampton Township, **Bucks County**. The Administrative Amendment. 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 1.75 ton per year. The permit will include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

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

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

17-00049: Kurtz Brothers, Inc. (400 Reed Street, Clearfield, PA 16830) issued a revised State Only operating permit, Revision No. 1 on January 31, 2017, for their facility in Clearfield Borough, **Clearfield County**. This operating permit modification allows increase of 0.03 ton per year of volatile organic compounds at Heidelberg Model SORSZ printing press under Source ID P104. The revision also includes an increase of 24 gallons of com-

bined usage of fountain solution, metering roll cleaner, FSG storage gum, Auto Wash 7000 and Alkaless R solutions in Source ID P104. The operating permit is effective through April 15, 2019. This revised State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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.

3013701 and NPDES No. PA0236268. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To operate the Bailey Central Mine Complex CRDA No. 8 in Richhill and Morris Townships, **Greene County** and related NPDES permit to include installation of a sediment pond and new NPDES Outfall for future coal refuse disposal No. 8 at the Bailey Central Mine Complex. Coal Refuse Disposal Support Acres Proposed 109.5, Coal Refuse Disposal Acres Proposed 109.5. In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. Receiving Stream: Booth Run (Tributary 32755 to Enlow Fork), classified for the following use: WWF. The application was considered administratively complete on July 22, 2015. Application received June 18, 2015. Permit issued February 17, 2017.

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

Permit No. 54960101R4. Mountaintop Coal Mining, Inc., (P.O. Box 183, Elysburg, PA 17824), renewal of an existing anthracite surface mine and coal refuse disposal operation in Barry and Foster Townships, **Schuylkill County** affecting 255.18 acres, receiving streams: Deep Creek and Hans Yost Creek. Application received: December 5, 2016. Permit issued: February 27, 2017.

Permit No. 54960101C5. Mountaintop Coal Mining, Inc., (P.O. Box 183, Elysburg, PA 17824), correction to update the post-mining land use of an existing anthracite surface mine and coal refuse disposal operation in Barry and Foster Townships, **Schuylkill County** affecting

255.18 acres, receiving streams: Deep Creek and Hans Yost Creek. Application received: December 5, 2016. Permit issued: February 27, 2017.

Permit No. PAM116053. Mountaintop Coal Mining, Inc., (P.O. Box 183, Elysburg, PA 17824), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54960101 in Barry and Foster Townships, **Schuylkill County**, receiving streams: Deep Creek and Hans Yost Creek. Application received: December 5, 2016. Permit issued: February 27, 2017.

Noncoal Permits Issued

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

18161001. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803), approval of registration under General Permit for Short-Term Construction Project BMP-GP-103 to extract noncoal (industrial minerals) in Woodward Township, **Clinton County** to supply fill material for First Quality Tissue-Boston 3 construction project. Receiving stream(s): Unnamed Tributary to Reed's Run. Authorization approved: February 14, 2017.

PAM216028. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16804), General NPDES Permit for stormwater discharges associated with mining activities on GP-103 18161001 in Woodward Township, **Clinton County**. Receiving stream(s): Unnamed Tributary to Reed's Run. Application received: December 12, 2016. Permit Issued: February 14, 2017.

17860301 and NPDES PA0115550. North Star Aggregates (P.O. Box R, Ridgway, PA 15953). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Huston Township, **Clearfield County** affecting 73.1 acres. Receiving stream(s): Bennett Branch. Application received: September 16, 2016. Permit issued: February 17, 2017.

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

Permit No. PAM117002. Rolling Rock Building Stone, Inc., (40 Rolling Rock Road, Boyertown, PA 19512), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54070301 in Wayne Township, **Schuylkill County**, receiving stream: Bear Creek Watershed and Little Swatara Watershed. Application received: December 14, 2016. Permit issued: February 23, 2017.

Permit No. 58160813. Franklin B. Rockefeller, (4548 SR 848, Friendsville, PA 18818), commencement, operation and restoration of a quarry operation in Middletown Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to North Branch Wyalusing Creek. Application received: September 1, 2016. Permit issued: February 24, 2017.

Permit No. PAM116043. Franklin B. Rockefeller, (4548 SR 848, Friendsville, PA 18818), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58160813 in Middletown Township, **Susquehanna County**, receiving stream: unnamed tributary to North Branch Wyalusing Creek. Application received: September 1, 2016. Permit issued: February 24, 2017.

Permit No. 58160814. Thomas C. Cramer, Jr. and Donald A. O'Dell, (102 Lake Blvd., Clifford Township, PA 18470 and 185 Beaver Meadow Road, New Milford, PA 18834), Commencement, operation and restoration of a quarry operation in New Milford Township, **Susque-**

hanna County affecting 5.0 acres, receiving stream: Martins Creek. Application received: August 26, 2016. Permit issued: February 27, 2017.

Permit No. PAM116044. Thomas C. Cramer, Jr. and Donald A. O'Dell, (102 Lake Blvd., Clifford Township, PA 18470 and 185 Beaver Meadow Road, New Milford, PA 18834), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58160814 in New Milford Township, **Susquehanna County**, receiving stream: Martins Creek. Application received: August 26, 2016. Permit issued: February 27, 2017.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

14174102. Douglas Explosives, Inc. (2052 Philipsburg-Bigler Highway, Philipsburg, PA 16866). Blasting for commercial development for Mount Nittany Medical Center Parking Garage located in College Township, **Centre County** with an expiration date February 1, 2018. Permit issued: February 21, 2017.

18174001. Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823). Blasting for project named First Quality Tissue-Boston 3 located in Woodward Township, **Clinton County** with an expiration date of March 31, 2018. Permit issued: February 21, 2017.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

02174001. KESCO, Inc. (215 South Main Street, Suite 3, Zelienople, PA 16063). Blasting activity permit to stabilize the N & S 2017 East Carson Street land slide, located in Baldwin Borough, **Allegheny County** with an expiration date of October 21, 2017. Blasting permit issued: February 21, 2017.

02174102. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Laurel Grove residential development, located in Pine Township, **Allegheny County** with an expiration date of December 31, 2017. Blasting permit issued: February 21, 2017.

63174102. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Thai Volcano pad, located in North Bethlehem Township, **Washington County** with an expiration date of December 31, 2017. Blasting permit issued: February 23, 2017.

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

Permit No. 09171401. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Tall Oaks in Warminster Township, **Bucks County** with an expiration date of December 31, 2017. Permit Issued: February 23, 2017.

Permit No. 38174103. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blast-

ing for Issac Zook in Jackson Township, **Lebanon County** with an expiration date of June 30, 2017. Permit Issued: February 23, 2017.

Permit No. 45174101. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Twin Lake Estates in Smithfield Township, **Monroe County** with an expiration date of February 17, 2018. Permit Issued: February 23, 2017.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E09-1003—Pennsylvania Department of Transportation, Morrisville, PA Lower Makefield Township, Bucks County. ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Pennsylvania Department of Transportation jurisdiction of the Scudder Falls Bridge Replacement Project:

1) To modify and maintain existing culvert outfall and inlet structures and auxiliary works to an unnamed tributary to Buck Run (WWF) to accommodate proposed stormwater design configuration.

2) To modify and maintain culvert inlet and outlet configuration on both ends of the existing Taylorsville Road (SR 2071) over an unnamed tributary No. 1 to the Delaware Canal (WWF, MF) resulting from the widening of the roadway approaches and to facilitate the overall objective of the project.

3) To modify and maintain existing culvert outfall and inlet structures for an unnamed tributary No. 2 to Delaware Canal (WWF, MF) to accommodate proposed stormwater design configuration.

The project site is located in Lower Makefield Township, Bucks County, along SR 0095 (Interstate Route 95) from the PA Route 332 Interchange at the southern edge, extending to the northeast and terminates west of the SR 0095/Taylorsville Road Interchange and includes improvements to a segment of Taylorsville Road (SR 2071). Central coordinates are located in the area of the existing Unknown Tributary No. 1 to the Delaware Canal (Pennington, PA-NJ USGS Quadrangle and Langhorne, PA Quadrangles, Longitude 74° 51' 48.816", Latitude 40° 15' 7.84").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E09-999. Delaware River Joint Toll Basin Commission, Administration Building, 110 Wood and Grove Streets, Morrisville, PA 19067, Lower Makefield Township, Bucks County. ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Delaware River Joint Toll Bridge Commission Scudder Falls Bridge Replacement and roadway improvement project over the Delaware River (WWF, MF), the Delaware Cannel (WWF, MF), and a few UNT to the Delaware River:

1. To replace the existing Scudder Falls Bridge and to construct and maintain in its place two twin bridges across the Delaware River.

2. To widen and maintain the roadway approaches on both ends of the existing bridge areas in the floodway of the stream to accommodate the addition of five new lanes and to facilitate the construction of the proposed twin bridges.

3. To replace, expand, and maintain the existing 75-inch diameter, 182 feet long, concrete pipe under I-95 with a 72-inch diameter, 282 feet long, concrete pipe which carries a UNT to Delaware River.

4. To construct and maintain a retaining wall to support slope stability and protect wetlands near the proposed bridge pier.

5. To impact approximately 373 linear feet of stream (0.222 acre) all UNT to the Delaware River and the Delaware Canal, to facilitate the modification of Ramp B.

6. To provide for cofferdam impacting several segments of the streams and wetlands to facilitate the construction operations of the project.

7. To impact approximately 0.122 acre of wetland to accommodate roadway widening, removal and replacement of bridge piers, retaining wall construction, cofferdam configuration, and arrangements to support the overall objective of the project.

8. To mitigate for wetland lost by creating approximately 1.4 acres of forester freshwater wetland at 1149 Woodside Road, Lower Makefield, PA mitigation site.

9. To construct and maintain the Peregrine Falcon Nesting Platform in the Delaware River as required PGC.

10. To construct and maintain a temporary causeway in the Delaware River.

The project site is located along the S.R. 0095 (Interstate Route 95) approximately 2,400 feet west of the intersection of S.R. 0095 (Interstate Route 95) and Taylorsville Road within Lower Makefield Township, Bucks County with coordinates located at the center of area of the existing Scudder Falls Bridge (Pennington, PA-NJ, USGS Quadrangle, Longitude: 74°50'53", Latitude: 40°15'30").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E40-781. Matthew and Stefanie Sordoni, 339 Highway 315, Pittston, PA 18640. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 3,309 sq. ft. pile-supported lakehouse/boathouse/dock within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 149, Lakeside Drive (Harveys Lake, PA Quadrangle Latitude: 41°22'26"; Longitude: -76°2'38.7"). Subbasin: 5B.

E58-317. Hop Bottom Energy, LLC, 6051 Wallace Road Extension, Suite 100, Wexford, PA 15090. Lenox Township, **Susquehanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Hop Bottom Energy Facility Project.

1. (S_053_JAR) a 6-inch diameter HDPE natural gas transmission pipeline crossing 4 linear feet of a UNT to Tower Branch (CWF, MF). (Latitude: 41°41'40"; Longitude: -75°43'26")

2. (W_156_BAH) a 6-inch diameter natural gas transmission pipeline impacting 2,582 square feet of PEM wetland (EV) within the watershed of UNT to Tower Branch (CWF, MF). (Latitude: 41° 41' 40"; Longitude: -75° 46' 26")

3. (S_054_JAR) a 6-inch diameter HDPE natural gas transmission pipeline within the floodway of a UNT to Tower Branch (CWF, MF). (Latitude: 41°41'37"; Longitude: -75°43'19")

4. (W_249_MJU_A_2) a 6-inch diameter natural gas transmission pipeline impacting 2,979 square feet of PSS wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 08"; Longitude: -75° 43' 15")

5. (W_249_MJU_C_1) a 6-inch diameter natural gas transmission pipeline impacting 882 square feet of PFO wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 07"; Longitude: -75° 43' 12")

6. (W_249_MJU_C_2) a 6-inch diameter natural gas transmission pipeline impacting 2,263 square feet of PFO wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 06"; Longitude: -75° 43' 11")

7. (W_249_MJU_C_3) a 6-inch diameter natural gas transmission pipeline impacting 1,029 square feet of PFO wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 06"; Longitude: -75° 43' 11")

8. (S_293_MJL) a 6-inch diameter HDPE natural gas transmission pipeline within the floodway of a UNT to Millard Creek (CWF, MF). (Latitude: 41°41'07"; Longitude: -75°43'15")

9. (S_291_MJL) a 6-inch diameter HDPE natural gas transmission pipeline within the floodway of a UNT to Millard Creek (CWF, MF). (Latitude: 41°41'06"; Longitude: -75°43'11")

10. (S_505_MJU) a 6-inch diameter HDPE natural gas transmission pipeline within the floodway of a UNT to Millard Creek (CWF, MF). (Latitude: 41°41'05"; Longitude: -75°43'11")

11. (W_153_BAH_A_1) a 6-inch diameter natural gas transmission pipeline impacting 1,772 square feet of PFO wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 01"; Longitude: -75° 43' 07")

12. (W_153_BAH_A_2) a 6-inch diameter natural gas transmission pipeline impacting 5,715 square feet of PFO wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 01"; Longitude: -75° 43' 08")

13. (W_153_BAH_B_1) a 6-inch diameter natural gas transmission pipeline impacting 1,962 square feet of PEM wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 01"; Longitude: -75° 43' 07")

14. (W_153_BAH_B_2) a 6-inch diameter natural gas transmission pipeline impacting 1,246 square feet of PEM wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 41' 01"; Longitude: -75° 43' 08")

15. (S_290_MJL_A) a 6-inch diameter HDPE natural gas transmission pipeline within the floodway of a UNT to Millard Creek (CWF, MF). (Latitude: 41°41'01"; Longitude: -75°43'07")

16. (S_290_MJL_B) a 6-inch diameter HDPE natural gas transmission pipeline within the floodway of a UNT to Millard Creek (CWF, MF). (Latitude: 41°41'00"; Longitude: -75°43'08")

17. (S_506_MJU) a 6-inch diameter HDPE natural gas transmission pipeline within the floodway of a UNT to Millard Creek (CWF, MF). (Latitude: 41°40'50"; Longitude: -75°43'10")

18. (W_474_MRV) a 6-inch diameter natural gas transmission pipeline impacting 2,314 square feet of PEM wetland (EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 40' 47"; Longitude: -75° 43' 07")

19. (W_142_LSC) a roadway approach for a new bridge permanently impacting 293 square feet of PEM wetland

(EV) within the watershed of UNT to Millard Creek (CWF, MF). (Latitude: 41° 40' 13"; Longitude: -75° 43' 30")

20. (S_581_MJL) to remove the existing structure and to construct and maintain a 16-foot wide single-span bridge having a 16-foot span and a 3.34-foot underclearance across a UNT to Millard Creek (CWF, MF). Fill will be placed within the floodway for the new roadway approaches. (Latitude: 41°40'13"; Longitude: -75°43'29")

21. (S_582_MJL) a roadway permanently impacting the floodway of Millard Creek (CWF, MF). (Latitude: 41°40'13"; Longitude: -75°43'31")

The project will permanently impact 0.35 acre of wetland and temporarily impact 0.19 acre of wetland. The permittee is required to provide 0.66 acre of enhancement wetlands.

The project begins approximately 0.3 mile north of the intersection of Jeffers Pond Road and Bennett Road (Lenoxville, PA Quadrangle: Lat: 41° 41' 40"; Long: -75° 43' 26") and ends approximately 0.4 mile west of the intersection of Wickwire Hill Road and Glenwood Road (Lenoxville, PA Quadrangle: Lat: 41° 39' 54"; Long: -75° 43' 59") in Lenox Township, Susquehanna County. Subbasin: 4F.

E64-305. Tennessee Gas Pipeline Company, LLC, 1001 Louisiana Street, Suite 1000, Houston, TX 77002. Orion Pipeline Project, in Berlin and Palymra Townships, **Wayne County**, Army Corps of Engineers Philadelphia District. The Wayne County portion starts approximately 0.03 mile southeast of the intersection of S.R. 2011 (Bethel School Road) and T-513 (Adams Pond Road) (White Mills, PA Quadrangle Latitude: 41° 33' 47.16", Longitude: -75° 11' 27.6") and extends southeast to the Wayne/Pike County boundary line, approximately 0.5 mile east of the intersection of Rusty Road and Mush Paw Road (White Mills, PA Quadrangle Latitude: 41° 33' 47.16"; Longitude: -75° 7' 33.24").

To construct and maintain the following water obstructions and encroachments (attached tables) associated with the Wayne County portion of the Orion Pipeline Project, which consists of the installation of approximately 4.68 miles of 36-inch diameter pipeline and appurtenant structures. The proposed project impacts include a total of approximately 360 linear feet of temporary stream impacts, a total of 531 linear feet of permanent stream impacts, 1.00 acre of temporary floodway impacts, 1.25 acre of permanent floodway impacts, 2.57 acres of temporary impacts to PEM, PSS, and PFO wetlands, and 6.3 acres of permanent impacts to PEM, PSS, and PFO wetlands. The permittee is required to restore 8.87 acres of wetlands within the right-of-way and provide 15.28 acres of wetland mitigation at the Lackawaxen Creek mitigation site. Subbasin: 1B, D.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.

Wetland Impact Table																	
Impact Number	Wetland Identification	Location				Wetland Impacts						Crossing Information		State Wetland Classification (Other OR EV)			
		Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Impact Area (acres)			Permanent Impact Area (acres)			Crossing Type ^a	Crossing Method ^b				
						PFO	PSS	PEM	PFO	PSS	PEM	PFO	PSS	PEM			
1	W1a/L3 W001	41° 33' 47.15"	-75° 11' 27.60"	Berlin	White Mills	0.00	0.00	0.04	0.00	0.00	0.13	0.00	0.00	0.13	GAS	I	EV
		41° 33' 46.40"	-75° 11' 26.89"	Berlin		0.00	0.03	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.01	0.00	GAS
2	L3 W003	41° 33' 43.56"	-75° 11' 22.55"	Berlin	White Mills	0.00	0.00	0.01	0.00	0.00	0.02	0.00	0.00	0.02	GAS	I	EV
3	W6a/L3 W004	41° 33' 39.23"	-75° 11' 14.2"	Berlin	White Mills	0.00	0.00	0.01	0.00	0.00	0.03	0.00	0.00	0.03	GAS	I	Other
4	L3 W005	41° 33' 36.72"	-75° 11' 09.24"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.00	0.03	GAS	I	Other
5	W5a/L3 W006	41° 33' 33.83"	-75° 11' 03.47"	Berlin	White Mills	0.00	0.00	0.07	0.00	0.00	0.05	0.00	0.00	0.05	GAS	I	EV
		41° 33' 34.19"	-75° 11' 03.83"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.00	0.05	0.00	0.00	0.05	0.00	GAS	I
6	L3 W007	41° 33' 34.56"	-75° 11' 04.56"	Berlin	White Mills	0.02	0.00	0.00	0.09	0.00	0.00	0.00	0.00	0.00	GAS	I	EV
		41° 33' 32.39"	-75° 11' 00.24"	Berlin	White Mills	0.00	0.07	0.00	0.00	0.00	0.02	0.00	0.00	0.02	0.00	TEMPRD	II
7	W3a/L3 W008	41° 33' 18.71"	-75° 10' 20.99"	Berlin	White Mills	0.00	0.00	0.20	0.00	0.00	0.20	0.00	0.00	0.20	GAS	I	Other
		41° 33' 19.43"	-75° 10' 22.07"	Berlin	White Mills	0.00	0.02	0.00	0.00	0.00	0.03	0.00	0.00	0.03	0.00	TEMPRD	II
8	W9a/L3 W009	41° 33' 19.08"	-75° 10' 22.07"	Berlin	White Mills	0.00	0.00	0.00	0.10	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
		41° 33' 16.56"	-75° 10' 14.87"	Berlin	White Mills	0.00	0.00	0.08	0.00	0.00	0.07	0.00	0.00	0.07	0.00	TEMPRD	II
9	W10a/L3 W009/L3 W015	41° 33' 15.84"	-75° 10' 13.07"	Berlin	White Mills	0.00	0.09	0.00	0.00	0.04	0.00	0.00	0.04	0.00	TEMPRD	II	Other
		41° 33' 15.47"	-75° 10' 13.44"	Berlin	White Mills	0.03	0.00	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00	GAS	I
10	W11a/L3 W016	41° 33' 12.24"	-75° 10' 06.59"	Berlin	White Mills	0.00	0.00	0.17	0.00	0.00	0.47	0.00	0.00	0.47	GAS	I	Other
		41° 33' 10.07"	-75° 10' 01.91"	Berlin	White Mills	0.00	0.03	0.00	0.00	0.05	0.00	0.00	0.00	0.05	0.00	TEMPRD	II
11	W16a/L3 W017	41° 33' 10.07"	-75° 10' 03.00"	Berlin	White Mills	0.07	0.00	0.00	0.22	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
		41° 32' 59.27"	-75° 09' 42.47"	Berlin	White Mills	0.00	0.00	0.04	0.00	0.00	0.04	0.00	0.00	0.04	0.00	TEMPRD	II
11	W16a/L3 W017	41° 33' 00.36"	-75° 09' 44.99"	Berlin	White Mills	0.00	0.03	0.00	0.00	0.07	0.00	0.00	0.07	0.00	TEMPRD	II	Other
		41° 32' 59.27"	-75° 09' 43.91"	Berlin	White Mills	0.10	0.00	0.00	0.26	0.00	0.00	0.00	0.00	0.00	0.00	GAS	I
11	W16a/L3 W017	41° 32' 47.75"	-75° 09' 21.95"	Berlin	White Mills	0.00	0.00	0.15	0.00	0.00	0.32	0.00	0.00	0.32	GAS	I	Other
		41° 32' 47.40"	-75° 09' 21.24"	Berlin	White Mills	0.00	0.03	0.00	0.00	0.04	0.00	0.04	0.00	0.04	0.00	TEMPRD	II
		41° 32' 48.47"	-75° 09' 24.48"	Berlin	White Mills	0.00	0.00	0.00	0.16	0.00	0.00	0.00	0.16	0.00	GAS	I	Other

Wetland Impact Table													
Impact Number	Wetland Identification	Location				Wetland Impacts				Crossing Information			
		Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Impact Area (acres)	Permanent Impact Area (acres)	Crossing Type ^a	Crossing Method ^b	State Wetland Classification (Other OR EV)			
12	W15a/L3 W019	41° 32' 42.00"	-75° 09' 14.03"	Berlin	White Mills	0.00	0.06	0.00	0.00	0.03	TEMPRD	II	Other
		41° 32' 42.00"	-75° 09' 12.24"	Berlin	White Mills	0.00	0.03	0.00	0.00	0.00	TEMPRD	II	Other
		41° 32' 42.00"	-75° 09' 13.32"	Berlin	White Mills	0.00	0.00	0.00	0.18	0.00	GAS	I	Other
13	L3 W020	41° 32' 39.47"	-75° 09' 09.00"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.01	TEMPRD	II	Other
		41° 32' 39.47"	-75° 09' 07.91"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.01	TEMPRD	II	Other
		41° 32' 38.76"	-75° 09' 08.27"	Berlin	White Mills	0.01	0.00	0.00	0.05	0.00	GAS	I	Other
		41° 32' 18.59"	-75° 08' 31.19"	Berlin	White Mills	0.00	0.00	0.19	0.00	0.09	GAS	I	Other
14	W14a/L3 W021	41° 32' 20.03"	-75° 08' 34.07"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.13	TEMPRD	II	Other
		41° 32' 17.52"	-75° 08' 30.12"	Berlin	White Mills	0.00	0.00	0.00	0.29	0.00	GAS	I	Other
		41° 32' 11.75"	-75° 08' 20.39"	Berlin	White Mills	0.00	0.00	0.09	0.00	0.00	TEMPRD	II	Other
15	W12a/L3 W024	41° 32' 13.19"	-75° 08' 23.63"	Berlin	White Mills	0.00	0.16	0.00	0.00	0.10	GAS	I	Other
		41° 32' 10.67"	-75° 08' 19.68"	Berlin	White Mills	0.00	0.00	0.00	0.35	0.00	GAS	I	Other
		41° 32' 08.88"	-75° 08' 17.51"	Berlin	White Mills	0.00	0.00	0.04	0.00	0.00	TEMPRD	II	Other
16	W21a/L3 W025	41° 32' 09.60"	-75° 08' 17.88"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.10	GAS	I	Other
		41° 32' 09.60"	-75° 08' 18.24"	Berlin	White Mills	0.00	0.00	0.00	0.07	0.00	GAS	I	Other
		41° 32' 07.07"	-75° 08' 09.59"	Berlin	White Mills	0.00	0.00	0.60	0.00	0.00	GAS	I	Other
17	W20a/L3 W026	41° 32' 04.55"	-75° 08' 11.03"	Berlin	White Mills	0.00	0.09	0.00	0.00	0.29	TEMPRD	II	Other
		41° 32' 03.83"	-75° 08' 10.32"	Berlin	White Mills	0.00	0.00	0.00	1.41	0.00	GAS	I	Other
	W1c	41° 33' 02.51"	-75° 10' 17.75"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.00			Other
	W4c	41° 33' 02.16"	-75° 10' 22.07"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.00			Other
20	W5c	41° 33' 01.44"	-75° 10' 22.07"	Berlin	White Mills	0.00	0.00	0.00	0.00	0.00			Other
				Totals		0.22	0.58	1.77	3.27	1.02			2.01

^a GAS = gas pipeline, TEMP RD = temporary roadway crossing

^b I = Open Cut, II = Temporary Matting

Stream Impact Table																
Impact Number	Stream Identification	Identification				Location				Stream Impacts			Floodway Impacts		Crossing Information	
		Stream Name	Chapter 93 Designated Use	Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Crossing Length (feet)	Permanent Crossing Length (feet)	Temporary Impact Area (sq ft)	Permanent Impact Area (sq ft)	Temporary Impact (sq ft)	Permanent Impact (sq ft)	Crossing Type ^a	Crossing Method ^b	Trout Identification ^c
1	S1a/L3 S001	Unnamed tributary to Indian Orchard Brook	HQ-CWF	41° 33' 45.71"	-75° 11' 27.23"	Berlin	White Mills	62	52	0.014	0.012	0.157	0.131	Gas, TBC	I	WT
2	S4a/L3 S002	Unnamed tributary to Indian Orchard Brook	HQ-CWF	41° 33' 43.91"	-75° 11' 22.19"	Berlin	White Mills	65	52	0.007	0.006	0.282	0.153	Gas, TBC	I	WT
3	L3 S003	Unnamed tributary to Indian Orchard Brook	HQ-CWF	41° 33' 33.83"	-75° 11' 04.56"	Berlin	White Mills	9	47	0.001	0.004	0.059	0.120	Gas, TBC	I	WT
4	S6a/L3 S004A	Unnamed tributary to Swamp Brook	HQ-CWF	41° 32' 58.92"	-75° 09' 44.28"	Berlin	White Mills	25	50	0.002	0.005	0.063	0.120	Gas, TBC	I	ST
5	S9a/S005A	Unnamed tributary to Swamp Brook	HQ-CWF	41° 32' 49.19"	-75° 09' 24.83"	Berlin	White Mills	47	95	0.004	0.009	0.145	0.211	Gas, TBC	I	ST
6	S8a/L3 S005	Swamp Brook	HQ-CWF	41° 32' 46.31"	75° 09' 19.44"	Berlin	White Mills	69	170	0.032	0.078	0.225	0.368	Gas, TBC	I	ST
7	S13a/L3 S006A	Unnamed tributary to Rattlesnake Creek	HQ-CWF	41° 32' 03.48"	-75° 08' 09.24"	Berlin	White Mills	28	65	0.002	0.005	0.067	0.146	Gas, TBC	I	ST
8	S10a	Unnamed tributary to Rattlesnake Creek	HQ-CWF	41° 31' 35.76"	-75° 07' 52.67"	Berlin	White Mills	55	0	0.000	0.000	0.000	0.000	Gas, TBC	I	ST
								Totals	531	360	0.06	0.12	1.00	1.25		

^a Gas = gas pipeline crossing or floodway impacts, TBC = temporary bridge crossing
^b I = Dry Crossing Method includes Dam & Flume, Dam & Pump, Cofferdam, or Dry Open Cut for waterbodies dry when crossing, II = floodway impacts only
^c PAFBC Designations: ST = Stocked Trout; WT = Wild Trout; CA = Class A Trout

E52-253. Tennessee Gas Pipeline Company, LLC, 1001 Louisiana Street, Suite 1000, Houston, TX 77002. Orion Pipeline Project, in Lackawaxen Township, **Pike County**, Army Corps of Engineers Philadelphia District. The Pike County portion starts at the Wayne/Pike County boundary line, approximately 0.5 mile east of the intersection of Rusty Road and Mush Paw Road (White Mills, PA Quadrangle Latitude: 41° 31' 42.24"; Longitude: -75° 7' 33.24") and ends approximately 0.17 mile northeast of the intersection of S.R. 590 and T-440 (Neil Thompson Road) (Shohola, PA Quadrangle 41° 27' 38.98"; Longitude: -74° 59' 52.47").

To construct and maintain the following water obstructions and encroachments (attached tables) associated with the Pike County portion of the Orion Pipeline Project, which consists of the installation of approximately 8.23 miles of 36-inch diameter pipeline and appurtenant structures. The proposed project impacts include a total of approximately 1,056 linear feet of temporary stream

impacts, a total of 1,143 linear feet of permanent stream impacts, 5.64 acres of temporary floodway impacts, 3.45 acres of permanent floodway impacts, 3.56 acres of temporary impacts to PEM, PSS, and PFO wetland(s), and 6.95 acres of permanent impacts to PEM, PSS, and PFO wetlands. The permittee is required to restore 10.51 acres of wetlands within the right-of-way and provide 15.28 acres of wetland mitigation at the Lackawaxen Creek mitigation site. Subbasin: 1B, D.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer at once.

Wetland Impact Table																		
Impact Number	Wetland Identification	Location			Quadrangle	Wetland Impacts						Crossing Information		State Wetland Classification (Other OR EV)				
		Latitude	Longitude	Municipality (Township)		Temporary Impact Area (acres)			Permanent Impact Area (acres)			Crossing Type ^a	Crossing Method ^b					
						PFO	PSS	PEM	PFO	PSS	PEM	PFO	PSS	PEM				
1	W19a/L3 W027/L3 W028	41° 31'	-75° 07'	Lackawaxen	White Mills/ Narrowsburg	0.00	0.00	0.13	0.00	0.00	0.18	0.00	0.00	0.18	GAS	I	Other	
		44.04"	33.24"			0.00	0.00	0.00	0.00	0.04	0.00	0.00	0.00	0.00	0.00	TEMPRD	II	Other
		41° 31'	-75° 07'	Lackawaxen		0.04	0.00	0.00	0.21	0.00	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
2	W24a/L3 W030	41° 31'	-75° 07'	Lackawaxen	Narrowsburg	0.00	0.00	0.10	0.00	0.00	0.13	0.00	0.00	0.13	GAS	I	Other	
		33.95"	21.36"			0.00	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	TEMPRD	II	Other
		41° 31'	-75° 07'	Lackawaxen		0.05	0.00	0.00	0.12	0.00	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
3	W23a/L3 W032	41° 31'	-75° 07'	Lackawaxen	Narrowsburg	0.00	0.00	0.11	0.00	0.00	0.18	0.00	0.00	0.18	GAS	I	Other	
		29.64"	15.95"			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	TEMPRD	II	Other
		41° 31'	-75° 07'	Lackawaxen		0.00	0.00	0.00	0.06	0.00	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
4	W22a	41° 31'	-75° 07'	Lackawaxen	Narrowsburg	0.00	0.00	0.02	0.00	0.00	0.11	0.00	0.00	0.11	GAS	I	Other	
5	L3 W033	41° 31'	-75° 06'	Lackawaxen	Narrowsburg	0.00	0.00	0.04	0.00	0.00	0.01	0.00	0.00	0.01	TEMPRD	II	Other	
6	L3 W034	41° 31'	-75° 06'	Lackawaxen	Narrowsburg	0.00	0.00	0.09	0.00	0.00	0.02	0.00	0.00	0.02	TEMPRD	II	Other	
7	W3b	41° 31'	-75° 06'	Lackawaxen	Narrowsburg	0.00	0.00	0.02	0.00	0.00	0.02	0.00	0.00	0.02	GAS	I	Other	
		00.83"	39.60"															

Wetland Impact Table													
Impact Number	Wetland Identification	Location			Wetland Impacts					Crossing Information			
		Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Impact Area (acres)	Permanent Impact Area (acres)	Crossing Type ^a	Crossing Method ^b	State Wetland Classification (Other OR EV)			
8	W4b/L3 W038	41° 30' 45.35"	-75° 06' 21.59"	Lackawaxen	Narrowsburg	0.00	0.09	0.00	0.00	0.18	GAS	I	Other
		41° 30' 44.63"	-75° 06' 21.24"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.00	TEMPRD	II	Other
		41° 30' 44.63"	-75° 06' 20.88"	Lackawaxen	Narrowsburg	0.00	0.00	0.01	0.00	0.00	GAS	I	Other
9	W5b/L3 W039	41° 30' 42.83"	-75° 06' 19.44"	Lackawaxen	Narrowsburg	0.00	0.01	0.00	0.00	0.00	TEMPRD	II	Other
		41° 30' 38.15"	-75° 06' 13.68"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.07	TEMPRD	II	Other
10	W6b/L3 W041	41° 30' 39.23"	-75° 06' 15.12"	Lackawaxen	Narrowsburg	0.00	0.03	0.00	0.00	0.01	TEMPRD	II	Other
		41° 30' 37.08"	-75° 06' 08.27"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.18	GAS	I	Other
		41° 30' 35.99"	-75° 06' 06.47"	Lackawaxen	Narrowsburg	0.00	0.04	0.00	0.00	0.00	TEMPRD	II	Other
11	W7b/L3 W041	41° 30' 37.08"	-75° 06' 09.00"	Lackawaxen	Narrowsburg	0.00	0.00	0.10	0.00	0.00	GAS	I	Other
		41° 30' 34.55"	-75° 06' 00.72"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.03	TEMPRD	II	Other
12	W10b/L3 W042	41° 30' 34.55"	-75° 06' 01.08"	Lackawaxen	Narrowsburg	0.00	0.02	0.00	0.00	0.00	TEMPRD	II	Other
		41° 30' 33.83"	-75° 05' 59.28"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.01	TEMPRD	II	Other
13	L3 W043	41° 30' 33.48"	-75° 05' 57.84"	Lackawaxen	Narrowsburg	0.00	0.07	0.00	0.00	0.00	TEMPRD	II	Other
		41° 30' 33.83"	-75° 05' 54.96"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.02	GAS	I	Other
14	L3 W044	41° 30' 32.75"	-75° 05' 55.31"	Lackawaxen	Narrowsburg	0.00	0.01	0.00	0.00	0.00	TEMPRD	II	Other
15	L3 W045			Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.00	TEMPRD	II	Other

Wetland Impact Table													
Impact Number	Wetland Identification	Location				Wetland Impacts					Crossing Information		
		Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Impact Area (acres)	Permanent Impact Area (acres)	Crossing Type ^a	Crossing Method ^b	State Wetland Classification (Other OR EV)			
16	W11b/L3 W046	41° 30' 32.03"	-75° 05' 51.72"	Lackawaxen	Narrowsburg	0.00	0.14	0.00	0.00	0.08	GAS	I	Other
		41° 30' 31.31"	-75° 05' 45.24"	Lackawaxen	Narrowsburg	0.00	0.37	0.00	0.00	0.54	GAS	I	Other
		41° 30' 33.11"	-75° 05' 52.79"	Lackawaxen	Narrowsburg	0.10	0.00	0.00	0.19	0.00	GAS	I	Other
17	W11b/L3 W047	41° 30' 27.00"	-75° 05' 39.12"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.00	TEMPRD	II	Other
		41° 30' 28.08"	-75° 05' 39.12"	Lackawaxen	Narrowsburg	0.00	0.18	0.00	0.00	0.06	GAS	I	Other
		41° 30' 26.63"	-75° 05' 37.68"	Lackawaxen	Narrowsburg	0.16	0.00	1.01	0.00	0.00	GAS	I	Other
18	W20b	41° 30' 21.71"	-75° 05' 15.50"	Lackawaxen	Narrowsburg	0.03	0.00	0.00	0.00	0.00	GAS	I	Other
19	W19b	41° 30' 20.29"	-75° 05' 10.37"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.00	TEMPRD	II	Other
		41° 30' 20.10"	-75° 05' 08.57"	Lackawaxen	Narrowsburg	0.31	0.00	0.58	0.00	0.00	GAS	I	Other
20	W17b	41° 30' 10.77"	-75° 04' 29.84"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.04	GAS	I	Other
		41° 30' 10.69"	-75° 04' 28.88"	Lackawaxen	Narrowsburg	0.00	0.09	0.00	0.00	0.18	GAS	I	Other
21	W16b	41° 30' 08.71"	-75° 04' 20.65"	Lackawaxen	Narrowsburg	0.00	0.05	0.00	0.00	0.00	TEMPRD	II	Other
		41° 30' 08.66"	-75° 04' 19.47"	Lackawaxen	Narrowsburg	0.06	0.00	0.00	0.19	0.00	GAS	I	Other
22	W15b	41° 30' 07.35"	-75° 04' 13.50"	Lackawaxen	Narrowsburg	0.00	0.06	0.00	0.00	0.12	GAS	I	Other
		41° 30' 07.83"	-75° 04' 15.55"	Lackawaxen	Narrowsburg	0.02	0.00	0.00	0.02	0.00	GAS	I	Other

Wetland Impact Table													
Impact Number	Wetland Identification	Location			Wetland Impacts				Crossing Information				
		Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Impact Area (acres)	Permanent Impact Area (acres)	Crossing Type ^a	Crossing Method ^b	State Wetland OR EV Classification (Other OR EV)			
23	W14b	41° 30' 05.39"	-75° 04' 05.86"	Lackawaxen	Narrowsburg	0.00	0.01	0.00	0.00	0.00	TEMPRD	II	Other
24	W12b	41° 30' 04.78"	-75° 04' 01.65"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
25	W13b	41° 30' 04.16"	-75° 04' 01.07"	Lackawaxen	Narrowsburg	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
26	W24b/W007	41° 29' 58.91"	-75° 03' 47.16"	Lackawaxen	Narrowsburg/Rowland	0.00	0.00	0.03	0.00	0.00	GAS	I	Other
		41° 29' 59.28"	-75° 03' 47.51"	Lackawaxen	Narrowsburg/Rowland	0.00	0.01	0.00	0.00	0.00	TEMPRD	II	Other
		41° 56' 40.56"	-75° 03' 46.43"	Lackawaxen	Narrowsburg/Rowland	0.00	0.00	0.21	0.00	0.00	GAS	I	Other
27	W29b/W007a/W007d	41° 29' 55.31"	-75° 03' 34.92"	Lackawaxen	Rowland	0.00	0.00	0.09	0.00	0.00	GAS	I	Other
		41° 29' 44.51"	-75° 03' 05.04"	Lackawaxen	Rowland	0.00	0.00	0.09	0.00	0.00	GAS	I	Other
28	W28b/W007b/W007c	41° 29' 44.88"	-75° 03' 05.40"	Lackawaxen	Rowland	0.00	0.00	0.00	0.05	0.00	TEMPRD	II	Other
		41° 29' 36.96"	-75° 02' 46.31"	Lackawaxen	Rowland	0.00	0.00	0.04	0.00	0.00	GAS	I	Other
29	W25b/W001	41° 29' 36.59"	-75° 02' 46.31"	Lackawaxen	Rowland	0.00	0.00	0.02	0.00	0.00	GAS	I	Other
30	W26b	41° 29' 32.28"	-75° 02' 31.56"	Lackawaxen	Rowland	0.00	0.00	0.01	0.00	0.00	GAS	I	Other
31	W37a	41° 29' 31.19"	-75° 02' 29.03"	Lackawaxen	Rowland	0.00	0.00	0.07	0.00	0.00	GAS	I	Other
		41° 29' 30.12"	-75° 02' 27.23"	Lackawaxen	Rowland	0.00	0.02	0.00	0.00	0.03	TEMPRD	II	Other
		41° 29' 31.19"	-75° 02' 27.23"	Lackawaxen	Rowland	0.03	0.00	0.08	0.00	0.00	GAS	I	Other
32	W38a/W003	41° 29' 30.12"	-75° 02' 27.23"	Lackawaxen	Rowland	0.00	0.02	0.00	0.00	0.03	TEMPRD	II	Other

Wetland Impact Table												
Impact Number	Wetland Identification	Location			Wetland Impacts			Crossing Information		State Wetland OR EV Classification (Other OR EV)		
		Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Impact Area (acres)	Permanent Impact Area (acres)	Crossing Type ^a	Crossing Method ^b			
33	W39a/W004	41° 29' 09.96"	-75° 01' 39.00"	Lackawaxen	Rowland	0.00	0.00	0.00	0.00	GAS	I	Other
34	W004a	41° 29' 08.87"	-75° 01' 35.76"	Lackawaxen	Rowland	0.00	0.10	0.00	0.02	GAS	I	Other
35	W26a/W017	41° 29' 03.47"	-75° 01' 28.91"	Lackawaxen	Rowland	0.00	0.00	0.00	0.00	GAS	I	Other
		41° 29' 07.08"	-75° 01' 28.91"	Lackawaxen	Rowland	0.00	0.00	0.00	0.00	TEMPRD	II	Other
36	W27a/W017	41° 29' 03.84"	-75° 01' 28.20"	Lackawaxen	Rowland	0.01	0.00	0.02	0.00	GAS	I	Other
		41° 29' 01.68"	-75° 01' 26.40"	Lackawaxen	Rowland	0.00	0.00	0.01	0.04	GAS	I	Other
37	W28a	41° 29' 02.03"	-75° 01' 26.76"	Lackawaxen	Rowland	0.00	0.00	0.00	0.00	TEMPRD	II	Other
		41° 28' 54.84"	-75° 01' 20.28"	Lackawaxen	Rowland	0.00	0.00	0.00	0.01	GAS	I	Other
38	W29a/W022	41° 28' 13.43"	-75° 01' 00.84"	Lackawaxen	Rowland	0.00	0.00	0.01	0.00	TEMPRD	II	Other
39	W30a/W023	41° 28' 01.56"	-75° 00' 50.39"	Lackawaxen	Rowland	0.00	0.00	0.00	0.00	GAS	I	Other
		41° 28' 01.91"	-75° 00' 51.12"	Lackawaxen	Rowland	0.02	0.00	0.01	0.00	TEMPRD	II	Other

Wetland Impact Table													
Impact Number	Wetland Identification	Location				Wetland Impacts				Crossing Information		State Wetland Classification (Other OR EV)	
		Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Impact Area (acres)	Permanent Impact Area (acres)	Crossing Type ^a	Crossing Method ^b				
40	W31a	41° 27' 56.88"	-75° 00' 43.56"	Lackawaxen	Rowland	0.00	0.00	0.00	0.00	0.02	TEMPRD	II	Other
41	W32a/W015	41° 27' 49.32"	-75° 00' 17.28"	Lackawaxen	Rowland	0.00	0.00	0.07	0.00	0.21	GAS	I	Other
		41° 27' 48.60"	-75° 00' 15.48"	Lackawaxen	Rowland	0.00	0.01	0.00	0.00	0.01	0.00	TEMPRD	II
42	W33a	41° 27' 48.95"	-75° 00' 15.11"	Lackawaxen	Rowland	0.00	0.00	0.00	0.00	0.00	GAS	I	Other
43	W1x	41° 27' 42.21"	-74° 59' 56.21"	Lackawaxen	Shohola	0.00	0.00	0.00	0.00	0.02	TEMPRD	II	Other
		41° 31' 49.85"	-75° 05' 15.70"	Lackawaxen	Narrowsburg	0.00	0.04	0.00	0.00	0.00	0.00	TEMPRD	II
44	W11b	41° 30' 39.73"	-75° 05' 46.11"	Lackawaxen	Narrowsburg	0.00	0.05	0.00	0.00	0.00	TEMPRD	II	Other
Totals						0.86	1.05	1.65	2.98	1.17	2.80		

^a GAS = gas pipeline, TEMP RD = temporary roadway crossing

^b I = Open Cut, II = Temporary Matting

<i>Stream Impact Table</i>																
<i>Identification</i>			<i>Location</i>				<i>Stream Impacts</i>				<i>Floodway Impacts</i>	<i>Crossing Information</i>				
<i>Impact Number</i>	<i>Stream Identification</i>	<i>Stream Name</i>	<i>Chapter 93 Designated Use</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Municipality (Township)</i>	<i>Quadrangle</i>	<i>Temporary Crossing Length (feet)</i>	<i>Permanent Crossing Length (feet)</i>	<i>Temporary Impact Area (sq ft)</i>	<i>Permanent Impact Area (sq ft)</i>	<i>Temporary Impact (sq ft)</i>	<i>Permanent Impact (sq ft)</i>	<i>Crossing Type^a</i>	<i>Crossing Method^b</i>	<i>Trou Identification^c</i>
1	S11a	Unnamed tributary to Rattlesnake Creek	HQ-CWF	41° 31' 43.67"	-75° 07' 33.60"	Lackawaxen	White Mills	57	21	0.003	0.001	0.072	0.206	Gas, TBC	I	TS
2	S12a/L3 S008	Unnamed tributary to Rattlesnake Creek	HQ-CWF	41° 31' 42.23"	-75° 07' 33.24"	Lackawaxen	White Mills	12	30	0.001	0.001	0.056	0.124	Gas, TBC	I	TS
3	S15a/L3 S009	Tinkwig Creek	HQ-CWF	41° 31' 34.67"	-75° 07' 22.80"	Lackawaxen	Narrowsburg	48	57	0.007	0.008	0.078	0.156	Gas, TBC	I	
4	S5c/L3 S010	West Falls Creek	HQ-CWF	41° 30' 31.31"	-75° 05' 47.40"	Lackawaxen	Narrowsburg	30	52	0.007	0.012	0.107	0.123	Gas, TBC	I	
5	S18b/L3 S012	Unnamed tributary to West Falls Creek	HQ-CWF	41° 30' 20.88"	-75° 05' 12.83"	Lackawaxen	Narrowsburg	55	422	0.006	0.048	0.481	0.584	Gas, TBC	I	
6	S14b/L3 S014	Unnamed tributary to West Falls Creek	HQ-CWF	41° 30' 10.08"	-75° 04' 27.47"	Lackawaxen	Narrowsburg	34	67	0.006	0.012	0.079	0.162	Gas, TBC	I	
7	S10b	Unnamed tributary to West Falls Creek	HQ-CWF	41° 30' 06.48"	-75° 04' 14.52"	Lackawaxen	Narrowsburg	28	54	0.001	0.001	0.065	0.128	Gas, TBC	I	
8	S6b/L3 S017	Unnamed tributary to West Falls Creek	HQ-CWF	41° 30' 04.31"	-75° 04' 02.64"	Lackawaxen	Narrowsburg	83	3	0.023	0.001	0.000	0.006	Gas, TBC	I	
9	S9b	Unnamed tributary to West Falls Creek	HQ-CWF	41° 30' 03.96"	-75° 04' 01.19"	Lackawaxen	Narrowsburg	85	3	0.004	0.000	0.000	0.006	Gas, TBC	I	
10	S22b/S007	Unnamed tributary to West Falls Creek	HQ-CWF	41° 30' 02.87"	-75° 03' 46.80"	Lackawaxen	Narrowsburg/Rowland	33	57	0.006	0.010	0.071	0.142	Gas, TBC	I	

Stream Impact Table																
Impact Number	Stream Identification	Stream Name	Chapter 93 Designated Use	Latitude	Longitude	Location		Stream Impacts				Floodway Impacts		Crossing Information		
						Municipality (Township)	Quadrangle	Temporary Crossing Length (feet)	Permanent Crossing Length (feet)	Temporary Impact Area (sq ft)	Permanent Impact Area (sq ft)	Temporary Impact (sq ft)	Permanent Impact (sq ft)	Crossing Type ^a	Crossing Method ^b	Trout Identification ^c
11	S23b	Unnamed tributary to Westcolang Creek	HQ-CWF	41° 29' 37.31"	-75° 02' 47.39"	Lackawaxen	Rowland	10	52	0.001	0.004	0.078	0.103	Gas, TBC	I	
12	S24b	Unnamed tributary to Westcolang Creek	HQ-CWF	41° 29' 36.59"	-75° 02' 47.04"	Lackawaxen	Rowland	25	50	0.002	0.003	0.212	0.098	Gas, TBC	I	
13	S25b	Unnamed tributary to Westcolang Creek	HQ-CWF	41° 29' 35.52"	-75° 02' 45.60"	Lackawaxen	Rowland	195	0	0.013	0.000	0.246	0.174	Gas, TBC	I	
14	S21a	Unnamed tributary to O'Donnell Creek	HQ-CWF	41° 29' 31.19"	-75° 02' 25.08"	Lackawaxen	Rowland	16	20	0.001	0.001	0.067	0.120	Gas, TBC	I	TS
15	S23a	O'Donnell Creek	HQ-CWF	41° 29' 11.76"	-75° 01' 36.83"	Lackawaxen	Rowland	0	0	0.000	0.000	0.047	0.000	Gas, TBC	I	TS
16	S1x	Unnamed tributary to Lackawaxen River	HQ-TSF	41° 29' 13.92"	-75° 01' 32.88"	Lackawaxen	Rowland	0	0	0.003	0.000	0.000	0.000	Gas, TBC	I	TS
17	S22a/S001	Lackawaxen River	HQ-TSF	41° 29' 09.96"	-75° 01' 37.56"	Lackawaxen	Rowland	191	50	1.096	0.287	3.624	0.834		I	TS
18	S18a	Unnamed tributary to Lackawaxen River	HQ-TSF	41° 29' 03.47"	-75° 01' 28.56"	Lackawaxen	Rowland	25	51	0.001	0.001	0.115	0.118	Gas, TBC	I	TS
19	S19a/S101	Unnamed tributary to Lords Creek	HQ-CWF	41° 28' 13.80"	-75° 01' 00.12"	Lackawaxen	Rowland	79	50	0.002	0.001	0.079	0.162	Gas, TBC	I	TS
20	S20a/S015	Lords Creek	HQ-CWF	41° 27' 50.04"	-75° 00' 15.84"	Lackawaxen	Rowland	30	104	0.004	0.014	0.120	0.202	Gas, TBC	I	TS

Stream Impact Table																
Identification			Location				Stream Impacts				Floodway Impacts		Crossing Information			
Impact Number	Stream Identification	Stream Name	Chapter 93 Designated Use	Latitude	Longitude	Municipality (Township)	Quadrangle	Temporary Crossing Length (feet)	Permanent Crossing Length (feet)	Temporary Impact Area (sq ft)	Permanent Impact Area (sq ft)	Temporary Impact (sq ft)	Permanent Impact (sq ft)	Crossing Type ^a	Crossing Method ^b	Trout Identification ^c
21	S1b	Unnamed tributary to Tinkwig Creek	HQ-CWF	41° 30' 51.47"	-75° 07' 00.47"	Lackawaxen	Narrowsburg	0	0	0.000	0.000	0.000	0.000	Gas, TBC	I	
22	S5b	Unnamed tributary to West Falls Creek	HQ-CWF	41° 30' 35.64"	-75° 05' 33.36"	Lackawaxen	Narrowsburg	0	0	0.000	0.000	0.000	0.000	Gas, TBC	I	
23	S5c/L3 S010	West Falls Creek	HQ-CWF	41° 30' 31.31"	-75° 05' 47.40"	Lackawaxen	Narrowsburg	20	0	0.005	0.000	0.044	0.000	Gas, TBC	I	
Totals								1056	1143	1.19	0.41	5.64	3.45			

^a Gas = gas pipeline crossing or floodway impacts, TBC = temporary bridge crossing

^b I = Dry Crossing Method includes Dam & Flume, Dam & Pump, Cofferdam, or Dry Open Cut for waterbodies dry when crossing, II = floodway impacts only

^c PAFBC Designations: ST = Stocked Trout; WT = Wild Trout; CA = Class A Trout

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E08-498. Troy Borough, 49 Elmira Street, Troy, PA 16947-1230, Troy Borough, **Bradford County**, U.S. Army Corps of Engineers, Baltimore District.

Pennsylvania Department of Transportation is replacing a bridge on State Route 14 in Troy Borough, Bradford County. The 8" DIP water and 8" PVC sewer mains will be relocated for the bridge construction to take place and provide service to all customers. Troy Borough's new concrete encased water and sewer mains will be diverted around the bridge, under Fall Brook, and tie into the existing water and sewer mains. The construction will take place in the state road, and the permanent easements that are established for the project. After both of the utility lines are relocated, the site will be rehabilitated to its original state.

The project is located at Quadrangle, Latitude: 41° 46' 35.5552", Longitude: -76° 47' 32.4550".

Southwest Region: Waterways & Wetlands Program, 500 Waterfront Drive, Pittsburgh, PA 15222, Rita A. Coleman (412) 442-4149.

E32-520, Pennsylvania Department of Transportation Engineering District 10-0, 2550 Oakland Avenue, P.O. Box 429, Indiana, PA 15701, Center Township and Homer City Borough, **Indiana County**, ACOE Pittsburgh District.

Has been given consent to:

1. Remove the existing 73.08' wide, 130.39' long two span bridge having a minimum underclearance of 28.22' carrying SR 119 over Yellow Creek (CWF) with a drainage area of 65.8 square miles; construct and maintain a replacement 81.875' wide, 174.54' long single span bridge with a minimum underclearance of 27.03' in the same location.

2. Place and maintain fill in 600' of an unnamed tributary to Yellow Creek (UNT7, CWF) with a drainage area of less than 100 acres and construction and maintain a 787' long replacement channel. In addition, construct and maintain a 48-inch diameter, 50' culvert crossing of UNT 7 for stormwater basin access.

3. Permanently impact an additional 393' of unnamed tributaries to Yellow Creek (CWF) with drainage areas of less than 100 acres;

4. In addition, place and maintain fill in 0.23 acre of PEM wetland, install and maintain road associated stormwater outfalls, and temporarily impact 0.11 acre of PEM wetland and 491' of stream for the purpose of constructing these encroachments. Wetland mitigation will occur at the Indiana County Wetland Bank.

This work is associated with the SR 119 Homer City Road project, with these encroachments located approximately 0.5 mile south of the work being completed under E32-506 and with road work extending another 0.5 mile south from Center Township into Homer City Borough, in Indiana County (Indiana, PA quadrangle; Latitude: 40° 32' 55" and Longitude: -79° 9' 16").

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA.

E5829-114: Bridgewater Township, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Bridgewater Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 4,268 square feet (0.10 acre) of floodway to an unnamed tributary of Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 47' 13", Longitude: -75° 52' 51"),

2) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,540 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 12", Longitude: -75° 52' 52"),

3) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,628 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 10", Longitude: -75° 52' 57"),

4) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 591 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 13", Longitude: -75° 53' 22"),

5) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 6,539 square feet (0.15 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 04", Longitude: -75° 53' 28"),

6) a 16 inch diameter steel natural gas pipeline impacting 621 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 02", Longitude: -75° 53' 28"),

7) a temporary timber mat crossing impacting 867 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 01", Longitude: -75° 53' 27"),

8) a temporary timber mat crossing impacting 359 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 59", Longitude: -75° 53' 32"),

9) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 569 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 00", Longitude: -75° 53' 32"),

10) a 16 inch diameter steel natural gas pipeline and temporary timber bridge crossing impacting 55 lineal feet of an unnamed tributary of Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 59", Longitude: -75° 53' 33"),

11) a temporary timber mat crossing impacting 1,636 square feet (0.04 acre) of floodway to an unnamed tributary of Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 47' 00", Longitude: -75° 53' 32"),

12) a temporary timber mat crossing impacting 2,399 square feet (0.06 acre) of floodway to an unnamed tributary of Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 56", Longitude: -75° 53' 38"),

13) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 3,458 square feet (0.08 acre) of floodway to an unnamed tributary of Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 53' 38"),

14) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,103 square

feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 55", Longitude: -75° 53' 39"),

15) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 2,394 square feet (0.05 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 53' 40"),

16) a temporary timber mat crossing impacting 3,115 square feet (0.07 acre) of floodway to an unnamed tributary of Meshoppen Creek (CWF, MF) (Montrose West, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 53' 45"),

17) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 2,698 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 53' 46"),

18) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 30,594 square feet (0.70 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 53' 48"),

19) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 26,318 square feet (0.60 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 46' 51", Longitude: -75° 54' 26"),

20) a 16 inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 1,144 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Montrose West, PA Quadrangle; Latitude: 41° 47' 00", Longitude: -75° 54' 35").

The Cantone Pipeline project consists of constructing approximately 2.60 miles of new 16" steel natural gas gathering line located in Bridgewater Townships, Susquehanna County. The project will result in 55 lineal feet of temporary stream impacts, 14,875 square feet (0.34 acre) of floodway only impacts, and 76,965 square feet (1.77 acre) of temporary wetlands impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESG15-125-0059
Applicant Name Rice Drilling B LLC
Contact Person Joseph Mallow
Address 2200 Rice Drive
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) South Strabane Township
Receiving Stream(s) and Classification(s) 4 UNTs to Chartiers Creek (HQ-WWF)
Secondary—Chartiers Creek

ESCGP-2 # ESX16-059-0014
Applicant Name EQT Production Land PA
Contact Person Todd Klaner
Address 2400 Zenith Ridge Rd, Suite 200
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Jackson & Allepo
Receiving Stream(s) and Classification(s) N Fork Dunkard Fork (TSF)

ESCGP-2 # ESX11-005-0007 (Major Modification)
Applicant Name EXCO Resources PA LLC
Contact Person Brian Rushe
Address 260 Executive Dr, Suite 100
City, State, Zip Cranberry Township, PA 16066
County Armstrong
Township(s) Rayburn
Receiving Stream(s) and Classification(s) UNT to Cowanshannock Ck (WWF); UNT to Hays Run (WWF)
Secondary—Cowanshannock Ck & Hays Run

ESCGP-2 # ESX10-059-0067 (Major Modification)
Applicant Name CNX Gas Company LLC
Contact Person Erika Whetstone
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Morris
Receiving Stream(s) and Classification(s) UNTs to Enlow Fork (WWF)
Secondary—Enlow Fork

ESCGP-2 # ESG15-125-0047
Applicant Name Range Resources Appalachia LLC
Contact Person Karl Matz
Address 3000 Town Center Boulevard
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Hopewell
Receiving Stream(s) and Classification(s) UNTs to Hanen Run (Opossum Hollow) (HQ-WWF)
Secondary—Hanen Run & Brush Run

ESCGP-2 # ESG14-125-0070
Applicant Name Columbia Midstream Group LLC
Contact Person Lowe Farrah
Address 5151 San Felipe, Suite 2500
City, State, Zip Houston, TX 77056
County Washington
Township(s) North & South Strabane Townships
Receiving Stream(s) and Classification(s) UNTs to Little Chartiers Creek, Little Chartiers Creek, UNTs to Chartiers Creek (all HQ-WWF)

ESCGP-2 # ESG15-125-0073
 Applicant Name Range Resources Appalachia LLC
 Contact Person Karl Matz
 Address 3000 Town Center Boulevard
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) South Strabane
 Receiving Stream(s) and Classification(s) UNTs (Tribes 36993, 36995, 36997 & 36998) to Little Chartiers Creek (all HQ-WWF)

ESCGP-2 # ESX15-007-0015
 Applicant Name Penn Energy Resources LLC
 Contact Person Gregg Stewart
 Address 1000 Commerce Drive, Park Place One, Suite 100
 City, State, Zip Pittsburgh, PA 15275
 County Beaver
 Township(s) Marion
 Receiving Stream(s) and Classification(s) UNTs to Brush Creek, Tribes 34871 & 34872 to Connequenessing Creek, 36997 & 36998 (all WWF)

ESCGP-2 # ESX15-059-0068
 Applicant Name Cone Midstream Partners LP

Contact Person Carol Phillips
 Address 1000 Consol Energy Drive
 City, State, Zip Canonsburg, PA 15317
 County Greene
 Township(s) Richhill
 Receiving Stream(s) and Classification(s) UNTs to Dunkard Fork, Dunkard Fork, UNTs to Wharton Run, Wharton Run, UNTs to Chaney Run, Chaney Run, UNTs to Stone Coal Run, Stone Coal Run (all WWF) Secondary—Wheeling Creek

ESCGP-2 # ESX16-059-0034
 Applicant Name EQT Production Company
 Contact Person Todd Klaner
 Address 2400 Zenith Ridge Rd, Suite 200
 City, State, Zip Canonsburg, PA 15317
 County Greene
 Township(s) Washington
 Receiving Stream(s) and Classification(s) Five UNTs to Ruff Creek (WWF) Secondary—South Fork Ten Mile Creek
Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0007160001	ETC Northeast Pipeline, LLC 7000 Stonewood Drive Suite 351 Wexford, PA 15090	Washington County	Jackson Township (Butler County); New Sewickley Township; Center Township; Raccoon Township; Independence Township; Conway Borough; (Beaver County) Findlay Township (Allegheny County) Smith Township; Robinson Township (Washington County)	UNT to Breakneck Creek (WWF); Breakneck Creek (WWF); UNT to Likens Run (WWF); UNT to Glade Run (WWF); Glade Run (WWF); UNT to Brush Creek (WWF); Brush Creek (WWF); UNT to Crows Run (WWF); Crows Run (WWF); Pine Run (WWF); Ohio River (WWF); Moon Run (WWF); Elkhorn Run (WWF); UNT to Elkhorn Run (WWF); UNT to Shafers Run (WWF); Shafers Run (WWF); Logtown Run (WWF); Raccoon Creek (WWF); UNT to Raccoon Creek (WWF); Frames Run (WWF); UNT to Service Creek (WWF); Service Creek (WWF); UNT to Obney Run (WWF); Obney Run (WWF); Potato Garden Run (WWF); UNT to Potato Garden Run (WWF); Bigger Run (WWF); UNT to Saint Patrick Run (WWF); Little Raccoon Creek (WWF); UNT to Little Raccoon Creek (WWF)

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012516005-1	EQM Gathering OPCO, LLC 625 Liberty Avenue Suite 1700 Pittsburgh, PA 15222	Washington County	Amwell Township, North Strabane Township, South Strabane Township	UNTs to Little Chartiers Creek (HQ-WWF); Redd Run (WWF)
<hr/>				
<i>Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.</i>				
ESCGP-2 # ESG16-019-0028—PER W22 Well Pad	Applicant Penn Energy Resources LLC Contact Gregg Stewart Address 1000 Commerce Drive; Park Place One, Suite 100 City Pittsburgh State PA Zip Code 15275 County Butler Township Winfield Township Receiving Stream(s) and Classification(s) UNTs to North Branch Rough Run/Buffalo Creek Watershed and UNTs to Rough Run/Buffalo Creek Watershed		City, State, Zip Houston, TX 77079 County Tioga Township(s) Chatham Receiving Stream(s) and Classification(s) Crooked Ck (WWF)	
ESCGP-2 # ESG15-083-0005A—Clermont West Branch D07-U Pipeline Major Modification	Applicant NFG Midstream Clermont, LLC Contact Duane Wassum Address 6363 Main Street City Williamsville State NY Zip Code 14221-5855 County McKean Township(s) Sergeant Receiving Stream(s) and Classification(s) West Fork West Branch Potato Creek, UNT to Brewer Run, UNT to and East Branch Clarion River HQ-CWF		ESCGP-2 # ESX29-015-17-0005 Applicant Name Appalachia Midstream Svcs LLC Contact Person Josh Brown Address 400 IST Center, Suite 404 City, State, Zip Horseheads, NY 14845 County Bradford Township(s) Wilmot Receiving Stream(s) and Classification(s) UNT to Panther Lick Ck (CWF); Panther Lick Ck (CWF) Sugar Run Ck	
ESCGP-2 # ESX17-019-0002—Lesney to Isaacs Temporary Waterline	Applicant XTO Energy Inc. Contact Melissa Breitenbach Address 190 Thorn Hill Road City Warrendale State PA Zip Code 15086 County Butler Townships Center, Franklin and Connoquenessing Receiving Stream(s) and Classification(s) UNT to Little Connoquenessing Creek (CWF), Little Connoquenessing Creek (CWF)/Connoquenessing Creek Watershed		ESCGP-2 # ESG29-113-16-0010 Applicant Name EXCO Resources PA LLC Contact Person Brian Rushe Address 260 Executive Dr, Suite 100 City, State, Zip Cranberry Twp, PA 16066 County Sullivan Township(s) Davidson Receiving Stream(s) and Classification(s) Muncy Ck (EV)	
ESCGP-2 # ESX16-019-0031—Isaacs to Lesney Gas Pipeline	Applicant Mountain Gathering, LLC Contact Mr. Dewey Chalos Address 810 Houston Street City Fort Worth State TX Zip Code 76102 County Butler Township(s) Center, Franklin & Connoquenessing Receiving Stream(s) and Classification(s) Little Connoquenessing Creek (CWF)/Little Connoquenessing Creek		ESCGP-2 # ESX10-117-0223(02) Applicant Name EQT Production Co Contact Person Todd Klaner Address 2400 Zenith Ridge Rd, Suite 200 City, State, Zip Canonsburg, PA 15317 County Tioga Township(s) Duncan Receiving Stream(s) and Classification(s) Rock Run (HQ-CWF), Rock Run (CWF)	
ESCGP-2 # ESX11-047-0027—HM 8 WT 3261	Applicant Hunt Marcellus Operating Company LLC Contact Mr. Kurt Lewis Address 2144 Buena Vista Highway City Wilcox State PA Zip Code 15870 County Elk Township(s) Ridgway Receiving Stream(s) and Classification(s) UNT to Little Mill Creek, Little Mill Creek, & UNT to Silver Creek		ESCGP-2 # ESX29-015-17-0003 Applicant Name Appalachia Midstream Svcs LLC Contact Person Josh Brown Address 400 IST Center, Suite 404 City, State, Zip Horseheads, NY 14845 County Bradford Township(s) Smithfield Receiving Stream(s) and Classification(s) UNT to West Branch Tomjack Ck (TSF); West Branch Tomjack Ck (TSF), Tomjack Ck (TSF) Secondary—Sugar Ck	
<i>Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>				
ESCGP-2 # ESX09-117-0087(03)	Applicant Name SWEPI LP Contact Person Jason Shoemaker Address 150 N Dairy Ashford, E1296-E		ESCGP-2 # ESG29-117-16-0039 Applicant Name HEP Tioga Gathering LLC Contact Person Kevin Williams Address 17806 IH-10 West, Suite 210 City, State, Zip San Antonio, TX 78257 County Tioga Township(s) Liberty Receiving Stream(s) and Classification(s) Blacks Ck (CWF)	
			ESCGP-2 # ESX11-113-0028(01) Applicant Name Chief Oil & Gas LLC Contact Person Jeffrey Deegan Address 1720 Sycamore Rd City, State, Zip Montoursville, PA 17754 County Sullivan Township(s) Elkland Receiving Stream(s) and Classification(s) Elk Ck (EV)	

ESCGP-2 # ESG29-113-16-0011
 Applicant Name Appalachia Midstream Services LLC
 Contact Person Josh Brown
 Address 400 IST Center, Suite 404
 City, State, Zip Horseheads, NY 14845

County Sullivan
 Township(s) Elkland
 Receiving Stream(s) and Classification(s) Kings Ck (EV),
 Elk Ck (EV)

STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
17-21-010	Vitro Flat Glass LLC 400 Park Drive Carlisle, PA 17015-9271 Attn: Amy Hacker	Cumberland	South Middleton Township	1 AST storing # 2 Fuel Oil	500,000 gallons

SPECIAL NOTICES

Individual Site Permit; Denial of an Application for the Renewal

The Department of Environmental Protection (Department) has made a decision to deny an application for the renewal of an individual site permit, No. PABIS-9901, submitted by WeCare Organics, LLC, 9293 Bonta Bridge Road, Jordan, NY 13080. The application requested continuation of permit coverage for the beneficial use of Class B biosolids for a deep row hybrid poplar (“DRHP”) experimental trenching project at the Blackwood site, located in Reilly Township, Schuylkill County. The decision to deny the application was based on the compliance history.

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

Any person may request to review the permit application or supporting documents by contacting the Bureau of Clean Water at (717) 787-5017.

[Pa.B. Doc. No. 17-431. Filed for public inspection March 10, 2017, 9:00 a.m.]

Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Coal Mining Operations

The Department of Environmental Protection (Department) announces the 2017 bond rate guidelines for anthracite and bituminous coal mining operations. These rates become effective April 1, 2017. The authority for bonding coal mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66) and 25 Pa. Code Chapter 86, Subchapter F (relating to bonding and insurance requirements). The unit costs listed in these guidelines will be used in calculating the land reclamation bonds for surface coal mining operations including surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities and the surface facilities of underground mining operations.

The procedures for calculating land reclamation bonds are described in Technical Guidance Document 563-2504-001, “Conventional Bonding for Land Reclamation—Coal,”

which is available on the Department’s web site at <http://www.elibrary.dep.state.pa.us>. The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2012—2016, resulting in a rate of 1.13%. This rate of inflation will be used in calculating bond amounts for permit renewal or permit midterm bond liability reviews from April 1, 2017, through April 1, 2018.

The Department may review the adequacy of bonds on existing permits based on the bond rate guidelines at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

These bond rate guidelines do not apply to bonds ensuring replacement of water supplies under section 3.1(c) of the Surface Mining Conservation and Reclamation Act (52 P.S. § 1396.3a(c)) or to bonds ensuring

compliance with the requirements of The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

General Methodology

The Department developed the bond rate guidelines for 2017 from the unit costs for competitively bid contracts for mine reclamation. Contract bid data is available for various unit operations needed to complete reclamation of a mine site for the years 1998—2016. For most categories, a 3-year (2014—2016) average was used to calculate the guidelines. Some categories required another approach due to limited data. For example, there were no contracts in 2014 through 2016 that included selective grading. Therefore, a multiyear average of available data was used for the 2017 selective grading bond rate.

In general, the costs for a given unit operation for each year are determined using the weighted average of the three lowest total bids for each contract. However, grading costs were calculated using a frequency distribution in combination with the weighted averages.

In the event that a unit operation necessary to calculate a reclamation bond is not listed in Table 1 or 2, then any additional cost information available will be used. If

enough data is still not available, the rate will be set from a standard reference like *Means Building Construction Cost Data* or *Walker's Building Estimator's Reference Book*.

The fees associated with the Land Maintenance Bond Program are presented in Table 3. There has been no change in these rates for 2017.

The bond rate guidelines are available electronically at <http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/ProgramsServices/Bonding/Pages/BondRates.aspx>. For background information and supporting documentation regarding bonding rate guidelines, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Mine Sealing Costs

The mine sealing bond rate guidelines are presented in Table 2. Mine sealing and borehole sealing bond rate guidelines remain the same for 2017.

Effective Date

The bond rate guidelines in this notice become effective April 1, 2017.

TABLE 1
Standard Bond Rate Guidelines
for Year 2017

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Mobilization/Demobilization	Job	4% of direct costs or \$40,000, whichever is less
Grading (< 500-foot push)	Cubic Yard	0.90
Grading (≥ 500-foot push/haul)	Cubic Yard	1.55
Selective Grading	Acre	1,700.00
Revegetation	Acre	1,950.00
Tree Planting	Tree	0.75
Ditch Excavation	Cubic Yard	6.70
Jute Matting	Square Yard	3.50
High Velocity Erosion Control	Square Yard	3.00
AASHTO No. 1	Ton	23.00
AASHTO No. 57	Ton	32.00
R3 Rock Lining	Square Yard	36.00
R4 Rock Lining	Square Yard	30.00
R5 Rock Lining	Square Yard	27.00
Geotextile/Filter Fabric	Square Yard	2.50
PVC Lining ¹	Square Yard	12.00
Subsurface Drain	Lineal Foot	20.00
Erosion and Sedimentation Control (Temporary Installation)	Job	Lump Sum (5% of Direct Costs for Site)
Pond Removal Active Phase ²	Pond	3,800.00
Stage 3 Maintenance Bond Non-Cropland Areas (Land Uses Where Crop Yields are Not Required)	Acre	100.00
Stage 3 Maintenance Bond Cropland (Not Row Crops) Pastureland or Land Occasional Cut for Hay (Excludes Seed Cost)	Acre	520.00

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Stage 3 Maintenance Bond Cropland Area—Row Crops (Includes Seed Cost)	Acre	800.00
Stage 3 Mobilization	Job	2,500.00
Pond Removal—Stage 3	Cubic Yards (Embankment Volume) Plus Top Soiling and Revegetation Cost	Use < 500 Grading for Pond Embankment Volume Plus Top Soiling and Revegetation Cost for the Area Disturbed
Ditch Removal—Stage 3	Lineal Foot	0.75
Equipment Tire Removal and Disposal	Tire	300.00
Structure Demolition	Costs will be Calculated Using Costs Listed in the Construction Industry's Latest Annual Cost Publications, such as <i>Means Building Construction Cost Data</i> .	

TABLE 2

**Mine Sealing Bond Rate Guidelines
for Year 2016**

Sealing Bituminous Underground Mine Drift and Slope Openings

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Work	Cubic Yard	128.00
Masonry Work	Square Foot	11.00
Fill Material and Earthwork ³	Cubic Yard	23.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

Sealing Bituminous Underground Mine Shaft Openings

Concrete Material	Cubic Yard	96.00
Aggregate Material	Cubic Yard	27.00
Fill Material and Earthwork ³	Cubic Yard	4.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

Sealing Boreholes at Bituminous Underground Mines

<i>Dimension</i>	<i>Minimum Cost Per Hole (\$)</i>	<i>Unit Cost (\$) Per Lineal Foot</i>
12-Inch or Less Diameter	1,500	5.50
Larger Than 12-Inch Diameter	2,000	5.50

¹ Typically used for lining of ponds or ditches crossing fill material.

² Unit cost not from BAMR bids; includes dewatering, grading, topsoil placement and revegetation.

³ Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment, and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publication, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

TABLE 3

**Land Maintenance Financial Guarantee Fees
for Year 2017**

<i>Fee Category</i>	<i>Fee (\$)</i>
Publication	1,000.00
Administrative	300.00

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-432. Filed for public inspection March 10, 2017, 9:00 a.m.]

Extension of General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1387), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08).

The existing PAG-08 General Permit in effect at this time will expire on April 2, 2017. By this notice, the Department is administratively extending the PAG-08 General Permit to April 2, 2018, or the date of final renewal as published, whichever is earlier. Persons that are operating under the PAG-08 General Permit may continue to operate under its terms until the date final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-08. For those persons whose coverage expires during the extension period or for persons that require new coverage under the extended permit, coverage under the Administratively Extended PAG-08 General Permit will only be valid for persons that submit a timely and administratively complete Notice of Intent for a new or renewed approval to operate under PAG-08.

To access the General Permit and related documents, visit www.elibrary.dep.state.pa.us and select “Permit and Authorization Packages,” then “Point and Non-Point Source Management,” then “Biosolids,” then “General Permits” then “PAG-08.”

Questions regarding the PAG-08 General Permit for Beneficial Use of Biosolids by Land Application should be directed to Kevin Mcleary at kmcleary@pa.gov or (717) 787-8184.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-433. Filed for public inspection March 10, 2017, 9:00 a.m.]

Extension of General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1387), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07).

The existing PAG-07 General Permit in effect at this time will expire on April 2, 2017. By this notice, the

Department is administratively extending the PAG-07 General Permit to April 2, 2018, or the date of final renewal as published, whichever is earlier. Persons that are operating under the existing PAG-07 General Permit may continue to operate under its terms until the date final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-07. For those persons whose coverage expires during the extension period or for persons that require new coverage under the extended permit, coverage under the Administratively Extended PAG-07 General Permit will be valid for persons that submit a timely and administratively complete Notice of Intent for a new or renewed approval to operate under PAG-07.

To access the General Permit and related documents, visit www.elibrary.dep.state.pa.us and select “Permit and Authorization Packages,” then “Point and Non-Point Source Management,” then “Biosolids,” then “General Permits” then “PAG-07.”

Questions regarding the PAG-07 General Permit for Beneficial Use of Exceptional Quality Biosolids by Land Application should be directed to Kevin Mcleary at kmcleary@pa.gov or (717) 787-8184.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-434. Filed for public inspection March 10, 2017, 9:00 a.m.]

Extension of General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09).

The existing PAG-09 General Permit in effect at this time will expire on April 2, 2017. By this notice, the Department is administratively extending the PAG-09 General Permit to April 2, 2018, or the date of final renewal as published, whichever is earlier. Persons that are operating under the PAG-09 General Permit may continue to operate under its terms until the date final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-09. For those persons whose coverage expires during the extension period or for persons that require new coverage under the extended permit, coverage under the Administratively Extended PAG-09 General Permit will only be valid for persons that submit a timely and administratively complete Notice of Intent for a new or renewed approval to operate under PAG-09.

To access the General Permit and related documents, visit www.elibrary.dep.state.pa.us and select “Permit and Authorization Packages,” then “Point and Non-Point Source Management,” then “Biosolids,” then “General Permits” then “PAG-09.”

Questions regarding the PAG-09 General Permit for Beneficial Use of Residential Septage by Land Application should be directed to Kevin Mcleary at kmcleary@pa.gov or (717) 787-8184.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-435. Filed for public inspection March 10, 2017, 9:00 a.m.]

Interstate Pollution Transport Reduction; Proposed 2017 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice and an opportunity for comment concerning the proposed Nonelectric Generating Unit (non-EGU) 2017 Ozone Season Nitrogen Oxide (NO_x) emission limitations established in accordance with 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO_x trading programs). The 15-day public comment period will end on Monday, March 27, 2017.

Specifically, 25 Pa. Code § 145.8(d) establishes a non-EGU NO_x Trading Program budget of 3,619 tons of NO_x, less a specified adjustment amount, to serve as a Statewide Ozone Season NO_x emissions cap for new and existing non-EGUs. This NO_x emissions cap also applies to Clean Air Interstate Rule exempt EGUs that are subject to the NO_x Budget Trading Program. If total emissions from all of the units exceed the Statewide NO_x emissions cap of 3,438 tons, the owners and operators of non-EGUs must comply with the NO_x emission limitations established under 25 Pa. Code § 145.8(d). The proposed NO_x emissions limitations for individual units ensure that non-EGUs in this Commonwealth continue to meet the emission limits of the NO_x Budget Trading Program.

The Statewide cap for 2016 was not exceeded. Therefore, non-EGUs do not need to purchase allowances to meet their 2016 Ozone Season NO_x emission limitations established under 25 Pa. Code § 145.8(d). The preliminary NO_x emissions for the 2016 Ozone Season (May through September) reported to the United States Environmental Protection Agency by the owners and operators of the affected non-EGUs are 1,458 tons. The Department’s permanent retirement of 3,438 allowances under

25 Pa. Code § 145.8(b) covers all the NO_x emissions from the affected non-EGUs in 2016.

The NO_x emissions cap provides 181 tons of NO_x emissions for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NO_x Budget Trading Program; emissions from these units were below the 25-ton exemption threshold. Adjustments were also made for the permanent retirement of NO_x allowances due to generation of emission reduction credits. The Department will also use a portion of the 181 tons of the budgeted NO_x emissions, if necessary, to address mistakes or miscalculations. This year, the Department is proposing to use 71 tons of the 181 tons of NO_x for account adjustments, leaving 110 tons available for any additional adjustments at the end of the control period.

The Department made accounting adjustments for the following facilities:

Retired Units: Naval Surface Warfare Division Unit 98; Shenango Units Nos. 6 and 9 (the generation of emission offsets for small non-NO_x Budget Trading Program units resulted in a permanent NO_x accounting adjustment of 45 tons).

Exempt Units: The Naval Surface Warfare Division (Unit 100) has a 25-ton NO_x permit limit. The Naval Surface Warfare Division (Unit 99) has a 1-ton NO_x permit limit. These two exempt status units account for a total adjustment of 26 tons of NO_x emissions.

The following Proposed Non-EGU 2017 Ozone Season NO_x Emission Limits table lists the following: the facility name; ORIS code; the unit ID for each non-EGU unit; the NO_x rate in lb/MMBtu; the 2016 NO_x mass tons or the 2016 Ozone Season emissions; the heat input for the 2016 Ozone Season; the county location of the facility; the calculated 2017 rate; and the 2017 Ozone Season (OS) limit.

Interested persons may submit comments on the proposed non-EGU 2017 Ozone Season NO_x Emission Limits by Monday, March 27, 2017. Commentators are urged to submit comments using the Department’s eComment at www.ahs.dep.pa.gov/eComment. Written comments can be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063 or ecomment@pa.gov. Use “proposed non-EGU 2017 Ozone Season NO_x emission limits” as the subject line in written communication.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921 or ranbordner@pa.gov. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Table 1: Proposed Non-EGU 2017 Ozone Season NO_x Emission Limits

Facility Name	ORIS Code	Unit ID	NO _x Rate lb/MMBtu	2016 NO _x Mass Tons	Heat Input MMBtu	County	2017 Rate (lbs/MMBtu)	2017 OS Limit (Tons NO _x)
Armagh Compressor Station	880071	31301	0	0	0	Indiana	0.27	0
Bernville Station	880049	32001	0	0	0	Berks	0.27	0

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>NO_x Rate lb/MMBtu</i>	<i>2016 NO_x Mass Tons</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2017 Rate (lbs/ MMBtu)</i>	<i>2017 OS Limit (Tons NO_x)</i>
Domtar Paper Company, LLC	54638	40	0.4446	176.303	810,138.9	Elk	0.27	108
Domtar Paper Company, LLC	54638	41	0.4446	94.104	430,556.3	Elk	0.27	57
Entriiken Compressor Station	880072	31601	0	0	0	Huntingdon	0.27	0
Honeywell Resins & Chemicals, LLC	880007	52	0.078	31.456	806,633.9	Philadelphia	0.27	108
Kimberly-Clark Tissue Company	50410	34	1.5052	40.058	53,403.8	Delaware	0.27	7
Kimberly-Clark Tissue Company	50410	35	0.0685	67.062	2,080,014	Delaware	0.27	278
Merck & Company—West Point	52149	39	0.0803	9.421	232,274.2	Montgomery	0.27	31
Merck & Company—West Point	52149	40	0.0248	18.24	1,464,518	Montgomery	0.27	195
NextEra Energy MH50	50074	1	1.2625	0.507	1,806.076	Delaware	0.27	0
NextEra Energy Marcus Hook, LP	55801	AB01	0.023	6.188	539,124.7	Delaware	0.27	72
NextEra Energy Marcus Hook, LP	55801	AB02	0	0	0	Delaware	0.27	0
NextEra Energy Marcus Hook, LP	55801	AB03	0.0221	3.708	336,863.8	Delaware	0.27	45
NextEra Energy Marcus Hook, LP	55801	AB04	0.0249	5.456	438,306.1	Delaware	0.27	58
P H Glatfelter Company	50397	34	0.4723	279.771	1,181,121	York	0.27	158
P H Glatfelter Company	50397	35	0.4799	131.27	526,648.2	York	0.27	70
P H Glatfelter Company	50397	36	0.1995	121.011	1,228,263	York	0.27	164
Philadelphia Refinery	52106	150137	0.0414	17.382	844,619.6	Philadelphia	0.27	113
Philadelphia Refinery	52106	150138	0	0	0	Philadelphia	0.27	0
Philadelphia Refinery	52106	150139	0.0415	19.148	922,194.4	Philadelphia	0.27	123
Philadelphia Refinery	52106	150140	0.0414	21.249	1,030,673	Philadelphia	0.27	138
Philadelphia Refinery	52106	150145	0.0023	0.453	391,350.2	Philadelphia	0.27	52
Procter & Gamble Paper Products	50463	328001	0.1427	130.18	1,837,778	Wyoming	0.27	245
Procter & Gamble Paper Products	50463	328002	0.0087	7.376	1,970,503	Wyoming	0.27	263
Shermans Dale Station	880050	31801	0	0	0	Perry	0.27	0
Trainer Refinery	880025	33	0	0	0	Delaware	0.27	0
Trainer Refinery	880025	34	0.0046	1.751	764,397.7	Delaware	0.27	102
Trainer Refinery	880025	35	0.0052	1.938	753,081.6	Delaware	0.27	101

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<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>NO_x Rate lb/MMBtu</i>	<i>2016 NO_x Mass Tons</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2017 Rate (lbs/ MMBtu)</i>	<i>2017 OS Limit (Tons NO_x)</i>
US Steel (Clairton Coke)	50729	CLBLR1	0.1736	114.243	1,299,393	Allegheny	0.27	173
US Steel (Clairton Coke)	50729	CLBLR2	0.1319	88.153	1,221,892	Allegheny	0.27	163
US Steel (Edgar Thomson)	50732	ETBLR1	0.0265	25.338	1,577,441	Allegheny	0.27	211
US Steel (Edgar Thomson)	50732	ETBLR2	0.0234	11.538	1,005,629	Allegheny	0.27	134
US Steel (Edgar Thomson)	50732	ETBLR3	0.0245	15.69	1,359,533	Allegheny	0.27	181
Veolia Energy Philadelphia— Edison Sta	880006	1	0.3106	0.244	1,555.6	Philadelphia	0.27	0
Veolia Energy Philadelphia— Edison Sta	880006	2	0.289	0.01	70	Philadelphia	0.27	0
Veolia Energy Philadelphia— Edison Sta	880006	3	0.4626	0.136	927.2	Philadelphia	0.27	0
Veolia Energy Philadelphia— Edison Sta	880006	4	0.358	0.709	4,856.9	Philadelphia	0.27	1
Veolia Energy Philadelphia— Schuylkill	50607	23	0	0	0	Philadelphia	0.27	0
Veolia Energy Philadelphia— Schuylkill	50607	24	0	0	0	Philadelphia	0.27	0
Veolia Energy Philadelphia— Schuylkill	50607	26	0.0234	2.174	164,600.4	Philadelphia	0.27	22
Veolia Energy Philadelphia— Schuylkill	50607	RSB1	0.031	0.526	38,823.77	Philadelphia	0.27	5
Veolia Energy Philadelphia— Schuylkill	50607	RSB2	0.0123	0.399	67,445.58	Philadelphia	0.27	9
United Refining	880099	boiler 4	0.089	14.93	379,418	Warren	0.27	51
Naval Surface Warfare Division	880009	98	retired			Philadelphia	-	0
Naval Surface Warfare Division	880009	99	25-ton exemption (limit 1-ton)			Philadelphia	-	0
Naval Surface Warfare Division	880009	100	25-ton exemption (limit 25-ton)			Philadelphia	-	0
Shenango Incorporated	54532	6	long-term cold storage			Allegheny	-	0
Shenango Incorporated	54532	9	long-term cold storage			Allegheny	-	0
			Total	1,458.122	25,765,856			3,438

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 17-436. Filed for public inspection March 10, 2017, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Office Space to the Commonwealth Mercer County

Proposals are invited to provide the Department of General Services with 6,940 to 7,700 usable square feet of

office space for the Board of Probation and Parole in Mercer County. For more information on SFP No. 94879, which is due on Friday, May 5, 2017, visit www.dgs.pa.gov or contact David Weyandt at (717) 525-5255, daweyandt@pa.gov.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 17-437. Filed for public inspection March 10, 2017, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities), with the exception of 28 Pa. Code § 571.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 571.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Geisinger Endoscopy Montoursville currently operating as Susquehanna Endoscopy Center, LLC	28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery) (CPT Code 43750) 28 Pa. Code § 551.3 (relating to definitions), specifically subparagraph (ii) of the definition of “classification levels,” regarding Class B facilities PS III patients
Riddle Surgical Center, LLC	28 Pa. Code § 553.31 (relating to administrative responsibilities)

The following ASF is requesting an exception under 28 Pa. Code § 571.1. Requests for exceptions under this section relate to minimum standards that ASFs must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following includes the citation to the section under the *Guidelines* that the ASF is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Geisinger Endoscopy Montoursville currently operating as Susquehanna Endoscopy Center, LLC	3.9-3.1	Examination rooms	2014

All previously listed requests are 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 previously listed address. 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).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-438. Filed for public inspection March 10, 2017, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Corry Memorial Hospital	28 Pa. Code § 107.1 (relating to principle)
Millcreek Memorial Hospital	28 Pa. Code § 107.1
Sunbury Community Hospital	28 Pa. Code § 107.61 (relating to written orders)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Millcreek Community Hospital	2.1-2.6.1.1(2)	Administrative center or nurse station (support areas for nursing units and other patient care areas)	2014
	2.5-2.2.2.1	Capacity (rehabilitation nursing units)	2014
	2.6-2.2.2.2(1)	Space requirements (rehabilitation nursing units)	2014
	2.6-2.2.2.8	Patient storage (rehabilitation nursing units)	2014
	2.6-2.2.6.13	Examination room (support areas for the rehabilitation nursing units)	2014
UPMC St. Margaret	2.6-2.3.3	Personal services (barber/beauty) areas	2014
	2.6-2.2.2.7(1)	Patient bathing facilities (rehabilitation nursing units)	2014
Wayne Memorial Hospital	2.1-8.5.3.2	Size (TDRs)	2014
West Penn Hospital	3.11-6.2.3.2	Waiting areas	2014

All previously listed requests are 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 previously listed address. 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).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-439. Filed for public inspection March 10, 2017, 9:00 a.m.]

Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral (IHEARR) Act (11 P.S. §§ 876-1—876-9), will hold a public meeting on Tuesday, April 4, 2017. The meeting will be held at the Harrisburg PaTTAN Office, 6340 Flank Drive, Harrisburg, PA 17112 from 10 a.m. until 3 p.m. Agenda items will include updates about program operations, the newborn screening data system, cytomegalovirus and a presentation by an AGBell Academy board member on listening and spoken language.

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, contact Joseph Wagner, Program Administrator, Division of Newborn Screening and Genetics, (717) 783-8143. Speech and/or hearing impaired persons use V/TT (717)

783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-440. Filed for public inspection March 10, 2017, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(a) (relating to resident bedrooms):

Church of the Brethren Home
277 Hoffman Avenue
Windber, PA 15963
FAC ID # 032602

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Bala Nursing and Retirement Center
4001 Ford Road
Philadelphia, PA 19131
FAC ID # 041402

Centennial Healthcare and Rehabilitation Center
4400 West Girard Avenue
Philadelphia, PA 19104
FAC ID # 193902

Laurel Square Healthcare and Rehabilitation Center
1020 Oak Lane Avenue
Philadelphia, PA 19126
FAC ID # 131302

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 previously listed address.

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).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-441. Filed for public inspection March 10, 2017, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Thursday, March 30, 2017, from 10 a.m. to 3 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at the Giant Community Center, 2nd Floor, Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011.

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, contact Christine Bayuk, Program Administrator, Organ and Tissue Donation Program, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building,

Harrisburg, PA, (717) 787-6214, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-442. Filed for public inspection March 10, 2017, 9:00 a.m.]

Sexual Assault Victim Emergency Services Regulation Listing of Hospitals that may not Provide Emergency Contraception and Hospitals that may not Provide any Sexual Assault Emergency Services

The Department of Health (Department) published final-form sexual assault victim emergency services regulations at 38 Pa.B. 573 (January 26, 2008). The sexual assault victim emergency services regulations became effective on January 26, 2008, and amended 28 Pa. Code Part IV, Subpart B (relating to general and special hospitals) to add specific requirements for hospitals relating to the provision of sexual assault emergency services. See 28 Pa. Code §§ 117.51—117.58 (relating to sexual assault victim emergency services).

Hospitals that decide they may not provide emergency contraception due to a stated religious or moral belief contrary to providing this medication are required to give notice to the Department of the decision. See 28 Pa. Code § 117.57 (relating to religious and moral exemptions). Hospitals that refer all emergency patients to other hospitals after institution of essential life-saving measures and decide not to provide any sexual assault emergency services are required to give notice to the Department of the decision. See 28 Pa. Code § 117.58 (relating to exemption for hospitals providing limited emergency services).

Sections 117.57(1)(ii) and 117.58(1)(ii) of 28 Pa. Code state that the Department will annually publish the lists of hospitals in the *Pennsylvania Bulletin* that have chosen not to provide emergency contraception under 28 Pa. Code § 117.57 or any sexual assault emergency services under 28 Pa. Code § 117.58. The following lists are published in accordance with those provisions and do not create any new obligations for hospitals or relieve hospitals of any existing obligations.

Hospitals that may not Provide Emergency Contraception

Under 28 Pa. Code § 117.57(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide emergency contraception due to a stated religious or moral belief:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Holy Spirit Hospital	Camp Hill, 17011
Jersey Shore Hospital	Jersey Shore, 17740
Mercy Fitzgerald Hospital	Darby, 19023
Mercy Philadelphia Hospital	Philadelphia, 19143
Suburban Community Hospital	Norristown, 19401
Millcreek Community Hospital	Erie, 16509
Muncy Valley Hospital	Muncy, 17756

<i>Hospital Name</i>	<i>City, Zip Code</i>
Nazareth Hospital	Philadelphia, 19152
Physicians Care Surgical Hospital	Royersford, 19468
Regional Hospital of Scranton	Scranton, 18501
St. Joseph Medical Center	Reading, 19603
St. Mary Medical Center	Langhorne, 19047
UPMC Mercy Hospital	Pittsburgh, 15219
Williamsport Regional Medical Center	Williamsport, 17701

Hospitals that may not Provide any Sexual Assault Emergency Services

Under 28 Pa. Code § 117.58(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide any sexual assault emergency services due to the limited services provided by the hospital:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Allied Services Institute of Rehabilitation—Scranton	Scranton, 18501
John Heinz Institute of Rehabilitation Medicine—Wilkes-Barre	Wilkes-Barre Township, 18702
Millcreek Community Hospital	Erie, 16509
Physicians Care Surgical Hospital	Royersford, 19468
Rothman Orthopedic Specialty Hospital	Bensalem, 19020
Geisinger—Shamokin Area Community Hospital	Coal Township, 17866-9697
Kindred Hospital South Philadelphia	Philadelphia, 19145

Additional information regarding the sexual assault victim emergency services regulations and emergency contraception and an up-to-date list of hospitals not providing emergency contraception under 28 Pa. Code § 117.57 or not providing any sexual assault emergency services under 28 Pa. Code § 117.58 is available on the Department's web site at www.health.state.pa.us.

The notice in the *Pennsylvania Bulletin* or on the Department's web site of the lists of hospitals not providing emergency contraception under 28 Pa. Code § 117.57, or not providing any sexual assault emergency services under 28 Pa. Code § 117.58, may not be deemed an acknowledgement or confirmation by the Department that the hospitals are in compliance with the requirements of the regulations.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 783-8980, fax (717) 772-2163 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-443. Filed for public inspection March 10, 2017, 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, April 27, 2017, from 10 a.m. to 3 p.m. at the Radisson Hotel Harrisburg, 1150 Camp Hill Bypass, Camp Hill, PA 17011.

The SPBP Advisory Council will provide program guidance and recommendations to the SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; eligibility; and SPBP management.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact John Haines, Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Speech or hearing impaired persons contact V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without prior notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 17-444. Filed for public inspection March 10, 2017, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying acute care general hospitals that provide enhanced access to multiple types of medical care in economically distressed areas. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact, as a result of the intended funding allocation for these payments, is \$31.051 million (\$14.973 million in State general funds and \$16.078 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding these payments to the Department of Human Services, Office of Medical Assistance Programs,

c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider all comments received within 30 days in determining the final payment methodology for these payments.

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).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1121. (1) General Fund; (2) Implementing Year 2016-17 is \$14,973,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-445. Filed for public inspection March 10, 2017, 9:00 a.m.]

Medical Assistance Fee Schedule; Final Rates for Transition Service Coordination Administered Through Waivers

This notice announces the Department of Human Services (Department) final Medical Assistance (MA) fee schedule rates for Transition Service Coordination administered through the Aging, Attendant Care, COMMCARE, Independence and OBRA waivers (waivers) effective December 1, 2016.

Background

Effective December 1, 2016, the Department eliminated the four post-transition outcome payments for successful transition and monitoring, totaling \$2,500, at specified intervals during the participant's first year in the community, for participants in waivers and increased the MA fee schedule rates for Transition Service Coordination (procedure code W7337). Pre-transition services will be billed as Transition Service Coordination for waiver participants. This allows the Department to receive Federal Financial Participation for pre-transition services provided to participants in a waiver.

Fee Schedule Rates

Under 55 Pa. Code § 52.45(a) and (b) (relating to fee schedule rates), the Department has increased the MA fee schedule rate for Transition Service Coordination administered through the waivers.

The Transition Service Coordination rate (procedure code W7337) increased from \$10 per unit Statewide to the corresponding rates paid for Service Coordination (procedure code W1011).

Rate-Setting Methodology

The Department developed the final MA fee schedule rates using a standardized market-based rate setting methodology. Relevant market-based information used to

determine the fee schedule rates included Commonwealth-specific wage information from the Center for Workforce Information and Analysis, Occupational Wages by County, Bureau of Labor Statistics Employer Costs, cost surveys from providers, Medicare rate information and MA State Plan Fee Schedules.

Public Process

The Department published the "Changes to the Medical Assistance Fee Schedule" notice at 46 Pa.B. 6939 (October 29, 2016) announcing the proposed MA fee schedule rates and invited interested persons to submit comments. No comments were received by the Department in response to the proposed notice.

The final MA fee schedule rates are available on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcareprov/> or by contacting April Leonhard, Department of Human Services, Office of Long-Term Living at (717) 783-8412.

Fiscal Impact

The net fiscal impact is budget neutral. However, costs will shift between appropriations as a result of this change.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: HCBS Waiver Rate, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be considered in subsequent revisions to the fee schedule.

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).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1118. (1) General Fund;

(7) Long-Term Care; (2) Implementing Year 2016-17 is -\$459,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are -\$786,000; (4) 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; 2013-14 Program—\$820,409,000;

(7) Attendant Care; (2) Implementing Year 2016-17 is \$13,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$22,000; (4) 2015-16 Program—\$161,741,000; 2014-15 Program—\$137,229,000; 2013-14 Program—\$116,084,000;

(7) Services to Persons with Disabilities; (2) Implementing Year 2016-17 is \$196,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$335,000; (4) 2015-16 Program—\$339,077,000; 2014-15 Program—\$273,538,000; 2013-14 Program—\$233,104,000;

(7) Home and Community-Based Services; (2) Implementing Year 2016-17 is \$250,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$429,000; (4) 2015-16 Program—\$261,945,000; 2014-15 Program—\$132,951,000; 2013-14 Program—\$225,008,000;

(8) recommends adoption. The net fiscal impact would be budget neutral. Costs would shift between appropriations as a result of this change.

[Pa.B. Doc. No. 17-446. Filed for public inspection March 10, 2017, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Special Reports and Requests for Data

The Health Care Cost Containment Council (Council), according to the act of July 8, 1986 (P.L. 408, No. 89), as re-enacted and amended by the act of July 17, 2003 (P.L. 31, No. 14) and the act of June 10, 2009 (P.L. 10, No. 3), is required to publish a list of all special reports and data that have been prepared during the previous calendar year. The following represents a summary of the reports and requests for data generated by the Council in calendar year 2016. The list of data fields that are included in the standard public use files are located in PDF files posted on the Council's web site at www.phc4.org (select "Services," then "Data Requests," then "Data Descriptions"). Questions about procedures for obtaining access to Council data should be addressed to JoAnne Z. Nelson, Supervisor of Special Requests, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, (717) 232-6787, jnelson@phc4.org.

Applicant and Project Description

Agency for Healthcare Research & Quality—Jenny Schnaier

Statewide 2015 and first quarter 2016 inpatient discharge and inpatient revenue detail datasets and 2015 ambulatory/outpatient procedure and outpatient revenue code detail datasets with derived fields (number of days from admission to procedure, days to admission and age) to be used in the Healthcare Cost and Utilization Project (HCUP), which uses the data for multiple databases, reports, and tools and products. The HCUP databases enable research on a broad range of health policy issues, including cost and quality of health services, medical practice patterns, access to health care programs, and outcomes of treatments at the National, regional, State and local levels.

Allegheny County Health Department—LuAnn Brink, PhD, MPH

A standard regional 2006 through 2015 inpatient discharge dataset for Region 1 to be used for surveillance, research and targeted intervention.

Allied Services—Robert Cole

Standard regional third quarter 2014 through second quarter 2015 inpatient discharge datasets for Region 6 to be used to perform market share analysis to determine Allied Services primary market and to understand the post-acute market share Allied Services has at various levels of care for various diagnostic groups.

Bucknell University—Amy Wolaver

Standard Statewide 2011, 2013 and 2014 inpatient discharge datasets to link with other publicly available data that will be used for health policy research and education purposes by faculty and students as part of classroom activities. The students may create descriptive

statistics as part of constructed exercises and perform multivariate analyses to identify factors affecting inpatient discharges and health outcomes. Aggregated data results may be published on the Internet or used in classes through Geographic Information System applications to examine the impact of socioeconomic status of patients and hospitals neighborhood on hospitalizations and outcomes. Associations between physical environmental risks and hospital outcomes will also be researched.

California Nurses Association—Daniel Johnston

Standard Statewide 2003 through 2013 inpatient discharge datasets will be used with data from other states for a study, The Efficacy of Health Information Technology on Hospital Inpatient Discharges. The study will use discharge data with Health Information Technology (HIT) data from the Healthcare Information and Management Systems Society and Medicare Cost Report data to determine the efficacy of HIT by examining patient outcomes at the hospital level before and after HIT implementation. The results of the study will be presented in a written study and published on the Internet.

Capital BlueCross—David Resek

Standard facility second through fourth quarter 2015 inpatient discharge datasets for four hospitals: Geisinger Medical Center/Danville, Chambersburg Hospital, St. Luke's Hospital/Bethlehem and Waynesboro Hospital. Capital BlueCross (CBC) will use the data with Agency for Healthcare Research and Quality (AHRQ) Quality Indicators Windows Software to calculate Patient Safety Indicators as a component of their hospital quality program. The program is available to CBC-contracted hospitals in their 21-county service area. For audit purposes, CBC plans to warehouse the data to support the hospital quality program since part of the program provides financial incentives to participating hospitals that meet or exceed quality criteria defined in the program.

Capital Health—Jeremye Cohen

Standard regional 2015 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 8 and 9 to be used for Capital Health's planning purposes for their health system to assist in determining public demand.

Community Health Systems—Tomi Galin

Standard Statewide 2015 inpatient discharge and ambulatory/outpatient procedure datasets to be used to understand Community Health Systems' communities' specific health care needs, areas of underservice and with high risk for specific disease, defining health care demand to support planning, illustrate access issues to develop outreach programs or eliminate service. The data will be used to determine whether primary care services and appropriate access are satisfied within a defined market area.

Coordinated Health—Amy Nyberg

Standard Statewide 2015 inpatient discharge and ambulatory/outpatient procedure datasets to be used for analysis of service areas and market share within the defined service areas.

DataBay Resources—Mary Ann Augustine

Standard Statewide third quarter 2015 through second quarter 2016 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue detail datasets to be combined with other all-payer health care data to be used to produce various aggregate report files distributed by DataBay's Navigate system (PC-based) and

NavigateNet system (Internet-based) that are offered as health care software products to its customers. The reports can be by product line, service area, hospital or health system, physician or physician group, or both, which can include market share, patient origin, use rates, charges, surgery detail, payer mix, patient demographics, diagnosis/procedure distribution, refinement, and the like.

DeSales University—Craig Durie

A custom fourth quarter 2014 through 2015 inpatient discharge dataset of cases with certain conditions in seven specified hospitals and all other records for the patients hospitalized for any reason at any hospital with a derived field (number of days to next admission). The data will be used to compare readmission rates between hospitals with a palliative program and hospitals without a palliative program. Findings from the project will provide a better understanding of the need for palliative medicine in hospitals lacking a program and the impact of existing programs. The data will help the palliative care community better understand what portion of the patient population is having a palliative care encounter, which may support the development of a palliative telemedicine program between tertiary and rural hospitals.

DLP Memorial Medical Center—Carrie Arcurio

Standard Statewide 2015 and first quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets to be used to internally evaluate DLP Memorial Medical Center's current performance, its competitor's performance and future opportunities. They will be able to illustrate current market share and to enhance various other planning tools such as budgets and 5-year plans.

Drexel University Dornsifes School of Public Health—Ana Diez Roux

Standard regional 2014 inpatient discharge and ambulatory/outpatient procedure datasets for Region 9 to be used for a pilot study to examine neighborhood-level social and spatial variations in hospitalization rates, overall and by specific diagnoses, hospitalization and outpatient procedure costs, length of hospital stay and hospital readmission rates across Philadelphia.

Evangelical Community Hospital—Nicole Miller

Standard regional third quarter 2012 through first quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets for Region 4 to be used to conduct an internal study of Evangelical Community Hospital's market share and gain a better understanding of the population it serves.

Excelsa Health—Allison Panosky

Standard Statewide third quarter 2013 through first quarter 2016 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used to compute quarterly inpatient and outpatient market share reports developed by Excelsa Health's consultant, DataBay.

Geisinger Health System—Rachel Manotti

Standard Statewide 2012 through third quarter 2015 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used for market share analysis on patient origin, payer mix and distribution, patient demographics, diagnosis/procedure distribution, physician profile, and distribution and trend analysis reports developed by Geisinger Health System's consultant, DataBay.

Good Shepherd Rehab Network—John Grecner

Standard regional first and second quarter 2015 inpatient discharge datasets for Regions 4–9 and third quarter 2014 through second quarter 2015 inpatient discharge datasets for Region 1 to be used for internal analysis for Good Shepherd Rehab Network's services.

Harvard Medical School & Ariadne Labs—Neel Shah

A custom 1995 through 2010 inpatient discharge dataset of mother delivery records from hospitals located in Philadelphia County linked with the Department of Health (Department) 1995 through 2010 birth certificate data to be combined with other Department's statistic reports for a study, Investigating the Impact of Hospital Obstetric Occupancy on Health Outcomes and Utilization. The study will examine hospital occupancy and maternal and neonatal outcomes, and analyze the impact of hospital obstetric volume on obstetric outcomes.

HCR ManorCare—Kenneth Kang

Standard Statewide second quarter through fourth quarter 2015 inpatient discharge and 2015 ambulatory/outpatient procedure datasets to be used to assess the needs of residents in HCR ManorCare's skilled nursing facilities across this Commonwealth.

Highmark—Chris Antonucci

Standard Statewide 2015 inpatient discharge and ambulatory/outpatient procedure datasets to be used to assess market utilization dynamics and create business strategies to provide better services to Highmark's members. Trends in health care will be analyzed to help manage overall health care experience including accessibility, locations and value of services.

Hospital & Healthsystem Association of Pennsylvania—Martin Ciccocioppo

Standard Statewide second quarter 2015 through first quarter 2016 inpatient discharge and inpatient revenue detail datasets, and 2015 financial data and 2014 restated financial data reports to be used to conduct ongoing monitoring of Statewide, regional and hospital-specific quality outcomes, primarily utilizing AHRQ quality indicators. The Hospital & Healthsystem Association of Pennsylvania (HAP) may, from time to time, release the aggregate results of its quality monitoring research. HAP intends to host MONAHRQ for member-only use on its private web site and host a limited version as a public consumer quality and cost transparency web site.

A modified custom second quarter 2015 through first quarter 2016 inpatient discharge readmission analysis data report of hospitals' 7-day and 30-day readmission rates for any reason on all discharges to be used to provide Centers for Medicare & Medicaid Services (CMS) with Hospital Innovation Improvement Network rates of readmissions.

IMS Health—Paul Reuscher

Standard Statewide 2015 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be combined with other State data and used to estimate diagnoses and procedure volume at the National and facility level, which will be accessible to IMS's clients. Their clients will use the information to track trends in diagnoses and procedures (regionally and Nationally), identify facilities that would be appropriate sites for clinical trials based on procedure/diagnosis volume or to better allocate resources based on procedure/diagnosis volume, or both.

J.C. Blair Memorial Hospital—Jason Hawkins

A custom third quarter 2013 through second quarter 2014 inpatient discharge dataset of cases for patients from specific zip codes to be used to study a possible Sole Community Hospital designation and may involve looking at the out-migration of patients within the hospital's primary service area.

John Majeska

A custom fourth quarter 2008 through second quarter 2011 inpatient discharge data report of the number of laparoscopic robotic assisted procedures performed by two specified physicians to be used to compare with information provided by the physicians.

Lancaster General Health—David Jani/Jeffrey Stofko

Standard Statewide second through fourth quarter 2015 ambulatory/outpatient procedure datasets to be used to understand demand and utilization for ambulatory surgery in this Commonwealth.

Lancaster General Research Institute—Michael A. Horst, PhD

Standard 2003 through 2015 Statewide inpatient discharge datasets to be used for a study, A Novel Approach to Optimal Placement of New Trauma Centers within an Existing Trauma System Using Geospatial Mapping. The study will examine the volume of trauma patients to determine placement of future trauma centers to provide maximal access to quality definitive care, and disseminate geospatial mapping techniques and models to the Pennsylvania Trauma Systems Foundation to direct the future advancement and development of Statewide trauma system.

Lehigh Valley Health Network—Stephen L. Christopoulos

Standard Statewide second quarter 2015 through first quarter 2016 inpatient discharge datasets to be used for service area analyses, competitive analyses, product line trends and analyses, and incidence rate comparisons and trends for program development. The data will additionally be used for: research population based health issues, to promote health and well-being of targeted vulnerable populations; internal quality control research; internal resource utilization research; support development of continuum of care research; and community-based health needs that target chronic illnesses.

Los Angeles Biomedical Institute—Rie Sakai Bizmark, MD, MPH, PhD

A custom 2000 through first quarter 2001, 2004 through first quarter 2005, 2008 through first quarter 2009, and 2011 through first quarter 2015 inpatient discharge dataset of cases for pediatric patients who underwent cardiac surgery in 2000, 2004, 2008, and 2011 through 2014 with derived fields (cardiac diagnosis count, cardiac procedure count and age category) and indicators (in-hospital death and procedure type). The data will be used for a study, Study on Regionalization of Care for Pediatric Patients with Congenital Heart Disease, funded by the American Heart Association. The study will examine changes in pediatric cardiac surgical interventions and evaluate the impact of regionalization on outcomes of cardiac care for pediatric patients. The study report will be disseminated by presentations and publications in international conferences and journals.

McKinsey & Company—Anton Urbanas

Standard regional 2012 and first and second quarter 2015 inpatient discharge and ambulatory/outpatient pro-

cedure datasets for Region 1 to be used to create a comprehensive research on Pennsylvania hospitals efficiency and benchmark them against each other and their own benchmarks (from other sources). This work will help McKinsey & Company to approach many of their clients and help them to improve financial health and sustainability as well as find additional funds for quality enhancing investments.

Mount Nittany Health—Alicia Shearer

A custom third quarter 2014 through second quarter 2015 inpatient discharge dataset of cases who reside in Blair, Centre, Clearfield, Clinton, Huntingdon or Mifflin County to be used for internal market share analysis.

Nemours/Alfred I. duPont Hospital for Children—Stacey Milunsky

Custom 2015 through first quarter 2016 inpatient discharge and ambulatory/outpatient procedure data report of cases for patients less than 18 years of age with derived data (age group, payer group and type of DRG indicator) to be used to understand the competitive composition of inpatient and outpatient/ambulatory market to assist in decision making and considerations for Nemours strategic vision over the next several years.

Nemours/Alfred I. duPont Hospital for Children—Vanessa Short, PhD, MPH

A custom 2005 through first quarter 2015 inpatient discharge dataset of mother's delivery and newborn birth cases of in-hospital births during 2005 through 2014 linked with 2005 through 2014 birth certificate data from the Department with derived data (number of days to birth from prenatal care visit, neonatal intensive care unit indicator and length of stay) to be used for a study, A Description of Neonatal Abstinence Syndrome: A Population Level Study in Pennsylvania. The study's aims are to estimate the change in the number of infants diagnosed with neonatal abstinence syndrome, to describe maternal and infant clinical and hospitalization characteristics of infants diagnosed with neonatal abstinence syndrome, and to explore the relationship between breastfeeding and hospital length of stay among infants diagnosed with neonatal abstinence syndrome.

New Solutions, Inc.—Nancy Erickson

A custom 2015 inpatient discharge dataset of cases for patients originating from New Jersey or Bucks, Lehigh, Monroe, Northampton, Philadelphia, Pike and Wayne Counties to be used to risk adjust and produce reports used by New Solutions for consulting and providing market share analysis to their hospital clients.

O'Conco Healthcare Consultants—Paul L. Chiafullo

A custom 2014 and 2015 inpatient discharge dataset of New Jersey residents admitted to Pennsylvania hospitals to be merged with other states' data and used for consulting purposes. The data will be developed into summary reports on utilization rates, market share and benchmark comparisons of clinical, cost and revenue (charge) information for O'Conco Healthcare's clients. The data will also be included in their Primary Analysis web-based report generation tool, which allows O'Conco's clients and employees to create summary reports using nonconfidential data.

Ohio Valley Medical Center—Kelly Bettem

Standard regional 2013 and 2014 inpatient discharge dataset for Region 1 to be used to complete a market share study of oncology patients in their primary and secondary markets, and determine the outmigration of

patients from their primary and secondary markets for oncology care and treatment.

OptumInsight—Holli Boetcher

Standard Statewide 2014 inpatient discharge dataset to be used to provide hospital quality and efficiency information that will help consumers make more informed decisions about where to seek care and to provide health care professionals with comparison reports. The data will be summarized by hospital and medical procedure/condition to provide information such as cost, length of stay, mortality, complications and volume. The aggregated information will be provided in a reporting tool to health plans for use by their members.

Pennsylvania Department of Health—Arlene G. Seid, MD, MPH, FACPM, CMQ

A third quarter 2014 through second quarter 2015 custom inpatient discharge dataset of cases with pressure ulcer conditions and standard Statewide inpatient revenue code detail dataset to be used to examine specific ICD-9 codes and associated procedure codes to assist in the Department's development of a recommendation regarding reporting requirements specific to pressure ulcers.

Custom third quarter 2014 through 2015 ambulatory/outpatient procedure data reports on the number of procedures performed at ambulatory surgery centers to be used to inform decision for requests for exception to ambulatory surgical regulations that the Department receives.

Pennsylvania Department of Health—Carolyn Byrnes

A modification to a previous request for additional data of a custom 2015 inpatient discharge data report on the number of septicemia cases by age group to be used to understand the scope of sepsis in this Commonwealth.

Pennsylvania Department of Health—Charles Howsare

Standard Statewide 2000 through 2014 inpatient discharge datasets to be used as part of the Department's viral hepatitis prevention and surveillance efforts. A Statewide hepatitis C profile will be created to inform stakeholders about the changing distribution of the disease and risk factors, especially in light of the recent opioid and heroin epidemic. The information will be created as a public education tool to inform policymakers, health care providers and the general public. Complementary publications may include vulnerability assessment, conference presentations or scientific manuscripts.

Pennsylvania Department of Health—Cynthia Malinen

A custom 2015 inpatient discharge dataset of Statewide records. The Violence and Injury Prevention Program will use the data to prepare injury prevention statistical reports, monographs and fact sheets to respond to requests for aggregate injury data at the State and local levels, and to provide the Department's Bureau of Epidemiology with a dataset for analysis.

Pennsylvania Department of Health—Lauren Hughes, MD

A modification to a prior request for custom 2011 through 2014 inpatient discharge and ambulatory/outpatient procedure data reports to be used to understand market characteristics of hospitals for developing innovative strategies that will lead to better health, better care and smarter spending.

A custom 2011 through 2014 financial data report on the payer's share of inpatient revenue, outpatient revenue, days and outpatient visits by facility to be used to inform health innovation in rural areas in this Commonwealth.

Pennsylvania Department of Health—Lori Gutierrez

Custom 2012 through 2014 inpatient discharge data reports on the number of septicemia cases by age group to be used by the Department to review the number of pediatric cases with sepsis and number of in-hospital deaths to be presented to the Secretary of Health for a potential public health initiative.

Pennsylvania Department of Health—Patrick Keating

Custom 2013 and 2014 inpatient discharge data reports of heart failure, nonfatal traumatic brain injuries, nonfatal spinal cord injuries, hip fractures, asthma and obstetric cases by age groups and race/ethnicity groups to be used as part of the Department's web page series containing State and local data that correspond to the Healthy People 2020 topics/objectives, as developed by the Centers for Disease Control and Prevention (CDC).

Pennsylvania Department of Health—Stephen Mucoli

Standard Statewide 2013 through 2015 inpatient discharge and ambulatory/outpatient procedure datasets to be used to support the recently implemented Prescription Drug Monitoring Program. Drug related hospitalizations will be examined with total hospitalizations and analyzed to create statistical reports, fulfill grant requirements, monitor program progress, identify needs, evaluate the impact of drug overdose prevention activities and respond to requests for aggregate data at the local or State level.

Pennsylvania Department of Health—Vadim Drobin, MD, MPH

Custom inpatient discharge datasets of 2014 through 2015 asthma, carbon monoxide poisoning and heat stress-related hospitalization cases and 2000 through 2015 acute myocardial infarction (AMI) and chronic obstructive pulmonary disease (COPD); hospitalization cases with ethnicity indicators by age group, county, gender and race to be used in the National Environmental Public Health Tracking Network. The data will be provided to the CDC to be used with other health outcomes data, exposure and bio-monitoring data, and environmental hazards and environmental monitoring data to be displayed in aggregate form on CDC's public portal and analyzed to provide valid scientific information on environmental exposure and adverse risk of health conditions to drive actions that will improve the health in communities.

Custom inpatient discharge data reports of 2001 through 2015 AMI and chronic obstruction pulmonary disease and 2014 through 2015 asthma, carbon monoxide poisoning and heat-stress related hospitalization rates by year of admission, age and gender to be used as part of the Pennsylvania Environmental Public Health Tracking Program (PA EPHT). The PA EPHT integrates and analyzes environmental hazards, exposures and health effects to provide information on environmental exposure and adverse risk of health conditions to drive actions that improve the health of communities. Pennsylvania hospitalization and other data will be aggregately displayed through tables, graphs and maps on the Department's public portal web site.

Pennsylvania Department of Human Services—Allen Fisher

A custom third quarter 2013 through second quarter 2014 inpatient discharge dataset of cases with a major diagnostic category 14 or 15 from general acute care hospitals to be used to calculate payments to hospitals for obstetrical and neonate services.

A custom third quarter 2013 through second quarter 2014 inpatient discharge dataset of verified self-pay records and 2012 through 2014 financial data report of a 3-year average percent of uncompensated care to be used to compute payments to hospitals for the Hospital Uncompensated Care and Extraordinary Expense Programs established under the Tobacco Settlement Act of 2001.

Pennsylvania Department of Human Services—Ronald Foster

A custom 2014 financial data report of hospitals to be used by Department of Human Services' (DHS) consultant, Sellers Dorsey, to prepare a report that identifies current hospital reimbursement rates by payer for the Secretary of DHS.

Pennsylvania Office of Attorney General—Tracy W. Wertz

Standard Statewide second through fourth quarter 2015 inpatient discharge, ambulatory/outpatient procedure, inpatient revenue and ambulatory/outpatient revenue code detail datasets, and 2015 financial data report to be used for a review of hospital mergers to ensure that the mergers are in compliance with antitrust laws. These data will also be shared with the Federal Trade Commission (FTC) to be used for hospital merger investigations that are conducted jointly with the FTC.

Penn Highlands Healthcare—Gregory P. Bauer

Standard Statewide 2014 through first quarter 2016 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets will be used for market share reports developed by Penn Highlands Healthcare's consultant, DataBay, which Penn Highlands will use the information in preparation of strategic plans as well as in the development of physician recruitment plans.

Penn State College of Medicine—Christopher S. Hollenbeak, PhD

A custom 2012 through first quarter 2015 inpatient discharge dataset of Pennsylvania adult resident cases from acute care hospitals and their associated 30-day readmission records with derived fields (number of days to admission and admissions within 30-day indicator) to be used for a research study, Trends in Readmissions for Hospitalized Patients with Diabetes in Pennsylvania. The study will identify trends and determinants of readmission for hospitalized patients for a host of conditions including diabetes. The goal of the study is to design an intervention to reduce hospital readmissions for those with diabetes.

Penn State College of Medicine—Marco D. Huesch, MBBS, PhD

A custom 2007 through 2015 inpatient discharge dataset for cases that received extracorporeal membrane oxygenation (ECMO) therapy with 30-day readmissions and associated laboratory data with derived fields (number of days to admission and index record indicator) to be used for an academic research study, which will determine risk stratification criteria of ECMO in this Commonwealth.

Penn State Hershey Health System—Craig Mancina

Standard Statewide 2011 through 2015 inpatient discharge datasets to be loaded into the Advisory Board Market Innovation Center to provide Penn State Hershey Health System with analysis of patient movements, strategic planning and disease analysis for the betterment of health care services provided by Penn State Hershey Health System.

Pennsylvania eHealth Partnership Authority—David Grinberg

Custom first quarter 2015 through second quarter 2015 Statewide inpatient discharge and ambulatory/outpatient procedure custom datasets with derived data fields (number of days to next admission or visit, or both) to be used to establish baseline measurements of health care delivery quality in an effort to better identify and measure any future impact various health information exchange based interventions have on the quality of health care delivery.

Pennsylvania Patient Safety Authority—Ellen Deutsch

Custom 2006 through 2015 inpatient and ambulatory/outpatient data reports on the number of nerve block procedures performed by facility and quarter/year to be used for a project conducted jointly with members of the Pennsylvania Society of Anesthesiologists, which is addressing risk mitigation factors for wrong site anesthesia blocks. This information may be published as a Pennsylvania Patient Safety Advisory article or in other documents.

Pennsylvania Patient Safety Authority—Howard Newstadt

A custom second through fourth quarter 2015 hospital data report by year to be used in combination with the Pennsylvania Patient Safety Authority's (PSA) PA-PSRS (medical error report) to produce facility specific and aggregate medical error rate data to improve PSA's analytic capabilities, thereby supporting PSA's overall mission.

Pennsylvania Patient Safety Authority—James Davis

Custom 2005 through 2015 inpatient data reports on the number of procedures performed in an operating room by facility and quarter/year to be used to establish a rate for retained surgical items in this Commonwealth. This information will be used in an article to be published in the Pennsylvania Patient Safety Advisory publication.

Pennsylvania Patient Safety Authority—Mary C. Magee

A custom third quarter 2004 through second quarter 2015 inpatient discharge and ambulatory/outpatient procedure data report on the total number of eye-related procedures by procedure code to be used to calculate incidence rates of eye-related procedures in this Commonwealth for an article that will be published in an upcoming Pennsylvania Patient Safety Advisory publication.

Pennsylvania Patient Safety Authority—Susan C. Wallace

Custom 2014 through 2015 inpatient discharge and ambulatory/outpatient procedure data reports on the number of procedures performed in an operating room by facility and quarter/year to be used to establish a rate for retained surgical items in this Commonwealth. This information will be used in an article to be published in the Pennsylvania Patient Safety Advisory publication.

Pratter, Inc.—Bill Hennessey, MD

Standard Statewide 2015 and first quarter 2016 ambulatory/outpatient revenue code detail datasets to be used to educate health care consumers and consult with businesses in need of affordable health care options. The information will be displayed by facility as an average charge per procedure on Pratter's web site.

Philadelphia Inquirer—Tom Avril

Standard regional third quarter 2012 through 2014 inpatient discharge datasets for Regions 8 and 9 to be used for reporting on health care and quality in southeastern Pennsylvania.

A custom 2009 through 2014 inpatient discharge data report on a subset of cases to be used for writing a newspaper article about median lengths of stay for patients following heart surgery.

Pittsburgh Regional Health Initiative—Keith T. Kanel, MD

A custom second quarter 2011 through third quarter 2015 inpatient discharge dataset of cases originating from hospitals located within Region 1, 2 or 3 with derived fields (number of cases and comorbidities, number of days to admission, complication and condition indicator and race group) to be used to study hospital readmission rates of cases with target diseases as part of Pittsburgh Regional Health Initiative's (PRHI) Primary Care Resource Center Project, which is to focus efforts on improving health care safety and quality and plan initiatives for improving health care in the southwestern, Pennsylvania region for patients with chronic diseases.

A custom first quarter through third quarter 2015 inpatient discharge data report of 30-day age-adjusted and sex-adjusted readmission rates on AMI, COPD and congestive heart failure (CHF) conditions for hospitals (Butler Memorial, Conemaugh Valley, Indiana Regional, Monongahela Valley, Sharon Regional, Uniontown, UPMC St. Margaret Hospital) and western Pennsylvania to be used to track changes in readmission rates that may be attributable to a multi-dimensional PRHI intervention to improve care for patients with COPD, AMI and CHF in western Pennsylvania hospitals.

Reading Hospital and Medical Center—Daniel Ahern

Standard Statewide 2011 through 2015 inpatient discharge, ambulatory/outpatient procedure, and inpatient and outpatient revenue code detail datasets to be used to track historic volumes and market shares in Reading Hospital's system area and other areas will be examined for potential expansion of services. The data will be utilized through DataBay's user-friendly tool to identify trends and analyze market activity by payer mix, patient age mix and service line distribution.

Reinvestment Fund—Michael Norton

Standard regional 2012 through 2014 inpatient discharge datasets for Region 9 to use to evaluate the number of hospitalizations in Philadelphia for conditions related to residential housing quality. Reinvestment Fund will collect data on the number of individuals whose health is adversely impacted by the maintenance of their home and is partnering with organizations in Philadelphia to evaluate the need for home repair services designed to improve the health and quality of life of residents.

Renzi Podiatry/Save Your Soles Campaign—Ronald M. Renzi, DPM

Custom 2015 and first quarter 2016 inpatient discharge datasets for patients who reside in Bucks, Chester, Delaware, Montgomery or Philadelphia County to be used for the Save Your Soles Campaign program sponsored by Abington Memorial Hospital Innovators Foundation, which is to reduce amputations in the Philadelphia area. The number of amputations will be measured/counted by county and zip code, to locate areas with high numbers of amputations and to track patients with risk factors for amputation to evaluate prevention strategies.

Service Employees International Union Healthcare PA—Andrea Weaver

Standard facility 2015 inpatient discharge datasets for UPMC and Susquehanna Health hospitals to be used for research health care pricing in this Commonwealth.

SG-2, LLC—Nicole Cumarich

Standard Statewide 2015 inpatient discharge and ambulatory/outpatient procedure datasets to be used in SG-2's online platform applications and desktop tools, and summary reports. The data will be used in their Market Forecast Tool and State Data Analysis Tool software that was developed to support their client hospitals' long-term and short-term operational and strategic planning efforts. These tools enable their clients to develop 10-year health services demand forecasts by clinical area and geography, to provide them with the ability to project and meet future demands by determining the appropriate allocation of resources and to improve both the quality and availability of health care in the communities they serve.

Summit Health—Stephanie Foote

Standard Statewide 2015 and first quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets to look at trends and monitor Summit Health's market share and analyze their service lines.

Susquehanna Health System—Brian Engel

Standard regional second through fourth quarter 2015 and first quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 2, 4, 5 and 6 to be provided to Healthgrades to be loaded into a Customer Relationship Management database that Healthgrades hosts and maintains on behalf of Susquehanna Health. Healthgrades will use this information for the purpose of reporting market share and trend analysis to Susquehanna Health.

Truven Health Analytics—Katherine Blumhardt

Standard Statewide second through fourth quarter 2015 and first quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets to be used to process, standardize and distribute to Truven Health Analytics clients (hospitals, health networks, government agencies, health care providers, payers, consultants and vendors) through proprietary decision tools, benchmark databases, research, custom studies and other associated products by Internet or PC/CD based, which provide utilization market share, service demand, outcome indicators, assistance in resource allocation and in evaluating benefit plans.

University of Illinois Urbana-Champaign—Sarah Gajdura

A custom 2007 through 2012 inpatient discharge dataset for cases of patients who reside in Potter, Tioga, Bradford, Susquehanna, Wyoming, Sullivan, Lycoming or Clinton County to be used as part of a study investigating

the effect of shale gas development on respiratory health. Inpatient records will be geocoded and matched with nearby unconventional horizontal gas wells. Using a difference and difference framework, the number of per capita admissions for respiratory-related ailments will be compared to areas with no shale gas well, with the pre- and post-treatment periods being before and after the individual well is drilled. The counterfactual in this experiment will be New York counties that did not experience fracking due to the state fracking ban.

University of Pennsylvania—Brian Bayes

Custom 2013 through second quarter 2015 inpatient discharge dataset of cases who were enrolled in a random controlled trial linked with 2014 through 2015 mortality data from the Department with derived fields (intensive care unit indicator and length of stay, number of days to admission and death) to be used for a study, A Randomized Trial of Default Options in Advance Directives. The study is a prospective randomized controlled trial to examine whether structuring advance directives to request comfort-oriented goals of care by default improves patients' quality of life and reduces resource utilization without reducing the number of days that patients are alive and living outside of an acute care hospital.

University of Pennsylvania—Dan Polsky

Standard Statewide 2014 financial dataset and 2013 through first quarter 2015 inpatient discharge and ambulatory/outpatient procedure datasets to be used for a research project, Smarter Big Data for a Healthy Pennsylvania: Changing the Paradigm of Healthcare, which is focused to improve the health of Pennsylvanians at an individual, community and population level by changing the paradigm of medical care and health care delivery to predicting and preventing onset, exacerbation and advancement of disease, and to train minority students in research. The data will provide complementary information to the other combined administrative claims, medical record data, wearable monitor data and social media data that is used to predict clinical events in the hospital, home and community. The financial data will be used to calculate aggregate prices from Council inpatient and outpatient data, which will assist in understanding costs and community level factors that can influence health. Council data along with census and Behavioral Risk Factor Surveillance System (BRFSS) data will be linked with social media data at the community level to build and validate a tool to monitor and predict high morbidity health conditions and real-time dynamic health events among Pennsylvanians. Estimates from the county level and zip code social media tweets will be correlated to prevalence estimates derived from Council, census and BRFSS data for select health conditions.

University of Pennsylvania—David N. Karp

A custom 2011 Statewide inpatient discharge dataset with derived fields (number of days to admission and death) linked with the 2011 through 2012 mortality data files from the Department to be combined with American Hospital Survey and United States Census Bureau's American Community Survey information for a study, The Geography of Healthcare. The study will examine utilization patterns by geographic service areas for emergency care sensitive conditions and ambulatory care sensitive conditions to assess quality and outcomes relative to baseline performance indicators, and evaluate process measures.

University of Pennsylvania—Linda Aiken

Custom 2013 through 2015 Statewide inpatient discharge datasets with derived fields (number of days to admission and death) linked with 2013 through 2015 mortality data files from the Department will be combined with Census socioeconomic status data, nurse survey data and CMS Hospital Compare information to be used for a study, Panel Study of Effects of Changes in Nursing on Patient Outcomes. The study will examine the impact of the change in nursing factors over time on nursing and patient outcomes in hospitals and to determine the effect of nursing resources on patient outcomes in nursing homes and home care using new cross sectional data.

University of Pennsylvania—Matthew L. Williams, MD

Custom 2004 through 2014 inpatient discharge datasets of cases with an ECMO procedure linked with 2004 through 2014 National Limited Access Death Master data files with derived fields (number of days to procedure and death) to be used to study ECMO use in this Commonwealth to evaluate the current utilization of this technology and evaluate survival outcomes in a variety of clinical settings. The study results will be presented in academic journal publications.

University of Pennsylvania—Meeta Prasad Kerlin, MD, MSCE

A modification to a previous request, which was a custom 2008 through 2009 inpatient discharge dataset of patients admitted to all types of intensive care units and patients with a mechanical ventilation procedure merged with Medicare data from CMS, for the probability of death field. The data will be used for a research study, The Role of Physician Factors in Outcomes of Mechanically Ventilated Patients. The object of the study is to define the relationship between individual physician experience and the outcomes of mechanically ventilated patients. The study has two specific aims: 1) to determine the association of physician experience with outcomes of mechanically ventilated patients; and 2) to determine the relative contributions of individual physician experience and hospital volume in outcomes of mechanically ventilated patients.

University of Pennsylvania—Shreya Kangovi, MD

A custom third quarter 2013 through third quarter 2015 inpatient discharge records of cases who enrolled in Individualized Management towards Patient-Centered Targets (IMPACT) with a derived field (number of days to admission) to be used for a study, Effectiveness of Collaborative Goal-setting versus IMPACT Community Health Worker Support for IMPACT Primary Care. The effectiveness of clinician will be compared with community health worker support for helping chronically-ill, low-social economic status patients to improve control of chronic conditions.

University of Pennsylvania School of Nursing—Rachel Kelz

Standard Statewide 2012 and 2013 inpatient discharge and ambulatory/outpatient procedure datasets to use to identify provider factors that lead to variations in surgical patient outcomes across both inpatient and outpatient settings. The data will be linked with the American Medical Association Master file from the American Medical Association and Hospital Compare from CMS to gain a better understanding of the unique contributions of each provider characteristic that will assist providers

with their quality improvement initiatives and hiring decisions. The association between provider characteristics (surgeon descriptors and residency program, hospital descriptors) and clinical outcomes (mortality, complications, prolonged length of stay and failure to rescue) will be evaluated and the association between provider characteristics and financial outcomes (length of stay, total cost of hospitalization and discharge status).

University of Pittsburgh—Christina Mair

A standard Statewide 2000 through 2015 inpatient discharge dataset to combine with Pennsylvania crime data, United States Census data with pharmacy density and density of manual labor industries information to examine contextually and temporally specific patterns of the opioid epidemic in this Commonwealth. The data will be used to measure the growth and spread of opioid abuse, dependence and overdose in this Commonwealth over the past 20 years and to assess the relative contribution and temporal patterning of ecological factors to the growth.

University of Pittsburgh—Chunzhe Duan

A custom 2007 through 2014 inpatient discharge dataset of cases with an asthma diagnosis to be used for a study funded by the EPHT to explore the association between air pollution, social behavioral factors and unconventional natural gas well development with asthma hospitalization.

University of Pittsburgh—Jonathan Elmer, MD

A 2004 through third quarter 2015 custom inpatient discharge and ambulatory/outpatient procedure dataset of cases of patients who enrolled in a UPMC-wide post-arrest registry and standard Statewide inpatient and outpatient revenue code detail datasets with derived fields (number of days to admission/visit) to be used for a study, Cause of Death and Hospital Readmission Rates in Cardiac Arrest Patients that Survive to Hospital Discharge: An Analysis of a Regional Healthcare System. The datasets will be used to evaluate the variability in care delivered and outcomes in patients successfully resuscitated from out-of-hospital cardiac arrest in a large health system. Research results from the study will be submitted for presentation at a National scientific meeting and for publication in a peer-reviewed medical journal.

University of Pittsburgh Medical Center—Matthew W. Michaels

Standard Statewide second through fourth quarter 2015 and first and second quarter 2016 inpatient discharge and ambulatory/outpatient procedure datasets to be used to produce various research reports including: patient origin for UPMC hospitals, UPMC market share in various geographies and for various service lines, utilization trends in volume and market share over different time periods, and physician volumes at UPMC and other hospitals.

University of Rochester—Donna L. Beyea

Standard Statewide 2003 through 2006 inpatient discharge and ambulatory/outpatient procedure datasets to use for a number of research projects. The Health Consequences of Shale Gas Development study will enhance knowledge of the impacts of pollution on human health and the impact of the introduction of shale gas development. The ACA and Hospital Mergers and Acquisitions: Impacts on Patient Care study will use the data combined with other states' data to assess access to care, quality of care and changes in patterns of care after the Affordable Care Act.

University of the Sciences—Mona L. Fiorentini

A custom third quarter 2011 through second quarter 2012 inpatient discharge data report of the total number of cases by race and gender for each hospital to be used for a doctoral dissertation. The data will be used to study whether or not there is a correlation between the number of nursing aides and inpatient falls.

UPMC Hamot—Carrie Ennis

Standard Statewide third quarter 2014 through second quarter 2015 inpatient revenue code detail datasets to be used to better understand intensive care unit utilization in the region served by UPMC hospitals. The primary use of the data will be to determine an appropriate number of Intensive Care Unit beds to include in UPMC Hamot's campus master plan. The data may also be used for internal analysis specific to other UPMC projects over the course of the next year. All use of the data will be restricted to the UPMC Strategic Planning Department. Resultant analyses are likely to be shared at a summary report level with UPMC internal audiences (management, executive leadership and Board of Directors).

Wayne Memorial Hospital—Jack Dennis

Standard regional 2014 inpatient discharge dataset for Region 6 to be used with other data for conducting a community health needs assessment for Pike and Wayne Counties and surrounding underserved communities.

WellSpan Health—David Kimpel

Standard regional 2015 inpatient discharge and ambulatory/outpatient procedure datasets for Regions 5 and 7 and facility 2013 through 2015 inpatient discharge datasets for two facilities, Hospital of the University of Pennsylvania and Pennsylvania Hospital of the University of Pennsylvania Health System, to be used for an internal assessment of the delivery of health care services within WellSpan Health's region and the local impact of large (out of region) academic health systems. Service area utilization and analysis are the primary purpose to obtain the data.

White House Office of National Drug Control Policy—Megan Catlin

A custom 2007 through third quarter 2015 inpatient discharge data report of cases with a drug poisoning diagnoses by year and quarter for each diagnosis will be used as part of an early warning mechanism for the National Security Council and White House about the continued impact of the heroin crisis in this Commonwealth and similar states. The data will stay exclusively within the Executive Branch for purposes of monitoring interim progress towards larger National Heroin Coordination Group goals and objectives and briefing senior staff persons.

Windber Medical Center—Kim Marley, MD

Standard regional 2014 inpatient discharge dataset for Region 1 to provide market data that may be used to determine the extent Windber Medical Center wants to invest in expanding an orthopedic surgery program. The data will be used to identify the market potential as well as the types of procedures that are performed in the market as well potential outmigration. The data will also be used to determine the level of investment, and the like, how many doctors are needed to develop and support the ongoing operations of the program.

Women & Children's Health Alliance—Jacob Peltzman

A standard facility 2015 ambulatory/outpatient procedure dataset for the Children's Hospital of Philadelphia,

Abington Surgical Center and St. Christopher’s Hospital for Children to use to compare the cost of care at pediatric providers in Women & Children’s Health Alliance’s area to make sure their newly formed pediatric clinical network is a low cost provider before making the claim. The data will be analyzed to help them ensure that they are a low cost provider of pediatric care in the area and make care more affordable. The data will be used internally and for discussions with payers as they begin to negotiate risk based contracts for their network.

Yale Center for Outcomes Research & Evaluation—Harlan Krumholz

Standard Statewide 2010 inpatient discharge dataset to use for two studies: 1) Examining Health, Healthcare and Non-Healthcare Factors Associated with Population Well-Being; and 2) Developing Novel Analytic Approaches for

Analyzing Big Data Healthcare Questions: Yale Big Data to Knowledge (BD2K) Research Center. For the first project, the data will be combined with other aggregated data by geographical proximity to study the emotional health and well-being of a population and its association with adult hospitalization rates. For the second project, which is ongoing, the data will be added to their data repository to develop and deliver methodological approaches for particular classes of outcomes research questions applied to large complex datasets.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 17-447. Filed for public inspection March 10, 2017, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at www.irrc.state.pa.us.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-312	Pennsylvania Public Utility Commission Reduce Barriers to Entry for Passenger Motor Carriers	2/23/17	4/20/17

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 17-448. Filed for public inspection March 10, 2017, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Robert O. Collins; Doc. No. SC17-02-017

Notice is hereby given of the Order to Show Cause issued on February 27, 2017, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: section 611-A(4), (7), (9), (17), (19) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(4), (7), (9), (17), (19) and (20)).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require

an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-449. Filed for public inspection March 10, 2017, 9:00 a.m.]

Health Maintenance Organization Certificate of Authority Application Filed by Spartan Plan PA, Inc.

On November 4, 2016, Spartan Plan PA, Inc. filed an application with the Department of Health and the Insurance Department for a certificate of authority to establish, operate and maintain a health maintenance organization (HMO) under the Health Maintenance Organization Act (40 P.S. §§ 1551—1567), Department of Health HMO regulations (28 Pa. Code §§ 9.631—9.654) and the Insurance Department HMO regulations (31 Pa. Code §§ 301.1—301.204).

The proposed service areas of the applicant are Allegheny, Bucks, Chester, Delaware, Erie and Montgomery Counties.

A copy of the application is available for public inspection, by appointment only, at the following locations:

Department of Health
Bureau of Managed Care
Room 912, Health and Welfare Building
Harrisburg, PA 17109-0900
(717) 787-5193

Insurance Department
Company Licensing Division
1345 Strawberry Square
Harrisburg, PA 17120
(717) 787-2735

Interested parties are invited to submit written comments to William Wiegmann, Department of Health or Cressinda Bybee, Insurance Department at the previously listed addresses. Persons who wish to submit written comments regarding the application may do so within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Persons with disabilities may submit information and comments through alternative formats, such as audio tape, Braille or using the Department of Health TDD, (717) 783-6514. Persons with a disability requesting alternative forms may contact William Wiegmann to make the necessary arrangements.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-450. Filed for public inspection March 10, 2017, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Daniell Hoffman; File No. 17-116-206014; Mid-Century Insurance Company; Doc. No. P17-02-012; April 6, 2017, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at a 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.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-451. Filed for public inspection March 10, 2017, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to Administrative Rules of Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Nancy Wright; File No. 17-116-206134; American Modern Select Insurance Company; Doc. No. P17-02-010; April 11, 2017, 9:30 a.m.

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.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-452. Filed for public inspection March 10, 2017, 9:00 a.m.]

Workers' Compensation Security Fund Assessment: Notice 2017-02 (Revision)

An error occurred in the notice published at 47 Pa.B. 1108 (February 18, 2017). The year in the third paragraph was incorrect and is corrected as follows.

The Insurance Department (Department) has determined that no contributions will be required for the Workers' Compensation Security Fund (Fund).

Section 9(1) of the Workers' Compensation Security Fund Act (act) (77 P.S. § 1059(1)) states "[i]f, due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require

contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000." As of the evaluation of December 31, 2016, the balance of the fund exceeded \$500,000,000.

Therefore, insurers writing workers' compensation insurance in this Commonwealth will not be required to submit any contributions for the Fund in 2017.

The act may be viewed at www.ncigf.org (select "Resources," then "Publications," then a link under "Guaranty Fund Laws") and 31 Pa. Code Chapter 165 (relating to Workers' Compensation Security Fund) may be viewed at www.pacode.com. Additional information regarding the Fund is located on the Department's web site at www.insurance.pa.gov.

No acknowledgement of this notice is required.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 17-453. Filed for public inspection March 10, 2017, 9:00 a.m.]

OFFICE OF ADMINISTRATION

Notice of Minimum Wage Increase Pursuant to Executive Order 2016-02 Establishing a Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts

Executive Order 2016-02, Establishing a Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts, was signed by Governor Tom Wolf on March 7, 2016. The Executive Order raised the hourly minimum wage paid to employees of Commonwealth agencies under the Governor's jurisdiction and by contractors to workers performing work on or in connection with covered State contracts to \$10.15 per hour, beginning July 1, 2016; and beginning January 1, 2017, and annually thereafter, an amount determined in accordance with the methodology set forth in the Executive Order. Pursuant to the Executive Order, notice is hereby given that beginning July 1, 2017, the Executive Order minimum wage rate that generally must be paid to Commonwealth employees under the Governor's jurisdiction and workers performing work on or in connection with covered state contracts will increase to \$10.20 per hour.

This notice is effective on March 1, 2017.

SHARON P. MINNICH,
Secretary

[Pa.B. Doc. No. 17-454. Filed for public inspection March 10, 2017, 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 (Commission). Formal protests and petitions

to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 27, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2017-2587786 (Amended). Frank L. Morris (2626 Derry Street, Harrisburg, PA 17111) in limousine service, from points in Dauphin County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2017-2589298. Medic Transit, Inc., t/a Medic Transit (45 City Avenue No. 523, Bala Cynwyd, Montgomery County, PA 19004) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return.

A-2017-2589300. ANJ Transportation, LLC (640 South Avenue, Apartment L8, Secane, Delaware County, PA 19018) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2017-2589746. Lower Valley Ambulance Service (222 Herron Avenue, P.O. Box 13, Cheswick, Allegheny County, PA 15024) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, in wheelchair and stretcher vans, from points in the Counties of Allegheny, Armstrong, Butler and Westmoreland, to points in Pennsylvania, and return.

A-2017-2589836. Marcly Transit, LLC (5126 Arch Street, First Floor—Front, Philadelphia, Philadelphia County, PA 19139) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2017-2589969. Irene Navarro and Deanna Douglas, Co-Partners (1924 Powell Drive, Chambersburg, Franklin County, PA 17201) in paratransit service, between points in Franklin County.

A-2017-2591032. Showtime Entertainment Services, LLC (220 School Bus Road, Somerset, Somerset County, PA 15501) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Somerset County, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2017-2589839. Blue Collar Movers, LLC, t/a You Move Me (209 Cherry Hill Road, Nazareth, Northampton

County, PA 18064) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Counties of Lehigh and Northampton, to points in Pennsylvania, and return.

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-2017-2588909. BME Transit, LLC (213 Veronica Drive, Pittsburgh, Allegheny County, PA 15235) for a brokerage license evidencing the Commission's approval of the right and privilege to operate as a broker, to arrange for the transportation of persons between points in Pennsylvania; limited to persons seeking transportation to or from correctional institutions.

Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2017-2590199. Jess Transportation, LLC (1500 Fairmont Avenue, Pittsburgh, Allegheny County, PA 15221) discontinuance of service and cancellation of their certificate—persons, in limousine service, from points in the County of Allegheny, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-455. Filed for public inspection March 10, 2017, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due March 27, 2017, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Timothy Hulings, t/a Hulings Express; Docket No. C-2017-2585212

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Timothy Hulings, t/a Hulings Express, (respondent) is under suspension effective January 11, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 149, Rome, PA 18837.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 13, 2015, at A-8918060.

4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918060 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/25/17

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
 Services
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of
 Investigation and Enforcement v. Dwane A. Folta,
 t/a Main Event Party Limited;
 Docket No. C-2017-2585215**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Dwane A. Folta, t/a Main Event Party Limited, (respondent) is under suspension effective January 12, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1 Knox Street, Johnstown, PA 15906.

3. That respondent was issued a Certificate of Public Convenience by this Commission on July 20, 2016, at A-6418339.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6418339 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/25/17

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmpltResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 17-456. Filed for public inspection March 10, 2017, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 17-023.1, Backfill and Closure of Deck at Piers 38 and 40 "Garden Area," until 2 p.m. on Wednesday, April 5, 2017. Information (including mandatory prebid information) can be obtained from www.philaport.com under "Our Port," then "Procurement" or call (215) 426-2600.

JEFF THEOBALD,
Executive Director

[Pa.B. Doc. No. 17-457. Filed for public inspection March 10, 2017, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Robyn Bik Oggier; Doc. No. 0213-45-17; File No. 17-45-00611

On February 7, 2017, Robyn Bik Oggier, cosmetology license No. CO261764, last known of Pittsburgh, Allegheny County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Cosmetology, P.O. Box 69523, Harrisburg, PA 17106-9523.

STEPHEN A. WALLIN,
Chairperson

[Pa.B. Doc. No. 17-458. Filed for public inspection March 10, 2017, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Heather H. Brown, RN; Doc. No. 0606-51-15; File No. 14-51-08961

On February 8, 2017, Heather H. Brown, RN, license No. RN322389L, last known of Downingtown, Chester County, was suspended for no less than 3 years retroactive to April 8, 2015, based on violating the terms of a previous State Board of Nursing order.

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-459. Filed for public inspection March 10, 2017, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Jodie L. Majerik, LPN; File No. 14-51-14351; Doc. No. 1230-51-15

On February 7, 2017, Jodie L. Majerik, LPN, Pennsylvania license No. PN288537, last known of Erie, Erie County, had her practical nursing license indefinitely suspended, retroactive to August 20, 2015, for being addicted to alcohol or hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination so long as the dependence shall continue.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

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.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-460. Filed for public inspection March 10, 2017, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Kimberly Knarr Mollica, LPN; File No. 14-51-14359; Doc. No. 1333-51-15

On June 17, 2016, Kimberly Knarr Mollica, LPN, Pennsylvania license No. PN251858L, last known of Danville, Montour County, had her practical nursing license indefinitely suspended, retroactive to September 2, 2015, for being addicted to alcohol or hallucinogenic or

narcotic drugs or other drugs which tend to impair judgment or coordination so long as the dependence shall continue.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

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.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 17-461. Filed for public inspection March 10, 2017, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. David P. Coury; Doc. No. 0019-60-2017; File No. 16-60-14667

On January 5, 2017, David P. Coury, license No. MV184076, last known of Carnegie, Allegheny County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P.O. Box 69523, Harrisburg, PA 17105-2649.

DANIEL A. SALTZGIVER,
Chairperson

[Pa.B. Doc. No. 17-462. Filed for public inspection March 10, 2017, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's requests concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

April 5, 2017	Mary Jane L. Book Disability Application Issue	1 p.m.
April 12, 2017	Barbara C. Allerton Retirement Covered Compensation	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DAVID E. DURBIN,
Secretary

[Pa.B. Doc. No. 17-463. Filed for public inspection March 10, 2017, 9:00 a.m.]