

# PENNSYLVANIA BULLETIN

Volume 41

Number 28

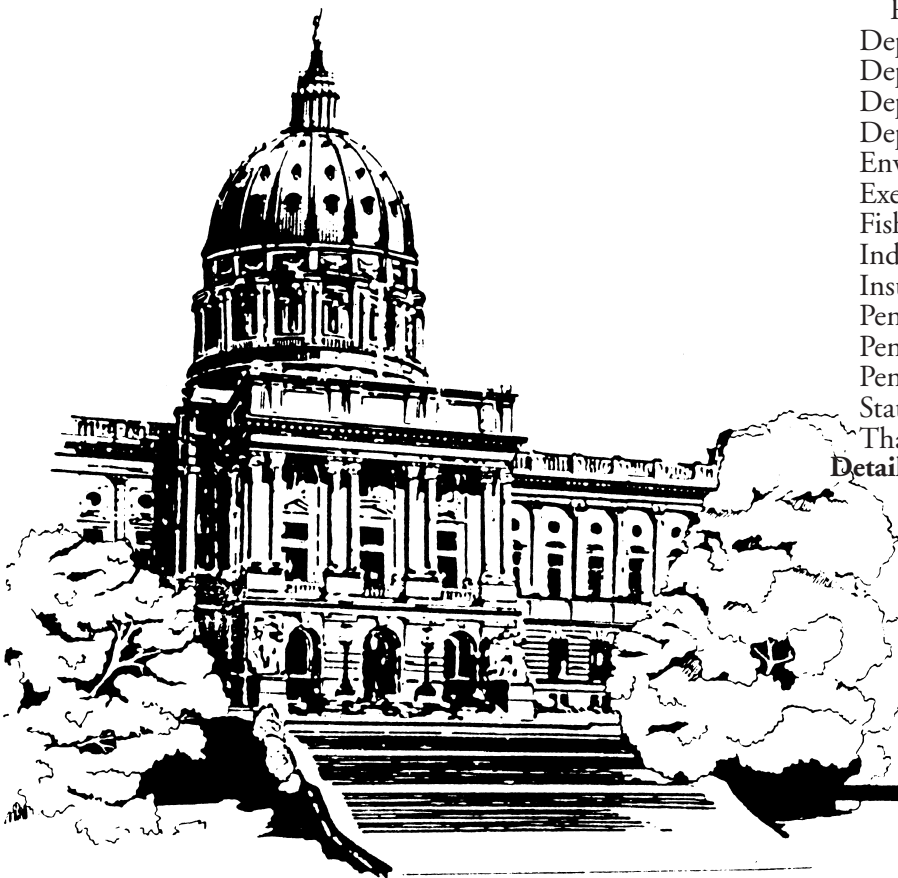
Saturday, July 9, 2011 • Harrisburg, PA

Pages 3709—3800

## Agencies in this issue

The General Assembly  
The Courts  
Delaware River Basin Commission  
Department of Banking  
Department of Community and Economic  
Development  
Department of Conservation and Natural  
Resources  
Department of Environmental Protection  
Department of Health  
Department of Revenue  
Department of Transportation  
Environmental Quality Board  
Executive Board  
Fish and Boat Commission  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Gaming Control Board  
Pennsylvania Public Utility Commission  
Pennsylvania Stimulus Oversight Commission  
State Real Estate Commission  
Thaddeus Stevens College of Technology

Detailed list of contents appears inside.



**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 440, July 2011**

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**BULLETIN**

(ISSN 0162-2137)

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

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# CONTENTS

## THE GENERAL ASSEMBLY

Recent actions during the 2011 regular session of the General Assembly .....	3718
--	------

## THE COURTS

### PHILADELPHIA RULES

Adoption of Countywide Booking Center Plan; president judge administrative order no. 2011-02 ....	3730
---	------

### RULES OF CIVIL PROCEDURE

Amendments to the rules of civil procedure relating to domestic relations matters; recommendation 112 .....	3719
---	------

### RULES OF JUDICIAL ADMINISTRATION

Adoption of rules 1920—1922 of the rules of judicial administration; no. 366 judicial administration doc. ....	3719
--	------

## EXECUTIVE AGENCIES

### DELAWARE RIVER BASIN COMMISSION

#### Notices

Meeting and public hearing .....	3735
----------------------------------	------

### DEPARTMENT OF BANKING

#### Notices

Actions on applications .....	3737
Mortgage Licensing Act licensee record retention period .....	3738

### DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

#### Notices

Weatherization Assistance Program's proposed state plan .....	3738
---	------

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Conservation and Natural Resources Advisory Council meeting .....	3739
---	------

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices .....	3739
Request for comments on the proposed total maximum daily loads (TMDLs) developed for the West Branch Mahantango Creek Watershed in Snyder and Juniata Counties Pennsylvania .....	3780

### DEPARTMENT OF HEALTH

#### Notices

Applications for exception:	
Allegheny General Hospital .....	3780
Center for Aesthetics and Cosmetic Surgery .....	3781
Divine Providence Hospital .....	3781
Doylestown Hospital .....	3781
Janet Weis Children's Hospital .....	3782

Memorial Hospital Outpatient Endoscopy Center ..	3782
Miners Medical Center .....	3782
Windber Medical Center .....	3782
Health Policy Board meeting cancellation .....	3783
Long-term care nursing facilities; requests for exception .....	3783

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania Casino Cash '11 instant lottery game	3783
Pennsylvania Phillies™ instant lottery game; change to game rules .....	3786
Pennsylvania Stacks of Cash '11 instant lottery game .....	3787
Pennsylvania 10X The Money '11 instant lottery game .....	3789

### DEPARTMENT OF TRANSPORTATION

#### Notices

Bureau of maintenance and operations; access route approval (2 documents) .....	3792
---	------

### ENVIRONMENTAL QUALITY BOARD

#### Notices

Meeting cancellation .....	3792
----------------------------	------

### EXECUTIVE BOARD

#### Statements of Policy

Reorganization of the Department of General Services .....	3733
--	------

### FISH AND BOAT COMMISSION

#### Notices

Triploid grass carp permit application .....	3792
--	------

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

Notice of comments issued .....	3793
Notice of filing of final rulemakings .....	3794

### INSURANCE DEPARTMENT

#### Notices

Alleged violation of insurance laws; Brian Reid Johnson and The Valley Forge Insurance Group, Inc.; doc. no. SC11-06-022 .....	3794
Metropolitan Life Insurance Company; rate increase filing for several TIAA-CREF LTC forms .....	3794
Review procedure hearings under the Unfair Insurance Practices Act .....	3795
Senior Health Insurance Company of Pennsylvania; rate increase filing for several LTC forms .....	3795
TIAA-CREF Life Insurance Company; rate increase filing for several TIAA-CREF LTC forms .....	3795
Travelers Home and Marine Insurance Company; homeowners; rate revision .....	3796
United Services Automobile Association; USAA Casualty Insurance Company; private passenger automobile; rate revision .....	3796

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**PENNSYLVANIA GAMING CONTROL BOARD**

**Proposed Rulemakings**

Table game rules for Minibaccarat, Midibaccarat  
and Baccarat (correction) ..... 3732

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**

Service of notice of motor carrier applications ..... 3796

**PENNSYLVANIA STIMULUS OVERSIGHT  
COMMISSION**

**Notices**

Public meeting ..... 3799

**STATE REAL ESTATE COMMISSION**

**Notices**

Bureau of Professional and Occupational Affairs v.  
Coleen M. Brown; file no. 07-56-01498 ..... 3799

Bureau of Professional and Occupational Affairs v.  
Joanne M. Nelson; file no. 09-56-05088 ..... 3799

Bureau of Professional and Occupational Affairs v.  
David A. Rogers; file no. 07-56-06725 ..... 3800

Bureau of Professional and Occupational Affairs v.  
Harold N. Thompson; file no. 05-56-00269 ..... 3800

**THADDEUS STEVENS COLLEGE OF  
TECHNOLOGY**

**Notices**

Request for bids ..... 3800

# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

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

### **Citation to the *Pennsylvania Bulletin***

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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#### **Printing Format**

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

#### **Fiscal Notes**

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

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

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# List of Pa. Code Chapters Affected

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

## 1 Pa. Code (General Provisions)

**Adopted Rules**  
1 ..... 2686

## 4 Pa. Code (Administration)

**Adopted Rules**  
6 ..... 1754

## Statements of Policy

9 ..... 522, 614, 1784, 3100, 3733

## 7 Pa. Code (Agriculture)

**Adopted Rules**  
59 ..... 2540  
59a ..... 2540

## Proposed Rules

144 ..... 2123

## Statements of Policy

28c ..... 351

## 25 Pa. Code (Environmental Protection)

**Adopted Rules**  
78 ..... 805  
86 ..... 3084  
87 ..... 3084  
88 ..... 3084  
89 ..... 3084  
90 ..... 3084  
93 ..... 1335  
105 ..... 219  
129 ..... 229  
250 ..... 230, 840, 1458  
901 ..... 3187

## Proposed Rules

901 ..... 1173

## 31 Pa. Code (Insurance)

**Adopted Rules**  
39 ..... 592  
39a ..... 592  
84b ..... 599  
84c ..... 600  
84d ..... 601  
118a ..... 602

## 34 Pa. Code (Labor and Industry)

**Adopted Rules**  
61 ..... 844  
63 ..... 3094  
65 ..... 848

## 49 Pa. Code (Professional and Vocational Standards)

**Adopted Rules**  
5 ..... 2845  
20 ..... 16  
37 ..... 2847  
43b ..... 2853, 2856

## Proposed Rules

27 ..... 1337  
42 ..... 1909

## 52 Pa. Code (Public Utilities)

**Adopted Rules**  
62 ..... 30

## Proposed Rules

59 ..... 1020  
1001 ..... 435  
1003 ..... 435  
1005 ..... 435  
1011 ..... 435  
1013 ..... 435  
1015 ..... 435  
1017 ..... 435  
1019 ..... 435  
1021 ..... 435  
1023 ..... 435  
1025 ..... 435  
1027 ..... 435  
1029 ..... 435  
1051 ..... 435  
1053 ..... 435  
1055 ..... 435  
1057 ..... 435  
1059 ..... 435  
1061 ..... 435  
1063 ..... 435  
1065 ..... 435

## Statements of Policy

41 ..... 3009

## 55 Pa. Code (Public Welfare)

**Statements of Policy**  
6000 ..... 352

## 58 Pa. Code (Recreation)

**Adopted Rules**  
51 ..... 2437  
53 ..... 2438  
63 ..... 2950  
65 ..... 2950  
95 ..... 2438  
111 ..... 2438  
131 ..... 2687  
135 ..... 1621, 1764  
139 ..... 2688  
141 ..... 1622, 1623, 1765, 2694, 2695, 2696,  
2697, 2698, 2699  
143 ..... 2700  
147 ..... 1624, 1764, 1766, 1767  
401a ..... 2439  
421a ..... 2439  
439a ..... 2439  
440a ..... 2439  
441a ..... 2439  
451a ..... 2439  
465a ..... 2439  
481a ..... 2439  
501a ..... 2439  
503a ..... 2439  
521 ..... 234  
523 ..... 2952  
525 ..... 234, 1897, 2329, 2952  
531 ..... 1897

535 ..... 234, 1897, 2329  
 537 ..... 234, 2952  
 539 ..... 1897  
 541 ..... 234, 2952, 2962  
 543 ..... 234, 2329, 2962  
 545 ..... 234, 2952  
 549 ..... 234, 1897, 2329  
 553 ..... 2329  
 557 ..... 2962  
 559 ..... 2962  
 561 ..... 1897  
 563 ..... 1897  
 565 ..... 234, 2329  
 569 ..... 234, 2962  
 571 ..... 2952, 2962

**Proposed Rules**

51 ..... 2971  
 53 ..... 2978  
 61 ..... 2444  
 63 ..... 2444, 2976  
 65 ..... 2447, 2976  
 97 ..... 2975, 2978  
 111 ..... 2978  
 131 ..... 1633  
 139 ..... 1634  
 141 ..... 1625, 1626, 1627, 1629, 1631  
 143 ..... 1625  
 147 ..... 2701  
 401a ..... 1018, 2581  
 405a ..... 1018  
 423a ..... 1903  
 433a ..... 1903  
 435a ..... 1903  
 436a ..... 1903  
 461a ..... 2581  
 465a ..... 2581  
 467a ..... 2581  
 513a ..... 1903  
 521 ..... 1769, 2581  
 523 ..... 238  
 524 ..... 605  
 525 ..... 2581  
 526 ..... 1769  
 527 ..... 1769  
 528 ..... 605  
 529 ..... 605  
 531 ..... 3000  
 533 ..... 3000  
 535 ..... 2981  
 537 ..... 2981  
 539 ..... 2981  
 541 ..... 3196, 3732  
 543 ..... 3196, 3732  
 545 ..... 3196, 3732  
 567 ..... 3000  
 601a ..... 1769  
 603a ..... 238  
 605a ..... 605  
 609a ..... 1769  
 611a ..... 1769  
 613a ..... 605  
 615a ..... 605  
 617a ..... 3000

619a ..... 3000  
 621a ..... 2981  
 623a ..... 2981  
 625a ..... 2981  
 627a ..... 3196, 3732  
 629a ..... 3196, 3732  
 631a ..... 3196, 3732  
 651a ..... 3000

**61 Pa. Code (Revenue)**

**Adopted Rules**

1001 ..... 41

**Statements of Policy**

60 ..... 3543

**67 Pa. Code (Transportation)**

**Adopted Rules**

83 ..... 46

**201 Pa. Code (Rules of Judicial Administration)**

**Adopted Rules**

19 ..... 3719

**204 Pa. Code (Judicial System General Provisions)**

**Adopted Rules**

29 ..... 1894  
 71 ..... 1895  
 83 ..... 331, 2119, 2932, 3526  
 85 ..... 1757  
 211 ..... 1894

**Proposed Rules**

83 ..... 2517

**207 Pa. Code (Judicial Conduct)**

**Adopted Rules**

51 ..... 332

**Proposed Rules**

115 ..... 1332

**210 Pa. Code (Appellate Procedure)**

**Adopted Rules**

11 ..... 923  
 15 ..... 1999  
 63 ..... 923, 2837  
 67 ..... 1456, 2413

**Proposed Rules**

1 ..... 2212  
 9 ..... 2212  
 19 ..... 2212  
 27 ..... 2212

**225 Pa. Code (Rules of Evidence)**

**Proposed Rules**

I ..... 2795  
 II ..... 2795  
 III ..... 2795  
 IV ..... 2795  
 V ..... 2795  
 VI ..... 2795  
 VII ..... 2795  
 VIII ..... 2795  
 IX ..... 2795  
 X ..... 2795



**231 Pa. Code (Rules of Civil Procedure)**

**Adopted Rules**

200 ..... 7, 214, 215, 333  
 1000 ..... 3526  
 1920 ..... 1758  
 3000 ..... 333  
 4000 ..... 334  
 Part II ..... 336

**Proposed Rules**

200 ..... 2314  
 1000 ..... 2315  
 1300 ..... 2316  
 1910 ..... 1617, 1618, 1619, 3527  
 1915 ..... 3719  
 Part II ..... 2932

**234 Pa. Code (Rules of Criminal Procedure)**

**Adopted Rules**

1 ..... 1999  
 3 ..... 1759  
 4 ..... 1167  
 5 ..... 834  
 9 ..... 1999  
 10 ..... 216, 834

**Proposed Rules**

1 ..... 1008, 2214  
 6 ..... 2318  
 7 ..... 1011  
 9 ..... 2214

**237 Pa. Code (Juvenile Rules)**

**Adopted Rules**

1 ..... 2319, 2413, 2429, 2684, 2839  
 2 ..... 2319, 2413, 3180

3 ..... 2319, 2684, 3180  
 4 ..... 2319, 2413, 3180  
 5 ..... 2319, 2413, 2684, 3180  
 6 ..... 2319, 2413, 3180  
 8 ..... 2319  
 11 ..... 2319, 2413, 2430, 2839  
 12 ..... 2319, 2413, 2839  
 14 ..... 2319, 2413  
 15 ..... 2319, 2413  
 16 ..... 2319, 2413, 2430, 2434  
 18 ..... 2413, 2430, 2434, 2839

**Proposed Rules**

1 ..... 8, 1013  
 4 ..... 2522  
 5 ..... 3528  
 6 ..... 3528  
 8 ..... 8  
 11 ..... 8  
 12 ..... 8  
 18 ..... 8

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 1760, 3534, 3730

**255 Pa. Code (Local Court Rules)**

Unclassified .. 14, 218, 344, 346, 521, 588, 589, 590, 724,  
 837, 838, 839, 924, 1016, 1017, 1168, 1169, 1332,  
 1456, 1620, 1763, 1896, 2001, 2002, 2221, 2224,  
 2225, 2525, 2532, 2537, 2843, 3083, 3184, 3541

# THE GENERAL ASSEMBLY

## Recent Actions during the 2011 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2011 Regular Session

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2011 GENERAL ACTS OF REGULAR SESSION ENACTED—ACT 001 through 006</b>					
001	Apr 25	HB0377	PN1520	Immediately*	Pennsylvania Construction Code—Uniform Construction Code Review and Advisory Council, revised or successor codes and exemptions
002	May 13	SB0265	PN0242	Immediately	Coal and Gas Resource Coordination Act—omnibus amendments
003	May 13	SB0916	PN0949	Immediately	Pennsylvania Election Code—Voting Standards Development Board
004	May 27	SB0199	PN0170	Immediately	CM Sgt. Richard L. Etchberger Memorial Highway—designation
005	Jun 15	HB0218	PN0168	60 days	Korean War Veterans Memorial Highway—designation
006	Jun 17	SB1030	PN1365	Immediately*	Unemployment Compensation Law—omnibus amendments

\* denotes an effective date with exceptions

### Effective Dates of Statutes

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

### Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services (Department) shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore-PHMC, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0053, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

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

[Pa.B. Doc. No. 11-1127. Filed for public inspection July 8, 2011, 9:00 a.m.]

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 19 ]

**Adoption of Rules 1920—1922 of the Rules of Judicial Administration; No. 366 Judicial Administration Doc.**

### Order

*Per Curiam*

And Now, this 23rd day of June, 2011, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1920—1922 of the Pennsylvania Rules of Judicial Administration are adopted in the following form.

To the extent that notice of proposed rulemaking may be required by Pa.R.J.A. No. 103, the immediate promulgation of Pa.R.J.A. Nos. 1920—1922 is found to be in the interests of justice and efficient administration.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

#### CRIMINAL AND DISCIPLINARY MATTERS AGAINST JUDGES

##### Rule 1920. Definitions.

“Disciplinary matter.” Any matter arising under Pa. Const. Art. V, § 18.

“Judge.” Includes any appointed or elected justice, judge or magisterial district judge of the unified judicial system.

##### Rule 1921. Notice to the Chief Justice.

Whenever a judge receives notice that he or she is the subject of any federal or state criminal investigation or prosecution through a target letter, a subject letter, a presentment, an indictment, an arrest, a summons, a complaint, or by any other legal process, the judge must report the receipt of such notice in writing to the Chief Justice within five (5) days.

##### Rule 1922. Counsel fees.

###### (A) *Criminal matters.*

A judge may be reimbursed for legal fees paid in the defense of a criminal action only if the following criteria are met:

**Official Note:** See *Yurgosky v. Commonwealth of Pa., Administrative Office of Pa. Courts*, 554 Pa. 533, 722 A.2d 631 (1998).

(1) Notice must be given to the Administrative Office of Pennsylvania Courts within a reasonable time after the charges are filed.

(2) The criminal charges must arise directly from the judge’s performance of his or her official duties.

(3) The judge must be acquitted of the crimes charged or the charges must have been dismissed or nolle prossed.

**Official Note:** Reimbursement of counsel fees is not permitted in cases resolved through participation in pre-trial diversionary programs, through negotiated pleas, or by participation in Accelerated Rehabilitative Disposition (ARD) programs. See *Yurgosky*, 554 Pa. at 545 n.15, 722 A.2d at 637 n.15.

(4) The legal expenses must be reasonable and necessary.

###### (B) *Disciplinary matters.*

A judge may be reimbursed for legal fees paid in the defense of a judicial disciplinary matter only if the following criteria are met:

(1) Notice must be given to the Administrative Office of Pennsylvania Courts within a reasonable time after the charges are filed.

(2) The allegations of judicial misconduct must arise directly from the judge’s performance of his or her official duties.

(3) The judge must be acquitted of the misconduct charges, or the charges must have been dismissed or nolle prossed.

**Official Note:** This does not include any rehabilitative or other diversionary programs, or resolution through a “letter of counsel.”

(4) The legal expenses must be reasonable and necessary.

(C) The Court Administrator shall establish and periodically revise a maximum hourly rate for counsel fee reimbursement and shall develop policies necessary to implement the provisions of this Rule.

(D) If a claim for reimbursement is denied in whole or in part, a judge shall have the right to be heard by a hearing examiner designated by the Court Administrator. The hearing examiner shall issue findings of fact and conclusions of law. Appeals from the decision of a hearing examiner shall be as provided by law.

**Official Note:** See *Yurgosky*, 554 Pa. at 546, 722 A.2d at 637; 42 Pa.C.S. § 763(a)(1).

**Comment:** In disciplinary matters, judges should contact the Administrative Office of Pennsylvania Courts before retaining counsel if a Notice of Full Investigation by the Judicial Conduct Board has not been issued.

[Pa.B. Doc. No. 11-1128. Filed for public inspection July 8, 2011, 9:00 a.m.]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1915 ]

#### Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; Recommendation 112

The Domestic Relations Procedural Rules Committee is planning to recommend that the Supreme Court of Penn-

sylvania amend the Rules of Civil Procedure relating to domestic relations matters as set forth herein. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

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

The committee solicits and welcomes comments and suggestions from all interested persons prior to submission of this proposal to the Supreme Court of Pennsylvania. Please submit written comments no later than Monday August 29, 2011 directed to:

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 Pennsylvania Judicial Center  
 601 Commonwealth Avenue, Suite 6200  
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 Harrisburg, PA 17106-2635

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

*By the Domestic Relations  
 Procedural Rules Committee*

CAROL A. BEHERS, Esq.,  
*Chair*

**Annex A**

**TITLE 231. RULES OF CIVIL PROCEDURE**

**PART I. GENERAL**

**CHAPTER 1915. ACTIONS FOR CUSTODY,  
 PARTIAL CUSTODY AND VISITATION OF MINOR  
 CHILDREN**

**Rule 1915.1. Scope. Definitions.**

(a) [ (1) ] These rules govern the practice and procedure in all actions for **legal and physical custody** [ , **partial custody and visitation** ] of minor children, including habeas corpus proceedings and claims for custody [ , **partial custody or visitation** ] asserted in an action of divorce [ or support ].

**Official Note:** The term custody includes [ **legal custody, physical custody and shared custody** ] **shared legal custody, sole legal custody, partial physical custody, primary physical custody, shared physical custody, sole physical custody and supervised physical custody.** See [ **Definition Rule 1915.1(b)** ] **23 Pa.C.S. § 5322(A).** [ **Divorce** ] Rule 1920.32(a) provides that when a claim for custody is joined with the action of divorce, the practice and procedure governing the claim for custody shall be in accordance with these rules.

[ (2) If a claim for partial custody or visitation is raised during the course of an action for support, the court may

(i) enter an order with respect to the right to partial custody or visitation where there is

(A) proper venue under Rule 1915.2, and

(B) no current order of custody, partial custody or visitation outstanding, and

(C) no objection by a party to the determination of the claim, and

(D) no delay in the entry of the support order resulting from the determination of the claim; or

**Official Note:** See *Myers v. Young*, 285 Pa. Super. 254, 427 A.2d 209, 211 (1981), which held that “the trial court properly declined to defer the entry of an order of support until satisfactory visitation rights had been established.”

(ii) require the commencement of a separate action pursuant to these rules.

**Official Note:** See 23 Pa.C.S. § 4349 which authorizes custody and visitation proceedings to be consolidated with support proceedings “to facilitate frequent and unimpeded contact between children and parents” if the custody or visitation matter may be “fairly and expeditiously . . . determined and disposed of in the support action or proceeding.” ]

(b) As used in this chapter, unless the context of a rule indicates otherwise,

“action” means all proceedings for **legal and physical custody** [ , **partial custody or visitation**, ] and proceedings for modification of prior orders of any court;

\* \* \* \* \*

“legal custody” means the [ **legal** ] right to make major decisions [ **affecting the best interests of a minor** ] **on behalf of the child**, including, but not limited to, medical, religious and educational decisions;

“partial **physical custody**” means the right to [ **take possession** ] **assume physical custody** of [ a ] the child [ **away from the custodial person for a certain period of** ] **for less than a majority of the time**;

\* \* \* \* \*

“physical custody” means **the actual physical possession and control of a child**;

“**primary physical custody**” means **the right to assume physical custody of the child for the majority of time**;

“**relocation**” means **a change in a residence of the child which significantly impairs the ability of a non-relocating party to exercise custodial rights**;

“**shared legal custody**” means **the right of more than one individual to legal custody of the child**;

“shared physical custody” means [ shared legal or shared physical custody or both of a child in such a way as to assure the child of frequent and continuing contact, including physical access, to both parents; and ] the right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child;

[ “visitation” means the right to visit a child, but does not include the right to remove the child from the custodial person’s control. ]

“sole legal custody” means the right of one individual to exclusive legal custody of the child;

“sole physical custody” means the right of one individual to exclusive physical custody of the child; and

“supervised physical custody” means custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.

**Official Note:** The definitions of the terms of the various forms of legal custody[ , ] and physical custody [ and shared custody ] are taken from 23 [ Pa.C.S.A. § 5302 ] Pa.C.S. § 5322(A).

For additional definitions, see the Uniform Child Custody Jurisdiction and Enforcement Act, 23 [ Pa.C.S.A. ] Pa.C.S. § 5402.

[ Explanatory Comment—1994

Whatever context in which the claim for custody, partial custody or visitation will arise, subdivision (a)(1) provides that the proposed rules will govern the practice and procedure. The custody rule is reinforced by Divorce Rule 1920.32(a).

Subdivision (b) provides the necessary definitions for the rules. The rules adopt the terms “custody,” “partial custody,” and “visitation” suggested by Judge Spaeth in his concurring opinion in *Scott v. Scott*, 240 Pa. Super. 65, 368 A.2d 288, 291 (1976). ]

\* \* \* \* \*

**Rule 1915.3. Commencement of Action. Complaint. Order.**

\* \* \* \* \*

(b) An order shall be attached to the complaint directing the defendant to appear at a time and place specified. The order shall be substantially in the form provided by Rule 1915.15(b).

**Official Note:** See § 5430(d) of the Uniform Child Custody Jurisdiction and Enforcement Act, 23 [ Pa.C.S.A. ] Pa.C.S. § 5430(d), relating to costs and expenses for appearance of parties and child, and 23 [ Pa.C.S.A. ] Pa.C.S. § 5471, relating to intrastate application of the Uniform Child Custody Jurisdiction and Enforcement Act.

(c) A claim for custody[ , partial custody or visitation ] which is joined with an action of divorce shall be

asserted in the complaint or a subsequent petition, which shall be substantially in the form provided by Rule 1915.15(a).

**Official Note:** [ Divorce ] Rule 1920.13(b) provides that claims which may be joined with an action of divorce shall be raised by the complaint or a subsequent petition.

(d) If the mother of the child is not married and the child has no legal or presumptive father, then a putative father initiating an action for custody[ , partial custody or visitation ] must file a claim of paternity pursuant to 23 Pa.C.S. § 5103 and attach a copy to the complaint in the custody action.

**Official Note:** If a putative father is uncertain of paternity, the correct procedure is to commence a civil action for paternity pursuant to the procedures set forth at Rule 1930.6.

(e) A grandparent seeking physical and/or legal custody of a grandchild pursuant to 23 Pa.C.S. § [ 5313(b) ] 5323 must plead, in paragraph [ 7 ] 9 of the complaint set forth at Rule 1915.15(a), facts establishing [ the elements of a cause of action ] standing under [ §§ 5313(b)(1), (2) and (3) ] § 5324(3). A grandparent or great-grandparent seeking partial physical custody or supervised physical custody must plead, in paragraph 9 of the complaint, facts establishing standing pursuant to 23 Pa.C.S. § 5325.

*Editor’s Note:* The following rule is new and printed in regular type to enhance readability.)

**Rule 1915.3-1. Criminal or Abuse History.**

(a) *Criminal or Abuse History Affidavit.* The plaintiff must file with the complaint, or any petition for modification, an affidavit regarding any criminal or abuse history of the plaintiff and anyone living in the plaintiff’s household. The affidavit shall be substantially in the form set forth in subdivision (c) below. Although the defendant need not file a responsive pleading pursuant to Rule 1915.5, the defendant must file with the court an affidavit regarding any criminal or abuse history of the defendant and anyone living in the defendant’s household on or before the initial in-person contact with the court (including, but not limited to, a conference with a conference officer or judge, conciliation or mediation, depending upon the procedure in the judicial district) but not later than 30 days after service of the complaint or petition upon the defendant.

(b) *Initial Evaluation.* At the initial in-person contact with the court, the judge, conference officer or other appointed individual shall perform an initial evaluation to determine whether the existence of a criminal or abuse history of either party or a party’s household member poses a threat to the child and whether counseling is necessary. The initial evaluation required by Pa.C.S. § 5329(c) shall not be conducted by a mental health professional. After the initial evaluation, the court may order further evaluation or counseling by a mental health professional if the court determines it is necessary.

(c) *Affidavit.* The affidavit regarding criminal or abuse history shall be substantially in the following form:

THE COURTS

(Caption)

CRIMINAL RECORD / ABUSE HISTORY AFFIDAVIT

I \_\_\_\_\_, hereby swear or affirm, subject to penalties of law including 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities that:

1. Unless indicated by my checking the box next to a crime below, neither I nor any other adult member of my household have been convicted or pled guilty or pled no contest to any of the following crimes in Pennsylvania or in any other jurisdiction:

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction guilty plea or no contest plea</i>	<i>Sentence</i>
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2901 (relating to kidnapping)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2902 (relating to unlawful restraint)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2903 (relating to false imprisonment)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3121 (relating to rape)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3124.1 (relating to sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3126 (relating to indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3127 (relating to indecent exposure)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3129 (relating to sexual intercourse with animal)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3130 (relating to conduct relating to sex offenders)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 3301 (relating to arson and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4302 (relating to incest)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4303 (relating to concealing death of child)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

<i>Check all that apply</i>	<i>Crime</i>	<i>Self</i>	<i>Other household member</i>	<i>Date of conviction guilty plea or no contest plea</i>	<i>Sentence</i>
<input type="checkbox"/>	18 Pa.C.S. § 4304 (relating to endangering welfare of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 4305 (relating to dealing in infant children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5902(b) (relating to prostitution and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6301 (relating to corruption of minors)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	23 Pa.C.S. § 6114 (relating to contempt for violation of protection order or agreement)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Driving under the influence of drugs or alcohol	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	Manufacture, sale, delivery or possession of any controlled substance or other drug or device	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

2. Unless indicated by my checking the box next to an item below, neither I nor any other adult member of my household have a history of violent or abusive conduct including the following:

<i>Check all that apply</i>	<i>Self</i>	<i>Other household member</i>	<i>Date</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

Please list any evaluation, counseling or other treatment received following conviction:

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If any conviction above applies to a household member, not a party, state that person's relationship to the child.

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Rule 1915.4-1. Alternative Hearing Procedures for Partial Custody [ or Visitation ] Actions.

(a) A custody action shall proceed as prescribed by Rule 1915.4-3 unless the court, by local rule, adopts the alternative hearing procedure authorized by Rule 1915.4-2 pursuant to which an action for partial custody [ or visitation ] may be heard by a hearing officer, except as provided in subdivision (b) below.

(b) Promptly after the parties' initial contact with the court as set forth in Rule 1915.4(a), a party may move the court for a hearing before a judge, rather than a hearing officer, in an action for partial custody [ or visitation ] where:

\* \* \* \* \*

Explanatory Comment—1994

These [ new ] rules provide an optional procedure for using hearing officers in partial custody [ and visitation ] cases. The procedure is similar to the one provided for support cases in Rule 1910.12: a conference, record hearing before a hearing officer and argument on exceptions before a judge. The terms "conference officer" and "hearing officer" have the same meaning here as in the support rules.

It is important to note that use of the procedure prescribed in Rules 1915.4-1 and 1915.4-2 is optional rather than mandatory. Counties which prefer to have all partial custody [ and visitation ] cases heard by a judge may continue to do so.

\* \* \* \* \*

Rule 1915.4-2. Partial Custody. [ Visitation. ] Office Conference. Hearing. Record. Exceptions. Order.

(a) Office Conference.

\* \* \* \* \*

(3) The conference officer may make a recommendation to the parties relating to partial custody [ or visitation ] of the child or children. If an agreement for partial custody [ or visitation ] is reached at the conference, the conference officer shall prepare a written order in conformity with the agreement for signature by the parties and submission to the court together with the officer's recommendation for approval or disapproval. The court may enter an order in accordance with the agreement without hearing the parties.

(4) At the conclusion of the conference, if an agreement relating to partial custody [ or visitation ] has not been reached, the parties shall be given notice of the date, time and place of a hearing before a hearing officer, which may be the same day, but in no event shall be more than forty-five days from the date of the conference.

(b) Hearing.

\* \* \* \* \*

(3) Within ten days of the conclusion of the hearing, the hearing officer shall file with the court and serve upon all parties a report containing a recommendation with respect to the entry of an order of partial custody [ or visitation ]. The report may be in narrative form stating the reasons for the recommendation and shall include a proposed order, including a specific schedule for partial custody [ or visitation ].

\* \* \* \* \*

Rule 1915.4-3. Non-Record Proceedings. Trials.

(a) Non-Record Proceedings. In those jurisdictions [ which ] that utilize an initial non-record proceeding such as a conciliation conference or office conference, if no agreement is reached at the conclusion of the proceeding, the conference officer or conciliator shall promptly notify the court that the matter should be listed for trial.

\* \* \* \* \*

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

Rule 1915.4-4. Pre-Hearing or Pre-Trial Procedures.

(a) Prior to the hearing or trial:

(1) Not later than 60 days prior to the date of the hearing or trial, the parties shall exchange, with a courtesy copy to the court, the names and addresses of all expert witnesses and verification that counsel has secured the services of each expert.

(2) Not later than 30 days prior to the date of the hearing or trial, the parties shall exchange a copy of the report of any expert intended to be called to testify.

(3) Not later than 30 days prior to the date of the hearing or trial, the parties shall exchange, with a courtesy copy to the court, the names and addresses of all non-expert witnesses, a summary of the testimony of each witness and verification that counsel has confirmed the testimony of each witness as set forth in the summary.

(4) Not later than 30 days prior to the date of the hearing or trial, the parties shall exchange copies of all exhibits either party intends to offer into evidence at trial.

(5) Not later than 30 days prior to the date of the hearing or trial, the parties shall exchange, with a courtesy copy to the court, a proposed order.

(b) At the request of either party, the trier of fact shall schedule a pre-trial conference not later than 10 days before trial or a status conference at any time.

Rule 1915.5. Question of Jurisdiction or Venue. No Responsive Pleading by Defendant Required. Counterclaim. Discovery.

\* \* \* \* \*

(b) A party may file a counterclaim asserting the right of physical or legal custody[ , partial custody or visitation ] within twenty days of service of the complaint upon that party or at the time of hearing, whichever first occurs. The claim shall be in the same form as a complaint as required by Rule 1915.3.

\* \* \* \* \*

Rule 1915.6. Joinder of Parties.

(a)(1) If the court learns from the pleadings or any other source that a parent whose parental rights have not been previously terminated or a person who has physical custody of the child is not a party to the action, it shall order that the person be joined as a party. Such person shall be served with a copy of all prior pleadings and notice of the joinder substantially in the form prescribed by Rule 1915.16(a).

\* \* \* \* \*

(3) The person joined may file a counterclaim asserting a right to physical or legal custody[ , partial custody or visitation ] in the form required for a complaint by



Rule 1915.3. A copy of the counterclaim shall be served upon all other parties to the action as provided by Rule 440.

(b) If the court learns from the pleadings or any other source that any other person who claims to have [ **custody or visitation** ] **custodial** rights with respect to the child is not a party to the action, it shall order that notice be given to that person of the pendency of the action and of the right to intervene therein. The notice shall be substantially in the form prescribed by Rule 1915.16(b).

#### Explanatory Comment—1994

The position taken by the rules is that a person in physical custody of the child and a parent whose parental rights have not been terminated are necessary parties to a custody determination. While it may be desirable to have other persons who claim custody [ **or visitation** ] rights as parties to the action, their joinder is not a prerequisite to a custody determination.

#### Rule 1915.7. Consent Order.

If an agreement for custody[ , **partial custody or visitation** ] is reached and the parties desire a consent order to be entered, they shall note their agreement upon the record or shall submit to the court a proposed order bearing the written consent of the parties or their counsel.

#### Rule 1915.10. Decision. Order.

(a) The court may make the decision before the testimony has been transcribed. **The court shall state the reasons for its decision either on the record in open court, in a written opinion, or in the order.**

(b) **The terms of the order shall be sufficiently specific to enforce the order. The court's decision shall include safety provisions designed to protect an endangered party or a child in any case in which the court has found that either is at risk of harm.**

(c) **Any custody order shall include notice of a party's obligations pursuant to 23 Pa.C.S. § 5337 dealing with a party's intention to relocate with a minor child.**

(d) No motion for post-trial relief may be filed to an order of legal or physical custody[ , **partial custody or visitation** ].

[ *Official Note:* See 23 Pa.C.S. § 5301 et seq. for provisions relating to the award of sole or shared custody (§§ 5303, 5304), counseling and the temporary award of custody pending counseling (§ 5305), submission of a plan to implement a custody order (§ 5306), removal of a party or child from the Commonwealth (§ 5308), access to records of the child (§ 5309), and modification of existing custody orders (§ 5310).

The statute also provides that the court shall state on the record its reasons when it declines to enter an award of custody as agreed to by the parents or under the plan developed by them (23 Pa.C.S. § 5307). ]

#### Explanatory Comment—2011

The custody statute, at 23 Pa.C.S. § 5323(d), requires the court to delineate the reasons for its decision on the record in open court or in a written opinion or order. Subsection (b) further defines and

reinforces the requirements found in 23 Pa.C.S. § 5323(e). Examples of safety provisions include, but are not limited to: supervised physical custody, supervised or neutral custody exchange location, neutral party presence at custody exchange, telephone or computer-facilitated contact with the child, no direct contact between the parties, third party contact for cancellations, third party transportation and designating secure, neutral location for a child's passport. The statute, at 23 Pa.C.S. § 5323, requires that any custody order must include notice of a party's obligations when there is a proposed relocation under 23 Pa.C.S. § 5337. Rule 1915.17 also addresses relocation.

#### Rule 1915.11. Appointment of Attorney for Child. Interrogation of Child. Attendance of Child at Hearing or Conference.

(a) The court may on its own motion, or the motion of a party, appoint an attorney to represent the child in the action. **Counsel for the child shall represent the child's legal interests and zealously represent the child as any other client in an attorney-client relationship. Counsel for the child shall not perform the role of a guardian ad litem or best interests attorney.** The court may assess the cost upon the parties or any of them or as otherwise provided by law. **The order appointing an attorney to represent the child shall be in substantially the form set forth in Rule 1915.19.**

\* \* \* \* \*

*Official Note:* A party may bring a child to a conference or hearing but, in the absence of an order of court, is not required to do so.

#### Explanatory Comment—1991

Rule 1915.15(b) provides a form of order to appear at a conference or hearing in an action for custody, partial custody or visitation of minor children. Prior to its recent amendment, the form required that one or more children who are the subject of the action attend the hearing or conference.

However, the presence of a child in court is not always necessary or desirable. The experience may be traumatic and disruptive. Consequently, the child should not be required to attend a hearing or conference in every case. When the presence of a child is required and the custodial party does not voluntarily bring the child, the court may issue an order for the child's attendance.

Subdivision (c) has been added to Rule 1915.11 to provide that, in the absence of an order of court, a child who is the subject of the action need not be brought to a conference or a hearing before the court. The form of order to appear provided by Rule 1915.15(b) has been revised to implement this policy.

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

#### Rule 1915.11-2. Appointment of Guardian Ad Litem.

(a) The court may, on its own motion or the motion of a party, appoint a guardian ad litem to represent the best interests of the child in a custody action. The guardian ad litem shall be a licensed attorney. The guardian ad litem shall not act as the child's counsel or represent the child's legal interests. Prior to appointing a guardian ad litem,

the court shall make a finding that the appointment is necessary to assist the court in determining the best interests of the child.

(b) The court may order either or both parties to pay all or part of the costs of appointing a guardian ad litem.

(c) The guardian ad litem shall provide copies of any reports prepared by the guardian ad litem to each party not later than 20 days prior to trial. The report shall not be filed of record or provided to the court prior to the hearing or trial. The guardian ad litem shall attend all proceedings and be prepared to testify. The guardian ad litem shall be subject to cross examination if called to testify by either party or the court.

(d) The order appointing a guardian ad litem shall be in substantially the form set forth in Rule 1915.21.

**Official Note:** 23 Pa.C.S. § 5334 is suspended insofar as it allows a guardian ad litem to act as a child's attorney or represent the legal interests of the child in a child custody action; requires submission of the guardian ad litem's report to the court and inclusion in the record; or prohibits the guardian ad litem from testifying.

**Rule 1915.12. Civil Contempt for Disobedience of Custody Order. Petition. Form of Petition. Service. Order.**

(a) A petition for civil contempt shall begin with a notice and order to appear in substantially the following form:

NOTICE AND ORDER TO APPEAR

Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for [ (custody) (partial custody) (visitation) ] custody.  
\* \* \* \* \*

If the court finds that you have willfully failed to comply with its order [ for (custody) (partial custody) (visitation) ], you may be found to be in contempt of court and committed to jail, fined or both.  
\* \* \* \* \*

(b) The petition shall allege the facts which constitute [ wilful ] willful failure to comply with the custody[ , partial custody or visitation ] order, a copy of which shall be attached to the petition.

(c) The petition shall be in substantially the following form:

(Caption)

PETITION FOR CIVIL CONTEMPT FOR DISOBEDIENCE OF [ (CUSTODY) (PARTIAL CUSTODY) (VISITATION) ] CUSTODY ORDER

The Petition of \_\_\_\_\_, respectfully represents:

1. That on \_\_\_\_\_, Judge \_\_\_\_\_ entered an Order awarding (Petitioner) (Respondent) [ (custody) (partial custody) (visitation) ] (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the minor child(ren) \_\_\_\_\_.  
(Name(s) of Child(ren))  
\* \* \* \* \*

(e) After hearing, an order committing a respondent to jail for contempt of a custody[ , partial custody or

visitation ] order shall specify the condition which must be fulfilled to obtain release of the respondent.

**Official Note:** [ See 23 Pa.C.S.A. § 4346 relating to contempt for noncompliance with visitation or partial custody order. ]

See the Uniform Child Custody Jurisdiction and Enforcement Act, 23 [ Pa.C.S.A. ] Pa.C.S. §§ 5443 and 5445, relating to registration and enforcement of custody decrees of another state, and 23 [ Pa.C.S.A. ] Pa.C.S. § 5471, relating to intrastate application of the Uniform Child Custody Jurisdiction and Enforcement Act.

**Rule 1915.13. Special Relief.**

At any time after commencement of the action, the court may on application or its own motion grant appropriate interim or special relief. The relief may include, but is not limited to, the award of temporary legal or physical custody[ , partial custody or visitation ]; the issuance of appropriate process directing that a child or a party or person having physical custody of a child be brought before the court; and a direction that a person post security to appear with the child when directed by the court or to comply with any order of the court.  
\* \* \* \* \*

**Rule 1915.14. Disobedience of Order. Arrest. Contempt.**

If a person disobeys an order of court other than a custody[ , partial custody or visitation ] order, the court may issue a bench warrant for the arrest of the person and if the disobedience is [ wilful ] willful may, after hearing, adjudge the person to be in contempt.

**Official Note:** For disobedience of a custody[ , partial custody or visitation ] order, see Rule 1915.12.

**Rule 1915.15. Form of Complaint. Caption. Order. Petition to Modify a [ Partial ] Custody [ or Visitation ] Order.**

(a) The complaint in an action for custody[ , partial custody or visitation ] shall be in substantially the following form:

(Caption)

COMPLAINT FOR [ (CUSTODY) (PARTIAL CUSTODY) (VISITATION) ] CUSTODY  
\* \* \* \* \*

3. Plaintiff seeks [ (custody) (partial custody) (visitation) ] (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the following child(ren):  
\* \* \* \* \*

6. Plaintiff (has) (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child in this or another court. The court, term and number, and its relationship to this action is: \_\_\_\_\_  
\* \* \* \* \*

Plaintiff (knows) (does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have [ custody or visitation ] custo-

dial rights with respect to the child. The name and address of such person is: \_\_\_\_\_

\* \* \* \* \*

8. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody [ or visitation ] of the child will be given notice of the pendency of this action and the right to intervene:

\* \* \* \* \*

9. (a) If the plaintiff is a grandparent who is seeking physical and/or legal custody pursuant to 23 Pa.C.S. § 5324, you must plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(3). \_\_\_\_\_

(b) If the plaintiff is a grandparent or great-grandparent who is seeking partial physical custody or supervised physical custody pursuant to 23 Pa.C.S. § 5325, you must plead facts establishing standing pursuant to § 5325. \_\_\_\_\_

Wherefore, plaintiff requests the court to grant [ custody ] (partial custody) (visitation) [ shared legal custody ] (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child.

\* \* \* \* \*

(b) A petition to modify a [ partial ] custody [ or visitation ] order shall be in substantially the following form:

(Caption)

PETITION FOR MODIFICATION OF A [ PARTIAL ] CUSTODY [ OR VISITATION ] ORDER

1. The petition of \_\_\_\_\_ respectfully represents that on \_\_\_\_\_, [ 19 ] 20\_\_ an Order of Court was entered for [ (PARTIAL CUSTODY) (VISITATION) ] (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody), a true and correct copy of which is attached.

\* \* \* \* \*

WHEREFORE, Petitioner requests that the Court modify the existing Order [ for (PARTIAL CUSTODY) (VISITATION) ] because it will be in the best interest of the child(ren).

\_\_\_\_\_  
(Attorney for Petitioner) (Petitioner)

\* \* \* \* \*

(c) The order to be attached at the front of the complaint or petition for modification shall be in substantially the following form:

(Caption)

ORDER OF COURT

You, \_\_\_\_\_, (defendant) (respondent), have been sued in court to (OBTAIN) (MODIFY) [ custody,

partial custody or visitation ] (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child(ren): \_\_\_\_\_

\* \* \* \* \*

If you fail to appear as provided by this order, an order for custody[ , partial custody or visitation ] may be entered against you or the court may issue a warrant for your arrest.

\* \* \* \* \*

Rule 1915.16. Form of Order and Notice. Joinder. Intervention.

(a) The order and notice joining a party in an action under Rule 1915.6(a) shall be substantially in the following form:

(Caption)

ORDER AND NOTICE

A complaint has been filed in the Court of Common Pleas of \_\_\_\_\_ County concerning custody[ , partial custody and visitation ] of the following child(ren): \_\_\_\_\_

The Court has learned you may have a legal interest in custody[ , partial custody or visitation ] of the child(ren) named.

A hearing will be held in Courtroom \_\_\_\_\_ of the Court of Common Pleas, \_\_\_\_\_,

(Address)

on \_\_\_\_\_, at \_\_\_\_\_, \_\_\_\_M. If you wish to (Day and Date) (Time)

[ have custody, partial custody or visitation of the child(ren) ] protect any legal interest you may have or wish to present evidence to the Court on those matters, you should appear at the place and time and on the date above.

If you have the child(ren) in your possession or control, you must appear and bring them to the Courthouse with you.

If you wish to claim [ the ] a right [ to ] of custody[ , partial custody or visitation ], you may file a counterclaim.

If you fail to appear as provided by this order or to bring the child(ren), an order for custody[ , partial custody or visitation ] may be entered against you or the Court may issue a warrant for your arrest.

\* \* \* \* \*

(b) The order for notice of the pendency of the action and the right to intervene required by Rule 1915.6(b) shall be substantially in the following form:

(Caption)

ORDER AND NOTICE

A complaint has been filed in the Court of Common Pleas of \_\_\_\_\_ County concerning custody[ , partial custody and visitation ] of the following child(ren): \_\_\_\_\_

The Court has learned you claim [ custody, partial custody or visitation ] custodial rights with respect to the child(ren) named.

A hearing will be held in Courtroom \_\_\_\_\_ of the Court of Common Pleas, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ (Address) on \_\_\_\_\_, at \_\_\_\_\_, \_\_\_\_\_ M. If you wish to (Day and Date) (Time)

assert your claim to [ custody, partial custody or visitation ] custodial rights with respect to the child(ren) or wish to present evidence to the Court on those matters, you should petition the Court, on or before the above date, for leave to intervene in the proceedings.

\* \* \* \* \*

(Editor's Note: Rules 1915.17, 1915.19 and 1915.21 are new and printed in regular type to enhance readability.)

Rule 1915.17. Relocation. Notice and Counter-Affidavit.

The procedure in any relocation case shall be expedited. There shall be no requirement for pre-judicial processes including, but not limited to, parenting education, conciliation or mediation prior to an expedited hearing before a judge.

(a) Any person seeking to relocate a minor child shall first obtain:

(i) the written consent of any other person who has custodial rights to the child, or

(ii) an order of court approving the relocation.

(b) If there is no existing custody order or case number, the party seeking to relocate must file a custody complaint and be assigned a case number prior to serving a notice of relocation. If there is an existing custody order, the party seeking to relocate need not file a modification petition. The party seeking to relocate must notify every other person who has custodial rights to the child and provide a counter-affidavit by which a person may agree or object to the relocation. The form of the notice and counter-affidavit are set forth in subdivisions (f) and (g) below. The notice shall be sent by certified mail, return receipt requested, no later than the sixtieth day before the date of the proposed relocation or other time frame set forth in 23 Pa.C.S. § 5337(c)(2).

(c) When the relocating parent seeks an order of court, has served a notice of intent to relocate as required by 23 Pa.C.S. § 5337 et seq., has not received notice of objection to the move, and seeks confirmation of relocation, the relocating parent shall file:

(1) a petition to confirm relocation that includes the requirements set forth in 23 Pa.C.S. § 5337(e) when there is an existing custody case;

(2) A copy of the copy of the notice served on the non-relocating party and proof of service; and

(3) A proposed order.

(d) When the relocating parent seeks an order of court, has served a notice of intent to relocate as required by 23 Pa.C.S. § 5337 et seq., and has received notice of objection to the move, the relocating parent shall file:

(1) a copy of the notice served on the non-relocating party;

(2) a request for a hearing.

(e) If the non-relocating party wants an order of court preventing relocation, the non-relocating party shall file:

(1) a counter-affidavit as set forth in 23 Pa.C.S. § 5337(d)(1), and

(2) a request for a hearing

(f) The notice of relocation shall be substantially in the following form:

(Caption)

NOTICE OF RELOCATION

You, \_\_\_\_\_, are hereby notified that \_\_\_\_\_ (relocating individual) \_\_\_\_\_ intends to relocate with the following minor child(ren): \_\_\_\_\_.

To object to the proposed relocation, you must complete the attached counter-affidavit, file it with the court and serve it upon the party seeking to relocate by certified mail, return receipt requested, within 30 days. If the court does not receive your objection to the proposed relocation within 30 days, the relocating individual has the right to petition the court to approve the proposed relocation and to modify any effective custody orders or agreements. FAILURE TO OBJECT WITHIN 30 DAYS WILL PREVENT YOU FROM OBJECTING TO THE RELOCATION.

Address of the proposed new residence: \_\_\_\_\_

Check here if the address is confidential pursuant to 23 Pa.C.S. § 5336(b).

Mailing address of intended new residence (if not the same as above) \_\_\_\_\_

Check here if the address is confidential pursuant to 23 Pa.C.S. § 5336(b).

Names and ages of the individuals who intend to reside at the new residence:

Name Age

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Home telephone number of the new residence: \_\_\_\_\_

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Name of the new school district and school the child(ren) will attend after relocation: \_\_\_\_\_

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Date of the proposed relocation: \_\_\_\_\_

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Reasons for the proposed relocation: \_\_\_\_\_

Check here if the information is confidential pursuant to 23 Pa.C.S. § 5336(b) or (c).

Proposed modification of custody schedule following relocation: \_\_\_\_\_

Other information: \_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(g) The counter-affidavit that must be served with the relocation notice shall be substantially in the following form as set forth at 23 Pa.C.S. § 5337(d):

(Caption)

COUNTER-AFFIDAVIT REGARDING RELOCATION

This proposal of relocation involves the following child/children:

Child's Name	Age	Currently residing at:
_____	_____	_____
Child's Name	Age	Currently residing at:
_____	_____	_____
Child's Name	Age	Currently residing at:
_____	_____	_____

I have received a notice of proposed relocation and

1.  I do not object to the relocation
2.  I do not object to the modification of the custody order consistent with the proposal for modification set forth in the notice.
3.  I do not object to the relocation, but I do object to modification of the custody order.
4.  I plan to request that a hearing be scheduled by filing a request for hearing with the court:
  - a.  Prior to allowing (name of child/children) to relocate.
  - b.  After the child/children relocate.
5.  I do object to the relocation
6.  I do object to the modification of the custody order.

I understand that in addition to objecting to the relocation or modification of the custody order above, I must also file this notice with the court in writing and serve it on the other party by certified mail, return receipt requested. If I fail to do so within 30 days of my receipt of the proposed relocation notice, I shall be foreclosed from objecting to the relocation.

I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

\_\_\_\_\_  
(Date) (Signature)

**Rule 1915.19. Form of Order Appointing Counsel for the Child.**

The order appointing an attorney to represent a child in a child custody action pursuant to Rule 1915.11 shall be in substantially the following form:

(Caption)

ORDER OF COURT

AND NOW, THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is hereby ordered as follows:

Pursuant to Pa.R.C.P. 1915.11, \_\_\_\_\_ is appointed as attorney for the minor child \_\_\_\_\_ (D.O.B. \_\_\_\_\_) in connection with the civil proceedings related to the custody of the minor child.

Counsel for the child shall zealously represent the legal interests of the child as any other client in an attorney-client relationship and shall not act as the child's guardian ad litem or best interests attorney. The child's attorney shall not be called to testify and communications between the child's attorney and the child shall be privileged, consistent with the attorney-client relationship.

It is ordered and decreed that the relevant schools, the police department, all hospitals and all social service agencies including home and school agencies who have records, reports and/or information pertaining to the child relevant to the custody of the child, shall allow the child's attorney access to all files and records in its possession, custody or control and shall cooperate in responding to all relevant inquires. These files/records may include but are not limited to medical, psychological or psychiatric charts including evaluations and progress notes and records, X-rays, photographs, tests, test evaluations, intake and discharge summaries, police records, and school records including report cards, educational assessments and educational plans, relevant to this custody dispute and/or relevant to any special needs or requirements of the child. The child's attorney shall have the right to copy any part of the files and records maintained in connection with the child.

It is further ordered and decreed that the child's attorney shall be permitted to see and speak with the child, and family, medical and/or social service providers connected with this case, and take all steps appropriate to and consistent with this order.

The fees for the child's attorney shall be paid as follows: \_\_\_\_\_

This appointment shall terminate upon the entry of a final order resolving the petition pending as of the date of this order or as provided in subsequent order of court.

BY THE COURT:

\_\_\_\_\_  
J.

**Rule 1915.21. Form of Order Appointing Guardian Ad Litem.**

The order appointing a guardian ad litem in a child custody action pursuant to Rule 1915.11-2 shall be in substantially the following form:

(Caption)

ORDER OF COURT

AND NOW, THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is hereby ordered as follows:

Pursuant to Pa.R.C.P. 1915.11-2, \_\_\_\_\_ is appointed as guardian ad litem for the minor child \_\_\_\_\_ (D.O.B. \_\_\_\_\_) in connection with the civil proceedings related to the custody of the minor child.

The child’s guardian ad litem shall represent the best interests of the child. The guardian ad litem shall not act as the child’s attorney or represent the child’s legal interests.

It is ordered and decreed that the relevant schools, the police department, all hospitals and all social service agencies including home and school agencies who have records, reports and/or information pertaining to the child relevant to the custody of the child, shall allow the guardian ad litem access to all files and records in its possession, custody or control and shall cooperate in responding to all relevant inquires. These files/records may include but are not limited to medical, psychological or psychiatric charts including evaluations and progress notes and records, X-rays, photographs, tests, test evaluations, intake and discharge summaries, police records, and school records including report cards, educational assessments and educational plans, relevant to this custody dispute and/or relevant to any special needs or requirements of the child. The guardian ad litem shall have the right to copy any part of the files and records maintained in connection with the child.

It is further ordered and decreed that the guardian ad litem shall be permitted to see and speak with the child, and family, medical and/or social service providers connected with this case, and take all steps appropriate to and consonant with this order.

The guardian ad litem shall provide copies of any reports prepared by the guardian ad litem to each party not later than 20 days prior to trial. The report shall not be filed of record or provided to the court prior to the hearing or trial. The guardian ad litem shall attend all proceedings and be prepared to testify. The guardian ad litem shall be subject to cross examination if called to testify by either party or the court.

The fees for the guardian ad litem shall be paid as follows:\_\_\_\_\_

This appointment shall terminate upon the entry of a final order resolving the petition pending as of the date of this order or as provided in subsequent order of court.

BY THE COURT:

J.

**Rule 1915.25. Suspension of Acts of Assembly.**

Section 5351 of the Domestic Relations Code, 23 Pa.C.S. § 5351, of the Uniform Child Custody Jurisdiction Act, relating to additional parties, is suspended insofar as it provides for the joinder of a person not a party who claims to have custody or visitation rights with respect to the child.

**23 Pa.C.S. § 5334 is suspended insofar as it allows a guardian ad litem to act as a child’s attorney or represent the legal interests of the child in a child custody action; requires submission of the guardian ad litem’s report to the court and inclusion in the record; or prohibits the guardian ad litem from testifying.**

\* \* \* \* \*

[Pa.B. Doc. No. 11-1129. Filed for public inspection July 8, 2011, 9:00 a.m.]

# Title 249— PHILADELPHIA RULES

## PHILADELPHIA COUNTY

### Adoption of Countywide Booking Center Plan; President Judge Administrative Order No. 2011-02

#### Administrative Order

And Now, this 17th day of June, 2011, the Pennsylvania Commission on Crime and Delinquency having reviewed and certified that the Countywide Booking Center Plan developed by Philadelphia County complies with 42 Pa.C.S. § 1725.6, a Countywide Booking Center is adopted in Philadelphia County with “LiveScan/CPIN” sites located at:

1. South Division CCTV (1st District)
2. Central Division CCTV (9th District)
3. Northeast Division CCTV (15th District)
4. Southwest Division CCTV (18th District)
5. East Division CCTV (25th District)
6. North Division CCTV (35th District)
7. 22nd District
8. 8th & Race St. PDU “A”
9. 8th & Race St. PDU “B”
10. Records & Identification Unit
11. Criminal Justice Center

and/or any other locations as may be provided from time to time.

*It Is Further Ordered, Adjudged and Decreed* as follows:

a) the Clerk of Court shall assess, in accordance with 42 Pa.C.S. § 1725.5, a Booking Center Fee in the amount of \$175.00 against any person processed through a Philadelphia County Booking Center who is:

(1) placed on probation without verdict pursuant to Section 17 of the Act of April 14, 1972 (P. L. 223, No. 64), known as The Controlled Substance, Drug, Device, and Cosmetic Act; or

(2) receives Accelerated Rehabilitative Disposition for, pleads guilty or nolo contendere to, or is convicted of a crime under the following:

- i. 18 Pa.C.S. § 106(a) (relating to classes of offenses);
- ii. 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under the influence);
- iii. 75 Pa.C.S. § 3802 (relating to driving under the influence of alcohol or controlled substance); and
- iv. A violation of The Controlled Substance, Drug, Device, and Cosmetic Act.

The Booking Center Fee, however, shall not be assessed against Defendants whose cases are dismissed, withdrawn or nolle prossed by the Commonwealth.

(b) The Booking Center Fee shall be deposited into a designated central booking fee account established for Philadelphia County, shall be used solely for the implementation of Philadelphia County’s Countywide Booking Center Plan, and funds within this special account shall be appropriated and distributed as specifically set forth in the Countywide Booking Center Plan.

This Order shall be effective for defendants processed on or after December 16, 2010.

The original Administrative Order shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the President Judge of the Court of Common Plea. Two certified copies of this Administrative Order, and an electronic copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One certified copy of this Administrative Order shall be filed with the Administrative Office of Pennsylvania Courts and posted on the First Judicial District's website at <http://courts.phila.gov>.

Copies of this Administrative Order shall be published in *The Legal Intelligencer* and will be submitted to *American Lawyer Media*, *Jenkins Memorial Law Library*, and the Law Library for the First Judicial District of Pennsylvania.

*By the Court*

HONORABLE PAMELA PRYOR DEMBE,  
*President Judge*

[Pa.B. Doc. No. 11-1130. Filed for public inspection July 8, 2011, 9:00 a.m.]

# PROPOSED RULEMAKING

## PENNSYLVANIA GAMING CONTROL BOARD

[ 58 PA. CODE CHS. 541, 543, 545,  
627a, 629a AND 631a ]

[Correction]

### Table Game Rules for Minibaccarat, Midibaccarat and Baccarat

An error occurred in the proposed rulemaking which appeared at 41 Pa.B. 3196, 3197 (June 25, 2011). The sections proposed to be rescinded in Chapter 543 (relating to Midibaccarat) were listed incorrectly. The chapter is proposed to be rescinded as follows.

#### CHAPTER 543. (Reserved)

*(Editor's Note:* As part of this proposed rulemaking, the Board is proposing to rescind Chapter 543 which appears in 58 Pa. Code pages 543-1—543-11, serial pages (356589), (356590) and (354569)—(354577).)

Sec.

543.1—543.14. (Reserved).

[Pa.B. Doc. No. 11-1044. Filed for public inspection June 24, 2011, 9:00 a.m.]



# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of General Services

The Executive Board approved a reorganization of the Department of General Services effective June 7, 2011.

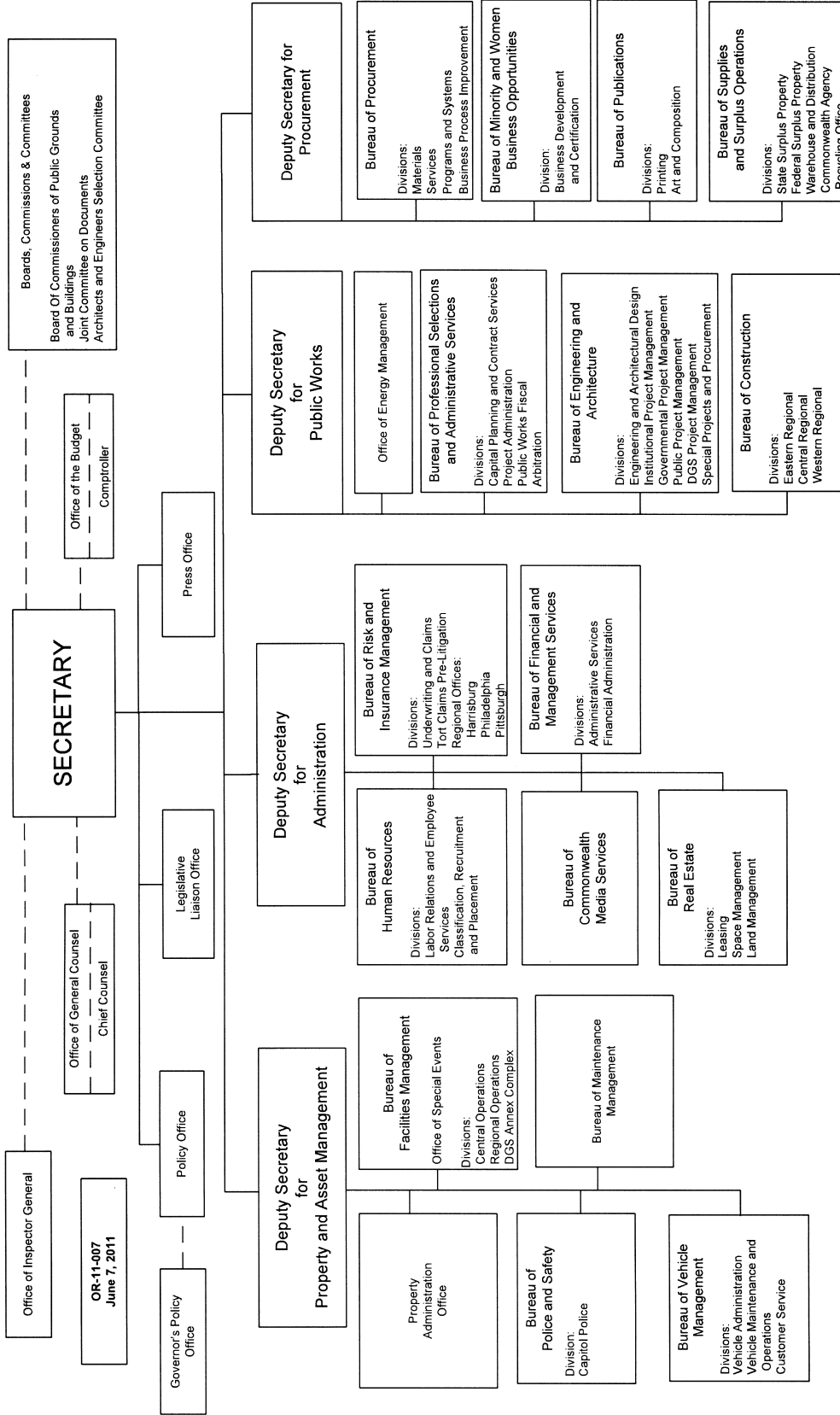
The organization chart at 41 Pa.B. 3734 (July 9, 2011) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(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. 11-1131. Filed for public inspection July 8, 2011, 9:00 a.m.]

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DEPARTMENT OF GENERAL SERVICES



# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, July 13, 2011. The hearing will be part of the Commission's regularly scheduled business meeting. The conference session and business meeting both are open to the public and will be held at the Commission's office building, located at 25 State Police Drive, West Trenton, NJ.

The morning conference session will begin at 11 a.m. and will consist of a presentation by Professor Gerald F. Kauffman of the University of Delaware on the economic value of the Delaware River and Bay and a presentation by Bethany Bearmore of the National Marine Fisheries Service on the natural resource damages settlement in the matter of the Athos I oil spill of November 26, 2004.

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

1. *Spring City Borough, D-1974-061 CP-3*. An application to renew the approval to discharge up to 0.345 million gallons per day (mgd) of treated effluent through existing Outfall No. 001 from the 0.6 mgd Spring City Borough Wastewater Treatment Plant (WWTP). The existing WWTP will continue to discharge to the Schuylkill River at River Mile 92.47—41.3 (Delaware River—Schuylkill River) in Spring City Borough, Chester County, PA.

2. *Ambler Borough, D-1975-016 CP-3*. An application to renew the approval to discharge up to 8.0 mgd (monthly maximum flow) and up to 6.5 mgd (annual average flow) of treated effluent from the Ambler Borough WWTP. The existing WWTP will continue to discharge to the Wisahickon Creek, a tributary of the Schuylkill River. The facility is located in Upper Dublin Township, Montgomery County, PA.

3. *Robeson Township, D-1983-034 CP-2*. An application to update the approval of the existing 0.30 mgd Robeson Township WWTP. A Notice of Applications Received for this application was published under docket number D-2010-031 CP-1 on November 3, 2010. The Commission originally approved the WWTP by Docket No. D-1983-034 CP-1 issued on September 25, 1984. Docket D-1983-034 CP-2 would update that approval. No modification to the Robeson Township WWTP is proposed. The Robeson Township WWTP will continue to discharge treated wastewater effluent to the Schuylkill River. The facility is located in Robeson Township, Berks County, PA.

4. *Buck Hill Falls Company, D-2009-001 CP-2*. An application to renew the discharge of up to 0.20 mgd of treated effluent from existing Outfall No. 001 at the Buck Hill Falls WWTP. The existing WWTP discharges to Buck Hill Creek, a tributary of the Delaware River, at River Mile 213.00—21.11—0.50 (Delaware River—Brodhead Creek—Buck Hill Creek) within the drainage area of the portion of the nontidal Delaware River known as the Middle Delaware, which is classified as Special Protection Waters. The project WWTP is located in Barrett Township, Monroe County, PA.

5. *SPS Technologies, D-1979-088-5*. An application for the renewal of a groundwater withdrawal (GWD) project to continue the withdrawal of 8.89 million gallons per month (mgm) to supply the applicant's manufacturing plant from existing Well No. 7 completed in the Wisahickon Formation. The project is located in the Upper Reach Frankfort Creek Watershed in Abington Township, Montgomery County, PA within the Southeastern Pennsylvania Ground Water Protected Area.

6. *Big Boulder Corporation, D-1985-025-2*. An application for the expansion of the Big Boulder Ski Area WWTP from 0.225 mgd to 0.265 mgd. The project WWTP will discharge 0.04 mgd to absorption beds located onsite and will continue to discharge 0.225 mgd directly to an unnamed tributary of Tunkhannock Creek at River Mile 183.66—83.5—5.6—2.5—0.64 (Delaware River—Lehigh River—Tobyhanna Creek—Tunkhannock Creek—Unnamed Tributary) in Kidder Township, Carbon County, PA. The project WWTP is located in the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

7. *Morrisville Borough, D-1987-008 CP-2*. An application for approval to renew a discharge of 7.1 mgd from the existing Morrisville Borough Municipal Authority (MBMA) WWTP. MBMA also has requested approval to accept and treat up to 0.2 mgd of pre-treated landfill leachate from Waste Management Inc.'s (WMI) GROWS/Tullytown landfills. The Commission approved a pilot program in 2005 (Docket No. D-1988-54-2) that allowed WMI to send up to 0.025 mgd of pre-treated leachate to be treated and discharged from the MBMA WWTP. The pilot program was expanded to 0.07 mgd on May 18, 2007. Additionally, MBMA has requested an increase in its wasteload allocation for CBOD20 from 2,418 lbs/day to 3,831 lbs/day and a determination to allow discharge at an effluent color limit greater than the Commission's standard of 100 units on the platinum cobalt scale. The WWTP is located in Morrisville Borough, Bucks County, PA and discharges to the tidal Delaware River in Water Quality Zone 2 at River Mile 133.0.

8. *Lansdale Borough, D-1996-045 CP-2*. An application to approve an expansion of the service area of the existing Borough of Lansdale WWTP. The project also proposes to increase the permitted annual average flow rate from 2.6 to 3.2 mgd. The service area modification includes the acceptance of up to 1,000,000 gallons per day (gpd) of pre-treated industrial wastewater, not to exceed a monthly average flow of 750,000 gpd, from the Merck West Point pharmaceutical facility located in Upper Gwynedd Township, PA. No modification of the treatment facilities or increase in hydraulic design flow is proposed. The WWTP will continue to discharge to an unnamed tributary of the West Branch Neshaminy Creek, which is a tributary of the Neshaminy Creek. The project is located in Upper Gwynedd Township and the Borough of Lansdale in Montgomery County, PA.

9. *Pennsylvania American Water Company—Lexington Woods, D-1998-016 CP-3*. An application for approval of a GWD project to supply up to 2.23 mgm of water to the applicant's Pocono District public water supply system from existing Lexington Well No. 2 for emergency and back-up water supply. The total GWD allocation from all 17 system wells will remain limited to 63.55 mgm. Lexington Well No. 2 is completed in the Catskill Forma-

tion and is located in the Clear Run Watershed in Coolbaugh Township, Monroe County, PA. The site is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

10. *CB Mid-Atlantic Golf Club, LLC, D-1999-036-2.* An application for the renewal of a GWD project and to increase from 2.95 mgm to 4.75 mgm the withdrawal from existing Wells Nos. IW-1 and IW-2 in the Cockeysville Marble Formation for irrigation of the applicant's golf course. The increased groundwater allocation is requested in order to avoid the need for water purchases or use of approved surface water withdrawals from Broad Run Creek. The project is located in the West Branch Brandywine-Broad Run Watershed in West Bradford Township, Chester County, PA, within the Southeastern Pennsylvania Ground Water Protected Area.

11. *Borough of Dublin, D-2000-011 CP-2.* An application for the renewal of a GWD project to continue a withdrawal of up to 6.9 million gallons per 30 days (mg/30 days) to supply the applicant's public water supply from existing Wells Nos. 1, 2, 3, and 5 in the Locketong Formation and Brunswick Group. The project is located in the East Branch Perkiomen—Morris Run and Tohickon Deep Run watersheds in the Borough of Dublin, Bucks County, PA, within the Southeastern Pennsylvania Ground Water Protected Area.

12. *Blue Mountain Ski Area/Tuthill Corporation & Aquashicola-Little Gap, D-2010-026-1.* An application for approval of a surface water withdrawal and GWD project to withdraw up to 300 million gallons of water annually from November through March from two existing surface water intakes located on Aquashicola Creek for the purpose of snow-making. Additionally, this project approves the allocation of 1.49 mgm from Wells Nos. 1 and 2 to supply the ski area with potable water. The existing project withdrawals were not previously approved by the Commission. The project is located in the Aquashicola Creek Watershed in Lower Towamensing Township, Carbon County, PA. The site is located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

13. *Lakeview Estates Homeowners Association, D-2010-032 CP-1.* An application for approval of the existing Lakeview Estates WWTP, for which the Commission has not previously issued a docket. The WWTP will continue to discharge up to 54,000 gpd of treated sewage effluent to an unnamed tributary of the Lehigh River. The facility is located in Lehigh Township, Wayne County, PA within the section of the nontidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters.

14. *Aqua Pennsylvania, Inc., D-2010-042 CP-1.* An application for approval of a GWD project to supply up to 6.95 mgm of water to the applicant's public water supply system from new Well No. 1A and existing Wells Nos. 1, 2, 3A, 3B and 8. The project wells are completed in the Catskill Formation and are located in the Kleinhans and Wallenpaupack creeks watersheds in Palmyra Township, Pike County, PA. The project is located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is classified as Special Protection Waters.

15. *Bethany Children's Home, D-2010-043-1.* An application for approval of a GWD and exportation project to supply up to 6.0 mgm of water for bottled water opera-

tions from new Wells Nos. PW-A and PW-B. Withdrawn water will be exported from the Delaware River Basin to the DS Waters bottling facility in Ephrata, PA, within the Susquehanna River Basin. The project wells are completed in the Epler Formation and are located in the Tulpehocken Watershed in Heidelberg Township, Berks County, PA.

16. *Covanta Delaware Valley Resource Recovery Facility, D-2011-003 CP-1.* An application to approve Covanta Delaware Valley, LP's Delaware Valley Resource Recovery Facility (DVERRF), which derives energy from waste, and the subsidiary water allocation for the facility of up to 62.372 mgm from the Chester Water Authority. Additionally, the applicant seeks approval to construct an influent pipeline and related polishing treatment facility that will accept up to 62.372 mgm of treated wastewater effluent from the Delaware County Regional Water Quality Control Authority WWTP located nearby, in order to provide a new source of water for the DVERRF. The applicant is seeking approval to continue to use a combined total of 62.372 mgm from the two sources. The water is used for cooling purposes associated with power generation. The DVERRF is located in Chester City, Delaware County, PA.

17. *Upper Gwynedd Township, D-2011-011 CP-1.* An application for approval to construct a pump station and associated sewerage interceptor and force main, to be owned and operated by Upper Gwynedd Township, for the purpose of conveying wastewater from the Merck West Point pharmaceutical facility located in Upper Gwynedd Township to the Lansdale Borough WWTP. The applicant proposes to construct a pump station, 3,260 linear foot gravity sewer interceptor, and 8-inch ductile iron pipe force main. The pump station and associated interceptor and force main will be designed to convey up to 1,000,000 gpd of pre-treated industrial wastewater, not to exceed a monthly average flow of 750,000 gpd, from the Merck West Point pharmaceutical facility (also located in Upper Gwynedd Township) to the Lansdale Borough WWTP for treatment and discharge to the West Branch Neshaminy Creek, a tributary of the Neshaminy Creek. A separate application has been filed concurrently by the Borough of Lansdale (see DRBC Application No. D-1996-045 CP-2) for approval to revise its service area and to accept the additional flow. The proposed facilities are to be located in Upper Gwynedd Township, Montgomery County, PA.

In addition to the standard business meeting items, consisting of adoption of the Minutes of the Commission's May 11, 2011 business meeting, announcements of upcoming meetings and events, a report on hydrologic conditions, reports by the Executive Director and the Commission's General Counsel, and public dialogue, the business meeting also will include a public hearing on a proposed resolution amending Resolution No. 2010-11 to increase the authorized amount of the Commission's contract for management of comments received on a proposed rulemaking concerning natural gas development.

The Commission will not consider action during its July 13, 2011 meeting on draft Docket No. D-2010-022-1, a proposed surface water withdrawal from Oquaga Creek in Sanford, Broome County, NY by XTO Energy for natural gas exploration and development projects. Public hearings on this item took place on May 11, 2011 in West Trenton, NJ and June 1, 2011 in Deposit, NY. The Commissioners and staff currently are reviewing the written and oral comments submitted on the draft docket by members of the public.

Draft dockets scheduled for public hearing on July 13, 2011 can be accessed through the Notice of Commission Meeting and Public Hearing on the Commission's web site, drbc.net, 10 days prior to the meeting date. Additional public records relating to the dockets may be examined at the Commission's offices. Contact William Muszynski at (609) 883-9500, Ext. 221, with any docket-related questions.

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

Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally

during the public dialogue portion of the meeting are asked to sign up in advance by contacting Paula Schmitt of the Commission staff, at paula.schmitt@drbc.state.nj.us or (609) 883-9500, Ext. 224.

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

PAMELA M. BUSH, Esq.,  
Secretary

[Pa.B. Doc. No. 11-1132. Filed for public inspection July 8, 2011, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending June 21, 2011.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-15-2011	<p><i>From:</i> The First National Bank of Palmerton Palmerton Carbon County</p> <p><i>To:</i> First Northern Bank and Trust Co. Palmerton Carbon County</p> <p>Application for approval to convert from a national bank to a Pennsylvania state-chartered bank and trust company.</p>	Filed
6-16-2011	<p><i>From:</i> Riverview National Bank Marysville Perry County</p> <p><i>To:</i> Riverview Bank Marysville Perry County</p> <p>Application for approval to convert from a national bank to a Pennsylvania state-chartered bank.</p>	Approved
6-16-2011	<p><i>From:</i> Univest National Bank and Trust Co. Souderton Montgomery County</p> <p><i>To:</i> Univest Bank and Trust Co. Souderton Montgomery County</p>	Approved

<i>Date</i>	<i>Name and Location of Applicant</i>		<i>Action</i>
	Application for approval to convert from a national bank and trust company to a state-chartered bank and trust company.		
<b>Branch Applications</b>			
<b>De Novo Branches</b>			
<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-15-2011	Jonestown Bank & Trust Co. Jonestown Lebanon County	1001 Sharp Avenue Ephrata Lancaster County	Filed
<b>Branch Relocations</b>			
<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-16-2011	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 822 Welsh Road Maple Glen Montgomery County  <i>From:</i> 874 Welsh Road Maple Glen Montgomery County	Approved
<b>Branch Discontinuances</b>			
<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-16-2011	Royal Asian Bank Philadelphia Philadelphia County	7001 West Chester Pike Upper Darby Delaware County	Closed
6-20-2011	S&T Bank Indiana Indiana County	420 Pleasantview Drive Ford City Armstrong County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 11-1133. Filed for public inspection July 8, 2011, 9:00 a.m.]

**Mortgage Licensing Act Licensee Record Retention Period**

Section 6135(a)(2) of 7 Pa.C.S. (relating to licensee requirements) provides that all 7 Pa.C.S. Chapter 61 (relating to Mortgage Licensing Act) licensee records "shall be preserved and kept available for investigation or examination by the department for a period determined by the department." The Department of Banking (Department) has determined that the period for preserving records by licensees under 7 Pa.C.S. § 6135(a)(2) is a minimum of 4 years. The Department reserves the right to require a licensee to preserve records for a longer period if circumstances should warrant.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 11-1134. Filed for public inspection July 8, 2011, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

**Weatherization Assistance Program's Proposed State Plan**

The Department of Community and Economic Development (Department) will hold a public hearing on July 13, 2011, at 2 p.m. in Hearing Room 3, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The purpose of this hearing is to receive comments on the proposed Pennsylvania Fiscal Year (FY) 2011-12 annually-appropriated United States Department of Energy Weatherization Assistance Program Plan (regular plan).

The FY 2011-12 regular plan will authorize the current formula-based distribution of funds. There will be an initial allocation to the agencies of 50% of the funds, with

the balance of the allocation distributed in the 2011-12 program year based upon specific performance goals including production, quality of the work product, prompt, accurate and complete reporting and energy reduction achieved. This funding structure was implemented in the 2010-11 program year and is planned to continue in FY 2011-12.

The State-issued worker certification process, support of the Weatherization training centers, comprehensive monitoring and use of established priority points for weatherization service are all proposed to continue in the regular FY 2011-12 plan as they were implemented in the ARRA Weatherization Program and the regular FY 2010-11 program year.

A noteworthy change in the FY 2011-12 plan is the intention to put out for bid various formal and informal leveraging activities including partnerships with electric distribution companies, coordination with energy programs and increasing resources for low-income, high energy users. In addition, the plan will address the new, required health and safety standards, as mandated by the Department of Energy.

Copies of the regular FY 2011-12 plan may be obtained beginning July 1, 2011, by contacting the Department of Community and Economic Development, Office of Energy Conservation and Weatherization, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, (717) 720-1354. The plan can be downloaded from the Department's web site at [www.newpa.com](http://www.newpa.com).

Written comments may be submitted to E. Craig Heim, Executive Director, Office of Energy Conservation and Weatherization, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 until 5 p.m. on July 13, 2011.

Persons with a disability who wish to attend this hearing and require auxiliary aid, services or other accommodations to participate in the proceedings, contact

Ashley Seburn at (717) 720-7456 to discuss how the Department may accommodate their needs.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 11-1135. Filed for public inspection July 8, 2011, 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, July 20, 2011, 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 Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Joan Dupes directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

RICHARD J. ALLAN,  
*Secretary*

[Pa.B. Doc. No. 11-1136. Filed for public inspection July 8, 2011, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0088889— CAFO	Graywood Farms, LLC 225 Mason Dixon Road Peach Bottom, PA 17653	Lancaster County / Fulton Township	UNT Conowingo Creek / 7-K	Y
PA0020711—Sew	Topton Borough 205 South Callowhill Street Topton, PA 19562-1750	Berks County / Longswamp Township	Toad Creek / 2-C	Y
PA0247979—Sew	Gary & Judy Cryder 101 Fleisher Road Marysville, PA 17053	Perry County / Rye Township	UNT Fishing Creek / 7-A	Y
PA0082023—IW	Leola Sewer Authority (Quarry Rd & Newport Rd WTPs) 36 Hillcrest Avenue Leola, PA 17540-0325	Lancaster County / Upper Leacock Township	UNT Conestoga River / 7-J	Y
PA0087131—Sew	Northern Lancaster County Authority—Gehman School Road 983 Beam Road Denver, PA 17517-8946	Lancaster County / Brecknock Township	Little Muddy Creek / 7-J	Y
PA0085405—Sew	Baladerry Inn LP 40 Hospital Road Gettysburg, PA 17325	Adams County / Cumberland Township	UNT Rock Creek / 13-D	Y
PA0081302—Sew	South Londonderry Township Municipal Authority— Campbelltown West STP 20 West Market Street PO Box 3 Campbelltown, PA 17010-0003	Lebanon County / South Londonderry Township	UNT Spring Creek / 7-D	Y
PA0042528—Sew	Margaretta Mobile Home Park Lester B. Searer 1446 Prayer Mission Road York, PA 17406	York County / Lower Windsor Township	Cabin Creek / 7-I	Y



NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0087564—Sew	Donald & Linda Yingling 3574 Taneytown Road Gettysburg, PA 17325-8635	Adams County / Cumberland Township	UNT Plum Creek / 13-D	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0036994 (Sewage)	Pleasantville Borough STP P. O. Box 150 South Main Street Pleasantville, PA 16341-0150	Venango County Pleasantville Borough	West Pithole Creek 16-E	Y

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

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

**PA0027103 A3**, Sewage, SIC Code 4952, **DELCORA**, 100 East Fifth Street, PO Box 999, Chester, PA 19016-0999. Facility Name: DELCORA STP. This existing facility is located in City of Chester, **Delaware 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), Delaware River Estuary Zone 4 is located in State Water Plan watershed 3G 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 44 MGD before the completion of plant expansion/outfall extension and 50 MGD after the completion of plant expansion/outfall extension.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Instant. Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
CBOD <sub>5</sub> (Interim)	7,000	10,500	XXX	19	29 Wkly Avg	38
CBOD <sub>5</sub> (Final)	7,000	10,500	XXX	17	25 Wkly Avg	34
CBOD <sub>20</sub>	10,500	XXX	XXX	XXX	XXX	XXX
CBOD <sub>5</sub> % Removal (%)	89.25	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids (Interim)	11,000	16,500	XXX	30	45 Wkly Avg	60
Total Suspended Solids (Final)	12,500	18,760	XXX	30	45 Wkly Avg	60
TSS % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
Total Dissolved Solids (Interim)	XXX	XXX	XXX	Report	Report	Report
Total Dissolved Solids (Final)	XXX	XXX	XXX	1,000	2,000	2,500
Oil and Grease (Interim)	5,500	XXX	XXX	15	XXX	30
Oil and Grease (Final)	6,250	XXX	XXX	15	XXX	30
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	1,000
Nitrate as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Lead	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX
Chlorodibromomethane	XXX	XXX	XXX	Report	XXX	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	XXX	XXX
PCBs (Dry Weather) (pg/L)						
Jan 1 - Jun 30	XXX	XXX	XXX	XXX	Report	XXX
Jul 1 - Dec 31	XXX	XXX	XXX	XXX	Report	XXX
PCBs (Wet Weather) (pg/L)						
Jan 1 - Jun 30	XXX	XXX	XXX	XXX	Report	XXX
Jul 1 - Dec 31	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 028 are based on an average storm event.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX

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

1. Operator Notification
2. Average Weekly Definition
3. Remedial Measures if Unsatisfactory Effluent
4. Acquire Necessary Property Rights
5. BOD5 Percent Removal Requirement
6. Proper Test Method
7. Change of Ownership
8. TRC Requirement
9. Proper Sludge Disposal
10. TMDL/WLA Data
11. I - Max Limitation
12. Maximize Flow to Treatment Plant
13. Raw Sewage Pump Station Overflow
14. TDS Condition
15. Effluent Limits for 50 mgd Flow
16. Authorization to Discharge 50 mgd Flow
17. CSO Reopener
18. Laboratory Certification
19. Fecal Coliform Requirement
20. PCBs Requirement
21. WET Testing Requirement
22. Requirement for Stormwater Outfalls
23. Pretreatment Program
24. Combined Sewer Overflows

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

The EPA Waiver is not in effect.

**PA0012416**, Industrial Waste, NAICS 22, **Pennsylvania American Water**, 800 West Hershey Park Drive, Hershey, PA 17033.

This existing facility is located in West Caln Township, **Chester County**.

Description of Proposed Activity: This application requests renewal of the NPDES permit to discharge treated filter backwash and supernatant from sludge holding tanks, from the Rock Run water treatment plant.

The receiving stream basin is in the State Water Plan watershed 3-H and is classified for the following uses: trout stocking fishery, migratory fish, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.14 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	11.7		10	M/R	
Total Suspended Solids	23.4		20	40	50
Total Phosphorus	0.12		0.1	0.2	0.25

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum (mg/l)
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Total Nitrogen				M/R	
Iron, Total	2.3		2.0	4.0	5.0
Aluminum, Total	0.93		0.8	1.6	2.1
Manganese, Total	1.2		1.0	2.0	2.5
Chloroform				M/R	M/R
Chlorodibromomethane				M/R	M/R
Dichlorobromomethane				M/R	M/R
Total Residual Chlorine			0.5		1.0
pH (STD Units)			6.0 (min.)		9.0
Ammonia Nitrogen				M/R	
Dissolved Oxygen			5.0 (min.)		

M/R = Monitor/Report

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

Other Requirements

1. Remedial Measures if Unsatisfactory Effluent
2. BAT/ELG Reopener
3. Change of Ownership
4. Total Residual Chlorine Requirement
5. Sludge Disposal Requirement
6. I-Max Requirements
7. 2/Month Sampling
8. Laboratory Certification
9. Efforts to Reduce Disinfection By-products
10. Annual Monitoring of Intake TN and Ammonia

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

**PAS213505**, Storm Water, SIC Code 3273, **ADS Pipe dba Frederick Precast**, 401 S Carlisle Street, Greencastle, PA 17225. Facility Name: Frederick Precast Concrete Greencastle. This proposed facility is located in Greencastle Borough, **Franklin County**.

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

The receiving stream(s), Paddy Run and Unnamed Tributary to Conococheague Creek, is located in State Water Plan watershed 13-C and is classified for, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 004:

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Total Iron	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 005:

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Total Iron	XXX	XXX	XXX	XXX	XXX	Report

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.

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

**PA0020567**, Sewage, SIC Code 4952, **Northumberland Borough Sewer Authority Northumberland County**, 100 Water Street, Northumberland, PA 17857-1945. Facility Name: Northumberland Sewer Authority WWTP. This existing facility is located in Northumberland Borough, **Northumberland County**.

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

The receiving stream(s), Unnamed Tributary to Susquehanna River, is located in State Water Plan watershed 5-E 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 1.125 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (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	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD5	234	375	XXX	25	40	50
Total Suspended Solids	281	422	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	Report		Report	
Net Total Nitrogen (Final)	Report	26748			
Net Total Phosphorus	Report	Report			
Net Total Phosphorus (Final)	Report	2740			

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

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on 10/1/2012. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2012.

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

- Solids Management
- Sludge Disposal Requirements
- WET Test Condition

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. WQG022218**, Sewerage, **Smithfield Sewer Authority**, 1155 Red Fox Road, East Stroudsburg, PA 18301

This proposed facility is located in Smithfield Twp., **Monroe County**, PA.

Description of Proposed Action/Activity: This project involves construction of a gravity sewer line, a pump station and a force main along business Route 209.

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

**WQM Permit No. 2811402**, Sewage, **Winter Greenes Joint Venture, LLC**, 13520 Chads Terrace, Hagerstown, MD 21740.

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

Description of Proposed Action/Activity: Construction/operation of a sanitary sewage collection system to service a proposed, 100-unit subdivision.

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

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

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

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

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, 570-281-9495.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023508006(2)	Scranton Lackawanna Industrial Building Corporation P. O. Box 431 Scranton, PA 18503	Lackawanna	Archbald Borough	Unnamed Tributary to Lackawanna River, CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032111004	David E & June B. Lutz Irrevocable Trust 1109 Kuhn Road Boiling Springs, PA 17007	Cumberland County	Middlesex Township, North Middleton Township	Letort Spring Run HQ-CWF
PAI035006002R	Ralph Lesh III 15 Creekview Drive Newport, PA 17074	Perry County	Oliver Township	Buffalo Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041411004	G.M. McCrossin Inc 2780 Benner Pike Bellefonte, PA 16823	Centre	Benner Township	Spring Creek HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

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

### SAFE DRINKING WATER

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

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

**Permit No. 0611514**, Public Water Supply.

Applicant	<b>Seafood Holding Company</b>
Municipality	Fleetwood Borough
County	<b>Berks</b>
Responsible Official	Randy S Eddinger, Consultant/PADEP operator 1697 Swamp Pike Gibbertsville, PA 19525
Type of Facility	Public Water Supply
Consulting Engineer	George W Ruby, P.E. Ruby Engineering 3605 Island Club Drive North Port, FL 34288-6611
Application Received:	6/6/2011
Description of Action	Installation of nitrate treatment.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995

##### PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area

remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Former Littonian Shoe Factory**, 31 Keystone Street, Littlestown Borough, **Adams County**. Kelly-Buck Company, 2130 Superior Avenue, Suite 3-A, Cleveland, OH 44114, on behalf of MasterBrand Cabinets, Inc., PO Box 420, Jasper, IN 47547-0420, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with Chlorinated Solvents and VOCs from the operation of a shoe manufacturing facility. Current and future use of the site is industrial. The site will be remediated to the Residential Statewide Health standard.

**Fort Indiantown Gap Building 11-89 Site**, Asher Mine Road, East Hanover Township, **Lebanon County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of PA Dept. of Military and Veterans Affairs, Building 0-11, Fort Indiantown Gap, Annville, PA 17003-5002, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heating oil and diesel fuel. The site will be remediated to the Residential Statewide Health standard.

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

**I-80 Westbound MM 36**, Clinton Township, **Venango County**. GES, Inc., 301 Commerce Drive, Cranberry Township, PA 16066 on behalf of Eldredge, Inc., 898 Fernhill Road, West Chester, PA 19380-4202 has submitted a Notice of Intent to Remediate. On December 30, 2009 an accident involving a tanker truck resulted in the release of approximately 4,200 gallons of waste ammonium bifluoride (ABF). Fluoride is the primary constitu-

ent of concern. Constituents of potential concern include pH, fluoride, aluminum, arsenic, cadmium, chromium, copper, iron, lead, and nickel. The intended future use of the property will remain a PennDOT right-of-way for I-80. The proposed cleanup standards for the site are Site-Specific & Background. The Notice of Intent to Remediate was published in *The Derrick* and *The News-Herald* on June 2, 2011.

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

#### Applications Submitted Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**PAD980550412. Johnson Matthey Inc.**, Johnson Matthey Riverside Facility, 900 River Road, Conshohocken PA 19428-2647. This class I permit modification application is seeking the approval for transferring the existing hazardous waste RCRA Part B permit from Lonza Inc., to Johnson Matthey Inc., at the Johnson Matthey Riverside Facility, formerly known as Lonza Riverside Facility, a captive hazardous waste facility located in Upper Merion Township, **Montgomery County**. Application was received at the Southeast Regional Office on May 25, 2011.

#### RESIDUAL WASTE GENERAL PERMITS

#### Application Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGR132. Coal Gas Recovery, LLC**; 158 Portal Road, Waynesburg, PA 15370; Site: Emerald Mine, 212 Mine Road, Waynesburg, PA 15370. This application is for beneficial use of coal bed methane water as production water for gas wells, coal preparation process water, and water used in manufacturing of flowable material for deep mine support structures. The application was determined to be administratively complete by Central Office on June 23, 2011.

Comments concerning the application should be directed to Scott E. Walters, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. Persons interested in obtaining more information about the general permit application may contact the Central Office, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

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

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

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

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

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

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

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

#### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**24-131P: SGL Carbon LLC** (900 Thersia Street, St Marys, PA 15857) for the installation of a control device

to five (5) graphitizing furnaces so they can be used as purification/graphitization furnaces. This action is under Plan Approval 24-131P for the facility located in the City of St Marys, **Elk County**.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

*Contact: B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**04-00083B: Beaver Valley Alloy Foundry Co.** (1899 Broadhead Road, Monaca, PA 15061) allow the installation of a new fabric collector/baghouse and a new shake out area in their existing foundry & metal processing facility at the Beaver Valley Alloy facility located in Monaca city, **Beaver County**.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-04-00083B to allow the installation of a new fabric collector/baghouse and a new shake out area in their existing foundry & metal processing facility at the Beaver Valley Alloy facility located in Monaca City, Beaver County.

Potential emissions from the project are estimated to be 0.07 tons of particulate matter and particulate matter less than 10 microns in diameter (PM/PM10) per year. Best available technology (BAT) for the proposed sources is the installation of a fabric collector to control the particulate emissions from the process. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes work practice, preventive maintenance, stack testing, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with Pa. Code Title 25 Subchapter F.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Jesse Parihar, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed Plan Approval (PA-04-00083B).

Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

For additional information you may contact Jesse Parihar at 412-442-4030.

**30-00195: Equitrans, LP** (625 Liberty Avenue, Pittsburgh, PA 15222) to allow the construction and temporary operation of the following sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**: three (3) natural gas-fired spark-

ignition compressor engines rated at 4,735-bhp, each equipped with an oxidation catalyst; two (2) dehydrators each rated for 225 MMscfd of natural gas; two (2) 4.3 MMBtu/hr tri-ethylene glycol reboilers, each equipped with ground flare; one 0.25 MMBtu/hr fuel gas heater; one (1) natural gas-fired spark-ignition generator engine rated at 690 bhp for emergency (stand-by) power generation, equipped with a three-way catalyst; one (1) 10,000-gallon produced fluids storage tank; two (2) 5,000-gallon new lube oil tanks; one (1) 4,000-gallon waste oil tank; one (1) 2,000-gallon new mono-ethylene glycol (MEG) tank; one (1) 2,000-gallon waste mono-ethylene glycol (MEG) tank; one (1) 10,000-gallon new tri-ethylene glycol tank; one (1) 10,000-gallon waste tri-ethylene glycol tank.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval PA-30-00195 to allow the construction and temporary operation of the following sources and controls at the Jefferson Compressor Station located in Jefferson Township, Greene County: three (3) natural gas-fired spark-ignition compressor engines rated at 4,735-bhp, each equipped with an oxidation catalyst; two (2) dehydrators each rated for 225 MMscfd of natural gas; two (2) 4.3 MMBtu/hr tri-ethylene glycol reboilers, each equipped with ground flare; one 0.25 MMBtu/hr fuel gas heater; one (1) natural gas-fired spark-ignition generator engine rated at 690 bhp for emergency (stand-by) power generation, equipped with a three-way catalyst; one (1) 10,000-gallon produced fluids storage tank; two (2) 5,000-gallon new lube oil tanks; one (1) 4,000-gallon waste oil tank; one (1) 2,000-gallon new mono-ethylene glycol (MEG) tank; one (1) 2,000-gallon waste mono-ethylene glycol (MEG) tank; one (1) 10,000-gallon new tri-ethylene glycol tank; one (1) 10,000-gallon waste tri-ethylene glycol tank.

The potential to emit for the facility was estimated at 81.3 tons of nitrogen oxides (NO<sub>x</sub>), 37.2 tons of carbon monoxide (CO), 43.5 tons of volatile organic compounds (VOCs), 5.2 tons of PM-10, 5.1 tons of PM-2.5, 5.5 tons of formaldehyde (HCHO), and 13.5 tons of total combined hazardous air pollutants (HAPs) per year. The plan approval will include federally enforceable limits for emissions of NO<sub>x</sub>, CO, VOC, and formaldehyde. Best available technology (BAT) for each proposed compressor engine is lean-burn natural gas combustion, installation of oxidation catalysts with air to fuel ratio controllers, good combustion practices, and proper maintenance and operation. BAT for each proposed generator engine is rich-burn natural gas combustion, installation of three-way catalysts with air to fuel ratio controllers, good combustion practices, and proper maintenance and operation. BAT for each proposed dehydrator/reboiler unit is the use of an enclosed ground flare for VOC, HAP, and malodor control. This authorization is subject to applicable sections of Title 25 of the Pennsylvania Code; the General Provisions of the Federal New Source Performance Standards (NSPS) and 40 CFR Part 60 Subpart JJJJ-Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; and Federal National Emission Standards for Hazardous Air Pollutants (NESHAPS) including 40 CFR Part 63 Subpart HHH-National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities, and 40 CFR Part 63 Subpart ZZZZ-National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Compliance with emission limitations will be demonstrated through stack testing. The Plan Approval has been conditioned to ensure compliance with all applicable



rules and regulations. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with Title 25 of the Pennsylvania Code, Subchapter F.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Devin P. Tomko, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed Plan Approval (PA-30-00195).

Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

For additional information you may contact Devin P. Tomko at 412-442-5231.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**10-359C: Keystone Midstream Services, LLC—Sarsen Gas Processing Plant** (10355 Westmoor Drive, Suite 250, Westminster, CO 80021) for the reduction of permitted VOC emission rates associated with existing natural gas compressor engines at their facility in Forward Township, **Butler County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue Plan Approval 10-359C to Keystone Midstream Services, LLC for the reduction of permitted VOC emission rates associated with existing natural gas compressor engines at their Sarsen Gas Processing Plant facility located at 736 Prospect Rd., Forward Township, Butler County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code Section 127.450.

Plan Approval No. 10-359C is for the reduction of permitted VOC emission rates associated with ten (10) existing natural gas compressor engines previously permitted under Plan Approval 10-359B, based upon emission rates achieved during stack testing. Based on the information provided by the applicant and DEP's own analysis, the facility will have the potential to emit approximately 95.54 tons of carbon monoxide, 46.76 tons of nitrogen oxides, 31.86 tons of volatile organic compounds (VOCs), 4.59 tons of particulate matter, 0.30 ton of sulfur oxides, and 2.4 tons of total Hazardous Air Pollutants (HAP) per year.

The Plan Approval will contain additional testing, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. The facility will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subparts KKK, for Onshore Natural Gas Processing Plants, and JJJJ, for Stationary Spark Ignition Internal Combustion Engines.

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public

inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

1. Name, address, and telephone number of the person submitting comments.

2. Identification of the proposed Plan Approval; No. 10-359C.

3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

#### OPERATING PERMITS

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

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

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

**67-05006: York County Solid Waste and Refuse Authority** (2700 Black Bridge Road, York, PA 17406) for the operation of a municipal waste-to-energy plant in Manchester Township, **York County**.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Title V Operating Permit for the abovementioned facility.

The facility's actual reported emissions in 2010 were 83.9 tons of carbon monoxide (CO), 475.5 tons of nitrogen oxides (NO<sub>x</sub>), 12.6 tons of particulate matter (PM<sub>10</sub>/PM<sub>2.5</sub>), 40.4 tons of sulfur oxides (SO<sub>x</sub>), 28.7 tons of hydrogen chloride (HCl), and 4.0 tons of volatile organic compounds (VOCs). The Operating Permit will include emission limits, work practice standards, monitoring requirements, recordkeeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart Cb, Emission Guidelines and Compliance Times for Large Municipal Waste Combustors.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours

at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

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

Permits issued to sources identified in 25 Pa. Code Section 127.44(b)(1)—(4) or permits issued to sources with limitations on the potential to emit used to avoid otherwise applicable Federal requirements may become part of the SIP, and will be submitted to EPA for review and approval.

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

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

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

**37-00234: Praxair, Inc./Praxair Surface Technologies, Inc./New Castle Plant** (3225 Honeybee Lane, New Castle, PA 16510-6502), for a Natural Minor Operating Permit to operate a metal coating operation located in Wilmington Township, **Lawrence County**.

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#### **PLAN APPROVALS**

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**Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-319-059: Letica Corporation** (Maui-Cup Division) (20 Commerce Road, Pittston, PA 18640) for their facility located in Pittston Twp., **Luzerne 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 Letica Corporation (Maui-Cup Division) (20 Commerce Road, Pittston, PA 18640) for their facility located in Pittston Twp., Luzerne County. This Plan Approval No.

40-318-059 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-318-059 is for the operation of cup forming machines and printing process at the facility. VOC emissions from the plant will not exceed 50 TPY threshold limit, 12-month rolling sum. Particulate emissions will not exceed 0.02 grains/dscf from the baghouse. The company shall be subject to and comply with 25 PA Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 PA Code § 123.41 for Visible emissions. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit No.: 40-318-059.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone # 570-826-2511 within 30 days after publication date.

### **COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy

of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

#### *Coal Applications Received*

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

**56000101 and NPDES No. PA0235229. Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 119.2 acres. Receiving stream(s): Shade Creek and Stonycreek River classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority Border Dam Intake on Stonycreek River. Application received: June 16, 2011.

**56900113 and NPDES No. PA0598992. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 99.5 acres. Receiving stream(s): unnamed tributaries to/and Hays Run; unnamed tributaries to/and Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 9, 2011.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**24980105 and NPDES Permit No. PA0227871. Tamburlin Bros. Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830) Revision to an existing bituminous surface and auger mine to add 9.0 acres to the surface mining permit in Horton Township, **Elk County**. Total affected acres will be 148.0 acres. Receiving streams: Karnes Run, Johnson Run and unnamed tributary to Brandy Camp Creek, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 13, 2011.

**61100101. K & A Mining** (P. O. Box 288, Grove City, PA 16127) Revision to an existing bituminous surface mine to add blasting in Irwin Township, **Venango County** affecting 68.6 acres. Receiving streams: Unnamed tributary A to Williams Run, unnamed tributary D to Scrubgrass Creek, and unnamed tributary C to East Branch Wolf Creek, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 13, 2011.

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

**54753038R5. Lensco Corporation**, (6500 Tollgate, Zionsville, PA 18092), renewal of an existing anthracite surface mine operation for reclamation activities only in Cass Township, **Schuylkill County** affecting 67.2 acres, receiving stream: none. Application received: June 7, 2011.

**49851602R5 and NPDES Permit No. PA0223662. D. Molesevich & Sons Construction Co., Inc.**, (333 South Pine Street, Mt. Carmel, PA 17851), renewal of an existing anthracite coal preparation plant and refuse disposal operation and renewal of NPDES Permit for discharge of treated mine drainage in Mt. Carmel Township, **Northumberland County** affecting 48.2 acres, receiving stream: Shamokin Creek. Application received: June 9, 2011.

#### *Noncoal Applications Received*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**37960301. ESSROC Cement Corp.** (P. O. Box 779, Bessemer, PA 16112) Renewal of NPDES Permit No. PA0227188 in North Beaver & Mahoning Townships, **Lawrence County**. Receiving streams: Unnamed tributary to Mahoning Creek, classified for the following uses: WWF; and unnamed tributary to Hickory Run, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 13, 2011.

**37910303. ESSROC Cement Corp.** (P. O. Box 779, Bessemer, PA 16112) Renewal of NPDES Permit No. PA0208442 in North Beaver Township, **Lawrence County**. Receiving streams: Unnamed tributary to Mahoning Creek, classified for the following uses: WWF; and unnamed tributary to Hickory Run, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 13, 2011.

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

**4773SM5 and NPDES No. PA0115533. Hanson Aggregates Pennsylvania LLC** (7600 Imperial Way, Allentown, PA 18195). Renewal of an existing large industrial mineral mine located in Muncy Creek Township, **Lycoming County** affecting 195.7 acres. Receiving stream:

unnamed tributary to Wolfe Run classified for high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 20, 2011.

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

**58110303. Rock Ridge Stone, Inc.**, (631 SR 1039, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 102.87 acres, receiving stream: Middle Branch Wyalusing Creek, classified for the following use: cold water fishes. Application received: June 8, 2011.

**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

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<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*			

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\* The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT

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<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity*		greater than 6.0; less than 9.0	
pH*		greater than 6.0; less than 9.0	

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\* The parameter is applicable at all times.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associ-

ated 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).

*Effluent Limits for Coal Mining Activities*

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.

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:

limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

*Effluent Limits for Noncoal Mining Activities*

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapters 77 are as follows:

Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer

and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### Coal NPDES Draft Permits

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100

**NPDES No. PA0214434 (Mining Permit No. 63921301), UMCO Energy Inc.,** (c/o West Virginia Resources, Inc., PO Box 278, Gallipolis, OH 45631). A renewal to the NPDES and mining activity report for the High Quality Mine in Fallowfield Township, **Washington County**. Surface Acres Affected 64.6, Underground Acres Affected 2130.0. Receiving stream: Unnamed Tributary to Taylors Run, classified for the following use(s): WWF. Monongahela River/TMDL. Application received December 9, 2008.

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 proposed average daily discharge rate for Outfall 003 is 1.2 MGD

Outfall 003 discharges to: Unnamed Tributary to Taylors Run

The proposed effluent limits for Outfall 003 Lat: 40° 09' 22" Long: 79° 57' 21" are:

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)			Monitor & Report	
Sulfates (mg/l)			250	
Specific Conductance (umho)			Monitor & Report	

<sup>1</sup> The parameter is applicable at all times.

The proposed average daily discharge rate for Outfall 004 is .16 MGD

Outfall 004 discharges to: Unnamed Tributary to Taylors Run

The proposed effluent limits for Outfall 004 Lat: 40° 09' 32" Long: 79° 57' 25" are:

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	2.3	3.8
Manganese (mg/l)		0.64	1.0	1.6
Aluminum (mg/l)		0.48	0.75	1.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)			50	
Total Dissolved Solids (mg/l)			Monitor & Report	
Sulfates (mg/l)			250	
Chlorides (mg/l)			Monitor & Report	

<sup>1</sup> The parameter is applicable at all times.

The proposed average daily discharge rate for Outfall 005 is 1.4 MGD

Outfall 005 discharges to: Unnamed Tributary to Taylors Run

The proposed effluent limits for Outfall 005 Lat: 40° 09' 36" Long: 79° 57' 16" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)			Monitor & Report	
Sulfates (mg/l)			250	
Chlorides (mg/l)			Monitor & Report	

<sup>1</sup> The parameter is applicable at all times.

The proposed average daily discharge rate for Outfall 006 is .27 MGD

Outfall 006 discharges to: Unnamed Tributary Taylors Run

The proposed effluent limits for Outfall 006 Lat: 40° 09' 19" Long: 79° 57' 19" are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)			Monitor & Report	
Chlorides (mg/l)			Monitor & Report	
Specific Conductance (umho)			Monitor & Report	

<sup>1</sup> The parameter is applicable at all times.

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

**NPDES No. PA0249866 (Mining permit no. 56050107), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for a surface coal mining operation in Brothersvalley Township, **Somerset County**, affecting 124.4 acres. Receiving stream(s): unnamed tributaries to/and Buffalo Creek, classified for the following use(s): cold water fishery. This receiving stream is included in the Buffalo Creek TMDL. Application received: February 22, 2011.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributaries to/and Buffalo Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Pond 1	No
002—Treatment Pond 2	
003—Treatment Pond 3	

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.9
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			

**NPDES No. PA026321 (Mining permit no. 05110101), Robindale Energy Services, Inc.**, 224 Grange Hall Road, Armagh, PA 15920, new NPDES permit for bituminous surface mine in Broadtop Township, **Bedford County**, affecting 216 acres. Receiving stream(s): Shreves Run and Longs Run, classified for the following use(s): warm water fishery. The receiving streams are included in the Sixmile Run and Longs Run TMDL. Application received: April 20, 2011.

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 treated wastewater outfall(s) listed below discharge to Shreves Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	Yes
002	Yes
003	Yes

The treated wastewater outfall(s) listed below discharge to Longs Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004	Yes
005	Yes

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: 001, 002, 003, 004 and 005 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	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (milliosmoles/kg)			50

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(s) listed below discharge to Shreves Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
006	Yes
007	Yes
008	Yes

The stormwater outfall(s) listed below discharge to Longs Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
010	Yes
011	Yes

**NPDES No. PA0249858 (Mining permit no. 32050107), Amerikohl Mining, Inc.,** P. O. Box 260, Stahlstown, PA, 15687, renewal of an NPDES permit for bituminous surface mine in Center Township, **Indiana County**, affecting 128.3 acres. Receiving stream(s): unnamed tributaries to Yellow Creek, classified for the following use(s): cold water fisheries. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: April 4, 2011.

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.

No discharge of treated wastewater is proposed.

The stormwater outfall(s) listed below discharge to unnamed tributary to Yellow Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004, 005, 006	No

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times  
Alkalinity must exceed acidity at all times

**NPDES No. PA0213071 (Mining permit no. 56950103), Heritage Mining Company,** Box 126, Cresson, PA 16630, renewal of an NPDES permit for bituminous surface mine in Shade Township, **Somerset County**, affecting 78.5 acres. Receiving stream(s): unnamed tributary to/and Oven Run, classified for the following use(s): cold water fisheries. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: April 27, 2011.

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.

No discharge of treated wastewater is proposed.

The stormwater outfall(s) listed below discharge to Oven Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003, 004	No

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35	70	90

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

**NPDES No. PA0213225 (Mining permit no. 56950111), Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, renewal of an NPDES permit for a surface coal mine operation in Shade Township, **Somerset County**, affecting 458.4 acres. Receiving stream(s): unnamed tributary to Shade Creek and Shade Creek; unnamed tributary to Hinson Run and Hinson Run, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: October 8, 2010.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributary to Shade Creek and Shade Creek; unnamed tributary to Hinson Run and Hinson Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Pond 1	No
002—Treatment Pond 2	
003—Treatment Pond 3	
004—Treatment Pond 4	
009—Treatment Pond 9	

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			50.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005—Sedimentation Pond 1	No
006—Sedimentation Pond 2	
007—Sedimentation Pond 3	
008—Sedimentation Pond 4	
010—Sedimentation Pond 5	
012—Sedimentation Pond 6	
013—Sedimentation Pond 7	

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			50.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

**NPDES No. PA0249751 (Mining permit no. 56050102), Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, renewal of an NPDES permit for a surface coal mine operation in Shade Township, **Somerset County**, affecting 63.3 acres. Receiving stream(s): unnamed tributary to Oven Run and unnamed tributary to Stonycreek River, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: September 28, 2010.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.



The outfall(s) listed below discharge to unnamed tributary to Oven Run and unnamed tributary to Stonycreek River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Pond 1	No

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	30.0	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			

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002—Sedimentation Pond 1	No
003—Sedimentation Pond 2	

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	30.0	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			

**NPDES No. PA0249777 (Mining permit no. 56050104), Hoffman Mining, Inc.,** P. O. Box 130, 118 Runway Road, Friedens, PA 15541 renewal of an NPDES permit for a surface coal mine operation in Paint Township, **Somerset County**, affecting 161.7 acres. Receiving stream(s): unnamed tributaries to/and Shade Creek, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh TMDL. Application received: September 14, 2010.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributaries to/and Shade Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Pond 1	No
002—Treatment Pond 3	
003—Treatment Pond 4	

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.9
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			

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004—Sedimentation Pond 1	No
005—Sedimentation Pond 2	
006—Sedimentation Pond 3	
007—Sedimentation Pond 4	

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum (mg/l)	0.75	1.5	1.9
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			

**NPDES No. PA0235229 (Mining permit no. 56000101), Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, renewal of an NPDES permit for a bituminous surface mine in Paint Township, **Somerset County**, affecting 119.2 acres. Receiving stream(s): Stoneycreek River, classified for the following use(s): cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: June 16, 2011.

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(s) listed below discharge to Stoneycreek River

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: 004 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	1.5	1.9
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			

**NPDES No. PA0599123 (Mining permit no. 4074SM28), PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for reclamation only with post-mining discharges in Summit Township, **Somerset County**, affecting 377.2 acres. Receiving stream(s): unnamed tributaries to Bigby Creek classified for the following use(s): cold water fisheries. This receiving stream is included in the Casselman River TMDL. Application received: April 4, 2011.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributaries to Bigby Creek.

The outfall(s) listed below require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001, 002	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.9
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: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

**E07-440: Dennis Clapper**, Williamsburg Municipal Authority Wastewater Treatment Plant, 305 East 2nd Street, Williamsburg, PA 16693-1041, in Catharine Township, **Blair County**, ACOE Baltimore District.

To demolish the existing structures and construct and maintain: 1) three sequencing batch reactor (SBR) tanks approximately 78.0 feet by 49.0 feet and having a height of 12.0 feet; 2) digester tank approximately 52.0 feet by 27.0 feet and having a height of 15.0 feet; 3) digester control house 52.0 feet by 25.0 feet and having a height of 22.0 feet; 4) SBR equipment building 88.0 feet by 34.0 feet and having a height of 32.0 feet; and 5) U.V. system building 78.0 feet by 42.0 feet and having a height of 16.0 feet; and associated volume of fill (approximately 9,000.0 cubic yards) and volume of excavation (approximately 6,500.0 cubic yards), all within the 100-year floodplain of the Frankstown Branch of the Juniata River (TSF, MF) for the purpose of upgrading the existing wastewater treatment plant. The treatment plant is located adjacent to Recreation Drive (Williamsburg, PA Quadrangle; N: 15.96 inches, W: 10.07 inches; Latitude: 40°27'46.4", Longitude: -78°11'50.5") in Catharine Township, Blair County.

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

**E32-487-A1. GenOn Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317-5817. To impact approximately 2.46 acres of wetlands and 7804 Linear Feet of channels of unnamed tributaries to the Conemaugh River (CWF) in the following manners for the purpose of construction of Stage III

of the Residual Waste Landfill at the Conemaugh Generating Station in West Wheatfield Township, **Indiana County** (New Florence, PA Quadrangle N: 5.5 inch; W: 9.5 inches; Latitude: 40°-24'-19"; Longitude: 79°-4'-6"):

1- To place fill in 3906 LF of the previously relocated channels, and to construct and maintain new channels known as East Valley Stream (EVS) for a total length of 5040 LF including relocation of Stream DD which is an unnamed tributary to the Conemaugh River (CWF).

2- To enhance and maintain 2994 LF of the existing streams consisting of 1316 LF of the East Valley Stream (EVS) adjacent to Equalization Pond, 586 LF of Stream DD and 1092 LF of East Valley Stream.

3- To impact 5105 LF of regulated streams by the landfill materials.

4- To construct and maintain a 4-ft diameter pipe culvert with a broad crested concrete weir on the haul road in the new relocated channel (EVS); a 3-ft diameter and a 2-ft diameter pipe to convey runoff from the finished landfill cover; a double box culvert to access soil stockpile area in the existing channel (EVS); a 27-ft wide x 5-ft high box culvert in the new channel (EVS) on Ash Valley Haul Road; a 27-ft wide x 5-ft high box culvert in the new channel (EVS) at Ash Valley Wetland Mitigation area; and two 135-ft long 6-ft and a 4-ft diameter pipe culverts in the new channel (EVS).

**E42-08-002, Dallas Energy, LLC**, 103 South Kendall Avenue. Goodman-Petitt Stream Crossings, in Foster Township, **McKean County**, ACOE Pittsburgh District. The applicant is proposing to construct, operate, and maintain:

1). A culvert crossing using two 42 feet long, 7 feet diameter steel culverts to cross perennial Bolivar Run (CWF) adjacent to Bolivar Drive, approximately 2600 feet upstream of Cross Drive (Bradford, PA Quadrangle 41°59'10.3"N 78°39'41.9"W).

2). A culvert crossing using a 42 feet long, 8 feet diameter steel culvert to cross a perennial unnamed tributary of Bolivar Run (CWF) approximately 3600 feet north/northwest of the intersection of Bolivar Drive and Cross Drive (Bradford, PA Quadrangle 41°59'26.6"N 78°39'36.3"W).

The purpose of the proposed crossings is to replace two temporary crossings constructed to access oil and gas well sites. The proposed culvert crossing of the unnamed tributary to Bolivar Run is located approximately 200 feet upstream of the existing temporary crossing.

**ACTIONS**

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

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 251—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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

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

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

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

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

#### **I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS222202 (Storm Water)	Bestway of PA. Inc. Bestway Lumber Treatment Center 3870 State Route 191/390 Cresco, PA 18326	Monroe County Barrett Township	Cranberry Creek (1-F) High Quality Cold water Fishes	Y
PA0060577 (Sewage)	Trails End WWTP Birch & Hickory Lane Trails End, PA 18458	Pike County Shohola Township	Unnamed Tributary to Shohola Creek (1-D)	Y
PA0053911 (Sewage)	East Bangor Municipal Authority 555 West Central Avenue East Bangor, PA 18013	Northampton County East Bangor Borough	Brushy Meadow Creek (1-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0087661 (Sew)	Chestnut Ridge Area Joint Authority 320 Lane Metal Road New Paris, PA 15554	Bedford County / East St. Clair Township	Dunning Creek / 11-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103411 (Industrial Waste)	Ellwood Quality Steele Company 700 Moravia Street New Castle, PA 16101	Lawrence County City of New Castle	Shenango River (Outfall 001) and Neshannock Creek (Outfall 002) 20-A	Y
PA0238619 (Sewage)	Chestnut Grove Homeowners Association 198 Saxonburg Road Butler, PA 16002	Butler County Franklin Township	Mulligan Run 20-C	Y

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**II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**


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

**NPDES Permit No. PA0061590**, Sewage, SIC Code 4939, **Little Washington Wastewater Company**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3489.

This existing facility is located in North Union Township, **Schuylkill County**.

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062553 (IW)	PA American Water Crystal Lake WPP 90 Johnson Street Mountain Top, PA 18707	Luzerne County Fairview Township	Big Wapwallopen Creek (5-B)	N

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

**NPDES Permit No. PA0254479**, Sewage, **Scott Elgin**, 2950 Warren Road, Indiana, PA 15701

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

Description of Proposed Action/Activity: Permit issuance to discharge treated sewage.

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


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

**WQM Permit No. 0811201**, CAFO Operation [0213], **Van Blarcom Farms**, 934 Besley Road, Columbia Cross Roads, PA 16914-7895.

This proposed facility is located in Columbia Township, **Bradford County**.

Description of Proposed Action/Activity: Van Blarcom Farms, an existing dairy and swine farm, proposes construction of new and expanded swine barns with shallow concrete under barn manure storage facilities and an additional HDPE lined (Stage 3) manure storage facility impoundment. The proposed manure storage facilities will hold the following volumes of manure: breeding and gestation under barn storage (643,476 gallons), farrowing under barn storage (205,184 gallons) and gilt grower under barn storage (96,017 gallons) and a new manure storage facility impoundment (2,663,000 gallons). The new and existing manure storage facilities at this farm will hold a total stored volume of approximately 7,000,000 gallons of manure. All proposed facilities are designed with leak detection systems. A separate CAFO permit application was submitted with this WQM permit to amend the facility's existing NPDES permitted Animal Equivalent Units (AEUs) from 1316 to 2736 AEUs.

The draft permit notice for WQM Permit No. 0811201 was incorrectly published in the *PA Bulletin* on 4/16/2011 and 5/28/2011 under WQM Permit No. 0804202. A correct draft permit notice was published in the *PA Bulletin* on 6/11/2011.

**WQM Permit No. WQG02591101**, Sewerage SIC-4952, **Lawrence Township Municipal Authority**- 173 School Road, Tioga, PA 16946

This proposed facility is located in Lawrence Township, **Tioga County**.

Description of Proposed Action/Activity: The Authority proposed to replace the existing pump station with a new pump station. The estimated discharge is 5,600 GPD.

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

**WQM Permit No. 3211401**, Sewerage, **Scott Elgin**, 2950 Warren Road, Indiana, PA 15701

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

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

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


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


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033808001	Pennsylvania Department of Transportation (SR 0501, Section 006 Schaefferstown Bypass) 2140 Herr Street Harrisburg, PA 17103-1699	Lebanon	Heidelberg Twp.	UNT to Hammer Creek (HQ-CWF)

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

*Clearfield County Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-2629*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041711001	Lawrence Township PO Box 508 Clearfield, PA 16830	Clearfield	Lawrence Township	Lick Run HQ Trout Run HW

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

*Indiana County Conservation District, 625 Kolter Drive, Suite 8, Indiana, PA 15701-3571*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050210002	City of Pittsburgh Dept. of Parks and Recreation 512 City-County Building 414 Grant Street Pittsburgh, PA 15219	Allegheny	City of Pittsburgh	UNT to the Ohio River (WWF)
PAI055609005-1	National Park Service 109 West Main Street Suite 104 Somerset, PA 15501	Somerset	Stonycreek and Shade Townships	Grove Run (CWF), Lamberts Run (CWF), Calendars Run (CWF) Watersheds

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

*Butler County Conservation District, 122 McCune Drive, Butler Pa 16001-6501*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061011001	Allegheny Power c/o Amanda Habershaw 800 Cabin Hill Drive Greensburg PA 15601-1640	Butler	Jefferson Township	Little Buffalo Creek / Buffalo Creek / UNT Bonnie Brook / Slippery Rock Creek HQ-TSF; WWF

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

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

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

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

PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Scranton, Lackawanna County	PAG02003511007	PA Dept. of Transportation District 4-0 Debbie A. Noone 55 Keystone Industrial Park Dunmore, PA 18512	Leggetts Creek, TSF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
Cumberland Township Adams County	ESCGP10111802	Jennifer Franco NiSource/Columbia Gas Transmission, LLC. 1700 MacCorckle Ave, SE Charleston, WV 25341	Willoughby Run/WWF Rock Creek/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 (717) 334-0636
South Middleton Township Cumberland County	PAR10H262RR	Exel Inc. Royer Tract 570 Polaris Parkway Westerville, OH 43082	Conodoguinet Creek-WWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle PA 17013 717-240-7812
Menallen Township Bendersville Borough Adams County	PAG02000111009	Richard A. Klein BLK-RAK Inc. 350 Mason Dixon Road Gettysburg, PA 17325	UNT to Opossum Creek/TSF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Borough of Carlisle Cumberland County	PAR10H269RR	S & A Homes Chesterfield 2121 Old Gatesburg Road St College, PA 16803	Conodoguinet Creek-WWF	Cumberland County Conservation District 310 Allen Road, Suite 301 Carlisle PA 17013 717-240-7812
West Pennsboro Township Cumberland County	PAG02002111009	Blue Mountain Service Plaza HMS Host Corporation Ray Nielsen 6905 Rockledge Drive Bethesda, MD 20817	Conodoguinet Creek and Newburg Run/WWF	Cumberland County Conservation District 310 Allen Road Carlisle PA 17013 717-240-7812
Silver Spring Township Cumberland County	PAG2002106047R	The Manors 1550 Associates Samuel Reed 3 Lemoyne Drive, Suite 100 Lemoyne, PA 17043	Trindle Spring Run/CWF	Cumberland County Conservation District 310 Allen Road Carlisle PA 17013 717-240-7812
Silver Spring Township Cumberland County	PAG2002106014R	Milfording Highlands Milfording Ventures Samuel Reed 3 Lemoyne Drive, Suite 100 Lemoyne, PA 17043	Conodoguinet Creek/CWF	Cumberland County Conservation District 310 Allen Road Carlisle PA 17013 717-240-7812
East Hempfield Twp Lancaster County	PAG02003611032	Hempfield School District 200 Church St Landisville PA 17538	UNT Swarr Run/CWF; MF	Lancaster County Conservation District 1383 Arcadia Rd Rm 200 Lancaster PA 17601 717-299-5361 Ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Milton Borough Northumberland County	PAG2004911002	Con Agra 60 N Industrial Park Rd Milton, PA 17847	UNT to Susquehanna River WWF, MF	Northumberland County Conservation District RR 3, Box 238-C Sunbury, PA 17801 (570) 286-7114, X 4
Armstrong County Gilpin Township	PAG02000311002	Christ the King Parish 630 Second Street Leechburg, PA 15656	UNT of Brady Run (WWF)	Armstrong County CD Armsdale Administration Building 124 Armsdale Road Kittanning, PA 16201
Cambria County East Carroll, West Carroll & Elder Townships	PAG02001111005	Jacob Susman Patton Wind Farm, LLC 45 Main Street, Suite 538 Brooklyn, NY 11201	Chest Creek (CWF), Little Chest Creek (CWF), Brubaker Run (CWF), Fox Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 221 Ebensburg, PA 15931
Cambria County Blacklick Township	PAG02001110006	Thomas Martin Martin Oil Company 528 North First Street Bellwood, PA 16617	Simmons Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 221 Ebensburg, PA 15931
Somerset County Conemaugh Township	PAG02005611001	Laurel View Village 2000 Cambridge Drive Davidsville, PA 15928	UNT to Stonycreek River (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501
Washington County Independence Township	PAG02006311018	Mr. Jerome A. Stefkovich and Ms. Mary C. Stefkovich 18 Campbell Street PO Box 55 Avella, PA 15312	Cross Creek (WWF)	Washington County CD 100 West Beau Street Suite 105 Washington, PA 15301
Cranberry Township Butler County	PAG02 0010 11 003	Allen Osterwise Grace Community Church 216 Mystic Pine Trail Cranberry Township PA 16066	UNT Brush Creek WWF	Butler Conservation District 724-284-5270
Paint Township Clarion County	PAG02 0016 11 001	Iron Oxide Recover Inc Robert Hedin 195 Castle Shannon Blvd Pittsburgh PA 15228	UNT Clarion River CWF	Clarion Conservation District 814-226-7893
Washington Township Erie County	PAG02 0025 11 003	Edinboro American Legion Post 439 200 Fairway Drive Edinboro PA 16412	UNT Conneautee Creek / Edinboro Lake WWF	Erie Conservation District 814-825-6403
City of Erie Erie County	PAG02 0025 11 016	Mercyhurst College 501 East 38th Street Erie PA 16546	Lake Erie WWF	Erie Conservation District 814-825-6403
Elk County, Benezette Township	PAG02-0924-11- 003	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Dents Run to Bennett Branch to Sinnemahoning Creek/CWF	PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800



*General Permit Type—PAG-3**Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Pine Grove Twp. Schuylkill County	PAR502204	Pine Grove Landfill Inc 193Schultz Road Pine Grove, PA 17963	UNT to Swatara Creek (CWF, MF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Lawrence Township Clearfield County	PAR604847	Novey Recycling, Inc. P. O. Box 485 Clearfield, PA 16830	Unnamed Tributary to Moose Creek—8-B	DEP Northcentral Regional Office Water Management 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Lawrence Township Clearfield County	PAR214804	Swisher Concrete Products, Inc. P. O. Box 55 Clearfield, PA 16830	West Branch Susquehanna River—8-B	DEP Northcentral Regional Office Water Management 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Menallen Township Fayette County	PAR206154	Nucor Wire Products Pennsylvania, Inc. 1015 New Salem Road New Salem, PA 15468	Dunlap Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Butler Township, Butler County	PAR158303	David J. Hunter Hunter's Truck Sales & Svc. Inc. 101 East Main St. Eau Claire, PA 16030	Connoquenessing Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4**Facility Location:  
County &  
Municipality*

<i>Facility Location: County &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Indian Lake Borough Somerset County	PAG046425	John T. Sullivan PO Box 121296573 Sioux Falls, SD 37186	Indian Lake	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Forward Township Butler County	PAG041043	Wesley H. Schmidt 239 Dufford Road Evans City, PA 16033	Unnamed tributary of Connoquenessing Creek 20-C	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

## PUBLIC WATER SUPPLY PERMITS

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

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

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

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

### SAFE DRINKING WATER

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

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

##### Permit No. 1510523 Public Water Supply

Applicant **Pennsylvania American Water Company**  
800 West Hershey Park Drive  
Hershey, PA 19033

Borough Parkesburg

County **Chester**

Type of Facility PWS

Consulting Engineer Ebert Engineering, Inc.  
4092 Skippack Pike  
P. O. Box 540  
Skippack, PA 19474

Permit to Construct November 10, 2010  
Issued

##### Permit No. 1511502 Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Township West Bradford

County **Chester**

Type of Facility PWS

Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct January 28, 2011  
Issued

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

**Operations Permit** issued to: **Roaring Spring Municipal Authority**, 4070019, Roaring Spring Borough, **Blair County** on 6/13/2011 for the operation of facilities approved under Construction Permit No. 0710505 MA.

**Operations Permit** issued to: **Shillington Municipal Authority**, 3060067, Cumru Township, **Berks County** on 6/14/2011 for the operation of facilities approved under Construction Permit No. 0611501 MA.

**Operations Permit** issued to: **Sensenig's Meats**, 7670861, Heidelberg Township, **York County** on 6/17/2011 for the operation of facilities submitted under Application No. 6711508 MA.

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

**Permit No. Minor Amendment—Operation Public Water Supply.**

Applicant **Hughesville Borough Water Authority**

[Township or Borough] Hughesville Borough

County **Lycoming**

Responsible Official Mr. Dale Cahn  
Hughesville Borough Water Authority  
P. O. Box 185  
Hughesville, PA 17737

Type of Facility Public Water Supply

Consulting Engineer Douglas Smith, P.E.  
Borton-Lawson  
613 Baltimore Drive - Suite 300  
Wilkes-Barre, PA 18704

Application Received June 21, 2011

Description of Action Operation of the recently installed detention piping (80 LF of 8-inch, 180 LF of 36-inch, and 270 LF of 8-inch waterlines) to provide 4-log inactivation of viruses at Entry Point 101. In addition, the Department agrees that 4-log inactivation of viruses can be achieved at Entry Points 102 and 103.

**Permit No. 1707501-T1—Transfer and Operation Public Water Supply.**

Applicant **GenOn REMA, LLC**

[Township or Borough] Bradford Township

County **Clearfield**

Responsible Official Ms. Karen McClelland  
GenOn REMA, LLC  
121 Champion Way, Suite 200  
Canonsburg, PA 15317

Type of Facility Public Water Supply

Consulting Engineer N/A  
 Application Received June 23, 2011  
 Description of Action Transfer and Operation of the PALL ARIA AP-2 Microfiltration unit with KMnO4 for manganese removal.

**Permit No. 1787504-T2—Transfer and Operation**  
 Public Water Supply.

Applicant **GenOn REMA, LLC**  
 [Township or Borough] Bradford Township  
 County **Clearfield**  
 Responsible Official Ms. Karen McClelland  
 GenOn REMA, LLC  
 121 Champion Way, Suite 200  
 Canonsburg, PA 15317

Type of Facility Public Water Supply  
 Consulting Engineer N/A  
 Application Received June 23, 2011  
 Description of Action Transfer and Operation of the distribution system, disinfection, intake pumps, and the finished water storage tank for the West Branch of the Susquehanna River.

Clearfield Municipal Authority (Public Water Supply), Clearfield County: On June 23, 2011, the Watershed Management Program approved the Source Water Protection (SWP) plan for Clearfield Municipal Authority. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (David W. Garg, P.E., (570) 321-6581).

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

**Application No. 2703502-MA2**, Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**  
 [Township or Borough] Jenks Township  
 [County] **Forest County**  
 Responsible Official Pete Kusky, PE  
 Type of Facility PWSID  
 Consulting Engineer Brian Bisson/Aqua Ohio  
 Application Received June 16, 2011  
 Date  
 Description of Action To Blast and repaint the interior of the steel clearwell standpipe

**MINOR AMENDMENT**

**Actions Taken Under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 1011504** Public Water Supply

Applicant **Borough of Mars**  
 Township Mars Borough

County **Butler**  
 Responsible Official Michael Fleming, Council President  
 Type of Facility PWS  
 Consulting Engineer Steven H. Greenberg, P.E.  
 Permit to Construct June 20, 2011  
 Issued

**Permit No. 4311502** Public Water Supply  
 Applicant **Borough of Sandy Lake**  
 Township Sandy Lake Borough  
 County **Mercer**  
 Responsible Official Robert W. Kaltenbaugh, Council President  
 Type of Facility PWS  
 Consulting Engineer Olgierd K. Wodzianski, PE  
 Permit to Construct June 21, 2011  
 Issued

**Permit No. 4388506-MA1** Public Water Supply  
 Applicant **Scenic Mobile Home Park**  
 Township Pymatuning Township  
 County **Mercer**  
 Responsible Official Jerry F. Lambert, Owner  
 Type of Facility PWS  
 Consulting Engineer Steven R. Halmi, PE  
 Permit to Construct June 17, 2011  
 Issued

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Douglass	1068 Douglass Dr. Boyertown, PA 19512	Berks County

*Plan Description:* The approved plan provides for a proposed 43 lot residential subdivision to generate a total of 12,900 gallons of sewage per day to be served by an upgraded existing pump station tributary to Amity Township sewage treatment plant. The proposed development is located on Old and New Douglass Drives, Berks County. The plan revision DEP number is A3-06930-106-3. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Douglass Township	1068 Douglass Dr. Boyertown, PA 19512	Berks County

*Plan Description:* The Yorgey Tract Subdivision (DEP Code No. A3-06930-093-2) is a 3 lot residential subdivision proposing individual on-lot sewage disposal systems. The proposed subdivision is located on the west side of Red Shale Road, south of Douglass Drive. The plan was disapproved because the requirements of Chapter 71.62 have not been met since no percolation testing was done.

## HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

### Notice of Prompt Interim Response

#### McKently and Fulton Alley Battery Casings Site Laureldale Borough, Berks County, Pennsylvania

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) has initiated a prompt interim response at the McKently and Fulton Alley Battery Casings Site (Site). The prompt interim response has been initiated pursuant to Sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)). The Site is located in the southern part of Laureldale Borough in a residential neighborhood. Battery casings were found at a shallow depth in the grass-covered fire lane/alley that runs between the houses on the 3200 block of McKently Street and Fulton Street.

The Department is removing and disposing of the battery waste and contaminated soils in excess of Residential Statewide Health Standards. The removal was initiated on June 13, 2011. Clean fill will be used to replace the volume of excavated materials and the area will be graded and grass planted to restore the affected areas. Institutional controls will not be required. The cost of this response is estimated at \$106,700.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. Sections 6020.505(b) and 6020.506(b)), and the publication of this notice in the *Pennsylvania Bulletin* starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined Monday through Friday from 8:00 a.m. to 3:30 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Mr. David Hrobuchak at 717-705-4843. The Administrative Record can also be reviewed at the Laureldale Borough Hall, 3406 Kutztown Road, Reading, PA, telephone 610-929-8700 from 8:00 a.m. to 4:00 p.m., Monday through Friday.

The Administrative Record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* on July 9, 2011, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before October 7, 2011, by mailing them to Mr. Hrobuchak at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. The public will have the opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for August 9, 2011, at 7:00 p.m. at the Laureldale Hall, 3406

Kutztown Road, Reading, PA. Persons wishing to present formal oral comment at the hearing should register before 3:00 p.m., August 5, 2011, by calling Mr. Hrobuchak at the above number. There will be an informational presentation of the Department's activities at this site prior to the public hearing.

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 call Mr. Hrobuchak at the above number or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

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Provisions of Sections 301-308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Bethlehem Commerce Center-Slag Bank 4, Bethlehem City, Northampton County.** Kenneth G.

Robbins, HDR Engineering, 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Cleanup Plan (on behalf of his client, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164), concerning the remediation of soil found to have been impacted by VOCs, Semi-VOCs and Inorganic constituents as a result of historical operations at the former Bethlehem Steel Plant. The report was submitted in partial fulfillment of the Site-Specific Standard. A public notice regarding the submission of the Cleanup Plan was published in *The Express Times* on June 9, 2011 and in *The Morning Call* on June 10, 2011.

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

**Spectrum Control Inc.**, Ferguson Township, **Centre County**. Conestoga Rovers & Assoc., 651 Colby Drive, Waterloo, Ontario, Canada N2V 1C2 on behalf of Spectrum Control Inc., 8031 Avonia Road, Fairview, PA 16415 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with tetrachloroethylene, trichloroethylene, barium, and lead. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Bolton Metal Products formerly Cerro Metal Products-South Spring**, Eastern Hillside and South Yard, Spring Township, **Centre County**. Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823 on behalf of The Marmon Group, LLC, 181 West Madison St., Chicago, IL 60602 has submitted a Final Report concerning remediation of site soil contaminated with metals. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Zappi Oil and Gas Company, Inc.** Canton Township, **Washington County**. SE Technologies, LLC., 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Ed Zappi, Zappi Oil & Gas Company, Inc., 44 Bridge Street, Washington, PA 15301 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with separate phase petroleum products. The Final Report was published in the *Washington Observer* on April 28, 2011. The Site is to remain nonresidential.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection

of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Gudz Estate**, 206 N. 14th Street, Easton City, **Northampton County**. Dawn Washo, Resource Environmental Management, Inc., 37 Taylor Lane, Montrose, PA 18801 submitted a Final Report (on behalf of her client, Clara Ulmer, 25 Hainesburg River Road, Columbia, NJ 07832), concerning the remediation of soil found to have been impacted by home heating oil, leaded gasoline and 1,1,2,2-tetrachloroethane as a result of a release from an underground storage tank during the tank's removal. The report documented attainment of the Statewide Health Standard for soil and was approved on June 16, 2011.

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

**Shamokin-Coal Township Joint Sewer Authority**, Ralpho Township, **Northumberland County**. Alternative Environmental Solutions, Inc., 480 New Holland Ave., Suite 8203, Lancaster, PA 17602 on behalf of Shamokin-Coal Township Joint Sewer Authority, 114 Bridge St., Shamokin, PA 17872 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with heating oil, used motor oil, leaded and unleaded gasoline constituents along the west side of Route 61 north of the intersection with Bridge Street. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 23, 2011.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP5-26-00578B: Laurel Mountain Midstream, LLC** (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on June 17, 2011, to allow modification and operation of a natural gas production facility with the addition of five lean burn natural gas-fired compressor engines rated at 1,380 bhp each controlled by oxidation catalysts, and two 30 MMscfd dehydration units with reboilers rated at 0.5 MMBtu/hr and controlled by a flare. The facility will be authorized under GP-5 for natural gas production at the Pritts Compressor Station located in Lower Tyrone Township, **Fayette County**.

**GP5-63-00938B: MarkWest Liberty Midstream and Resources, LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on June 21, 2011 to allow modification and operation of a natural gas production facility with the addition of a fifth lean burn natural gas-fired compressor engine rated at 1,380 bhp controlled by an oxidation catalyst. The facility will be authorized under GP-5 for natural gas production at the Hoskins Compressor Station located in Blaine Township, **Washington County**.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**GP4-42-076A: Kane Manufacturing Corporation** (515 North Fraley Street, Kane, PA 16735) on June 16, 2011, for the operation of a burn off oven (BAQ-GPA/GP-4) in Kane Borough, **McKean County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-328-010: PPL Generation LLC/Lower Mount Bethel Energy, LLC** (2 North Ninth Street, Allentown, PA 18101) on June 10, 2011 for modification of their method of NOx and CO 1 hour average calculations at their facility in Lower Mount Bethel Township, **Northampton County**.

**39-318-120: Behr Process Corp.** (7529 Morris Court, West Park Business Center No. 500, Allentown, PA 18106) on May 26, 2011 for installation of a new baghouse to collect particulate emissions from the paint manufacturing process at their existing facility in Upper Macungie Township, **Lehigh County**.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**37-299B: Tube City IMS, LLC.** (208 Rundle Road, New Castle, PA 16102), on June 16, 2011, for the construction of a steel scrap oxygen lancing operation which will exhaust to a fabric filter baghouse to control particulate matter (PM) emissions from the operation. This facility is located in the City of New Castle, **Lawrence 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.**

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

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**30-00177: Coresco LLC** (308 Dents Run Road, Morgantown, WV 26501) on June 16, 2011 for a plan approval extension for the period of temporary operation for their Dooley Run Terminal plant in Dunkard Township, **Greene County**.

**11-00356B:** (Peoples Natural Gas Company, LLC, 1201 Pitt Street, Pittsburgh, PA 15221) On June 23, 2011, to extend the period of temporary operation of a natural gas compressor engine rated at 1,340 bhp known as Laurel Ridge Engine #3 and a thermal oxidizer controlling emissions from Dehydrator #1 and #2 until December 28, 2011, at Laurel Ridge/Rager Mountain located in Jackson Township, **Cambria County**.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**42-004E: American Refining Group** (77 North Kendall Avenue, Bradford, PA 16701) on June 30, 2011, for a minor plan approval amendment to waive the H2S performance testing and implement an H2S alternative monitoring plan associated with the Hydrotreater Unit and the flue gas Desulfurization Unit permitted in Plan Approval 42-004C located the Bradford facility in Bradford City, **McKean County**. This is a Title V facility, Permit #42-0004.

**42-011B: International Waxes, Inc.** (45 Route 446, Smethport, PA 16749), issued June 30, 2011, for the construction of a 99.8 mmbtu package boiler that will primarily use fuel oil and natural gas as the pilot. This boiler will have Low NOx Burners and Flue Gas Recirculation at the Keating Township, **McKean County** facility. This is a Title V facility.

**62-163B: IA Construction, Garland Mine** (P. O. Box 290, Homer City, PA 15748), issued June 30, 2011, for the modification of Plan Approval 62-163A for the Garland Aggregate Plant, located along Route 27 in Pittsfield Township, **Warren County**. This modification includes the addition of a cone crusher, screen and conveyor extension and modifying the language used in Plan Approval 62-163A, Section D, Source ID: 301, condition #002(1).

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**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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

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

**31-05001: PA Dept. of Corrections, Huntingdon SCI** (1100 Pike Street, Huntingdon, PA 16654-1112) on June 22, 2011 for the Huntingdon State Correctional Institution located in Smithfield Township, **Huntingdon County**. The Title V permit was renewed.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**24-00012: Graftech USA, LLC, previously CG Electrodes LLC**, (800 Theresia Street, Saint Marys, PA 15857-1831), on June 20, 2011, for reissuance of the Title V Operating Permit. The facility is located in the City of Saint Marys, **Elk County**. The facility manufactures carbon and graphite products. The facility's major emission sources include coke unloading, storage, preheaters, screening and crushing, petroleum coke flour mill, pitch impregnation, mixer-feeder-scale, shot blast machine, material handling and screening, 48" extrusion press system, scrap electrode process, burn off oven, liquid pitch storage, air/vegetable oil quench system, pitch storage (2)—plant 3, coke handling plant 3, carbottoms, longitudinal graphitizers, 25 inch press, shot blast (LG Rods), sagger sand handling system, parts cleaners (3), graphite bagging system, mass bake furnaces, sagger bake furnaces and machining operation. The facility is a major facility due to its potential to emit of oxides of nitrogen and oxides of sulphur. The facility is subject to the Compliance Assurance Monitoring Rule (CAM) found in 40 C.F.R. Part 64. Appropriate permit conditions to address the applicable CAM requirements have been included in the permit.

**62-00032: Ellwood National Forge Company/Irvine** (1 Front Street, Irvine, PA 16329-1801), on June 21, 2011, issued an administrative amendment to the Title V Operating Permit to incorporate the plan approval 62-032G requirements for the facility located in Brokenstraw Township, **Warren County**.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**01-03026: Growmark FS, LLC** (3150 Stoney Point Road, East Berlin, PA 17316-9654) on June 21, 2011 for the fertilizer manufacturing facility located in Latimore Township, **Adams County**. The State-only permit was renewed.

**67-03128: Direct Brands, Inc.** (501 Ridge Avenue, Hanover, PA 17331-9049) on June 21, 2011 for the book distribution facility located in Penn Township, **York County**. The State-only permit was renewed.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**43-00336: PA Rail Car** (584 Fairground Road, PO Box 129, Mercer, PA 16137-0129), on June 20, 2011, renewed the State Only Operating Permit for refurbishing damaged railcar doors located in West Middlesex Borough, **Mercer County**. The sources at the facility include a coating line, a remote reservoir parts cleaner, and space heaters / furnace for drying coatings and building comfort. The facility has a VOC limit of 10 TPY based on a 12-month total as established in plan approval 43-336A. The facility is a natural minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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**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.**

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**10-00021: Indspec Chemical Corporation** (PO Box 307, 133 Main Street, Petrolia, PA 16050), on June 21, 2011, issued an administrative amendment to the State Operating Permit to incorporate the change in responsible official for the facility located in Petrolia Borough, **Butler County**.

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**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**42-001943: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823), for its Shinglehouse facility located in Shinglehouse Borough, **Potter County**. The De minimis emission increase is for the widening of a conveyor, the extension of a conveyor from 600 to 1000 feet, and the addition of three conveyors totaling 295 feet in length. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.449.

The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit issuance on November 13, 2007.

Date	Source	PM10 (tons)	SOx (tons)	NOx (tons)	VOC (tons)	CO (tons)
6-23-11	Conveyor Modifications and Additions	0.353	-	-	-	-
4-02-08	24" x 50' Stacking Conveyor	0.071	-	-	-	-
2-11-08	10' x 14' Bin, 36" Belt Feeder, 36" x 400' Conveyor	0.141	-	-	-	-
Total Reported Increases		0.564	-	-	-	-
Allowable		0.6 tons/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Applications Returned

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**61100102 and NPDES Permit No. PA0258857. K & A Mining** (P. O. Box 288, Grove City, PA 16127) Revision to an existing bituminous surface mine to add blasting in Scrubgrass Township, **Venango County**. Receiving streams: Unnamed tributaries to the Allegheny River. Application received: June 3, 2011. Application returned: June 14, 2011.

**37050101 and NPDES Permit No. PA0252616. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Wayne & Shenango Townships, **Lawrence County** affecting 147.0 acres. Receiving streams: Unnamed tributaries to Duck Run. Application received: June 3, 2011. Application Returned: June 14, 2011.

### Coal Permits Actions

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**03991301 and NPDES No. PA0235407, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Logansport Mine in Bethel Township, **Armstrong County** to add underground permit acres and to revise the subsidence control

plan boundary by adding 3895.4 acres and deleting 1077.1 acres. Underground Acres Proposed 260.9, Subsidence Control Plan Acres Proposed 2818.3. No additional discharges. The first downstream potable water supply intake from the point of discharge is Municipal Authority of Buffalo Township (Freeport), and intake: Allegheny River. Application received: May 14, 2009. Permit issued: June 21, 2011.

**17071301 and NPDES No. PA0235784, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Harmony Mine in Burnside Township, **Clearfield County** to add subsidence control plan area acres. Subsidence Control Plan Acres Proposed 1446.8. No additional discharges. Application received: October 27, 2010. Permit issued: June 21, 2011.

**30841317 and NPDES No. PA0213527, Consol Pennsylvania Coal Company, LLC**, (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** to install the F23 Bleeder Airshaft Site. Surface Acres Proposed 9.9. No additional discharges. Application received: April 15, 2010. Permit issued: June 20, 2011.

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

**11960107 and NPDES No. PA0234184. TJ Mining, Inc.**, P. O. Box 370, Carrolltown, PA 15722, permit renewal for reclamation only of a bituminous surface and auger mine in Cresson Township, **Cambria County**, affecting 62.0 acres. Receiving stream(s): UT to Burgoon Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 15, 2011. Permit issued: June 20, 2011.

**56050109 and NPDES No. PA0249769. PBS Coals, Inc.**, 1576 Stoystown Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Somerset Township, **Somerset County**, affecting 43.0 acres. Receiving stream(s): Kimberly Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 1, 2011. Permit issued: June 20, 2011.

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



**02090201 and NPDES Permit No. PA0251909. Coal Valley Sales, LLC** (111 Freeport Road, Pittsburgh, PA 15215). Permit revised to add a haul road to the eastern end of the permit that accesses Little Deer Creek Valley Road, and allow a stream variance adjacent to the haul road, at an existing bituminous surface mining/coal refuse reprocessing site located in West Deer and Indiana Townships, **Allegheny County**, affecting 260.6 acres. Receiving stream: unnamed tributary to Little Deer Creek. Revision application received: February 9, 2011. Permit revision issued: June 21, 2011.

**03980101 and NPDES Permit No. PA0202541. Walter L. Houser Coal Co., Inc.** (37 Copper Valley Road, Creekside, PA 15732). Permit renewal issued for reclamation only of an existing bituminous surface/auger mining site located in Kittanning Township, **Armstrong County**, affecting 207.0 acres. Receiving streams: Mill Run. Application received: February 25, 2011. Reclamation-only renewal issued: June 22, 2011.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**24-08-03 and NPDES Permit No. PA0258725. Tamburlin Brothers Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830) Proposal to enter into a Government Financed Construction Contract on a 31.5 acres site in Jay Township, **Elk County**. This proposal includes the elimination of 2,400 linear feet of dangerous highwall and 9.0 acres of abandoned spoil ridges and open pit. Receiving streams: Unnamed tributary to Bennett Branch Sinnemahoning Creek (aka Shaffer Hollow, aka Dixon Run). Application received: March 17, 2009. Contract Issued: June 22, 2011.

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

**17100109 and NPDES No. PA0257397. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849). Commencement, operation and restoration of a bituminous surface and auger mine located in Boggs Township, **Clearfield County** affecting 95.4 acres. Receiving streams: Crooked Sewer Run and an unnamed tributary "A" to Crooked Sewer Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: July 1, 2010. Permit issued: June 22, 2011.

**SMP#17100109, Sky Haven Coal, Inc.**, 5510 State Park Road, Penfield, PA 15849. Application is for a proposed project located in Boggs Township, **Clearfield County** and will involve the remining of abandoned surface mined land. Wetlands that have developed in the abandoned pits will be affected and replaced at the conclusion of the mining. Total wetlands to be affected are 0.4 acre which will be replaced with 1.03 acres of wetlands. This proposal is approved on June 22, 2011. 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.

**ABANDONED MINE RECLAMATION PROJECT ACT 181 ONLY**

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

Primacy Bond Forfeiture Contract Awarded PBF 32823035.1

Location	Burrell Township Indiana County Pennsylvania
Description	Act 181 Bond Forfeiture Reclamation Project Acme Drilling
Contractor	Hutchison Excavating 207 Maple Leaf Drive P. O. Box 153 Armagh, PA 15920
Amount	\$92,035.60
Date of Award	June 17, 2011

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Blasting Permits Actions*

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

**63114004. Mountain Top Excavation, LLC** (632 Hunt Valley Road, New Kensington, PA 15068). Blasting activity permit for the construction of the Ostop/Schneider borrow pit, located in Smith Township, **Washington County**. The duration of blasting is expected to last through June 20, 2016. Blasting activity permit issued: June 23, 2011.

**63114005. Controlled Demolition, Inc.** (2737 Merymans Mill Road, Phoenix, MD 21131). Blasting activity permit for the demolition of the Charleroi-Monessen Bridge, located in Charleroi Borough and the City of Monessen, **Washington** and **Westmoreland Counties**. The duration of blasting is expected to last until August 29, 2011. Blasting activity permit issued: June 23, 2011.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**10114002. Mashuda Corporation** (21101 Route 19, Cranberry Township, PA 16066) Blasting activity permit for construction of a commercial park in Jackson Township, **Butler County**. This blasting activity permit expires on June 15, 2012. Permit Issued: June 20, 2011.

**24104002. Tamburlin Brothers Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830) Blasting activity permit to blast on GFCC No. 24-08-03 in Jay Township, **Elk County**. This blasting activity permit expires on September 30, 2011. Permit Issued: June 22, 2011.

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

**40114109. Maurer & Scott Sales, Inc.**, (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Wilkes-Barre Scranton International Airport for New South General Aviation Airport in Avoca Borough, **Luzerne County** with an expiration date of October 31, 2011. Permit issued: June 20, 2011.

**58114115. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Augustine Farm Well Pad in Springville Township,

**Susquehanna County** with an expiration date of December 31, 2011. Permit issued: June 20, 2011.

**36114136. Maine Drilling & Blasting**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Bishop Woods West Donegal Township, **Lancaster County** with an expiration date of June 15, 2012. Permit issued: June 21, 2011.

**36114137. Maine Drilling & Blasting**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Veranda Development in East Hempfield Township, **Lancaster County** with an expiration date of June 15, 2012. Permit issued: June 21, 2011.

**36114138. Maine Drilling & Blasting**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for The Villas at Elm Tree in Rapho Township, **Lancaster County** with an expiration date of June 15, 2012. Permit issued: June 21, 2011.

**38114111. Maine Drilling & Blasting**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Weiler Poultry in Jackson Township, **Lebanon County** with an expiration date of June 15, 2011. Permit issued: June 21, 2011.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

## 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

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

**E14-539. Kenneth Moscone, Sr.**, 1736 Cambridge Drive, State College, PA 16803. Drucker Company Pond Intake & Outfall, in Worth Township & Port Matilda Borough, **Centre County**, ACOE Baltimore District (Port Matilda, PA Quadrangle N: 40°48'12"; W: 74°02'42" inches).

To construct and maintain: 1) a 6-inch PVC intake pipe with a plastic grated cover on the left streambank of Bald Eagle Creek drawing water into and existing pond, 2) A 2-foot by 4-foot concrete inlet box discharging pond water from the bottom of the pond to a 15-inch HDPEP outfall on the left streambank of Bald Eagle Creek, 3) an excavated extension of an existing pond, 4) 233-feet of R-7 riprap stream stabilization, located at 168 Bradford Drive. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-460. Janice & Robert O'Connor**, 312 Bailey Lane, Boalsburg, PA 16827-1313. Holland Run Flood Relief Channel, in Colebrook Township, **Clinton County**, ACOE Baltimore District (Farrandville, PA Quadrangle N: 41°11'13.1"; W: -77°33'15.8").

To: 1) fill in a 2-foot wide hand-dug ditch between Holland Run and the West Branch Susquehanna River, 2) construct and maintain a 38-foot wide top by 11-foot wide bottom by 72-foot long parabolic "Holland Run Flood Relief Channel" over-flow swale with its bed being 6-inches higher than the bed of Holland Run, 3) stabilize and maintain the oxbow of Holland Run with riprap and vegetation, located at the confluence of the oxbow of Holland Run and the West Branch Susquehanna River (Farrandville, PA Quadrangle N: 41°11'13.1"; W: -77°33'15.8") in Colebrook Township, Clinton County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-617. William A. Crockett**, 341 Cold Springs Road, Montoursville, PA 17754-7779. Small Projects Water Obstruction and Encroachment Joint Permit, in Upper Fairfield Township, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville North, PA Quadrangle N: 41° 18' 16.4"; W: -76° 54' 49").

To construct and maintain an existing residential structure measuring 29' by 29' 4" with the addition of an 8" wrap-around porch. The existing structure and improvements are to be elevated above the 100-year flood elevation. The proposed home/foundation will incorporate vents to allow for the free passage of flood water. The proposed improvements are located within the floodway of Loyalsock Creek off SR 0087 in Upper Fairfield Township, Lycoming County. This project does not propose to impact any wetlands. This permit was issued under Section 105.13(e) "Small Projects."

**E59-508. Endless Mountain Transportation Authority**, 27824 Route 220, Athens, PA 18810-9687. Small Projects Water Obstruction and Encroachment Joint Permit, in Covington Township, **Tioga County**, ACOE Susquehanna River Basin District (Mansfield, PA Quadrangle N: 41° 45' 35.3"; W: -77° 4' 58.4").

To construct and maintain a parking lot and stormwater detention facility impacting 7,040 square feet of floodway associated with the Tioga River. The encroachment is located along SR 0660 in Covington Township, Tioga County. The activity will result in a net removal of 171 cubic yards of earth from the floodway of the Tioga River. This project does not propose to impact any wetlands. This permit was issued under Section 105.13(e) "Small Projects."

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

**E02-1646. Penns Woods West Trout Unlimited, Inc.**, 108 Dolores Drive, Pittsburgh, PA 15068. To remove existing structures and to construct and maintain approximately 1,000' of stream channel improvements on Little Pine Creek (TSF), including 5 "Cross Rock Vanes," 1 "Rock Bank Stabilization Toe" and 1 "J-hook Log Vane." The project is located in Shaler Township, **Allegheny County**. (Glenshaw, PA Quadrangle: N: 4.8"; W: 13.7 Latitude 40° 31' 34"; Longitude 79° 58' 22")

**E3074717-A2. Cumberland Coal Resources, LP**, PO Box 1020, Waynesburg, PA 15730. To amend Permit E3074717-A2 which authorized the operation and maintenance of an existing barge dock facility approximately 3,000 feet long located along the west bank side of the Monongahela River (WWF) and the amendment No. 1 which authorized (Phase 1) construction and maintenance of 480-foot long river bank stabilization project along the west bank of the Monongahela River (WWF). Amendment No. 2 (Phase 2) consists of construction and maintenance of stabilization of 1090 linear feet of the slope of said river beginning at the downstream limits of the constructed phase 1 project. The project is located at the Cumberland Harbor Facilities downstream of Grays Landing lock and dam in Monongahela Township, **Greene County** (Masontown, PA Quadrangle N: 14.4 inches W: 6.75 inches; Latitude: 39° 49' 45" and Longitude: 79° 55' 23").

**E65-07002. CONSOL Gas Company**, 280 Indian Springs Road, Suite 333, Indiana, PA 15701. To construct natural gas pipeline (Mamont Pipeline) extending approximately 5.9 miles from a natural gas lease area to an existing transmission line in Washington Township, **Westmoreland County**, Pittsburgh ACOE District, State Water Plan Basin 18-B, (Slickville and Vandergrift, PA Quadrangle; Start at N 21 11/16 inches; W 9 1/4 inches; Latitude: N 40° 29' 39.54"; Longitude: W 79° 33' 55.88"; End at N 3 7/16 inches; W 9 5/16 inches; N 40° 31' 7.55"; Longitude: W 79° 33' 59.84"), Subbasin/Kiskiminetas River Watershed. The applicant proposes to construct natural gas and water pipelines from lease areas in Washington Township, Westmoreland County to an existing transmission line in Washington Township, Westmoreland County. In addition, two (2) wetland and eighteen (18) stream crossings are necessary along the approximately 5.9 mile pipeline. This project is proposed to avoid direct impacts to wetlands by using directional bore method of installation under exceptional value (EV) wetlands including PEM and PSS wetlands totaling approximately 2.65 acres within the pipeline right-of-way and temporarily impact numerous named and unnamed

tributaries to Beaver Run and Poke Run (HQ-CWF) and Beaver Run Reservoir totaling approximately 1,229 linear feet of stream.

<i>Wetland Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
Wetland 1	40° 30' 47.09"	95 ft. (directional bore)
	79° 34' 6.39"	
Wetland 5	40° 29' 30.43"	275 ft. (directional bore)
	79° 35' 29.70"	
<i>Stream Name</i>	<i>Coordinates</i>	<i>Proposed Linear Impact</i>
Tributary 42953 to Beaver Run	40° 30' 47.09"	0 ft. (bore)
	79° 34' 6.39"	
Tributary 42961 to Poke Run	40° 30' 1.35"	11 ft.
	79° 34' 54.79"	
Tributary 42965 to Poke Run	40° 29' 42.72"	90 ft.
	79° 35' 9.44"	
Tributary 42958 to Poke Run	40° 29' 23.85"	75 ft.
	79° 34' 27.89"	
Poke Run	40° 29' 30.43"	0 ft. (bore)
	79° 35' 29.70"	
Unnamed Trib. 8 to Poke Run	40° 29' 29.00"	95 ft.
	79° 33' 55.02"	
Unnamed Trib. 7 to Poke Run	40° 29' 26.08"	75 ft.
	79° 34' 10.46"	
Unnamed Trib. 3 to Poke Run	40° 29' 24.19"	115 ft.
	79° 35' 22.77"	
Unnamed Trib. 2 to Poke Run	40° 29' 34.83"	32 ft.
	79° 35' 22.74"	
Unnamed Trib. 1 to Poke Run	40° 30' 4.03"	82 ft.
	79° 34' 47.56"	
Tributary 42957 to Poke Run	40° 30' 9.88"	72 ft.
	79° 34' 26.83"	
Tributary 42954 to Beaver Run	40° 30' 20.83"	70 ft.
	79° 34' 15.04"	
Unnamed Trib 3 to Beaver Run	40° 30' 35.84"	85 ft.
	79° 33' 50.54"	
Unnamed Trib. 2 to Beaver Run	40° 30' 38.80"	70 ft.
	79° 33' 55.39"	
Unnamed Trib 1 to Beaver Run	40° 30' 42.85"	85 ft.
	79° 34' 4.52"	
Unnamed Trib. 4 to Poke Run	40° 29' 21.59"	77 ft.
	79° 35' 14.28"	

Stream Name	Coordinates	Proposed Linear Impact
Unnamed Trib. 5 to Poke Run	40° 29' 21.99"	95 ft.
	79° 35' 6.21"	
Unnamed Trib. 6 to Poke Run	40° 29' 22.50"	100 ft.
	79° 35' 3.58"	

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

**E10-464, FRA Development Group, LP**, 215 Executive Drive, Suite 300, Cranberry Township, PA 16066. FRA Stream Mitigation Sites, Cranberry Township, **Butler County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 40°, 44', 17.4"; W: 80°, 8', 12.6" and Mars, PA Quadrangle N: 40°, 42', 33.6"; W: 80°, 6', 31.7").

To construct stream restoration activities within a 740 linear foot reach of UNT Brush Creek, a perennial WWF stream, adjacent to Freshcorn Road (N: 40°, 44', 17.4"; W: 80°, 8', 12.6") and within a 715 linear foot reach of UNT Brush Creek, a perennial WWF stream, adjacent to Park Road within Cranberry Park (N: 40°, 42', 33.6"; W: 80°, 6', 31.7") including the creation of stream bank layback areas along 740 linear feet at the Freshcorn Road site, the construction and maintenance of rock cross-vanes and J-hook vanes at both stream restoration sites and the planting of riparian buffer vegetation at both stream restoration sites in Cranberry Township, Butler County.

**E42-08-002, Dallas Energy, LLC**, 103 South Kendall Avenue, Goodman-Petitt Stream Crossings, in Foster Township, **McKean County**, ACOE Pittsburgh District. The applicant is proposing to construct, operate, and maintain:

1). A culvert crossing using two 42 feet long, 7 feet diameter steel culverts to cross perennial Bolivar Run (CWF) adjacent to Bolivar Drive, approximately 2600 feet upstream of Cross Drive (Bradford, PA Quadrangle 41°59'10.3"N 78°39'41.9"W).

2). A culvert crossing using a 42 feet long, 8 feet diameter steel culvert to cross a perennial unnamed tributary of Bolivar Run (CWF) approximately 3600 feet north/northwest of the intersection of Bolivar Drive and Cross Drive (Bradford, PA Quadrangle 41°59'26.6"N 78°39'36.3"W).

The purpose of the proposed crossings is to replace two temporary crossings constructed to access oil and gas well sites. The proposed culvert crossing of the unnamed tributary to Bolivar Run is located approximately 200 feet upstream of the existing temporary crossing.

#### **EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this

notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

*Southwest Region: Oil & Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA*

5/25/2011

ESCGP-1 No.: ESX11-059-0036

Applicant Name: Chief Oil & Gas LLC

CONTACT: Michael Hritz

Address: 6051 Wallace Road Ext. Suite 210

City: Wexford State: PA Zip Code: 15090

County: Greene

Township(s): Center

Receiving Stream(s) And Classifications: Woods Run WWF Pursley Creek WWF, UNT to Pursely Creek WWF, Other

5/13/2011

ESCGP-1 No.: ESX11-129-0014

Applicant Name: Atlas America LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Westmoreland

Township(s): South Huntingdon

Receiving Stream(s) and Classifications: UNT to Youghioghney River/Lower Youghioghney River Watershed, Other

06/02/2011

ESCGP-1 No.: ESX11-125-0046

Applicant Name: Rice Drilling B LLC

Contact Person: Toby Rice

Address: 171 Hillpointe Dr., Suite 301

City: Canonsburg State: PA Zip Code: 15317

County: Washington

Township(s): West Pike Run

Receiving Stream(s) and Classifications: Pike Run Monongahela River Basin, Other

4/21/2000

ESCGP-1 No.: ESX09-005-0004 Major Revision

Applicant Name: EQT Production Company

Contact Person: Todd Klaner

Address: 455 Racetrack Road

City: Washington State: PA Zip Code: 15301

County: Armstrong

Township(s): Plumcreek

Receiving Stream(s) and Classifications: Tributary 46331 to Cherry Run—CWF, Tributary 46336 to Cherry Run—CWF, Tributary 46337 to Cherry Run—CWF Cowanshannock—Crooked Creeks Watershed

04/20/2011

ESCGP-1 No.: ESX11-005-0008  
 Applicant Name: Appalachia Midstream LLC  
 Contact Person: Larry Sanders  
 Address: 3000 Ericsson Drive Suite 200  
 City: Warrendale State: PA Zip Code: 15086  
 COUNTY Armstrong  
 Township(s): Manor  
 Receiving Stream(s) and Classifications: UNT to Campbell Run WWF

5/5/2011

ESCGP-1 No.: ESX11-129-0013  
 Applicant Name: Laurel Mountain Midstream, LLC  
 Contact Person: Clayton A Roesler  
 Address: 1605 Coraopolis Heights Road  
 City: Moon Township  
 State: PA Zip Code: 15108  
 County: Westmoreland  
 Township(s): Sewickley  
 Receiving Stream(s) and Classifications: UNT's to Pinderton Run WWF, UNT to Sewickley Creek WWF

5/4/2011

ESCGP-1 No.: ESX11-129-0007 Major Revision  
 Applicant Name: RW Gathering LLC  
 Contact Person: David Freudenrich  
 Address: 1000 Town Center, Suite 130  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Westmoreland  
 Township(s): Derry  
 Receiving Stream(s) and Classifications: UNT to Stoney Run & McGee Run, Other CWF

05/18/2011

ESCGP-1 No.: ESX11-051-0011  
 Applicant Name: Laurel Mountain Midstream LLC  
 Contact Person: Clayton Roesler  
 Address: 1605 Coraopolis Heights Road  
 City: Moon Township  
 State: PA Zip Code: 15108  
 County: Fayette  
 Township(s): Bullsken & Upper Tyrone  
 Receiving Stream(s) and Classifications: UNT to Jacobs Creek WWF, UNT to Galley Run WWF & UNT to Irish Run WWF/Lower Youghiogheny River Watershed, Other

*Northcentral Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX11-015-0002(02)

Applicant Name Talisman Energy USA, Inc.  
 Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Stevens & Pike Twps.  
 Receiving Stream(s) and Classification(s) Wyalusing Cr (WWF, MF); Mill Cr, Ross Cr, Rockwell Cr, Ford St Cr (CWF & MF)

ESCGP-1 # ESX11-015-0101

Applicant Name Talisman Energy USA, Inc.  
 Contact Person Tracy Gregory  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Pike Twp.  
 Receiving Stream(s) and Classification(s) Williams Cr, Gaylord Cr (CWF/MF); Ford St Cr, UNT to Rockwell Cr, Ross Cr, Wyalusing Cr (WWF/MF)

ESCGP-1 # ESX11-023-0004 (Rev)

Applicant Name J-W Operating Co  
 Contact Person Brenda Reed  
 Address 2200 Georgetown Dr, Ste 301  
 City, State, Zip Sewickley, PA 15143  
 County Cameron  
 Township(s) Lumber & Shippen Twps.  
 Receiving Stream(s) and Classification(s) Sterling Run (CWF,MF); Driftwood Br Sinnemahoning Cr

ESCGP-1 # ESX11-115-0029

Applicant Name PVR Marcellus Gas Gathering, LLC  
 Contact Person Jeffrey Searfoss  
 Address 100 Penn Tower, 25 W Third St  
 City, State, Zip Williamsport, PA 17701  
 County Susquehanna and Wyoming  
 Township(s) Auburn/Springville Twp; Washington Twp.  
 Receiving Stream(s) and Classification(s) Meshoppen Cr, White Cr, UNT to White Cr (CWF,MF); Susquehanna R.

ESCGP-1 # ESX11-117-0040(01)

Applicant Name SWEPI LP  
 Contact Person James Sewell  
 Address 190 Thorn Hill Rd  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Charleston Twp.  
 Receiving Stream(s) and Classification(s) UNT to N Elk Run/Susquehanna R Basin (HQ-CWF); North Elk Run/Elk Run/Susquehanna

ESCGP-1 # ESX11-015-0099

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main St  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Ulster Twp.  
 Receiving Stream(s) and Classification(s) Susquehanna R (WWF, MF); Hemlock Run, Browns Cr (WWF, MF)

ESCGP-1 # ESG11-131-0015

Applicant Name Chief Gathering, LLC  
 Contact Person Ted Wurfel  
 Address 6051 Wallace Road, Ste 210  
 City, State, Zip Wexford, PA 15090  
 County Wyoming  
 Township(s) Lemon Twp.  
 Receiving Stream(s) and Classification(s) Meshoppen Cr (CWF, MF)

ESCGP-1 # ESX11-117-0062

Applicant Name Seneca Resources Corporation  
 Contact Person Michael Clinger  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825  
 County Tioga  
 Township(s) Bloss Twp.  
 Receiving Stream(s) and Classification(s) Sand Run, Babb Cr

ESCGP-1 # ESX11-081-0053

Applicant Name Seneca Resources Corporation  
 Contact Person Michael Clinger  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825  
 County Lycoming  
 Township(s) McIntyre Twp.  
 Receiving Stream(s) and Classification(s) Long Run, Grays Run

## ESCGP-1 # ESX11-115-0060

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main St  
 City, State, Zip Athens, PA 18810  
 County Susquehanna  
 Township(s) Rush Twp.  
 Receiving Stream(s) and Classification(s) UNT to Wyalusing Cr (WWF), Wyalusing Cr (WWF)

## ESCGP-1 # ESX11-033-0015—Phases III &amp; IV

Applicant Name Energy Corporation of America  
 Contact Person Derrick Pottmeyer  
 Address 501 56th Street South East  
 City, State, Zip Charleston, WV 25304  
 County Clearfield and Elk County  
 Township(s) Gosehn, Girard, and Benezette Twps.  
 Receiving Stream(s) and Classification(s) Jack Dent Br, Medix/Shaggers Inn/Robert/Gifford/Trout Little Trout/Surveyor Runs, Deer Cr, Little Deer Cr, (HQ, CWF); W. Br. Susquehanna R (WWF)

## ESCGP-1 # ESX11-115-0055

Applicant Name Southwestern Energy Production Co  
 Contact Person Dave Sweeley  
 Address 917 SR 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna  
 Township(s) New Milford Twp.  
 Receiving Stream(s) and Classification(s) (2) UNTs to Meylert Cr (HQ); Meylert Cr (HQ)

## ESCGP-1 # ESX11-015-0108

Applicant Name Southwestern Energy Production Co  
 Contact Person Dave Sweeley  
 Address 917 SR 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Bradford  
 Township(s) Herrick Twp.  
 Receiving Stream(s) and Classification(s) Cold Cr (WWF), Wyalusing Cr (WWF)

## ESCGP-1 # ESX11-015-0100

Applicant Name Southwestern Energy Production Co  
 Contact Person Dave Sweeley  
 Address 917 SR 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Bradford  
 Township(s) Herrick Twp.  
 Receiving Stream(s) and Classification(s) UNT of Reeves Pond (WWF), Cold Cr (WWF)

## ESCGP-1 # ESX11-115-0052

Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Susquehanna  
 Township(s) Auburn Twp.  
 Receiving Stream(s) and Classification(s) Benninger Cr, Trib. 29469 to Carter Cr (CWF,MF); Susquehanna River Watershed

## ESCGP-1 # ESX11-081-0008(01)

Applicant Name Southwestern Energy Production Co  
 Contact Person Dave Sweeley  
 Address 917 SR 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Lycoming  
 Township(s) Lewis Twp.  
 Receiving Stream(s) and Classification(s) Lycoming Cr (CWF)

## ESCGP-1 # ESX11-023-0006

Applicant Name Seneca Resources Corp  
 Contact Person Michael Clinger  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825  
 County Cameron  
 Township(s) Shippen Twp.  
 Receiving Stream(s) and Classification(s) Havens Run, Potato Cr

## ESCGP-1 # ESX11-117-00060

Applicant Name Seneca Resources Corp  
 Contact Person Michael Clinger  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825  
 County Tioga  
 Township(s) Covington Twp.  
 Receiving Stream(s) and Classification(s) Trib 31390 of Tioga R, Trib 31419 to Marvin Cr (CWF); Tioga R and Marvin Cr

## ESCGP-1 # ESX11-115-0053

Applicant Name Southwestern Energy Production Co  
 Contact Person Dave Sweeley  
 Address 917 SR 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna  
 Township(s) New Milford Twp.  
 Receiving Stream(s) and Classification(s) UNT to E Br Martins Cr (CWF), Lower Alford Pond, Martins Cr (CWF)

## ESCGP-1 # ESX11-015-0115

Applicant Name EOG Resources, Inc.  
 Contact Person Jon Jorgenson  
 Address 400 Southpointe Blvd, Plaza 1, Ste 300  
 City, State, Zip Canonsburg, PA 15317  
 County Bradford  
 Township(s) Smithfield Twp.  
 Receiving Stream(s) and Classification(s) UT Browns Cr, Browns Cr

## ESCGP-1 # ESX11-015-0116

Applicant Name EOG Resources, Inc.  
 Contact Person Jon Jorgenson  
 Address 400 Southpointe Blvd, Plaza 1, Ste 300  
 City, State, Zip Canonsburg, PA 15317  
 County Bradford  
 Township(s) Smithfield Twp.  
 Receiving Stream(s) and Classification(s) Tomjack Cr, Sugar Cr

## ESCGP-1 # ESG11-015-0083

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Rome Twp.  
 Receiving Stream(s) and Classification(s) UNT of Bullard Cr, Bullard Cr (CWF)

## ESCGP-1 # ESX11-015-0069

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Asylum Twp.  
 Receiving Stream(s) and Classification(s) UNT to Susquehanna River, Susquehanna River (WWF)

ESCGP-1 # ESX11-015-0112  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Asylum Twp.  
 Receiving Stream(s) and Classification(s) Durell Cr  
 (WWF); Tribs to Susquehanna River (WWF)

ESCGP-1 # ESX11-015-0123  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Rome and Orwell Twps.  
 Receiving Stream(s) and Classification(s) Wysox Cr & its  
 trib 30149, Johnson Cr & its tribs 30065, 30066, 30070,  
 30087, Jerome Cr & its trib 30072; S Cr & its tribs  
 30081 and 30082 (CWF, MF)

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

*Clearfield County Conservation District: 511 Spruce Street, Suite 6, Clearfield, PA 16830 814-765-2629*

<i>ESCP No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
0811802	Mike LeRose Central New York Oil & Gas 800 Robinson Rd Owego, NY 13827	Bradford	Wyalusing Township	UNT to Susquehanna River WWF

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

*Cambria County Conservation District: 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931. (814-472-2120)*

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
6510803	Dominion Transmission, Inc. 445 West Main Street Clarksburg, WV 26301	Allegheny, Greene, Washington and Westmoreland	Elizabeth and Forward Townships in Allegheny Co., Carroll, Fallowfield and West Pike Run Townships and Beallsville, Centerville and Deemston Boroughs in Washington Co., Hempfield, Penn, Rostraver, Salem, Sewickley and South Huntingdon Townships, the Borough of Donora and the City of Jeannette in Westmoreland Co., Center, Franklin, Jefferson, Morgan and Richhill Townships in Greene Co.	Youghiogheny River & UNT's, Sewickley Creek & UNT's, Turtle Creek & UNT's, Little Sewickley Creek & UNT's, Brush Creek & UNT's, Bushy Run & UNT's, Beaver Run & UNT's, Laurel Run & UNT's, Coal Lick Run & UNT's, South Fork Ten Mile Creek & UNT's, Ten Mile Creek & Tributaries, South Fork Dunkard Fork & Tributaries, Kent Run & UNT's, Whitehorn Run & Tributaries, Jacobs Run & Tributaries, Grays Fork & Tributaries, Morris Run & Tributaries, Scott Run & Tributaries, West Run & Tributaries, Rush Run & Tributaries, Throckmorton Run & Tributaries, Browns Creek & UNT's, Purman Run and UNT's, Ruff Creek & UNT's

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**SPECIAL NOTICES**


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**General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)**

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

*General Permit Type—PAG-02*

**Facility Location:**

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Venango County Irwin Twp.,	PAG022446111001	Quality Aggregates, Inc., 4955 Steubenville Pike, Suite 245 Pittsburgh, PA 15205	Unnamed tributary to Scrubgrass Creek and Scrubgrass Creek	Knox DMO 814-797-1191

**Request for Comments on the Proposed Total Maximum Daily Loads (TMDLs) Developed for the West Branch Mahantango Creek Watershed in Snyder and Juniata Counties Pennsylvania**

The Department of Environmental Protection will accept comments on the proposed TMDLs developed for the West Branch Mahantango Creek Watershed in Snyder and Juniata Counties, PA. These TMDLs were established in accordance with the requirements of Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included impaired stream segments in this watershed. The listings of these waterbodies were due to use impairments caused by excessive siltation from agriculture.

There currently are no state or federal instream numerical water quality criteria for siltation. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. These proposed TMDLs set allowable loadings of sediment in the West Branch Mahantango Creek Watershed. The sediment loadings were allocated among cropland, hay/pasture land, low intensity development and stream bank categories present in the watershed. Data used in establishing these TMDLs was generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current sediment loadings for the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified.

*Summary of TMDL Based Load Reductions in the West Branch Mahantango Creek Watershed*

<i>POLLUTANT</i>	<i>EXISTING LOAD (lbs./yr.)</i>	<i>EXISTING LOAD (lbs./day)</i>	<i>TMDL (lbs./yr.)</i>	<i>TMDL (lbs./day)</i>	<i>PERCENT REDUCTION</i>
Sediment	3,129,600	8,747	2,054,176	5,628	36%

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can be viewed on the Department's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the proposed TMDLs contact:

Gary M. Gocek, Water Program Specialist  
Watershed Protection Division, Central Office  
Pennsylvania Department of Environmental Protection  
Rachel Carson State Office Building  
Harrisburg, PA 17105  
Phone: 717-772-1674, e-mail: [ggocek@state.pa.us](mailto:ggocek@state.pa.us)

The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be postmarked by 45 days after publication in the *PA Bulletin*. A public meeting to discuss the technical merits of the TMDLs will be held upon request.

[Pa.B. Doc. No. 11-1137. Filed for public inspection July 8, 2011, 9:00 a.m.]

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## DEPARTMENT OF HEALTH

**Application of Allegheny General Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.2-2.6.6.1(2) (relating to visual observation).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@state.pa.us](mailto:ra-paexcept@state.pa.us).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation



to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 11-1138. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Application of Center for Aesthetics and Cosmetic Surgery for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Center for Aesthetics and Cosmetic Surgery has requested an exception to the requirements of 28 Pa. Code §§ 553.1—553.4, 553.31(b), 555.1—555.4, 557.1—557.4, 559.1, 559.2 and 567.2.

This facility is also requesting exception to sections 307(a), 309 and 310(a)(2) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.307(a), 1303.309 and 1303.310(a)(2)).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 11-1139. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Application of Divine Providence Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Divine Providence Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.2-3.4.5.3 (relating to patient toilet).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 11-1140. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Application of Doylestown Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Doylestown Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.2.2.1(1) and 2.2-2.11.2.2(1) (relating to capacity; and space requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 11-1141. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Application of Janet Weis Children's Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Janet Weis Children's Hospital has requested an exception to the requirements of 28 Pa. Code § 101.172 (relating to patient limits).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 11-1142. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Application of Memorial Hospital Outpatient Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Memorial Hospital Outpatient Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 553.31 (relating to administrative responsibilities).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 11-1143. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Application of Miners Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Miners Medical Center has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthesia explosion hazards).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 11-1144. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Application of Windber Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Windber Medical Center has requested an exception to the requirements of 28 Pa. Code § 138.18 (relating to EPS studies).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
*Secretary*

[Pa.B. Doc. No. 11-1145. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Health Policy Board Meeting Cancellation

The Health Policy Board meeting scheduled for Wednesday, July 20, 2011, in Room 812, Health and Welfare Building, 624 Forster Street, Harrisburg, PA 17120 has been cancelled. The next scheduled meeting will be held on Wednesday, October 19, 2011, from 10 a.m. until 12 p.m. in Room 812, Health and Welfare Building.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Katrina Kyle, Bureau of Health Planning at (717) 772-5298, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 11-1146. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions).

Fellowship Manor  
3000 Fellowship Drive  
Whitehall, PA 18052  
FAC ID 063102

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

ELI N. AVILA, MD, JD, MPH, FCLM,  
Secretary

[Pa.B. Doc. No. 11-1147. Filed for public inspection July 8, 2011, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Casino Cash '11 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of

instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Casino Cash '11.

2. *Price:* The price of a Pennsylvania Casino Cash '11 instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania Casino Cash '11 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a separate "Bonus Chips" play area containing a \$1,000 blue chip, a \$100 red chip, a \$50 green chip, and a \$40 gold chip. Each "Bonus Chip" is played separately. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Double Dice (DBLDI) symbol and an Ace of Diamonds (ACEDMD) symbol. The play symbols and their captions, located in the "Bonus Chips" area are: Bell (BELL) symbol, Star (STAR) symbol, Coins (COINS) symbol, Gold Bar (GOLD) symbol, Diamond (DIAMOND) symbol, Horseshoe (HSHOE) symbol and a CASH (CASH) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$2,500, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in the "Bonus Chips" area are: \$40, \$50, \$100 and \$1,000. The \$1,000,000 top prize is paid as a lump-sum, cash payment. A player can win up to 21 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Casino Cash '11 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1MILL (ONE MIL) appears in the "Prize" area to the

right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets with a CASH (CASH) symbol in the "Blue Chip" within the "Bonus Chips" play area and a prize amount of \$1,000 appears to the left of the arrow pointing to that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Dice (DBLDI) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area to the right of the Double Dice (DBLDI) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Ace of Diamonds (ACEDMD) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "Prize" areas and a prize symbol of \$200 (TWO HUN) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Ace of Diamonds (ACEDMD) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the "Prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the "Prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area to the

right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Dice (DBLDI) symbol, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area to the right of the Double Dice (DBLDI) symbol, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an Ace of Diamonds (ACEDMD) symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in fifteen of the "Prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Dice (DBLDI) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of the Double Dice (DBLDI) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets with a CASH (CASH) symbol in the "Red Chip" within the "Bonus Chips" play area and a prize amount of \$100 appears to the left of the arrow pointing to that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Dice (DBLDI) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of the Double Dice (DBLDI) symbol, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets with a CASH (CASH) symbol in the "Green Chip" within the "Bonus Chips" play area and a prize amount of \$50 appears to the left of the arrow pointing to that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(v) Holders of tickets with a CASH (CASH) symbol in the "Gold Chip" within the "Bonus Chips" play area and a prize amount of \$40 appears to the left of the arrow pointing to that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Dice (DBLDI) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of the Double Dice (DBLDI) symbol, on a single ticket, shall be entitled to a prize of \$40.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Dice

(DBLDI) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of the Double Dice (DBLDI) symbol, on a single ticket, shall be entitled to a prize of \$20.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Numbers, Win Prize Shown To The Right Of The Matching Number. Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets:</i>
\$10 × 2	\$20	20	240,000
\$10 w/DOUBLE DICE	\$20	20	240,000
\$20	\$20	20	240,000
\$10 × 4	\$40	75	64,000
\$20 × 2	\$40	75	64,000
\$20 w/DOUBLE DICE	\$40	75	64,000
GOLD CHIP w/\$40	\$40	75	64,000
\$40	\$40	75	64,000
\$10 × 5	\$50	150	32,000
(\$20 w/DOUBLE DICE) + \$10	\$50	150	32,000
GREEN CHIP w/\$50	\$50	100	48,000
\$50	\$50	100	48,000
\$10 × 10	\$100	150	32,000
\$50 w/DOUBLE DICE	\$100	150	32,000
(GREEN CHIP w/\$50) + \$50	\$100	150	32,000
RED CHIP w/\$100	\$100	150	32,000
\$100	\$100	150	32,000
\$20 × 10	\$200	3,000	1,600
(GOLD CHIP w/\$40) + (\$40 × 4)	\$200	3,000	1,600
(GREEN CHIP w/\$50) + (\$50 × 3)	\$200	3,000	1,600
(GOLD CHIP w/\$40) + (GREEN CHIP w/\$50) + (\$10 × 11)	\$200	3,000	1,600
\$100 w/DOUBLE DICE	\$200	3,000	1,600
(RED CHIP w/\$100) + \$100	\$200	3,000	1,600
\$200	\$200	3,000	1,600
ACE w/ ((\$20 × 15) + (\$50 × 2))	\$400	8,000	600
(GREEN CHIP w/\$50) + (RED CHIP w/\$100) + (\$50 × 5)	\$400	8,000	600
\$40 × 10	\$400	8,000	600
\$50 × 8	\$400	8,000	600
(GOLD CHIP w/\$40) + (\$40 × 9)	\$400	8,000	600
\$100 × 4	\$400	8,000	600
(RED CHIP w/\$100) + (\$100 × 3)	\$400	8,000	600
\$200 w/DOUBLE DICE	\$400	8,000	600
(GREEN CHIP w/\$50) + (\$50 × 7)	\$400	8,000	600
\$400	\$400	8,000	600
ACE w/ ((\$20 × 10) + (\$40 × 5) + (\$50 × 2))	\$500	10,000	480
(\$40 × 10) + (\$50 × 2)	\$500	10,000	480
(GREEN CHIP w/\$50) + (\$50 × 9)	\$500	10,000	480
\$50 × 10	\$500	10,000	480
\$100 × 5	\$500	10,000	480
(RED CHIP w/\$100) + (\$100 × 4)	\$500	10,000	480
(\$200 w/DOUBLE DICE) + \$100	\$500	10,000	480
\$500	\$500	10,000	480
ACE w/ ((\$20 × 5) + (\$50 × 10) + (\$200 × 2))	\$1,000	8,000	600
(RED CHIP w/\$100) + (\$100 × 9)	\$1,000	8,000	600

When Any Of Your Numbers Match Any Winning Numbers, Win Prize Shown To The Right Of The Matching Number. Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets:
\$100 × 10	\$1,000	8,000	600
\$500 w/DOUBLE DICE	\$1,000	8,000	600
BLUE CHIP w/\$1,000	\$1,000	8,000	600
\$1,000	\$1,000	8,000	600
(GOLD CHIP w/\$40) + (GREEN CHIP w/\$50) + (RED CHIP w/\$100) + (BLUE CHIP w/\$1,000) + (\$10 × 11) + (\$200 × 6)	\$2,500	40,000	120
(BLUE CHIP w/\$1,000) + (\$100 × 15)	\$2,500	60,000	80
\$2,500	\$2,500	40,000	120
(GOLD CHIP w/\$40) + (GREEN CHIP w/\$50) + (RED CHIP w/\$100) + (BLUE CHIP w/\$1,000) + (\$1,000 × 2) + (\$500 × 12) + (\$400 × 2) + \$10	\$10,000	60,000	80
(BLUE CHIP w/\$1,000) + (\$1,000 × 9)	\$10,000	120,000	40
\$2,500 × 4	\$10,000	120,000	40
\$10,000	\$10,000	120,000	40
\$100,000	\$100,000	480,000	10
\$1,000,000	\$1,000,000	960,000	5

Reveal a “DOUBLE DICE” (DBLDI) symbol, win double the prize shown to the right of it.  
 Reveal an “ACE OF DIAMONDS” (ACEDMD) symbol, win all 17 prizes shown.  
*Bonus Chips:* Reveal a “CASH” (CASH) symbol, win corresponding prize. Each bonus chip is played separately.

Gold Chip = \$40  
 Green Chip = \$50  
 Red Chip = \$100  
 Blue Chip = \$1,000

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Casino Cash '11 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Casino Cash '11, prize money from winning Pennsylvania Casino Cash '11 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Casino Cash '11 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Casino Cash '11 or through normal communications methods.

DANIEL MEUSER,  
 Secretary

[Pa.B. Doc. No. 11-1148. Filed for public inspection July 8, 2011, 9:00 a.m.]

**Pennsylvania Phillies™ Instant Lottery Game; Change to Game Rules**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of changes to the Pennsylvania Phillies™ instant lottery game rules that were published at 41 Pa.B. 1588 (March 19, 2011).

This amendment adds two additional Phillies® Dream Prizes and 500 additional Phillies® Merchandise Prize Packages for the Pennsylvania Lottery's Phillies™ Second Chance Drawing held the week of October 31, 2011. The correct version of this document is as follows, with ellipses referring to the existing text as it appeared at 41 Pa.B. 1588—1593:

\* \* \* \* \*

12. *Description of Second-Chance Drawings Prizes:*

(a) The first winner selected in each of the Pennsylvania Lottery's Phillies™ Second-Chance Drawings, held the week of May 2, June 13, July 25 and September 12, 2011, shall be entitled to a prize consisting of a Phillies® Dream Prize Package. The first through the third winners selected in the Pennsylvania Lottery's Phillies™ Second-Chance Drawing, held the week of October 31, 2011, shall be entitled to a prize consisting of a Phillies® Dream Prize Package. The winner of a Phillies® Dream Prize Package shall select one of the following four Phillies® Dream Prize Packages:

\* \* \* \* \*

(b) The second through the three-hundred and first winners selected in each of the Pennsylvania Lottery's Phillies™ Second-Chance Drawings, held the week of

May 2, June 13, July 25 and September 12, 2011, shall be entitled to a prize consisting of a *Phillies*® Merchandise Prize Pack. The fourth through the eight-hundred and third winners selected in the Pennsylvania Lottery's *Phillies*™ Second-Chance Drawing, held the week of October 31, 2011, shall be entitled to a prize consisting of a *Phillies*® Merchandise Prize Pack. There is no cash equivalent for the *Phillies*® Merchandise Prize Packs. The winner of each of the *Phillies*® Merchandise Prize Packs will receive one of each of the follow items:

\* \* \* \* \*

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 11-1149. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Pennsylvania Stacks Of Cash '11 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name*: The name of the game is Pennsylvania Stacks Of Cash '11.

2. *Price*: The price of a Pennsylvania Stacks Of Cash '11 instant lottery game ticket is \$10.

3. *Play Symbols*: Each Pennsylvania Stacks Of Cash '11 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), \$\$ (DBL\$) symbol and a Cash (CASH) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$20,000 (TWY THO) and \$200,000 (TWOHUNTHO).

5. *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000, \$20,000 and \$200,000. The player can win up to 15 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 7,200,000 tickets will be printed for the Pennsylvania Stacks Of Cash '11 instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200,000 (TWOHUNTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the "Prize" areas, a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in two of the "Prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$10.00 (TEN DOL) appears in ten of the "Prize" areas and a prize symbol of \$20.00 (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Cash (CASH) symbol, and a prize symbol of \$5.00 (FIV DOL) appears in ten of the "Prize" areas and a prize symbol of \$10.00 (TEN DOL) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$40.00 (FORTY) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$80.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.00 (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$ (DBL\$) symbol, and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area under the \$\$ (DBL\$) symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Of The Winning Numbers, Win Prize Shown Under The Matching Number. Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets</i>
\$5 × 2	\$10	12	600,000
\$10	\$10	12	600,000
(\$5 w/\$\$) + \$10	\$20	60	120,000
\$10 × 2	\$20	60	120,000
\$5 × 4	\$20	60	120,000
\$20	\$20	40	180,000
\$20 w/\$\$	\$40	600	12,000
\$10 × 4	\$40	600	12,000
\$5 × 8	\$40	600	12,000
(\$10 × 2) + \$20	\$40	600	12,000
\$40	\$40	600	12,000
(\$20 w/\$\$) + \$10	\$50	300	24,000
[( \$10 w/\$\$ ) × 2] + ( \$5 w/\$\$ )	\$50	600	12,000
\$10 × 5	\$50	600	12,000



When Any Of Your Numbers Match Any Of The Winning Numbers, Win Prize Shown Under The Matching Number. Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets
\$5 × 10	\$50	600	12,000
\$50	\$50	600	12,000
(\$5 × 10) + (\$10 × 5) w/CASH	\$100	200	36,000
\$50 w/\$\$	\$100	300	24,000
(\$10 w/\$\$) + (\$40 w/\$\$)	\$100	600	12,000
\$20 × 5	\$100	600	12,000
(\$10 × 2) + (\$20 × 4)	\$100	600	12,000
\$100	\$100	300	24,000
(\$10 × 10) + (\$20 × 5) w/CASH	\$200	3,000	2,400
\$100 w/\$\$	\$200	3,000	2,400
(\$10 w/\$\$) × 10	\$200	6,000	1,200
(\$10 × 10) + (\$20) + (\$40 w/\$\$)	\$200	6,000	1,200
\$40 × 5	\$200	6,000	1,200
\$50 × 4	\$200	6,000	1,200
\$200	\$200	6,000	1,200
(\$20 × 5) + (\$40 × 10) w/CASH	\$500	3,429	2,100
(\$20 × 10) + (\$100 × 2) + (\$40 × 2) + \$20 w/CASH	\$500	12,000	600
(\$200 w/\$\$) + \$100	\$500	3,429	2,100
\$100 × 5	\$500	12,000	600
\$50 × 10	\$500	12,000	600
\$500	\$500	6,000	1,200
(\$50 × 10) + (\$100 × 5) w/CASH	\$1,000	8,000	900
\$500 w/\$\$	\$1,000	12,000	600
(\$20 w/\$\$ × 10) + (\$100 w/\$\$ × 2) + (\$50 w/\$\$) + (\$40 w/\$\$) + (\$10 w/\$\$)	\$1,000	24,000	300
\$200 × 5	\$1,000	24,000	300
(\$100 × 2) + (\$200 × 4)	\$1,000	24,000	300
\$1,000	\$1,000	12,000	600
(\$500 w/\$\$) × 10	\$10,000	240,000	30
\$10,000	\$10,000	240,000	30
\$20,000	\$20,000	240,000	30
\$200,000	\$200,000	480,000	15

Reveal a "\$\$" (DBL\$) symbol, win double the prize shown under it automatically.

Reveal a "CASH" (CASH) symbol, win all 15 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Stacks Of Cash '11 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Stacks Of Cash '11, prize money from winning Pennsylvania Stacks Of Cash '11 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Stacks Of Cash '11 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Stacks Of Cash '11 or through normal communications methods.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 11-1150. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Pennsylvania 10X The Money '11 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 10X The Money '11.

2. *Price:* The price of a Pennsylvania 10X The Money '11 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania 10X The Money '11 instant lottery game ticket will contain one play area

featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a 10X (10TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$400, \$1,000 and \$10,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania 10X The Money '11 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears

in the "Prize" area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "Prize" area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "Prize" area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the "Prize" area under the 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$1 x 2	\$2	18.75	640,000
\$2	\$2	21.43	560,000
\$1 x 4	\$4	50	240,000
\$2 x 2	\$4	50	240,000
\$4	\$4	50	240,000
\$1 x 5	\$5	75	160,000
\$5	\$5	75	160,000
\$1 x 10	\$10	375	32,000
\$1 w/10X	\$10	150	80,000
\$5 x 2	\$10	500	24,000
\$10	\$10	500	24,000
\$2 x 10	\$20	750	16,000
\$2 w/10X	\$20	375	32,000
\$10 x 2	\$20	750	16,000
\$20	\$20	375	32,000
\$4 x 10	\$40	2,400	5,000
\$4 w/10X	\$40	2,400	5,000
\$10 x 4	\$40	2,400	5,000
\$20 x 2	\$40	2,400	5,000
\$40	\$40	2,400	5,000
\$5 x 10	\$50	2,400	5,000
\$5 w/10X	\$50	2,400	5,000
\$10 x 5	\$50	2,400	5,000
\$50	\$50	2,400	5,000
\$10 x 10	\$100	4,800	2,500
\$10 w/10X	\$100	4,800	2,500
\$50 x 2	\$100	4,800	2,500
\$100	\$100	4,800	2,500
\$40 x 10	\$400	40,000	300
\$40 w/10X	\$400	30,000	400
\$400	\$400	40,000	300
\$100 w/10X	\$1,000	30,000	400
\$1,000	\$1,000	30,000	400
\$10,000	\$10,000	120,000	100

"10X" (10TIMES) symbol = Win 10 times the prize shown under it automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 10X The Money '11 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 10X The Money '11, prize money from winning Pennsylvania 10X The Money '11 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 10X The Money '11 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and

the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 10X The Money '11 or through normal communications methods.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 11-1151. Filed for public inspection July 8, 2011, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on June 1, 2011, the following access route for use by the truck combination indicated:

1. 102" wide up to 53' long trailer

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
SR 0641	From SR 696 to SR 4025	1.3

Any questions should be directed to Matt Hedge at (717) 772-5462.

BARRY J. SCHOCH, P. E.,  
*Secretary*

[Pa.B. Doc. No. 11-1152. Filed for public inspection July 8, 2011, 9:00 a.m.]

# ENVIRONMENTAL QUALITY BOARD

## Meeting Cancellation

The July 19, 2011, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board is scheduled for Tuesday, August 16, 2011, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the August 16, 2011, meeting will be available on the Department of Environmental Protection's web site at <http://www.depweb.state.pa.us> (Select "Public Participation" then "Public Participation Center").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or [mtate@state.pa.us](mailto:mtate@state.pa.us).

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 11-1154. Filed for public inspection July 8, 2011, 9:00 a.m.]

## Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on June 1, 2011, the following access route for use by the types of truck combinations as indicated:

1. (x) 102" wide up to 53' long trailer
2. (x) 102" wide twin trailers (28-1/2 feet maximum length-each)
3. (x) 102" wide maxi-cube

<i>Route Identification</i>	<i>Route Description</i>	<i>Length Miles</i>
SR 2003 (Mill Street)	East Bound From SR 0034 Mount Holly Springs	1.3

Any questions should be directed to Matt Hedge at (717) 772-5462.

BARRY J. SCHOCH, P. E.,  
*Secretary*

[Pa.B. Doc. No. 11-1153. Filed for public inspection July 8, 2011, 9:00 a.m.]

# FISH AND BOAT COMMISSION

## Triploid Grass Carp Permit Application

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined consistent with 58 Pa. Code § 71.7(e)(3) to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 10 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://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.

The following applications to stock triploid grass carp in waters having a surface area of greater than 5 acres are currently undergoing staff review:

<i>Applicant</i>	<i>Water</i>	<i>Location of Water</i>	<i>Description of Water</i>	<i>Nature of Vegetation to be Controlled</i>
Big Bass Lake Community Association	Lake Natalie	Gouldsboro Borough Lackawanna County	37 acre-lake which discharges into the Lehigh River	Cabomba caroliniana Ultricularia spp. Myriophyllum aquaticum
Big Bass Lake Community Association	Larsen Lake	Gouldsboro Borough Lackawanna County	44 acre-lake which discharges into Lake Natalie, then the Lehigh River	Cabomba caroliniana Ultricularia spp. Myriophyllum aquaticum

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 11-1155. Filed for public inspection July 8, 2011, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 645.5b).

The Commission has issued comments on the following proposed regulation. The agencies must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
47-15	Milk Marketing Board Electronic Methods for Testing Milk for Fat Content 41 Pa.B. 2123 (April 23, 2011)	5/23/11	6/22/11

### Milk Marketing Board Regulation #47-15 (IRRC #2891)

#### Electronic Methods for Testing Milk for Fat Content June 22, 2011

We submit for your consideration the following comments on the proposed rulemaking published in the April 23, 2011 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Milk Marketing Board (Board) to respond to all comments received from us or any other source.

#### 1. Section 144.1. Electronic methods—general.— Statutory authority; Consistency with statute.

Subsection (b) states:

A manufacturer of an electronic testing instrument shall make available upon request to the Board a complete instrument operation and maintenance manual and further information as requested.

We question why the regulation requires actions by manufacturers. We recommend that the Board rewrite this provision so that it requires actions by the entities the Board regulates, such as certified testers. Alternatively, the Board should explain its authority to regulate and take enforcement actions against manufacturers.

#### 2. Section 144.1a. Definitions.—Consistency with statute; Clarity.

The statute sets forth requirements for certified testers at 31 P. S. § 700j-602, including the requirement that component tests must be “. . . conducted by a tester certified by the board.” The regulation defines “certified tester” as:

A Board certified technician as referenced in § 144.2 (relating to certification and approval requirements) operating electronic instruments or a person certified to perform specific reference methods for determining the components in raw milk, or both. (Emphasis added.)

We have two concerns. First, we question how the phrase “or a person certified to perform specific reference methods for determining the components in raw milk, or both” is consistent with the statute at 31 P. S. § 700j-602. Is the person referenced in this phrase also certified by the Board? The Board should explain how this phrase is consistent with the statute and what specific certification it references.

Second, for clarity, we suggest that the definition directly reference 31 P. S. § 700j-602, rather than the general reference to Section 144.2 of the regulation.

#### 3. Section 144.6. Required records.—Clarity.

Subsections (b) through (e) appear to be a list of required records. However, there is no indication after

Subsection (a) that Subsections (b) through (e) are the actual list of required records. We recommend that the Board review this section to clarify what records are required.

**4. Section 144.6. Required records and Section 144.7. Summary record required.—Consistency with statute.**

Under 31 P. S. § 700j-602, the statute states:

The certified tester shall keep an accurate record of all tests made, and copies of such record shall be kept

for a period of *two (2) years* by him and by the milk dealer. (Emphasis added.)

However, provisions throughout Sections 144.6 and 144.7 only require records to be kept for at least one year. We recommend that the Board review these one year record retention provisions in the regulation and explain how they are consistent with the statute.

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 11-1156. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-269	Pennsylvania Public Utility Commission Natural Gas Distribution Companies and the Promotion of Competitive Retail Markets	6/24/11	8/11/11

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 11-1157. Filed for public inspection July 8, 2011, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Alleged Violation of Insurance Laws; Brian Reid Johnson and The Valley Forge Insurance Group, Inc.; Doc. No. SC11-06-022**

Notice is hereby given of the Order to Show Cause issued on June 23, 2011, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(15), (16) and (20) and 678-A(b) of the Insurance Department Act of 1921 (40 P. S. §§ 310.11(15), (16) and (20) and 310.78(b)).

Respondent shall file a written answer to the Order to Show Cause within 20 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 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) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to

participate in the hearing should contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-1158. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Metropolitan Life Insurance Company; Rate Increase Filing for Several TIAA-CREF LTC Forms

The Metropolitan Life Insurance Company is requesting approval to increase the premium 41% on 2,605 policyholders with the following individual LTC policy forms: TCL-LTC.04 (PA) Ed. 4/00 and TCL-LTC.04 (PA-E) Ed. 4/00. These policies were originally issued by TIAA-CREF Life Insurance Company but are now administered by Metropolitan Life Insurance Company.

Unless formal administrative action is taken prior to September 2, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square,

Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-1159. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' homeowners policies. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional offices in Philadelphia and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Gerald David Derry; file no. 11-216-103389; Westfield Insurance Company; Doc. No. PH11-06-011; July 27, 2011, 9 a.m.

Appeal of William F. and Mary M. Flamer; file no. 11-215-102588; State Farm Fire and Casualty Insurance Company; Doc. No. PH11-06-012; July 27, 2011, 11 a.m.

Appeal of Michael Maholik; file no. 11-183-103286; Allstate Insurance Company; Doc. No. P11-06-013; July 26, 2011, 3 p.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 2026, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Maureen Karr; file no. 11-183-103579; State Farm Fire and Casualty Insurance Company; Doc. No. P11-06-020; August 3, 2011, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director, (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-1160. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Senior Health Insurance Company of Pennsylvania; Rate Increase Filing for Several LTC Forms

The Senior Health Insurance Company of Pennsylvania is requesting approval to increase the premium 25% on 1,243 policyholders with the following individual policy forms: 2100-5, 45665, 9100-5, ATL-CIS-85-PA, ATL-CSN-78, ATL-NCP-88-PA, ATL-NCP-88-PA-2, ATL-NHP-1, NHC-87, SNF-82, SNH-30, WL-CAH-231(PA), WL-LTC-233(PA), WLNH-1-774, WL-NH-224-3(R), WL-NH-225(PA), WLNH-2-779, WLNH-4-1182PA, 45669, 45670, 45671, 46043, 46044, 47083, 47084, 47218, 47219, 9754-5, 771-5, ATL-ADC-90, HHCR-8720, HHCR-87, MOD-85, ONR-85, WL-RPB-3/90, WL-IPR-1288 and WLR-3DEP-9/88R(PA).

Unless formal administrative action is taken prior to September 2, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-1161. Filed for public inspection July 8, 2011, 9:00 a.m.]

### TIAA-CREF Life Insurance Company; Rate Increase Filing for Several TIAA-CREF LTC Forms

The TIAA-CREF Life Insurance Company is requesting approval to increase the premium 41% on 191 policyholders with the following individual LTC policy forms: TCL-LTC.04 (PA) Ed. 4/00 and TCL-LTC.04 (PA-E) Ed. 4/00. These policies were originally issued by TIAA-CREF Life Insurance Company but are now administered by Metropolitan Life Insurance Company.

Unless formal administrative action is taken prior to September 2, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@state.pa.us](mailto:jlaverty@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-1162. Filed for public inspection July 8, 2011, 9:00 a.m.]

### **Travelers Home and Marine Insurance Company; Homeowners; Rate Revision**

On June 22, 2011, the Insurance Department (Department) received from Travelers Home and Marine Insurance Company a filing for a rate level change for homeowners insurance.

The company requests an overall 4.93% increase amounting to \$5,105,431 annually, to be effective September 30, 2011, for new business and December 6, 2011, for renewal business. These overall figures represent averages; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to August 21, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@state.pa.us](mailto:gzhou@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-1163. Filed for public inspection July 8, 2011, 9:00 a.m.]

### **United Services Automobile Association; USAA Casualty Insurance Company; Private Passenger Automobile; Rate Revision**

On June 23, 2011, the Insurance Department (Department) received from United Services Automobile Association and USAA Casualty Insurance Company a filing for a rate level change for Private Passenger Automobile insurance.

United Services Automobile Association requests an overall 0.2% decrease amounting to \$181,809 annually and USAA Casualty Insurance Company requests an overall 0.1% decrease amounting to \$77,897 annually to be effective on September 8, 2011. These overall figures represent averages; the effect of this filing on the rates for individual consumers may vary.

Unless formal administrative action is taken prior to August 22, 2011, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find..." click on "View Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@state.pa.us](mailto:gzhou@state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 11-1164. Filed for public inspection July 8, 2011, 9:00 a.m.]

## **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

### **Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by July 25, 2011. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Beverage Transportation,  
Inc.; Doc. No. C-2011-2235321; A-00086658*

### **COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Beverage Transportation, Inc., Respondent, maintains its principal place of business at P. O. Box 3, Thomasville, PA 17364-0003.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on February 24, 1960 at A-00086658.



3. That on August 25, 2010, Respondent received an initial assessment of \$4,721.00. Respondent failed to pay this assessment; therefore, a balance is due in the amount of \$4,721.00.

4. That Respondent has an outstanding assessment of \$4,721.00.

5. That Respondent failed to file objections to the assessment, pursuant to 66 Pa.C.S. § 510(c).

6. That Respondent, by failing to pay the assessments, violated the Public Utility Code at 66 Pa.C.S. § 510(c).

Wherefore, unless Respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which cancels the Certificate of Public Convenience issued to Respondent, notifies the Pennsylvania Department of Revenue that Respondent's Certificate of Public Convenience has been revoked, notifies Respondent's insurance carrier that Respondent's Certificate of Public Convenience has been revoked, and imposes an additional fine on the Respondent.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Michael E. Hoffman, Director

#### NOTICE

A. You must file an Answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Bureau of Administrative Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue an Order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in Paragraph B.

F. If you have questions regarding this Complaint, or if you would like an alternative format of this Complaint for persons with disabilities, please contact the Compliance Office at 717-787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. The Blue Diamond  
Company; Doc. No. C-2011-2235322; A-00095190*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That The Blue Diamond Company, Respondent, maintains its principal place of business at P. O. Box 3, Thomasville, PA 17364-0003.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on July 24, 1969 at A-00095190.

3. That on August 25, 2010, Respondent received an initial assessment of \$210.00. Respondent failed to pay this assessment; therefore, a balance is due in the amount of \$210.00.

4. That Respondent has an outstanding assessment of \$210.00.

5. That Respondent failed to file objections to the assessment, pursuant to 66 Pa.C.S. § 510(c).

6. That Respondent, by failing to pay the assessments, violated the Public Utility Code at 66 Pa.C.S. § 510(c).

Wherefore, unless Respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which cancels the Certificate of Public Convenience issued to Respondent, notifies the Pennsylvania Department of Revenue that Respondent's Certificate of Public Convenience has been revoked, notifies Respondent's insurance carrier that Respondent's Certificate of Public Convenience has been revoked, and imposes an additional fine on the Respondent.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Michael E. Hoffman, Director

NOTICE

A. You must file an Answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Bureau of Administrative Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, The Bureau of Transportation and Safety will request the Commission to issue an Order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in Paragraph B.

F. If you have questions regarding this Complaint, or if you would like an alternative format of this Complaint for persons with disabilities, please contact the Compliance Office at 717-787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Oleg & Rachel Cab Co., Inc.;*  
*Doc. No. C-2010-2135165; A-00104420*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Oleg & Rachel Cab Co., Inc., Respondent, maintains a principal place of business at P. O. Box 52221, Philadelphia, PA 19115.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on December 8, 1993, at A-00104420.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Oleg & Rachel Cab Co., Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA. 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 11-1165. Filed for public inspection July 8, 2011, 9:00 a.m.]

## PENNSYLVANIA STIMULUS OVERSIGHT COMMISSION

### Public Meeting

The Pennsylvania Stimulus Oversight Commission will hold a public meeting on Thursday, July 14, 2011, at 11 a.m. in Conference Room 1, 7th Floor, Forum Place Building, 555 Walnut Street, Harrisburg, PA.

RONALD NAPLES,  
*Chairperson*

[Pa.B. Doc. No. 11-1166. Filed for public inspection July 8, 2011, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

### Bureau of Professional and Occupational Affairs v. Coleen M. Brown; File No. 07-56-01498

On March 24, 2011, Coleen M. Brown, license no. RS79251, of Sicklerville, NJ, had her license revoked based on her making a substantial misrepresentation, knowingly being a party to a material false or inaccurate representation in a writing regarding a real estate transaction in which she acted in a representative capacity, failing to deal in honesty and good faith, failing to ensure that her services were provided in a reasonable, professional and competent manner, demonstrating conduct in a real estate transaction which demonstrated bad faith, dishonesty, untrustworthiness or incompetency.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Commission Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Real Estate Commission's (Commission) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of their petition for review. The Commission contact for receiving service of the appeals is the previously-named Board counsel.

JOSEPH J. MCGETTIGAN,  
*Chairperson*

[Pa.B. Doc. No. 11-1167. Filed for public inspection July 8, 2011, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Joanne M. Nelson; File No. 09-56-05088

On February 28, 2011, Joanne M. Nelson, license no. RS305276, of Mount Pleasant, Westmoreland County, was assessed a civil penalty of \$1,000 based on her failing to complete 14 hours of continuing education for the biennial reporting period of June 1, 2006, through May 31, 2008, and failing to provide accurate and truthful information in an application and/or in the statements and papers that accompany the application to the State Real Estate Commission (Commission).

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Commission Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the Commission's final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of their petition for review. The Commission contact for receiving service of the appeals is the previously-named Commission counsel.

JOSEPH J. MCGETTIGAN,  
*Chairperson*

[Pa.B. Doc. No. 11-1168. Filed for public inspection July 8, 2011, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. David A. Rogers; File No. 07-56-06725**

On September 27, 2010, David A. Rogers, license no. RS291662, of Philadelphia, Philadelphia County, had his license revoked based on his making a substantial misrepresentation regarding a competing offer that did not exist, failing to deal honestly and in good faith with respect to representation to the buyer's agent that there was a bona fide competing offer for the property when in fact the competing offer had been fabricated, engaging in conduct during a real estate transaction by fabricating a written offer to purchase property to increase the purchase price of his own property, which demonstrates bad faith, dishonesty, untrustworthiness or incompetency, by knowingly being a party to a material false or inaccurate representation in a writing, regarding a real estate transaction, in which he is acting in representative capacity by fabricating a written offer to purchase the property in order to increase the purchase price of his own property.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Commission Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Real Estate Commission's (Commission) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of their petition for review. The Commission contact for receiving service of the appeals is the previously-named Commission counsel.

JOSEPH J. MCGETTIGAN,  
*Chairperson*

[Pa.B. Doc. No. 11-1169. Filed for public inspection July 8, 2011, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v. Harold N. Thompson; File No. 05-56-00269**

On October 28, 2010, Harold N. Thompson, license no. RS125721A, of Glen Mills, Delaware County, had his license revoked based on his engaging in conduct, or advertising, or holding himself out as engaging in or

conducting the business or acting in the capacity of a broker or salesperson without first being licensed or registered by the State Real Estate Commission (Commission), making substantial misrepresentations throughout the real estate transaction, pursuing a continued and flagrant course of misrepresentation, failing to promptly on receipt of a deposit or other moneys on any transaction in which he is engaged on behalf of his broker-employer, pay over the deposit to the broker, accepting a commission or any other valuable consideration for the performance of any acts specified in the act, from any person, except the licensed real estate broker with whom he is affiliated, engaging in conduct during a real estate transaction which demonstrates bad faith, dishonesty, untrustworthiness or incompetency, failing to exercise reasonable professional skill and care, violating the regulations of the Commission, which states that a salesperson may assist in property management if the salesperson's work is supervised and controlled by the employing broker, failing to deal honestly and in good faith, failing to ensure that all services are provided in a reasonable, professional and competent manner.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Commission Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the Commission's final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of their petition for review. The Commission contact for receiving service of the appeals is the previously-named Commission counsel.

JOSEPH J. MCGETTIGAN,  
*Chairperson*

[Pa.B. Doc. No. 11-1170. Filed for public inspection July 8, 2011, 9:00 a.m.]

**THADDEUS STEVENS  
COLLEGE OF  
TECHNOLOGY**

**Request for Bids**

Thaddeus Stevens College is soliciting bids for Project 11-0007 for bus shuttle services between the main campus and the branch campus. The schedule would be as follows: two buses leaving the main campus, 750 East King Street, Lancaster at 7:15 a.m., one way to branch campus, 1740 Hempstead Road, Lancaster; two buses leaving branch campus at 11:45 a.m. to the main campus and then from the main campus to the branch campus, two way; and two buses leaving branch campus at 4:30 p.m., one way to main campus. This would be approximately 170 days/school year. For a copy of the bid contact Nancy Froeschle, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, fax (717) 391-3557 or froeschle@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,  
*President*

[Pa.B. Doc. No. 11-1171. Filed for public inspection July 8, 2011, 9:00 a.m.]