

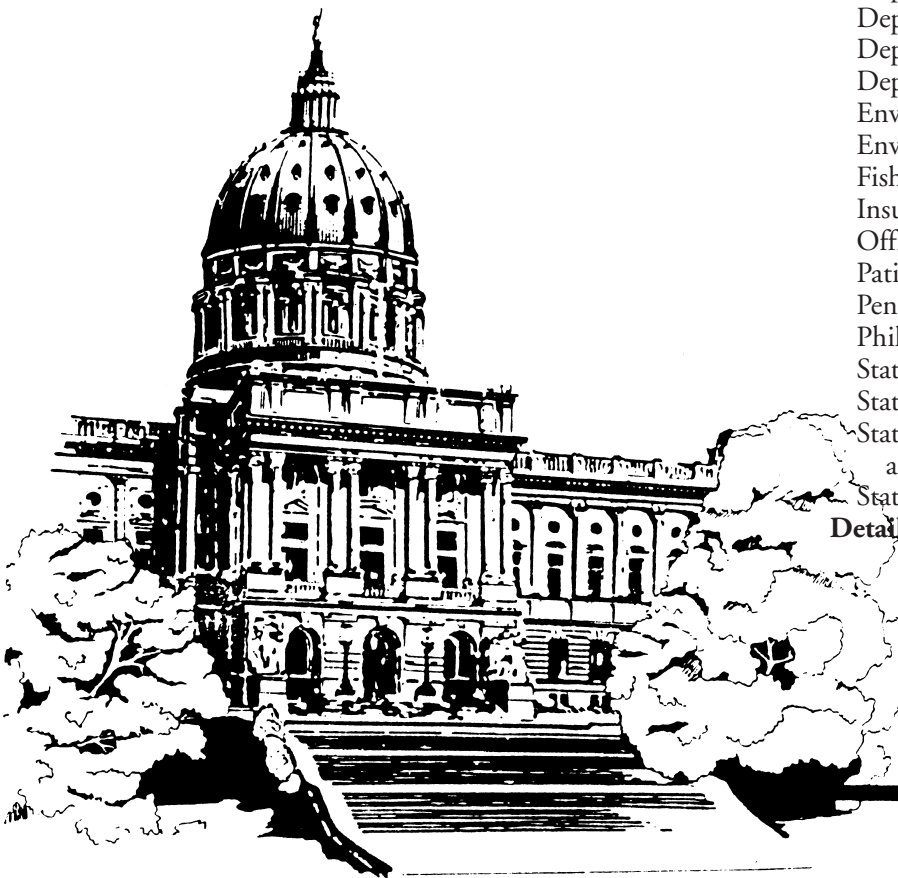
PENNSYLVANIA BULLETIN

Volume 46
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Agencies in this issue

The Governor
The General Assembly
The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of General Services
Department of Health
Department of Labor and Industry
Department of Revenue
Department of Transportation
Environmental Hearing Board
Environmental Quality Board
Fish and Boat Commission
Insurance Department
Office of Open Records
Patient Safety Authority
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
State Board of Certified Real Estate Appraisers
State Board of Nursing
State Board of Vehicle Manufacturers, Dealers
and Salespersons
State Real Estate Commission

Detailed list of contents appears inside.



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

No. 494, January 2016

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2016.

4 Pa. Code (Administration)	49 Pa. Code (Professional and Vocational Standards)
Adopted Rules	Adopted Rules
6 440	36 447
Proposed Rules	52 Pa. Code (Public Utilities)
245 354	Adopted Rules
247 354	53 449
Statements of Policy	201 Pa. Code (Rules of Judicial Administration)
9 22, 219	Adopted Rules
12 Pa. Code (Commerce, Trade and Local Government)	19 330
Proposed Rules	210 Pa. Code (Appellate Procedure)
31 221	Adopted Rules
25 Pa. Code (Environmental Protection)	3 8
Adopted Rules	9 8
215 446	231 Pa. Code (Rules of Civil Procedure)
806 17	Adopted Rules
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Proposed Rules	Proposed Rules
84 460	Part II 332
147 458	249 Pa. Code (Philadelphia Rules)
40 Pa. Code (Liquor)	Unclassified 445
Adopted Rules	255 Pa. Code (Local Court Rules)
1 352	Unclassified 209
13 352	

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2015-13]

Governor's Advisory Councils for Hunting, Fishing and Conservation

November 24, 2015

Whereas, the Constitution of this Commonwealth proclaims that Pennsylvania's public natural resources are the common property of all people, including generations yet to come, and commands the Commonwealth to conserve and maintain its natural resources for the benefit of all the people; and

Whereas, Pennsylvania has been blessed with abundant natural resources creating widespread recreational opportunities for both its citizens and visitors alike; and

Whereas, Pennsylvania's rich outdoor heritage, including activities such as hunting, fishing, trapping, nature photography, bird and wildlife watching, and hiking, are enjoyed by 6.4 million people annually; and

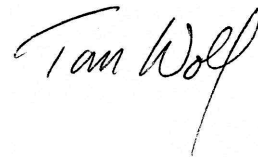
Whereas, outdoor recreation in Pennsylvania accounts for \$21.5 billion in consumer spending, supports 219,000 direct jobs, creates \$7.2 billion in wages and salaries, and generates \$1.6 billion in state and local tax revenue; and

Whereas, 1.42 million people hunt and/or fish in Pennsylvania, spending \$1.5 billion and creating a ripple effect on the economy valued at \$2.5 billion; and

Whereas, the future of our Commonwealth's natural resources rests in the hands of our children and in future generations, whose love of nature and the outdoors can be developed through meaningful experiences in the outdoors and through participation in organizations promoting hunting, fishing and conservation; and

Whereas, the Governor, Commonwealth officials and agencies would benefit from the advice and counsel of an official representative body, concerned with the recreational use and conservation of the natural resources of the Commonwealth, comprised of dedicated hunters, trappers, anglers, hikers and other conservationists of all generations.

Now, Therefore, I, Thomas Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Governor's Advisory Council for Hunting, Fishing and Conservation, and the Governor's Youth Council for Hunting, Fishing and Conservation, and do order and direct as follows.



Governor

Fiscal Note: GOV-15-13. (1) General Fund; (2) Implementing Year 2015-16 is \$28,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$28,000; (4) 2014-15 Program—\$3,840; 2013-14 Program—

\$6,850; 2012-13 Program—\$6,798; (7) General Government Operations; (8) recommends adoption. The General Government Operations appropriation is able to absorb the increased cost.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter VV. (Reserved)

§§ 6.671—6.680. (Reserved).

Subchapter AAA. GOVERNOR'S ADVISORY COUNCILS FOR HUNTING, FISHING AND CONSERVATION

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6.622.	Responsibilities.
6.623.	Composition.
6.624.	Terms of membership.
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6.626.	Governor's Youth Council for Hunting, Fishing and Conservation.
6.627.	Compensation.
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6.629.	Reports.
6.630.	Effective date.
6.631.	Termination date.
6.632.	Rescission.

§ 6.621. Purpose.

(a) The purpose of the Governor's Advisory Council for Hunting, Fishing and Conservation is to provide a forum through which an open and forthright dialog will be fostered among a diverse group of outdoor recreation and conservation minded individuals to provide the Governor, Commonwealth officials and agencies with sound advice on matters pertaining to the conservation of wildlife and other natural resources in this Commonwealth, and on ways to protect, promote and enhance the outdoor heritage of this Commonwealth.

(b) The purpose of the Governor's Youth Council for Hunting, Fishing and Conservation is to identify effective strategies for engaging younger generations in the conservation and preservation of this Commonwealth's natural resources and the enhancement of this Commonwealth's hunting and fishing heritage.

§ 6.622. Responsibilities.

The responsibilities of the Governor's Advisory Council for Hunting, Fishing and Conservation are to:

(1) Review and make written recommendations to the Governor regarding any issue appropriate for governmental action that might affect the recreational use and conservation of this Commonwealth's wildlife and other natural resources.

(2) Review and make written recommendations to the Governor on policies proposed or adopted, or regulations proposed or promulgated, by the Fish and Boat Commission, the Game Commission, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development and the Department of Agriculture that might affect the recreational use and conservation of this Commonwealth's wildlife and other natural resources.

(3) Review and make written recommendations to the Governor regarding pending legislation that might affect the recreational use and conservation of this Commonwealth's wildlife and other natural resources.

(4) Upon request of the Governor, and in consultation with the Secretary of the Department of Conservation and Natural Resources, recruit candidates to serve on the boards of the Fish and Boat Commission, the Fish and Boat Commission's Boating Advisory Board and the Game Commission endeavoring to reflect the broad gender, racial and ethnic makeup of the constituencies these entities serve.

(5) Upon request of the Governor, and in consultation with the Secretary of the Department of Conservation and Natural Resources, review the qualifications of candidates seeking nomination to the boards of the Fish and Boat Commission, the Fish and Boat Commission's Boating Advisory Board and the Game Commission providing recommendations regarding candidates to the Governor.

(6) Upon request of the Governor, and in consultation with the Secretary of the Department of Conservation and Natural Resources, provide advice and recommendations to the Governor concerning board members of the Fish and Boat Commission, the Fish and Boat Commission's Boating Advisory Board and the Game Commission who seek appointment to a second term or third term as a member of those boards.

(7) Convene at least four times a year and at the call of the Chairperson.

(8) In consultation with the Secretary of the Department of Conservation and Natural Resources establish guidelines for the Governor's Youth Council for Hunting, Fishing and Conservation.

(9) Adopt rules of procedure consistent with the provisions of this subchapter.

§ 6.623. Composition.

The members of the Governor's Advisory Council for Hunting, Fishing and Conservation (Council) will be appointed by the Governor. The membership of the Council shall consist of the following:

(1) The Chairperson, who will be appointed by the Governor, and, on behalf of the Council, will direct its activities and agenda, conduct its meetings and be primarily responsible for advising the Governor on matters pertaining to the purposes of the Council.

(2) No more than 20 residents of this Commonwealth representing diverse interests, all of whom shall have a fundamental understanding of wildlife and the natural resources of this Commonwealth and respect hunting, trapping, angling and other outdoor recreational activities as valuable and accepted priorities in determining wildlife and natural resource management.

(3) Elected Statewide officials, legislators or officials/employees of the Fish and Boat Commission, the Game Commission, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development and the Department of Agriculture, or their family members, are not eligible for membership on the Council.

§ 6.624. Terms of membership.

(a) Members of the Governor's Advisory Council for Hunting, Fishing and Conservation (Council) will be appointed for a term of 1 year and will continue to serve thereafter until their successors have been appointed and qualified. A member may be reappointed for one or more additional terms. Members shall serve at the pleasure of the Governor.

(b) A member who is absent, without excuse, from more than two meetings within the calendar year shall forfeit membership on the Council.

§ 6.625. Staffing.

The Department of Conservation and Natural Resources shall provide staff resources to support the Governor's Advisory Council for Hunting, Fishing and Conservation.

§ 6.626. Governor's Youth Council for Hunting, Fishing and Conservation.

(a) The Governor's Youth Council for Hunting, Fishing and Conservation (Youth Council) is created separate and apart from the Governor's Advisory Council for Hunting, Fishing and Conservation (Council).

(b) The Youth Council shall be comprised of up to 20 individuals, 14 years of age through 18 years of age, for the purpose of communicating their ideas and recommendations through the Council to the Governor and the Secretary of the Department of Conservation and Natural Resources.

(c) The Youth Council shall deliberate on all forms of outdoor recreation, including how to best engage their generation and future generations in the conservation and preservation of this Commonwealth's natural resources and the enhancement of this Commonwealth's hunting and fishing heritage.

(d) The Youth Council may, as the Council deems necessary, contribute to the fulfillment of the duties in § 6.622 (relating to responsibilities), specifically paragraphs (1)—(3).

(e) The terms of Youth Council membership are governed by § 6.624 (relating to terms of membership).

§ 6.627. Compensation.

Members of the Governor's Advisory Council for Hunting, Fishing and Conservation and the Governor's Youth Council for Hunting, Fishing and Conservation will not receive compensation for their service, except that members may be reimbursed for travel and related expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.628. Cooperation by State agencies.

State agencies shall cooperate fully with the Governor's Advisory Council for Hunting, Fishing and Conservation (Council) and upon request shall provide assistance and support as needed by the Council to carry out its responsibilities.

§ 6.629. Reports.

By no later than December 31 of each calendar year, the Governor's Advisory Council for Hunting, Fishing and Conservation (Council) shall submit an annual report to the Governor outlining the Council's and Governor's Youth Council for Hunting, Fishing and Conservation's activities and accomplishments.

§ 6.630. Effective date.

This subchapter takes effect immediately.

§ 6.631. Termination date.

This chapter shall remain in effect unless revised or rescinded by the Governor.

§ 6.632. Rescission.

Effective immediately, Executive Order 2012-02 is rescinded.

[Pa.B. Doc. No. 16-104. Filed for public inspection January 22, 2016, 9:00 a.m.]

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

2016 Meeting Schedule

The Commission on Sentencing (Commission) is giving notice that the following dates have been selected for public meetings in 2016:

Wednesday, March 2, 2016	6 p.m.	Dinner Meeting Harrisburg Hilton and Towers Harrisburg, PA
Thursday, March 3, 2016	9 a.m. 11 a.m.	Policy Committee Meeting Quarterly Commission Meeting Pennsylvania Judicial Center Harrisburg, PA
Wednesday, June 1, 2016	6 p.m.	Dinner Meeting Crowne Plaza Hotel Harrisburg, PA
Thursday, June 2, 2016	9 a.m. 11 a.m.	Policy Committee Meeting Quarterly Commission Meeting Pennsylvania Judicial Center Harrisburg, PA
Wednesday, September 7, 2016		Strategic Planning Session Commission Office 204 East Calder Way, 4th Floor State College, PA
Thursday, September 8, 2016	9 a.m. 11 a.m.	Policy Committee Meeting Quarterly Commission Meeting Commission Office 204 East Calder Way, 4th Floor State College, PA
Wednesday, December 7, 2016	6 p.m.	Dinner Meeting Harrisburg Hilton and Towers Harrisburg, PA
Thursday, December 8, 2016	9 a.m. 11 a.m.	Policy Committee Meeting Quarterly Commission Meeting Pennsylvania Judicial Center Harrisburg, PA

Meetings are open to the public. Questions regarding Commission meetings should be directed to Mark H. Bergstrom, Executive Director, (814) 863-4368, mhb105@psu.edu.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 16-105. Filed for public inspection January 22, 2016, 9:00 a.m.]

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Mass Tort Protocols; General Court Regulation No. 2013-01

Order

And Now, this 29th day of December, 2015, it is hereby *Ordered, Adjudged and Decreed* that Section 9 of General Court Regulation 2013-01, concerning Mass Torts protocols, is amended to read as follows:

9. The panel of former judges invited to participate in the special mediation of mass tort cases are the following:

1. Phyllis W. Beck, Retired Judge
Independence Foundation
Offices at the Bellevue
200 South Broad Street, Suite 1101
Philadelphia, PA 19102
2. Jane Cutler Greenspan, Retired Justice
JAMS Arbitration, Mediation and ADR Services
1717 Arch Street
Suite 4010—Bell Atlantic Tower
Philadelphia, PA 19103
(215) 246-9494
3. G. Craig Lord, Retired Judge
Blank Rome LLP
One Logan Square
130 North 18th Street
Philadelphia, PA 19103-6998
(215) 569-5496
4. James R. Melinson, Retired Judge
JAMS Arbitration, Mediation and ADR Services
1717 Arch Street
Suite 4010—Bell Atlantic Tower
Philadelphia, PA 19103
(215) 246-9494
5. Russell Nigro, Retired Justice
210 W. Washington Square
Philadelphia, PA 19106
(215) 287-5866
6. Diane M. Welsh, Retired Judge
JAMS Arbitration, Mediation and ADR Services
1717 Arch Street
Suite 4010—Bell Atlantic Tower
Philadelphia, PA 19103
(215) 246-9494

7. Sandra Mazer Moss, Retired Judge
The Dispute Resolution Institute
Two Logan Square—6th Floor
18th and Arch Streets
Philadelphia, PA 19103
(215) 656-4374

All other terms of General Court Regulation 2013-01 shall remain in full force and effect.

This General Court Regulation is promulgated in accordance with Pa.R.C.P. No. 239 and the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration. The original General Court Regulation shall be filed with the Prothonotary in a Docket maintained for General Court Regulations issued by the Administrative Judge of the Trial Division, Court of Common Pleas of Philadelphia County, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the General Court Regulation shall be submitted to the Administrative Office of Pennsylvania Courts, the Civil Procedural Rules Committee, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://courts.phila.gov/regs>.

By the Court

HONORABLE KEVIN M. DOUGHERTY,
Administrative Judge, Trial Division

[Pa.B. Doc. No. 16-106. Filed for public inspection January 22, 2016, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Walter H. Killian (# 32386) having been disbarred from the practice of law in the State of Maryland by Order of the Court of Appeals of Maryland dated July 10, 2015, the Supreme Court of Pennsylvania issued an Order on January 7, 2016, disbaring Walter H. Killian from the Bar of this Commonwealth, effective February 6, 2016. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,
Secretary

*The Disciplinary Board of the
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 16-107. Filed for public inspection January 22, 2016, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 215]

Security Rule for Radioactive Material

The Environmental Quality Board (Board) amends Chapter 215 (relating to general provisions). Chapter 215 is amended to include a reference to the new Nuclear Regulatory Commission (NRC) security regulation in 10 CFR Part 37 (relating to physical protection of category 1 and category 2 quantities of radioactive material). The Bureau of Radiation Protection incorporates by reference all applicable NRC radiation protection and control of radioactive materials regulations from 10 CFR (relating to energy).

This final-form rulemaking was adopted by the Board at its meeting on September 15, 2015.

A. *Effective Date*

This final-form rulemaking will be effective on March 18, 2016.

B. *Contact Persons*

For further information, contact Joseph Melnic, Chief, Division of Radiation Control, P. O. Box 8469, Rachel Carson State Office Building, Harrisburg, PA 17105-8469, (717) 783-9730; or Keith Salador, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 783-8075. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This final-form rulemaking is available on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (select "Public Participation," then select "Environmental Quality Board (EQB)").

C. *Statutory Authority*

This final-form rulemaking is authorized by the Radiation Protection Act (35 P. S. §§ 7110.301 and 7110.302) and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20).

D. *Background and Purpose*

When then-Governor Rendell signed the Agreement with the Chairperson of the NRC in March 2008 to oversee and regulate licensure of radioactive materials for Pennsylvania entities, the Commonwealth committed to being compatible with the NRC regulations. The Department fulfills this requirement by incorporating by reference NRC regulations. Currently, licensees in this Commonwealth are following security orders issued by the NRC in November 2005 following the terrorist attacks of September 11, 2001. The orders were reissued by the Department in 2008 after the Commonwealth became an Agreement State, for security controls, also referred to as Increased Controls (IC), for these high-activity licensees. The orders were used to develop 10 CFR Part 37 as implemented by the NRC in March 2014. The orders require licensees to secure, from unauthorized removal or access, licensed materials that are stored in controlled or unrestricted areas, as well as control and maintain constant surveillance of licensed material that is in a

controlled or unrestricted area and that is not in storage. The orders also impose fingerprinting and criminal history records check requirements for unescorted access to certain radioactive material.

E. *Summary of Regulatory Requirements*

The following discussion outlines the regulatory requirements that have been affected by the final-form rulemaking and describes the basis for the amendments.

§ 215.1. *Purpose and scope*

Subsection (e) includes a reference to 10 CFR Part 37, incorporating by reference this new part.

Subsection (e)(10) designates that 10 CFR 37.3(b)(2), 37.13, 37.73(d) and (e), 37.107 and 37.109 are not incorporated. These sections are not being incorporated because they apply to the NRC only. Subsequent paragraphs are appropriately renumbered.

The amendments to subsection (h)(5) delete the transitional language that had been added in anticipation of the Commonwealth becoming an Agreement State. In addition, language has been added codifying the requirement for licensees to send criminal history records to the NRC.

F. *Summary of Comments and Responses on the Proposed Rulemaking*

Notice of proposed rulemaking was published at 45 Pa.B. 1367 (March 21, 2015). The public comment period closed on April 20, 2015, and no comments on the proposed rulemaking were received. The Independent Regulatory Review Commission (IRRC) reviewed the proposed rulemaking and did not have any objections, comments or recommendations.

G. *Benefits, Costs and Compliance*

Benefits

Codifying orders into regulation will result in optimizing compliance authority. Benefits of the final-form rulemaking are prevention of unnecessary radiation exposure to the public and radiation workers from terrorist acts using large quantities of radioactive material.

Compliance costs

No additional financial, economic or social impact will result from this final-form rulemaking.

Compliance Assistance Plan

Current IC licensees are being informed by the Department during annual inspections that the orders they are required to comply with will be codified in Pennsylvania regulation with the promulgation of this final-form rulemaking. The Department has recently notified all IC licensees through a written Information Notice that 10 CFR Part 37 is anticipated to be incorporated by March 19, 2016. In addition, a series of workshops were conducted in September 2014 in which the National Nuclear Security Administration of the United States Department of Energy participated to provide technical assistance.

Paperwork requirements

The final-form rulemaking will not revise the current paperwork requirements.

H. *Pollution Prevention*

This is not applicable to this final-form rulemaking.

I. *Sunset Review*

The regulation will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulation effectively fulfills the goals for which it was intended.

J. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 9, 2015, the Department submitted a copy of the notice of proposed rulemaking, published at 45 Pa.B. 1367, to IRRC and the Chairpersons of the House and Senate Environmental Resources and Energy Committees (House and Senate Committees) for review and comment.

Under section 5(c) of the Regulatory Review Act, the Department shall submit to IRRC and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on December 9, 2015, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective December 9, 2015.

K. *Findings*

The Board finds that:

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

(2) A public comment period was provided as required by law and no comments were submitted.

(3) This final-form rulemaking does not enlarge the purpose of the proposed rulemaking published at 45 Pa.B. 1367.

(4) This final-form rulemaking is necessary and appropriate for the administration and enforcement of the acts identified in Section C of this preamble.

L. *Order*

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

(a) The regulations of the Department, 25 Pa. Code Chapter 215, are amended by amending § 215.1 to read as set forth at 45 Pa.B. 1367.

(b) The Chairperson of the Board shall submit this order and 45 Pa.B. 1367 to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form as required by law.

(c) The Chairperson of the Board shall submit this order and 45 Pa.B. 1367 to IRRC and the Senate and House Committees as required under the Regulatory Review Act (71 P.S. §§ 745.1—745.14).

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

(e) This order shall take effect on March 18, 2016.

JOHN QUIGLEY,
Chairperson

(Editor’s Note: See 45 Pa.B. 7350 (December 26, 2015) for IRRC’s approval order).

Fiscal Note: Fiscal Note 7-493 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 16-108. Filed for public inspection January 22, 2016, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

[49 PA. CODE CH. 36]

Biennial License Fee for Licensed Appraiser Trainees

The State Board of Certified Real Estate Appraisers (Board) amends § 36.6 (relating to fees) to read as set forth in Annex A.

Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin*. It is anticipated that the biennial renewal fees for licensed appraiser trainees will be implemented with the June 30, 2017, biennial renewal.

Statutory Authority

Section 5(6) of the Real Estate Appraisers Certification Act (act) (63 P.S. § 457.5(6)) authorizes the Board to establish fees for the operation of the Board, including fees for the issuance and renewal of certificates and licenses. Section 9 of the act (63 P.S. § 457.9) provides that fees established under the act shall be fixed by the Board by regulation.

Background and Need for Amendment

The Board published a final-form rulemaking at 40 Pa.B. 3956 (July 17, 2010) establishing a regulatory scheme for the appraiser trainee license, which was added to the act by the act of July 8, 2008 (P.L. 833, No. 59) and the act of October 9, 2008 (P.L. 1380, No. 103). At that time, the Board established an initial application fee of \$75 for the appraiser trainee license. However, although an appraiser trainee license may be renewed biennially up to four times, the Board did not establish a biennial renewal fee for this class of license at that time. With this final-form rulemaking, the Board corrects that oversight by amending § 36.6 to establish a biennial renewal fee for licensed appraiser trainees at \$150.

Summary of Comments and the Board’s Response

Notice of proposed rulemaking was published at 43 Pa.B. 5827 (October 5, 2013) with a 30-day public comment. On November 1, 2013, the Pennsylvania Association of Realtors (PAR) submitted a letter indicating their support of the fee of \$150 for appraiser trainees stating “[w]e believe that the fee is within reason and therefore have no concerns regarding the proposal.” No other public comments were received.

On December 4, 2013, the Independent Regulatory Review Commission (IRRC) submitted comments to the Board.

IRRC noted that the Governor's Executive Order 1996-1 requires that "regulations shall be drafted and promulgated with early and meaningful input from the regulated community." IRRC asked the Board to explain how the process it used to develop the proposed rulemaking complies with Executive Order 1996-1. The Board discussed the proposed rulemaking during public meetings on December 13, 2012, and January 10, 2013, which are routinely attended by representatives of the regulated community and their professional associations. In advance of each Board meeting, the Board releases the agenda to individuals and entities who have indicated an interest in the Board's regulatory activities, including the professional associations that represent the regulated community. In addition, the Board posts the agenda on its web site. In this way, if a stakeholder or interested party wishes to be heard on a particular topic, that party can plan to attend the meeting. On both of these dates when the proposed rulemaking was discussed, a representative of the PAR attended the public Board meetings. On November 1, 2013, the PAR submitted a letter indicating their concurrence with the fee of \$150 for appraiser trainees, stating "[w]e believe that the fee is within reason and therefore have no concerns regarding the proposal." Likewise, on January 10, 2013, a representative of the Coalition of Pennsylvania Real Estate Appraisers (Coalition) attended the Board meeting, at which time the Board voted to promulgate the proposed rulemaking. Representatives of the Coalition have informally expressed verbal support of the fee. Thus, the members of the regulated community and their professional associations have had the opportunity to provide "early and meaningful input" on this final-form rulemaking.

IRRC asked generally how the addition of this fee relates to the overall revenues and expenditures of the Board. Specifically, IRRC asked the Board to establish that the revenues raised by fees, fines and civil penalties currently are not sufficient to meet expenditures over a 2-year period. The \$150 fee for trainees is new, as there was not a biennial renewal fee for trainees. This fee for biennial renewal for licensed appraiser trainees is not meant to cover the cost or balance the budget of the Board, but to have trainees participate in paying for some of the expenses of the Board. This final-form rulemaking is not to address a shortfall in revenue. However, prior to the implementation of the licensure of appraisal management companies, the Board was heading toward a general fee increase. At that time, during the biennial period of 2011-2013, the Board's fees generated revenue of \$1,056,115.98, while expenditures for the same period were \$1,174,532.83, a biennial deficit of \$118,416.85. At the conclusion of Fiscal Year (FY) 2012-2013, a renewal year when the Board receives the bulk of its biennial revenue, the Board's remaining balance in the Professional Licensure Augmentation Account was \$505,611.40. Had it not been for the issuance of initial appraisal management company licenses in FY 2013-2014, the Board would have needed to increase fees across all licensure categories.

There are currently 316 licensed appraiser trainees. If approximately 316 trainees renew their licenses on June 30, 2017, by paying a biennial renewal fee of \$150, then the total revenue generated by the fee would be \$47,400, which is approximately 3.6% of the Board's expected budgetary expenditures of \$1.315 million for combined FY 2016-2017 (\$648,000 projected) and FY 2017-2018 (\$667,000 projected). Thus, the portion of the Board's total budgetary expenditures that will be paid by appraiser trainees over the next 2 fiscal years is only a little

more than 3.6%, which is very small, and by itself would not have covered the prior shortfall in revenues. However, the Board believes that all licensees, including trainees, should be required to support the operations of the Board through biennial renewal fees, rather than having all of the costs fall on certified appraisers, certified Pennsylvania evaluators and appraisal management companies.

IRRC made a comment regarding the appraisal management company fees. Under § 36.306 (relating to fees), the initial application fee for appraisal management companies is \$2,000. IRRC asked whether this fee subsidizes the Board's other licensure classifications. The Board intends to address the application fee and a renewal fee for appraisal management companies more fully in a separate proposed rulemaking. Therefore, consideration of those fees and their effect on balancing the Board's budget is better set forth in the appraisal management company general rulemakings. As previously stated, this final-form rulemaking for the biennial renewal fee for appraiser trainees is not intended to cover the overall costs for the Board or balance the Board's budget.

IRRC's comments also dealt with the licensed appraiser trainee fee in relation to other renewal fees. IRRC asked the Board why it set the biennial renewal fee at \$150 when all other biennial renewal fees in § 36.6 are \$225. The Board's reasoning in charging trainees less than other licensees is that trainees are at the beginning of their professional careers, and trainees are not authorized to practice independently. For that reason, trainees cannot earn as much as appraisers and assessors. According to the Department of Labor and Industry, the 2013 average annual wage for appraisers and assessors was \$52,420, although salaries vary based on geographic region. This compares to the average salary for real estate appraiser trainees of \$31,328 according to the United States Bureau of Labor Statistics. The Board was taking into consideration the relative earning potential of a trainee when determining that a biennial renewal fee of \$150 was reasonable.

IRRC asked whether the fees it charges to the regulated community accurately reflect the current costs the Board incurs to perform the tasks associated with the fee. For purposes of this final-form rulemaking, the Board has not evaluated application fees for which the fee should cover the cost of providing the service. Instead, because this final-form rulemaking only concerns a renewal fee, the Board looks at only aggregate revenue and expenses. The Board uses the current budget and actual fees for prior years to determine its budget for the current fiscal year. In preparing its budget, the Board compares the Board's past and projected revenue with its past and projected costs. These figures become the basis for the Board's determination of the fees to charge its regulated community. It is significant that both of the associations representing the Board's regulated community, the PAR and the Coalition, have agreed that the biennial renewal fee of \$150 for appraiser trainees is reasonable, and neither organization has expressed opposition regarding this biennial renewal fee.

Fiscal Impact

This final-form rulemaking will impact licensed appraiser trainees who elect to renew their licenses. There are currently 316 actively licensed appraiser trainees. Small businesses will be impacted to the extent that they elect to pay the fees on behalf of their licensed employees. The final-form rulemaking should not have other fiscal

impact on the private sector, the general public or political subdivisions of this Commonwealth.

Paperwork Requirements

This final-form rulemaking requires the Board to alter some of its forms to reflect the new fees. However, the final-form rulemaking will not create additional paperwork for the regulated community because appraiser trainees are already required to file biennial renewal applications. The final-form rulemaking will not create additional paperwork for the private sector.

Sunset Date

The act requires the Board to monitor its revenue and costs on a fiscal year and biennial basis. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 20, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 5827, to IRRC and the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, the HPLC and the SCP/PLC copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on December 9, 2015, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on December 10, 2015, and approved the final-form rulemaking.

Contact Person

Further information may be obtained by contacting Heidi Weirich, Board Administrator, State Board of Certified Real Estate Appraisers, P. O. Box 2649, Harrisburg, PA 17110-2649, st-appraise@pa.gov.

Findings

The Board finds that:

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

(2) A public comment period was provided as required by law, and one written public comment was received.

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

Order

The Board, acting under its authorizing statutes, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 36, are amended by amending § 36.6 to read as set forth in Annex A, with ellipses referring to the existing text of the regulation.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General as required by law.

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

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

D. THOMAS SMITH,
Chairperson

(*Editor's Note:* See 45 Pa.B. 7350 (December 26, 2015) for IRRC's approval order.)

Fiscal Note: Fiscal Note 16A-7020 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 36. STATE BOARD OF CERTIFIED REAL ESTATE APPRAISERS

Subchapter A. GENERAL PROVISIONS
GENERAL PROVISIONS

§ 36.6. Fees.

The following is the schedule of fees charged by the Board:

* * * * *

Licensed Appraiser Trainee

Application.....	\$75
Biennial renewal	\$150

[Pa.B. Doc. No. 16-109. Filed for public inspection January 22, 2016, 9:00 a.m.]

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 53]

[L-2013-2346923]

Recovery of Fuel Costs by Gas Utilities

The Pennsylvania Public Utility Commission (Commission), on May 7, 2015, adopted a final rulemaking order designed to simplify and streamline information and procedures small gas utilities use when submitting gas cost rate filings with the Commission.

Executive Summary

In order to evaluate the operational and financial viability of small natural gas utilities within the Pennsylvania Public Utility Commission's (Commission) jurisdiction, the Commission directed the establishment of a Small Gas Task Force (Task Force) consisting of internal staff from the Commission's Law Bureau, Bureau of Technical Utility Services, Bureau of Audits and the Bureau of Investigation and Enforcement. In its October 28, 2011 Final Order regarding a request for relief from interest charges by North East Heat and Lighting Com-

pany (NEH&L), the Commission granted NEH&L's request that the Task Force examine issues involving the Gas Cost Rate mechanism as well as interest rate issues as applicable to small gas utilities. After a period of study and discussion, the Task Force determined that the Commission should amend its regulations to streamline the information and procedures small gas utilities use when submitting Gas Cost Rate filings with the Commission.

Specifically, in this Final Rulemaking Order the Commission proposes to implement the following changes to its regulations: (1) classify all natural gas utilities not qualifying for 1307(f) treatment as small gas utilities; (2) modify the schedules included in small gas utilities' GCR filings for purposes of efficiency; (3) provide small gas utilities with uniform time schedules to allow more accurate gas cost projections as winters approach; (4) allow small gas utilities to collect interest, at the prime rate for commercial borrowing, on both net over and under collections from ratepayers; (5) eliminate the requirement that at least 90% of a small gas utility's annualized gas costs be rolled into base rates; and (6) implement a GCR interim tariff filing procedure to be effective on ten days' notice.

Public Meeting held
May 7, 2015

Commissioners Present: Gladys M. Brown, Chairperson; John F. Coleman, Jr., Vice Chairperson; James H. Cawley; Pamela A. Witmer; Robert F. Powelson

Final Rulemaking for Revision of 52 Pa. Code, Chapter 53 §§ 53.61—53.68, pertaining to the Recovery of Fuel Costs by Gas Utilities; Doc. No. L-2013-2346923

Final Rulemaking Order

By the Commission:

By Order entered May 9, 2013, the Pennsylvania Public Utility Commission (Commission) issued a Proposed Rulemaking Order to amend its regulations at 52 Pa. Code §§ 53.61 through 53.68, "Recovery of Fuel Costs by Gas Utilities." The purpose of this rulemaking is to simplify and streamline the information and procedures small gas utilities use when submitting gas cost rate filings with the Commission. Comments to the Proposed Rulemaking were filed by the Independent Regulatory Review Commission (IRRC) and the Office of Consumer Advocate (OCA), as well as Valley Energy Inc., which also filed reply comments. The Commission has reviewed those comments and reply comments and now issues this Final Rulemaking Order.

Background and Procedural History

On January 15, 2009, the Commission directed the establishment of a Small Gas Task Force (Task Force). Since its establishment, the Task Force has, among other tasks, evaluated the operational and financial viability of small natural gas utilities within the Commission's jurisdiction, met with small gas utilities operating in Pennsylvania to discuss gas safety issues, provided an overview of the standard rate case process as well as the "short form" process, and created a package of documents¹ and a webpage on the Commission's website to help meet the

¹ The package of documents created to assist small gas utilities included the following: an overview of the PUC ratemaking process; instructions and forms for filing the refined Short Form base rate case; a model tariff; a sample affiliated interest agreement; requirements and procedures for terminating service to customers; an explanation of the difference between base rates and gas cost rates; a sample press release; sample talking points for addressing consumer/media questions; information on meeting the Annual Report filing requirements; and a list of PUC contacts.

gas utilities' anticipated needs.² The webpage is meant to provide a one-stop location for small gas utilities to access the forms and information needed for regulatory compliance.

On October 2, 2009, the North East Heat and Light Company (NEH&L) submitted its 2009/2010 annual gas cost rate (GCR) filing, pursuant to 52 Pa. Code § 53.66 (related to filing requirements), to become effective November 1, 2009. NEH&L sought relief from interest charges, pursuant to section 53.66(d) (related to overcollections), for the twelve-month GCR reconciliation period that ended August 31, 2009. NEH&L's overcollections were the result of its purchasing strategy which allowed the company to take advantage of rapidly falling natural gas prices and to pass those savings on to its customers. NEH&L filed an interim GCR when it realized that there would be significant overcollections, thereby seeking to minimize their accrual.

The Commission granted equitable relief to NEH&L in the form of reduced interest rates on its overcollections, but emphasized that NEH&L's situation was unique in that it was a one-time partial waiver of the interest rate. See Commission Docket No. M-2009-2134358, (Order entered December 17, 2009).

The following year, on November 24, 2010, NEH&L similarly requested relief and exemption from interest charges on overcollections that accrued during the 2009/2010 GCR year. However, this time the Commission entered a Final Order denying NEH&L's request for relief. See Commission Docket No. P-2010-2214432 (Final Order entered October 28, 2011). The Commission reasoned that (1) the amount of interest was markedly different from the previous GCR year in which relief was granted; (2) the extraordinary circumstances such as the unusually low gas prices in the winter of 2008/2009 were not clearly evident in this year's request; and (3) NEH&L did not file an interim GCR to mitigate overcollections as it had done previously. NEH&L argued that interest rates on overcollections were harmful because NEH&L was punished by an excessive interest rate even though it engaged in prudent business practices to procure low cost fuel below the GCR cost. Despite denying NEH&L's requested exemption, the Commission did grant NEH&L's request for the Task Force to examine issues involving the GCR mechanism and to review interest rate issues raised by NEH&L, as applicable to small gas utilities.

The recommendations of the Task Force are the subject of the instant rulemaking proceeding. The Commission entered its May 9, 2013 Proposed Rulemaking Order to proffer changes that would streamline small gas utilities' GCR filings and better accommodate and consider the limited resources of these utilities in comparison to large gas utilities. Also, the Commission advanced changes to interest rate assessments to reflect industry standards and the current natural gas market, and to create consistency between large and small gas utilities.

Specifically, the Commission proposed the following: (1) classifying all natural gas utilities not presently qualifying for 1307(f) treatment as small gas utilities; (2) modifying the schedules included in small gas utilities' GCR filings by eliminating redundant and unnecessary schedules, and consolidating others for purposes of efficiency; (3) providing small gas utilities with uniform time schedules to allow more accurate gas cost projections as winters approach; (4) eliminating the requirement that at least 90% of a small gas utility's annualized gas costs be

² See webpage at: http://www.puc.pa.gov/utility_industry/natural_gas/committees_and_working_groups/small_gas_task_force_.aspx.

rolled into base rates; (5) implementing a GCR interim tariff filing procedure to be effective on one day's notice; and (6) allowing small gas utilities to collect interest, at the interest rate specified at 66 Pa.C.S. § 1307(f)(5), on both net over and under collections from ratepayers. The Commission specifically invited comments on its proposed use of the same interest rate that regulates large gas utilities, 66 Pa.C.S. § 1307(f)(5), or, in the alternative, other interest rates with evidence supporting their use.

The Commission received comments to its proposed revisions from IRRC and the OCA, and both comments and reply comments from Valley Energy, Inc. Those comments are summarized below.

Comments to the Proposed Rulemaking Order

IRRC's Comments

In its comments, IRRC acknowledges that the Commission specifically invited interested parties to comment on what they believe is the optimal interest rate to be applied to over and under collections. The Commission, in its Proposed Rulemaking Order, proposed that interest rates should be calculated as specified at 66 Pa.C.S. § 1307(f)(5). IRRC also recognizes that the Commission and commentators noted that pending legislation (House Bill 1188) may modify the applicable interest rate for 1307(f) gas utilities, but stated that passage of this legislation is not guaranteed. Therefore, IRRC specifies that the Commission should explain how the interest rates included in its final regulation are consistent with the current statute and are reasonable for both utilities and their customers.

IRRC also comments that the Commission should revise its response to Question 15 of the Regulatory Analysis Form it completed in conjunction with its Proposed Rulemaking Order to ensure that the new criteria required by Act 76 of 2012, intended to improve State rulemaking by creating procedures to analyze the availability of more flexible regulatory approaches for small businesses, are met.

With respect to IRRC's latter comment that the Commission revise its Regulatory Analysis Form, we will appropriately amend our answer to Question 15 when we submit our final Regulatory Analysis Form. As to IRRC's other comments, they will be addressed in the Discussion section of this Final Rulemaking Order.

Valley Energy Inc.'s (Valley) Comments

In its comments, Valley commends the Commission for addressing the burdens that current regulations have on small gas utilities, and encourages the Commission to adopt revised regulations that eliminate unnecessary differential treatment between small and large gas utilities, while also recognizing the operational and staffing limitations small utilities face. Valley agrees with the Commission's proposed revisions to 52 Pa. Code § 53.66 to eliminate redundancies and excess schedules. Valley also supports the Commission's proposal to eliminate the distinction between Group I and Group II gas utilities and to implement a universal filing schedule for small gas utilities to make their annual GCR filings. Valley has no objection to the Commission's proposal to eliminate its current requirement that 90% of small gas utilities' annualized costs be rolled into base rates. The Commission proposed this elimination to ensure that the GCR line charge of customers' bills represents 100% of gas costs.

As the Commission's proposed amendment to 52 Pa. Code § 53.66(c) would require all small gas utilities to

file reconciliation statements under 66 Pa.C.S. § 1307(e) by October 1 of each year, for the twelve month period running September 1 through August 31, Valley requests guidance from the Commission regarding the implementation and intended procedure to be used during the transition year. Valley seeks guidance because it, and all other Group I gas utilities, must currently file reconciliation statements by July 31 for the period of July 1 through June 30. This transition would cause Valley's rates to be in effect for 14 months rather than a 12-month period.

Finally, while Valley supports the Commission's proposal to allow small gas utilities to collect interest from ratepayers on net under collections consistent with practices allowed for large gas utilities, it questions the proposal to utilize the interest rate specified at 66 Pa.C.S. § 1307(f)(5). Valley recommends the prime rate for commercial borrowing as the most optimal rate to apply to both over and under collections because it accurately reflects the cost of service associated with such collections more than the residential mortgage rate or the methodology in section 1307(f)(5). Valley notes that the prime rate for commercial borrowing more closely reflects the interest conditions faced by NGDCs.

OCA Comments

The OCA, in its comments, generally supports the Commission's efforts to improve GCR procedures and reporting requirements for small gas utilities. The OCA submits that the interest rate applied to over and under collections for small gas utilities should be examined independently of what large gas utilities use. The OCA recommends an asymmetric interest mechanism, meaning a different rate should be used for over collections than under collections.³ The OCA suggests that the interest rate used for either over or under collections should be tied to actual market conditions and noted that interest rates should not impede a company's ability to procure lower cost supplies when available.

The OCA supports the Commission's proposed amendment that would require 100% of gas costs to appear in the GCR rather than having a large percentage rolled into base rates. The OCA states that this revision will provide added stability to delivery rates, the area the gas company has greater control over. The OCA encourages all gas utilities to take opportunities to reduce gas supply costs when possible, even if those benefits would not result immediately.

Finally, the OCA comments that the proposed revision allowing small gas utilities to update the GCR on one day's notice at any time that realized gas costs would result in a rate change of greater than two percent may create customer confusion. The OCA notes that rates could change multiple times in short periods and make budgeting particularly difficult for customers. To counter this concern, the OCA suggests that it may be beneficial to limit the number of such interim updates to two updates per annual GCR period.

Valley Reply Comments

In its reply comments, Valley responds to the comments of the OCA by recommending that the Commission forego the OCA's suggestion to use an asymmetric interest treatment for small gas utilities. Valley opposes the recommendation to impose any additional interest per-

³ Currently, 66 Pa.C.S. § 1307(f)(5) requires interest charged to ratepayers for net under collections to be applied at the legal rate of interest, while the interest charged to large gas utilities for net overcollections are credited at the legal rate plus two percent.

centage for net overcollections to the interest rate the Commission ultimately adopts. Finally, Valley opposes the OCA's recommendation to restrict the number of interim GCR filings to two per annual GCR period. Valley contends that this limit is contrary to the Commission's intent to "provide small gas utilities with a means to better manage their operation while remaining aware of their limited capabilities and resources." Valley states that allowing small gas utilities to regularly file interim rate changes will limit variances between actual costs and billed GCR rates.

Discussion

Interest Rate

In its comments, IRRRC requests that the Commission explain how the interest rates included in its final regulation are: (1) consistent with the current statute; and (2) are reasonable for utilities and their customers.

In response to IRRRC's first inquiry regarding how the interest rate proffered by the Commission is consistent with our current statutory mandate, the Commission retains authority and discretion of interest rate impositions on over and under collections for small gas utilities. See 66 Pa.C.S. § 1307(b).⁴ Prior to the passage of the Natural Gas Choice and Competition Act (Act) in 1999, section 1307(f) required large gas utilities to refund to their customers natural gas revenues that exceeded the amount of actual natural gas costs incurred with interest at the residential mortgage rate. Section 1307(f) also directed large gas utilities to recover from their customers any amount by which the actual gas expenses incurred exceeded the revenues collected. However, at the time, large gas utilities were not able to collect interest from customers on these under collections. Pursuant to the Act, 66 Pa.C.S. § 1307(f) was amended to require that refunds to customers be made, with interest at the legal rate of interest plus two percent, and that recoveries from customers include interest at the legal rate of interest.

However, no similar detailed framework was mandated for small gas utilities either prior to or following the passage of the Act. The General Assembly has instead chosen to keep small gas utilities under the broader statutory provisions of section 1307(a) and (b) which: (1) has no legislative proscription regarding the issue of interest on over and under collections; and (2) leaves authority with the Commission to permit small gas utilities to collect interest on net under collections. Thus, the Commission has now chosen to permit small gas utilities to calculate and collect interest at the prime rate for commercial borrowing on net over and under collections. This decision by the Commission is consistent with its statutory authority.

IRRC's second inquiry requests that the Commission explain how the interest rate it chooses to implement is reasonable for both utilities and consumers. As stated in the Proposed Rulemaking Order, allowing small gas utilities to collect interest on net under collections represents a departure from prior Commission policy. The Commission determined that its prior position disallowing the collection of interest on under collections placed an unfair burden on small gas utilities because it required projecting, without error, volatile annual gas supply costs and

sales volumes. No justification exists for differential treatment between large and small gas utilities on the recovery of interest on net under collections.

In its comments, the OCA states that the interest rate applied to over and under collections for small gas utilities should be examined independently of what large gas utilities use, and recommends that the interest rate be tied to market conditions. Valley's comments propose the prime rate for commercial borrowing as the optimal interest rate.

After reviewing the comments filed, the Commission will amend the language presented in its Proposed Rulemaking Order, which would have tied the interest rate applied to both over and under collections by small gas utilities to 66 Pa.C.S. § 1307(f)(5) ("Refunds to customers shall be made with interest, at the legal rate of interest plus two percent, during the period or period for which the commission orders refunds, and recoveries from customers shall include interest at the legal rate of interest . . ."). The Commission agrees with the comments of the OCA that the interest rate applied to over and under collections for small gas utilities should be examined independently of what large gas utilities use to determine which model best serves the public interest. We also agree with the comments of the OCA and Valley respectively that advocate that the interest rate applied should be tied to actual market conditions. Specifically, Valley recommends that the Commission use the prime rate for commercial borrowing, which is lower than the legal rate of interest,⁵ as well as publicly known and available, and transparent. This particular market based approach will result in immediate benefits for customers and utilities. If significant, fundamental changes that affect interest rates occur in the markets in the future, the methodology we adopt today may be revisited.

As the OCA acknowledges in its comments, interest rates should not impede a company's ability to procure lower gas cost supplies when available. This rulemaking stemmed from a situation involving North East Heat and Lighting Company (NEH&L); its purchasing strategy allowed it to take advantage of rapidly falling natural gas prices and to pass those savings along to customers. The Commission's policy prior to this rulemaking punished NEH&L by assessing an excessive interest rate even though the company engaged in prudent business practices. The cost of capital for purchasing natural gas in advance of the time customers will pay for the gas is a legitimate cost of service and should be recoverable in rates. Allowing small gas utilities to collect interest at the prime rate for commercial borrowing is reasonable because it enables utilities to take advantage of lower gas supply prices and pass those benefits onto customers.

In its comments, IRRRC explicitly mentions pending legislation (House Bill 1188) that the Commission acknowledged in its Proposed Rulemaking Order and that other commenters noted. House Bill 1188 may modify the applicable interest rate for large gas utilities from the legal rate of interest to the prime rate for commercial borrowing. By directing small gas utilities to apply the prime rate for commercial borrowing at this juncture rather than the legal rate as currently applied to large gas utilities, the Commission acknowledges that it would not be in the public interest to require customers and utilities to incur higher interest rate costs merely because the General Assembly adopted a different standard for large utilities during an era of higher interest rates.

⁴ 66 Pa.C.S. § 1307(b) states that "The commission, by regulation or order, upon reasonable notice and after hearing, may prescribe for any class of public utilities, except common carriers and [large gas utilities], a mandatory system for the automatic adjustment of their rates, by means of a sliding scale of rates or other method, on the same basis as provided in subsection (a), to become effective when and in the manner prescribed in such regulation or order." By Commission Order entered on May 21, 1978, at Commission Docket No. M-78050055, the Commission established a constant and uniform adjustment rate for gas cost charges.

⁵ The prime rate for commercial borrowing has been set at 3.25% since 2008.

Additionally, as currently implemented, section 1307(f)(5) applies an asymmetric interest rate to collections for large gas utilities. In its comments, the OCA advocates that the interest rate adopted by the Commission should continue in this fashion. The OCA argues that asymmetric interest treatment provides for the reasonable recovery of costs to the company while providing appropriate incentives to provide as accurate rates as possible. In contrast, Valley contends that an asymmetric rate creates an additional obstacle to achieving equitable regulatory treatment for small gas utilities.

The Commission does not find the rationale for an asymmetric interest rate compelling. No data has been provided to demonstrate that an asymmetric interest rate results in more accurate gas projection. In fact, an asymmetric rate may unjustly penalize small gas companies in years they underestimate their costs and may create an unintended incentive to underestimate gas costs every year, resulting in unnecessarily higher interest expenses in the long term.

Moreover, the Commission has (1) supported House Bill 1188 to eliminate the asymmetric, non-market based interest rate standard in the Public Utility Code for large gas utilities; and (2) proposed eliminating the asymmetric interest rate standard used in automatic adjustment clauses for default service in its Proposed Rulemaking Order at Docket No. L-2014-2421001.⁶ In the Proposed Rulemaking Order regarding Automatic Adjustment Clauses Related to Electric Default Service, the Commission proposes to use symmetric rates, the prime interest rate, for both over and under collections. The Commission stated that the prime interest rate was most appropriate because that rate was most commensurate with market rates. The same rationale applies to the instant rulemaking.

Through these measures, the Commission has addressed the interest rate concerns expressed by small gas utilities that made this rulemaking necessary.

GCR Filings and Reconciliation Statements for Group I Gas Utilities

The Commission's rulemaking implements a universal filing schedule for all small gas utilities. This constitutes a change for Group I gas utilities (those utilities with annual operating revenues between \$2.5 million and \$40 million), which are currently required to make Gas Cost Rate (GCR) filings and reconciliation statement filings earlier in the year than their Group II gas utility counterparts. In its comments, Valley agrees that it is more advantageous for small gas utilities to file initial GCR filings in September, and final filings in October, to more accurately project winter gas costs. Valley also recognizes that the revised regulations will require reconciliation statements, pursuant to 52 Pa. Code § 53.66(c), to be filed by October 1 rather than July 31 each year. Valley seeks guidance from the Commission regarding the intended procedure for these filings during the transition year.

Currently, Group I gas utilities submit an annual GCR filing effective September 1 that includes a reconciliation statement for the 12 months ended June 30 of the same year.

In order to transition to a filing effective November 1, Group I utilities should submit a one-time reconciliation statement for the 14 months ended August 31, 2016, by

October 1, 2016. Any additional questions regarding the transition should be made directly to the Commission's Bureau of Audits.

Interim GCR Filings

In the Proposed Rulemaking Order, the Commission proposed amending 52 Pa. Code § 53.66(g) to permit interim tariff filings effective on one day's notice at any time realized gas costs would result in a rate change greater than two percent. On further review, the Commission has determined that, unless otherwise provided for in its tariff,⁷ a small gas utility's interim GCR filing should become effective on ten days' notice. Providing for ten days' notice allows our Bureau of Audits adequate time to review the interim filing before it becomes effective. This change still enables small gas utilities to support their least-cost purchasing strategies and to quickly address fluctuations in over/under collections. This change is reflected in Annex A of this Order.

A final point of contention arises in the comments when the OCA recommends that the Commission limit the number of interim GCR filings to two updates per annual GCR period. The OCA reasons that too much flexibility might create customer confusion because rates could change multiple times in short periods and might make budgeting particularly difficult for customers.

In its reply comments, Valley counters that the OCA's proposal may achieve the result it attempts to avoid: greater fluctuation in over and under collections and larger swings in gas rates to customers. Valley argues that allowing small gas utilities to submit interim rate changes regularly will reduce the variance between actual costs and billed GCR rates.

After weighing the merits of these comments, the Commission has decided not to limit the number of interim GCR filings to two per annual GCR period. Our amendment to allow interim tariff filings to become effective on ten days' notice should alleviate some of the OCA's concerns because rates will not be able to change as frequently in short periods of time. Small gas utilities will be allowed to file interim updates to be effective on ten days' notice, as needed. While the OCA's argument regarding potential customer confusion is valid, this limitation would undermine the goals of the Commission's rulemaking. As the Commission stated previously in our Proposed Rulemaking Order, our intent is provide small gas utilities with a means to better manage their operations by remaining aware of their limited capabilities and resources. Minimizing variances between actual gas costs and billed GCR rates is of paramount importance to this rulemaking and is in the public's interest. Limiting the number of annual interim filings is contrary to the Commission's purpose.

Finally, the Commission reiterates that interim GCR filings are not mandatory pursuant to this rulemaking; this policy is meant to encourage and facilitate regular monitoring of GCR activity as a good business practice.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 17, 2013, the Commission submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 6503 (November 2, 2013), to IRRC and the Chairpersons of the House Consumer Affairs Committee and the Senate Consumer Protection and

⁷ See Commission Docket No. R-2011-2229836, (Order entered April 28, 2011) (The Commission approved North East Heat & Light Company's Supplement No. 128 to Tariff Gas—Pa. P.U.C. No. 12 that, inter alia, reduced the notice period for interim GCR filings from thirty days to one.)

⁶ See Commission Docket No. L-2014-2421001, (Order entered October 2, 2014).

Professional Licensure Committee (House and Senate Committees) for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on December 9, 2015, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on December 10, 2015, and approved the final-form rulemaking.

Conclusion

This Order sets forth final-form regulations concerning the recovery of fuel costs by small gas utilities that, inter alia: (1) allow small gas utilities to collect interest from ratepayers on net under collections so as to be consistent with the rules applicable to their large gas utility counterparts; (2) amend the interest rate currently used with small gas utilities' GCR to the prime rate for commercial borrowing; (3) eliminate the requirement that 90% of small gas utilities' annualized gas costs be rolled into base rates so that the GCR in the line charge of customers' bills reflects 100% of their gas costs; and (4) allow interim GCR filings to become effective on ten days' notice. Consistent with our authority and obligations under Chapter 13 of the Public Utility Code, 66 Pa.C.S. § 1301 et seq., and particularly section 1307, the Commission is establishing rules and regulations that will benefit both small gas utilities and their retail customers. The purposes of the regulations are to simplify and streamline the information and procedures small gas utilities use when submitting GCR filings with the Commission.

Accordingly, under sections 501 and 1501 of the Public Utility Code (66 Pa.C.S. §§ 501 and 1501); sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1, 7.2 and 7.5; section 204(b) of the Commonwealth Attorneys Act (71 P. S. § 732.204(b)); section 5 of the Regulatory Review Act (71 P. S. § 745.5); and section 612 of The Administrative Code of 1929 (71 P. S. § 232) and the regulations promulgated thereunder, 4 Pa. Code §§ 7.231—7.235, we find that the regulations revising the recovery of fuel costs by small gas utilities as set forth in Annex A should be approved; *Therefore,*

It Is Ordered That:

1. The regulations of the Commission, 52 Pa. Code Chapter 53, are amended by deleting § 53.67 and by amending §§ 53.61, 53.63, 53.64, 53.66 and 53.68 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

2. The Secretary shall serve a copy of this order and Annex A on the Bureau of Audits, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate and all jurisdictional natural gas distribution companies.

3. The Secretary shall certify this order and Annex A and deposit them with the Legislative Bureau for publication in the *Pennsylvania Bulletin*.

4. The Secretary shall submit this order and Annex A to the Office of Attorney General for approval as to legality.

5. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.

6. The Secretary shall submit this order and Annex A for review by the designated standing committees of both houses of the General Assembly, and for review and approval by IRRC.

7. The final regulations become effective upon publication in the *Pennsylvania Bulletin*.

8. A copy of this order and Annex A shall be posted on the Commission's website at the Small Gas Task Force's web page.

9. The contact person for legal matters for this Final Rulemaking is Colin W. Scott, Assistant Counsel, Law Bureau (717) 783-5949. The contact persons for technical matters for this proposed rulemaking are Richard Layton, Bureau of Technical Utility Services (717) 214-9117, or Barbara Sidor, Bureau of Audits (412) 423-9301. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Alyson Zerbe, Regulatory Coordinator, Law Bureau (717) 772-4597.

ROSEMARY CHIAVETTA,
Secretary

(*Editor's Note:* See 45 Pa.B. 7350 (December 26, 2015) for IRRC's approval order.)

Fiscal Note: Fiscal Note 57-297 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 53. TARIFFS FOR NONCOMMON CARRIERS

RECOVERY OF FUEL COSTS BY GAS UTILITIES

§ 53.61. Purpose.

(a) The purpose of this section and §§ 53.62—53.68 (relating to recovery of fuel costs by gas utilities) is to establish procedures under which the Commission will review requests by gas utilities for recovery of purchased gas costs and to specify data which utilities shall file to assist the Commission in determining whether gas utilities are pursuing a least cost fuel procurement policy consistent with the need to provide safe and adequate service. For purposes of this section and §§ 53.62—53.68, natural gas includes: natural gas, propane, liquefied natural gas, synthetic natural gas and natural gas substitutes. (See 66 Pa.C.S. § 1307(g) (relating to sliding scale of rates; adjustments).)

(b) This section and §§ 53.62—53.68 classify gas utilities into two categories and set forth the filing requirements and procedures to be followed in reviewing requests for recovery of purchased gas costs in proceedings under 66 Pa.C.S. § 1307 and § 1308 (relating to voluntary changes in rates). The inclusion of this section and §§ 53.62—53.68 has been necessitated by passage of the act of May 31, 1984 (P. L. 370, No. 74), 66 Pa.C.S. §§ 514, 1307, 1317, 1318 and 2107. These sections provide for a transition from existing procedures to the new procedures.

(c) Questions mandated by the act of May 31, 1984 (P. L. 370, No. 74), 66 Pa.C.S. §§ 1307, 1318 and 2107, are to be examined both in 66 Pa.C.S. § 1307(f) proceed-

ings and in base rate proceedings. In rate proceedings not under 66 Pa.C.S. § 1307(f) when purchased gas costs are at issue, a natural gas utility may incorporate by reference those materials previously filed by the utility in its most recent 66 Pa.C.S. § 1307(f) proceedings if copies are distributed upon request to active parties of record.

§ 53.63. Categories of gas utilities.

The following categories of jurisdictional gas utilities shall be applicable for the purposes of this section and §§ 53.61, 53.62 and 53.64—53.68 (relating to recovery of fuel costs by gas utilities) but shall not modify the categories of gas utilities established for other purposes, such as to prescribe proper accounting methods:

(1) *Section 1307(f) gas utility or large gas utility.* A natural gas distributor with gross intrastate annual operating revenues in excess of \$40 million, in the preceding calendar year, shall be categorized as a Section 1307(f) gas utility.

(2) *Small gas utility.* A natural gas utility with gross intrastate annual operating revenues of \$40 million or less, in the preceding calendar year, shall be categorized as a small gas utility.

(3) *Periodic orders.* The Commission shall periodically enter an order designating the category of each gas utility for the purposes of §§ 53.61, 53.62 and 53.64—53.68.

§ 53.64. Filing requirements for natural gas distributors with gross intrastate annual operating revenues in excess of \$40 million.

* * * * *

(i) Utilities shall comply with the following:

(1) Thirty days prior to the filing of a tariff reflecting increases or decreases in purchased gas expenses, gas utilities under 66 Pa.C.S. § 1307(f) recovering expenses under that section shall file a statement for the 12-month period ending 2 months prior to the filing date under 66 Pa.C.S. § 1307(f) as published in accordance with subsection (b) which shall specify:

(i) The total revenues received under 66 Pa.C.S. § 1307(a), (b) or (f), including fuel revenues received, whether shown on the bill as 66 Pa.C.S. § 1307(a), (b) or (f) charges or rolled in as base rates.

(ii) The total gas expenses incurred.

(iii) The difference between the amounts in subparagraphs (i) and (ii).

(iv) Evidence explaining how actual costs incurred differ from the costs allowed under subparagraph (ii).

(v) How these costs are consistent with a least cost fuel procurement policy, as required under 66 Pa.C.S. § 1318 (relating to determination of just and reasonable gas cost rates).

(2) During the period of transition from the current gas cost rate mechanism to the procedure under 66 Pa.C.S. § 1307(f) in lieu of the statement in paragraph (1), utilities shall file a reconciliation plan subject to Commission approval for the treatment of over/under collections during the period. The plan shall be filed concurrently with the utility's tariff under 66 Pa.C.S. § 1307(f) and shall include a minimum of 6 months actual over/under collection data.

(3) A hearing will be held on these matters, and after completion of the hearing the Commission will issue an order within 6 months following the filing of the statements directing payment to ratepayers of overcollections

received, plus interest calculated in the manner specified under 66 Pa.C.S. § 1308(d), or recovery, when appropriate, of undercollections. Interest will not be permitted on net undercollections caused by the setting of rates under 66 Pa.C.S. § 1307(f).

(4) The proceedings on reconciliation shall be consolidated, for purposes of hearing, with pending hearings on the utility's latest 66 Pa.C.S. § 1307(f) tariff filing, except for good reason shown.

(5) A Section 1307(f) utility which files tariffs reflecting increases and decreases in gas costs in accordance with 66 Pa.C.S. § 1307(f) shall make quarterly filings in accordance with the following provisions:

(i) Quarterly filings shall be made 3 months, 6 months, 9 months and 12 months after the effective date of the Section 1307(f) tariff. Each filing shall be based upon a recalculation and reconciliation of gas costs for a quarterly period commencing 4 months prior to the filing date.

(ii) The utility shall recalculate its rates to reflect actual gas costs. The recalculation shall include a reconciliation of undercollections or overcollections resulting from a change in natural gas costs from original projections for the period and any changes in sales volumes from original projections for the period, but may not include consideration of interest due to over or under collections of gas costs. Interest calculations shall be based upon over and under collections netted through the end of the current annual purchased gas cost rate period, and shall be included only in the annual Section 1307(f) tariff filing.

(iii) If the recalculated rate does not differ by more than 2% from the currently effective rate, the utility shall file a letter with the Commission to that effect, with copies to the Office of Consumer Advocate, the Bureau of Investigation and Enforcement, and the Office of Small Business Advocate. If the recalculated rate differs from the currently effective rate by more than 2%, the utility shall file a tariff incorporating the recalculated rate in accordance with this section. If the recalculated rate results in an increase that is reasonably expected to have an immaterial effect on the utility's annual gas costs, the utility shall file a letter and supporting data to that effect in lieu of a tariff rate change. Notwithstanding the letter and supporting data, the Commission may nevertheless direct the utility to file a tariff rate change. For the final 3-month period (being the 3-month period ending 1 month before the effective date of the utility's next annual Section 1307(f) tariff filing), the utility shall recalculate the rate as described in this paragraph and adjust the rate as part of its tariff filing in compliance with the Commission's final order resolving the utility's next annual Section 1307(f) proceeding.

(iv) Quarterly filings shall be accompanied by supporting information reflecting actual gas costs for the applicable period. The supporting information shall follow the same format used by the utility in support of projected natural gas costs in its annual Section 1307(f) proceeding. Quarterly filings shall become effective on 1 day's notice and, unless otherwise ordered by the Commission, shall be subject to review by the Commission and challenge by interested parties only on the utility's next annual Section 1307(f) proceeding.

(v) A utility making quarterly filings shall give notice of the filing in accordance with § 53.68.

(j) Utilities under 66 Pa.C.S. § 1307(f) shall also file quarterly reports with the Commission, with a copy to the Office of Consumer Advocate, the Bureau of Investigation

and Enforcement and the Office of Small Business Advocate concerning monthly gas costs incurred by the utility. The quarterly reports shall include by month change in supply source, supplier refunds received, change in supplier rates and comparison between actual costs and projected gas costs.

§ 53.66. Filing requirements for small gas utilities.

(a) A small gas utility seeking recovery of purchased gas costs under 66 Pa.C.S. § 1307(a) or (b) (relating to sliding scale of rates; adjustments) shall comply with the following procedures:

(1) Gas cost rate (GCR) tariffs filed by small gas utilities for the purpose of recovery of gas costs under 66 Pa.C.S. § 1307 include the following schedules:

- (i) Schedule 1: Calculation of the GCR.
- (ii) Schedule 2: Projected Supply and Sales Volumes.
- (iii) Schedule 3: Projected Supplier Rates.
- (iv) Schedule 4: Calculated Projected Gas Cost.
- (v) Schedule 5: Summary of E-Factor.
- (vi) Schedule 6: 1307(e) Statement of Over/Under Collections.
- (vii) Schedule 7: Actual Supply Volumes.
- (viii) Schedule 8: Actual Supply Rates.
- (ix) Schedule 9: Actual Supply Costs.
- (x) Schedule 10: Reconciliation of E-Factor.
- (xi) Schedule 11: Effect of Rate Changes on Residential Customer.

(2) A small gas utility seeking recovery of its gas costs under 66 Pa.C.S. § 1307(a) or (b) shall annually submit a preliminary and a final GCR filing to the Commission to be effective November 1, with notice to the public at the time of its initial filing as required under § 53.68 (relating to notice requirements). The preliminary filing is to be made by September 2, and shall contain as much actual data as is then available. The final filing shall be made on October 2 and shall contain actual data and any updates or corrections to the data contained in the initial filing. Both the preliminary and the final filings shall be based on forecasted costs for the subsequent 12-month period ending August 31. The GCR computation is to follow a formula designated by the Commission. Upon Commission approval, a tariff shall be filed reflecting rates as approved.

(3) The provision of information required by this section does not preclude use of discovery to obtain additional information.

(4) No GCR rates are to be implemented without express prior Commission approval. The approval shall constitute only tentative approval for collection of the GCR charges from ratepayers and not a final approval of the as yet unaudited projections of the utility, which have not yet been subjected to scrutiny concerning the reasonableness of underlying transactions.

(5) Utilities have the burden of pursuing a least cost purchasing policy consistent with 66 Pa.C.S. §§ 1316 and 1317 (relating to recovery of advertising expenses; and regulation of natural gas costs) and shall be accountable for failure to comply with these standards and those of 66 Pa.C.S. § 1301 (relating to rates to be just and reasonable).

(b) In addition to the statements and supporting data filed as required under 66 Pa.C.S. § 1307(e), small gas

utilities shall file the information and data as may be required by the Bureau of Audits or other bureau as the Commission may direct. Both the preliminary and the final filing shall be served upon the Office of Consumer Advocate, the Bureau of Investigation and Enforcement, and the Office of Small Business Advocate and shall be provided to intervenors, upon request. This evidence will be considered by the Commission in formulating its audit review under 66 Pa.C.S. § 1307(d) or in other proceedings as described in subsection (c) and may be supplemented by submissions from interested persons. The audit under 66 Pa.C.S. § 1307(d) and the review of procurement policies will not be the subject of the Commission's statutorily required reconciliation hearings under 66 Pa.C.S. § 1307(e), which are governed by strict time limits.

(c) Small gas utilities shall file a reconciliation statement under 66 Pa.C.S. § 1307(e) for the 12-month period running from September 1 through August 31 by October 1. Questions on the underlying propriety of a utility's procurement policies, and the like, can be raised in a separately docketed complaint proceeding filed by a party, by Commission investigation or in a proceeding arising from audit findings under 66 Pa.C.S. § 1307(d).

(d) Overcollections are subject to refund with interest applied at the prime rate for commercial borrowing. Undercollections may be recovered from ratepayers. When undercollections are recovered, interest shall be applied at the prime rate for commercial borrowing. Adjustments to the E-Factor for correction of prior reported over/under collections or as recommended by the Bureau of Audits may include interest. Unless directed otherwise by the Commission, the adjustment for interest is the difference between the amount of interest originally reported on the applicable over/under collection and the amount of interest applicable to the adjusted over/under collection.

(e) Utilities recovering fuel costs under the GCR shall state the following information about fuel costs on customer's bills:

"This bill includes _____ per MCF which is our average cost of gas acquired for your use."

The cost of gas shall be calculated exclusive of taxes and current base costs-nonfuel costs. The cost of gas must include the direct costs paid by the natural gas distribution company for the purchase and delivery of natural gas to its system to supply its customers. The GCR must include 100% of the gas costs and be shown as a separate line item on the customer bill. Gas costs included in the GCR are subject to refund and reconciliation under 66 Pa.C.S. § 1307(e). The E-Factor of Gas Adjustment Charge is a mechanism to refund or recoup over/under collected amounts under 66 Pa.C.S. § 1307(e). The E-Factor rate or Gas Adjustment Charge may be combined with the GCR or shown as a separate rate.

(f) Small gas utilities shall pay interest on pipeline refunds from the time received until disbursed at a 6% annual interest rate. The refunds are to be refunded through recomputation of the E-factor of the GCR formula.

(g) Small gas utilities should monitor GCR activity to avoid becoming materially over/under collected. In the event a small gas utility anticipates a material over/under collection that would result in a change in the current GCR greater than 2%, the small gas utility may submit an interim GCR tariff filing to become effective, unless otherwise provided for in its tariff, on 10 days' notice. The interim filing shall be subject to audit in accordance with 66 Pa.C.S. § 1307(d).

§ 53.67. (Reserved).

§ 53.68. Notice requirements.

(a) Within the 30 days prior to the filing of a tariff reflecting an annual increase or decrease in natural gas costs, each 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) gas utility shall provide public notice and posting of tariffs as provided in §§ 53.41—53.45 (relating to posting of tariffs and notices). The notice shall include notice of the quarterly filing procedure required under § 53.64(i)(5) (relating to filing requirements for natural gas distributors with gross intrastate annual operating revenues in excess of \$40 million). Simultaneously, notice shall be published in major newspapers serving the utility's service area informing the

public of new or revised tariff filings, where the filing can be inspected and how comments or complaints should be filed. Unless the Commission directs otherwise, no separate notice to the public is required for quarterly filings made under § 53.64(i)(5).

(b) Small gas utilities filing a gas cost rate shall provide public notice within 5 days of the preliminary filing by publishing a notice in major newspapers within the utility's service area. The notice shall inform the public of new or revised tariff filings, where the filing can be inspected and how comments or complaints should be filed.

[Pa.B. Doc. No. 16-110. Filed for public inspection January 22, 2016, 9:00 a.m.]

PROPOSED RULEMAKING

INSURANCE DEPARTMENT

[31 PA. CODE CH. 147]

Annual Financial Reporting Requirements

The Insurance Department (Department) proposes to amend Chapter 147 (relating to annual financial reporting requirements) to read as set forth in Annex A. This rulemaking is proposed under the authority of sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412), regarding the general proposed rulemaking authority of the Department, sections 320, 630, 1007 and 2452 of The Insurance Company Law of 1921 (40 P. S. §§ 443, 764a, 967 and 991.2452), regarding the authority of the Insurance Commissioner to require insurance companies, associations, exchanges, fraternal benefit societies and preferred provider organizations to file statements concerning their affairs and financial condition, sections 205 and 206 of The Pennsylvania Fair Plan Act (40 P. S. §§ 1600.205 and 1600.206), section 731 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.731), 40 Pa.C.S. §§ 6125, 6331 and 6701 (relating to reports and examinations; reports and examinations; and regulation), sections 11 and 14 of the Health Maintenance Organization Act (40 P. S. §§ 1561 and 1564) and sections 7 and 25 of the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3207 and 3225), regarding the specific regulatory and rulemaking authority of the Department as to financial reporting by the Pennsylvania Fair Plan, the Pennsylvania Professional Liability Joint Underwriting Association, hospital plan corporations, professional health service corporations, beneficial associations, health maintenance organizations and continuing care providers, respectively.

Purpose

The purpose of this proposed rulemaking is to update Chapter 147, commonly referred to as the "CPA Audit Rule." Chapter 147 was initially adopted in 1979 and requires insurers to have annual audits of their year-end statutory financial statements performed by independent certified public accountants. It is based on a model regulation developed by the National Association of Insurance Commissioners (NAIC) and included in the NAIC's Financial Regulation Standards and Accreditation Program.

This proposed rulemaking is based upon changes to NAIC Model Regulation #205 adopted by the NAIC in 2014. The amendments to the NAIC model were developed as a result of the NAIC's determination that it was necessary for insurers to maintain an effective internal audit function capable of providing the insurer's audit committee with independent assurance regarding to the insurer's governance, risk management and internal controls. As such, the NAIC determined that the best way to implement an internal audit requirement would be to place the requirement within the NAIC's existing Annual Financial Reporting Model Regulation (#205). Model Regulation #205 currently includes a requirement for insurers to receive an annual financial statement audit, as well as requirements related to the establishment of audit committees and maintenance of effective internal controls over financial reporting. The proposed amendments add corporate governance-related functions to the audit committee's responsibilities.

The Department expects that the proposed amendments to Chapter 147 will be required for the Department to maintain accreditation by the NAIC.

Explanation of Regulatory Requirements

The following is a description of the changes in the proposed rulemaking:

Proposed amendments to § 147.2 (relating to definitions) revise the definition of "audit committee" to add functions and add a definition for "internal audit function."

Proposed amendments to § 147.3a (relating to requirements for audit committees) add a requirement for an audit committee to oversee the insurer's internal audit function, to fix an error in existing text and to renumber the remainder of the section accordingly.

Proposed § 147.8a (relating to internal audit function requirements) would set forth the requirements for the establishment of the internal audit function, including independence and reporting requirements. This section would also specify which insurers would be exempt from those requirements.

Proposed amendments to § 147.13 (relating to effective date and exemption) include a provision requiring an insurer no longer qualifying for an exemption to comply with the requirements of § 147.8a within 1 year of exceeding the exemption thresholds.

Affected Parties

The proposed rulemaking applies to insurers licensed to transact business in this Commonwealth that are not exempt under proposed § 147.8a(a).

Fiscal Impact

State government

There will not be a material increase in cost to the Department as a result of this proposed rulemaking.

General public

The public will benefit to the extent the proposed rulemaking strengthens financial solvency regulatory requirements for insurers, thereby promoting the ability of the insurance industry to meet obligations under insurance policies.

Political subdivisions

The proposed rulemaking will not impose additional costs on political subdivisions.

Private sector

The proposed rulemaking may impose additional costs on insurers that have not yet established an internal audit function. However, the strengthened requirements are consistent with National standards to be adopted by all states participating in the NAIC Financial Regulation Standards and Accreditation Program. This proposed rulemaking minimizes costs by including a number of exemptions for smaller insurers.

Paperwork

The proposed rulemaking would not impose additional paperwork on the Department, as no filing is required to be made by insurers regarding this new requirement. To the extent that insurers document internal audit function requirements in written format, the amendments may impose additional paperwork on insurers.

Effectiveness Date and Sunset Date

The proposed rulemaking will become effective 30 days after final-form publication in the *Pennsylvania Bulletin*. The Department continues to monitor the effectiveness of regulations on a triennial basis. Therefore, a sunset date has not been assigned.

Contact Person

Questions or comments concerning this proposed rulemaking may be addressed in writing to Bridget E. Burke, Regulatory Coordinator, 1341 Strawberry Square, Harrisburg, PA 17120, fax (717) 772-1969, briburke@pa.gov within 30 days after the publication in the *Pennsylvania Bulletin*.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 11, 2016, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Insurance Committee and the Senate Banking and Insurance Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

TERESA D. MILLER,
Insurance Commissioner

Fiscal Note: 11-254. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 31. INSURANCE

PART VIII. MISCELLANEOUS PROVISIONS

CHAPTER 147. ANNUAL FINANCIAL REPORTING REQUIREMENTS

§ 147.2. Definitions.

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

* * * * *

Audit committee—

(i) A committee or equivalent body established by the board of directors or equivalent body of an [**insurer**] **entity** for the purpose of overseeing the [**accounting and financial reporting processes, audits of financial statements, and internal control structure of the insurer or insurer group.**] following functions of an insurer or insurer group:

- (A) **Accounting and financial reporting processes.**
- (B) **Internal audit function.**
- (C) **External audits of financial statements.**
- (D) **Internal control structure.**

(ii) The term includes a committee established under section 1405(c)(4) or (5) of The Insurance Company Law of 1921 (40 P. S. § 991.1405(c)(4) and (5)).

* * * * *

*Insurer group—*Two or more affiliated insurers identified by a controlling entity for the purpose of evaluating the effectiveness of internal control over financial reporting.

Internal audit function—The role of a person in providing independent, objective and reasonable assurances that add value to and improve upon the organization’s operations and assist the organization in accomplishing its objectives by employing a systematic disciplined approach to evaluate and improve the effectiveness of the risk management, control and governance processes.

*Internal control over financial reporting—*The process effected by the board of directors, management and other personnel of an insurer or insurer group, which provides reasonable assurances regarding the reliability of the financial statements in accordance with § 147.9a (relating to establishment and communication of internal control over financial reporting).

* * * * *

§ 147.3a. Requirements for audit committees.

* * * * *

(f) The audit committee shall retain an independent certified public accountant to conduct the annual audit and issue an audited financial report under this chapter in accordance with the following requirements:

* * * * *

(3) The report required under paragraph (2) may be provided to the audit committee on an aggregate basis for insurers in an insurer group, if the report identifies any substantial differences in reported items among the insurers in the group.

(g) The audit committee is responsible for overseeing the insurer’s internal audit function and granting the person performing the function suitable authority and resources to fulfill their responsibilities as required under § 147.8a (relating to internal audit function requirements).

[(g)] (h) Exemptions are as follows.

(1) The requirements of subsections (b), (c), (e) and (f) do not apply to an insurer with direct written and assumed premiums less than \$500,000,000, excluding premiums reinsured with the Federal Crop Insurance Corporation and the Federal Flood Program, which has been granted an exemption by the Department on the basis of financial or organizational hardship under § 147.13(g) (relating to effective date and exemption).

(2) This section does not apply to continuing care providers.

(3) The requirements of subsections (b)—(e) do not apply to insurers subject to section 1405(c)(4) and (5) of The Insurance Company Law of 1921 (40 P. S. § 991.1405(c)(4) and (5)), Sarbanes Oxley [**complaint**] **compliant** entities or direct or indirect wholly owned subsidiaries of Sarbanes Oxley [**complaint**] **compliant** entities.

[(h)] (i) This section may not be interpreted to limit the Department’s authority to require an insurer to take

specific corrective action relating to the independence of audit committee members under sections 501—563, 501-A—515-A[,] and 501-B—515-B of The Insurance Department Act of 1921 (40 P. S. §§ 221.1—221.63, 221.1-A—221.15-A[,] and 221.1-B—221.15-B) [**(relating to), regarding** suspension of business and risk-based capital requirements[], **31 Pa. Code**], Chapter 160 (relating to standards to define insurers deemed to be in hazardous financial condition) or other provisions of law.

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

§ 147.8a. Internal audit function requirements.

(a) *Exemption.* An insurer is exempt from the requirements of this section if:

(1) The insurer meets the following requirements:

(i) Has annual direct written and unaffiliated assumed premium, including international direct and assumed premium excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, less than \$500 million.

(ii) If the insurer is a member of a group of insurers, the group has annual direct written and unaffiliated assumed premium including international direct and assumed premium, excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, less than \$1 billion.

(2) It is a continuing care provider licensed to transact business in this Commonwealth under the Continuing-Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

(b) *Function.* The insurer or group of insurers shall establish an internal audit function that provides independent, objective and reasonable assurance to the audit committee and the insurer's management regarding the insurer's governance, risk management and internal controls. This function includes the performance of general and specific audits, reviews and tests and employ other techniques deemed necessary to protect assets, evaluate control effectiveness and efficiency, and evaluate compliance with policies and regulations.

(c) *Independence.* To ensure that internal auditors remain objective, the internal audit function must be organizationally independent. Specifically, the internal audit function may not defer ultimate judgment on audit matters to others, and shall appoint an individual to head the internal audit function who will have direct and unrestricted access to the board of directors. Organizational independence does not preclude dual-reporting relationships.

(d) *Reporting.* The head of the internal audit function shall report to the audit committee regularly, but no less than annually, on the periodic audit plan, factors that may adversely impact the internal audit function's independence or effectiveness, material findings from completed audits and the appropriateness of corrective actions implemented by management as a result of audit findings.

(e) *Additional requirements.* If an insurer is a member of an insurance holding company system or included in a group of insurers, the insurer may satisfy the internal audit function requirements in this section at the ultimate controlling parent level, an intermediate holding company level or the individual legal entity level.

(f) *Internal review by exempt entities.* An insurer or group of insurers exempt from the requirements of this section is encouraged, but not required, to conduct a review of the insurer business type, sources of capital and other risk factors to determine whether an internal audit function is warranted. The potential benefits of an internal audit function should be assessed and compared against the estimated costs.

§ 147.13. Effective date and exemption.

* * * * *

(i) In the case of insurers organized in Canada or the United Kingdom of Great Britain and Northern Ireland, the annual audited financial report is defined as the annual statement of total business on the form filed by the insurers with their domiciliary supervision authority, audited by an independent chartered accountant. For these insurers, the letter required in § 147.6a (relating to letter of qualifications of independent certified public accountant) must state that the independent certified public accountant is aware of the requirements relating to the annual audited financial report filed with the Commissioner under § 147.3 (relating to filing and extensions for filing [**of annual audited financial report**] **required reports and communications**) and affirm that the opinion expressed is in conformity with those requirements.

(j) **If an insurer or group of insurers exempt from the requirements of § 147.8a (relating to internal audit function requirements) no longer qualifies for that exemption, it has 1 year after the year the threshold is exceeded to comply with the requirements of § 147.8a.**

[Pa.B. Doc. No. 16-111. Filed for public inspection January 22, 2016, 9:00 a.m.]

[31 PA. CODE CH. 84]

Tables Approved for Use in Determining Minimum Nonforfeiture Standards and Minimum Standards for Valuation

The Insurance Department (Department) proposes to amend Chapter 84 (relating to tables approved for use in determining minimum nonforfeiture standards and minimum standards for valuation) to read as set forth in Annex A. This rulemaking is proposed under the authority of sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412), regarding the general rulemaking authority of the Department, sections 301 and 303 of The Insurance Department Act of 1921 (40 P. S. §§ 71 and 73), regarding computation of reserve liability and minimum reserve requirements of companies charging less than net premiums computed on mortality tables, and section 410A of The Insurance Company Law of 1921 (40 P. S. § 510.1), regarding standard nonforfeiture law for life insurance.

Purpose

The purpose of this proposed rulemaking is to adopt new mortality tables for use in determining the minimum reserves that insurers must maintain for annuities. These new minimum standards would apply to annuities issued on or after the effective date of adoption of this proposed rulemaking. The proposed amendments are based upon changes to National Association of Insurance Commissioners (NAIC) Model Regulation 821, which were ad-

opted by the NAIC in 2012. The 2012 Individual Annuity Mortality Table was developed by the Society of Actuaries and the American Academy of Actuaries in cooperation with the Life Actuarial (A) Task Force and reflects improved mortality experience resulting from increased life expectancies. The new table is a generational table that incorporates projections for future mortality improvements. In other words, because people are living longer, mortality tables must be updated so that insurers can maintain accurate reserves. As such, increased reserving will strengthen insurer solvency and thereby protect consumers by ensuring reliable payment of benefits when due.

The Department's adoption of the proposed mortality tables will help to assure the solvency of insurance companies by requiring adequate and accurate reserves based on the most recent mortality tables. Additionally, the adoption of the proposed amendments will promote consistency with other states.

Explanation of Regulatory Requirements

The following is a description of the significant features of and changes in the proposed rulemaking:

Proposed amendments to § 84.2 (relating to definitions) would add definitions for "generational mortality table," "period table," "Projection Scale G2," "2012 IAR Table" and "2012 IAM Period Table."

Proposed amendments to § 84.3 (relating to 1983 Table "a," Annuity 2000 Mortality Table, 1983 GAM Table, 1994 GAR Table and 2012 IAR Mortality Table) include the addition of the 2012 IAR Mortality Table, which would be applicable to annuities or pure endowment contracts issued after the effective date of adoption of this proposed rulemaking. The remainder of this section would be renumbered accordingly.

Proposed § 84.3a (relating to application of the 2012 IAR Mortality Table) sets forth the methodology for application of the 2012 IAR Mortality Table and provides examples for calculation of mortality rates.

Proposed Appendices I—IV set forth the 2012 IAM Period Tables and the Projection Scale G2 for males and females.

External Comments

The Department circulated exposure drafts of this proposed rulemaking to the Insurance Federation of Pennsylvania, Inc., the American Fraternal Alliance and the Pennsylvania Fraternal Alliance. Comments received were editorial and expressed support for the proposed rulemaking.

Affected Parties

The proposed rulemaking would apply to life insurance companies and fraternal benefit societies issuing annuity and pure endowment contracts in this Commonwealth.

Fiscal Impact

State government

There will be no increase in cost to the Department due to the adoption of new annuity tables since the proposed rulemaking does not impose additional requirements on the insurance industry which the Department must monitor for compliance.

General public

It is unlikely that there will be adverse fiscal impact on the consumers who purchase annuity contracts. The

general public will be purchasing annuity contracts from more financially stable insurers.

Political subdivisions

The proposed rulemaking will not impose additional costs on political subdivisions.

Private sector

The proposed rulemaking may have some fiscal impact on insurance companies marketing annuity contracts. Insurers will be required to expend the time necessary to determine if their current annuity reserve standards meet the new requirements. To the extent that the standards do not comply with the new requirements, an insurance company must increase the reserves for contracts issued on or after the effective date of adoption of this proposed rulemaking. However, negative fiscal impact would be minimized by requiring the new tables be used only for contracts issued after the effective date of adoption of this proposed rulemaking.

Paperwork

The proposed rulemaking will not impose additional paperwork on the Department. The proposed rulemaking will not change an insurer's existing reporting, record-keeping or other paperwork requirements.

Effectiveness Date and Sunset Date

The proposed rulemaking will become effective 30 days after final-form publication in the *Pennsylvania Bulletin*. The Department continues to monitor the effectiveness of regulations on a triennial basis. Therefore, a sunset date has not been assigned.

Contact Person

Questions or comments concerning this proposed rulemaking may be addressed in writing to Bridget E. Burke, Regulatory Coordinator, 1341 Strawberry Square, Harrisburg, PA 17120, fax (717) 772-1969, briburke@pa.gov within 30 days after the publication in the *Pennsylvania Bulletin*.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on January 11, 2016, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Insurance Committee and the Senate Banking and Insurance Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

TERESA D. MILLER,
Insurance Commissioner

Fiscal Note: 11-255. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 31. INSURANCE

PART IV. LIFE INSURANCE

CHAPTER 84. TABLES APPROVED FOR USE IN DETERMINING MINIMUM NONFORFEITURE STANDARDS AND MINIMUM STANDARDS FOR VALUATION

§ 84.2. Definitions.

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

Act—The Insurance Department Act of 1921 (40 P. S. §§ 1—321).

Annuity 2000 Mortality Table—The mortality table developed by the Society of Actuaries Committee on Life Insurance Research and shown on page 240 of Volume XLVII of the *Transactions of the Society of Actuaries* (1995) and adopted as a recognized mortality table for annuities in December 1996 by the NAIC.

Commissioner—The Insurance Commissioner of the Commonwealth.

Department—The Insurance Department of the Commonwealth.

Generational mortality table—A mortality table containing a set of mortality rates that decrease for a given age from one year to the next based on a combination of a period table and a projection scale containing rates of mortality improvement.

Law—The Insurance Company Law of 1921 (40 P. S. §§ 341—991).

NAIC—The National Association of Insurance Commissioners.

Period table—A table of mortality rates applicable to a given calendar year.

Projection Scale G2—The table, as shown in Appendices III and IV, of annual rates, $G2_x$, of mortality improvement by age for projecting future mortality rates beyond calendar year 2012 developed by the Society of Actuaries Committee on Life Insurance Research.

1983 Table “a”—The mortality table developed by the Society of Actuaries Committee to Recommend a New Mortality Basis for Individual Annuity Valuation and adopted as a recognized mortality table for annuities in June 1982 by the NAIC.

1983 GAM Table—The mortality table developed by the Society of Actuaries Committee on Annuities and adopted as a recognized mortality table for annuities in December 1983 by the NAIC.

1994 GAR Table—The mortality table developed by the Society of Actuaries Group Annuity Valuation Table Task Force and shown on pages 866—867 of volume XLVII of the *Transactions of the Society of Actuaries* (1995) and adopted as a recognized mortality table for annuities in December 1996 by the NAIC.

2012 IAR Table—The generational mortality table developed by the Society of Actuaries Committee on Life Insurance Research containing rates, q_x^{2012+n} , derived from a combination of the 2012 IAM Period Table and Projection Scale G2, using the methodology in § 84.3a (relating to application of the 2012 IAR Mortality Table).

2012 IAM Period Table—The period table, as shown in Appendices I and II, containing loaded mortality rates for calendar year 2012, q_x^{2012} , developed by the Society of Actuaries Committee on Life Insurance Research.

§ 84.3. 1983 Table “a,” Annuity 2000 Mortality Table, 1983 GAM Table [and], 1994 GAR Table and 2012 IAR Mortality Table.

(a) The 1983 Table “a,” the Annuity 2000 Mortality Table excluding mortality rates independent of sex, the 1983 GAM Table [and], the 1994 GAR Table and the 2012 IAR Mortality Table are approved by the Commissioner as annuity mortality tables for valuation.

(b) At the option of the company, the 1983 Table “a” may be used in determining the minimum standard of valuation for an individual annuity or pure endowment contract issued prior to January 1, 1986, and for an annuity or pure endowment purchased prior to January 1, 1986, under a group annuity or pure endowment contract.

(c) The 1983 Table “a,” or the Annuity 2000 Mortality Table excluding mortality rates independent of sex shall be used in determining the minimum standard of valuation for an individual annuity or pure endowment contract issued on or after January 1, 1986, and prior to June 26, 1999.

(d) The Annuity 2000 Mortality Table excluding mortality rates independent of sex shall be used, except as provided by [subsection (e)] subsections (e) and (f), in determining the minimum standard of valuation for an individual annuity or pure endowment contract issued on or after June 26, 1999.

(e) Except as provided in subsection (f), the 2012 IAR Mortality Table shall be used for determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after _____ (Editor’s Note: The blank refers to the effective date of adoption of this proposed rulemaking).

[(e)] (f) The 1983 Table “a” shall be used in determining the minimum standard of valuation for an individual annuity or pure endowment contract issued on or after June 26, 1999[.], when the contract is based on life contingencies and is issued to fund periodic benefits arising from:

(1) Settlements of claims pertaining to court settlements or out of court settlements from tort actions.

(2) Settlements of claims, such as worker’s compensation claims.

(3) Settlements of long term disability claims when a temporary or life annuity has been used in lieu of continuing disability payments.

[(f)] (g) At the option of the company, the 1983 GAM Table or the 1994 GAR Table may be used in determining the minimum standard of valuation for an annuity or pure endowment purchased prior to January 1, 1986, under a group annuity or pure endowment contract.

[(g)] (h) The 1983 GAM Table or the 1994 GAR Table shall be used in determining the minimum standard of valuation for an annuity or pure endowment purchased

on or after January 1, 1986, and prior to June 26, 1999, under a group annuity or pure endowment contract.

[(h)] (i) 1994 GAR Table.

(1) The 1994 GAR Table shall be used in determining the minimum standard of valuation for an annuity or pure endowment purchased on or after June 26, 1999, under a group annuity or pure endowment contract.

(2) In using the 1994 GAR Table, the mortality rate for a person age x in year (1994 + n) shall be calculated as follows:

$$q_x^{1994+n} = q_x^{1994} (1 - AA_x)^n$$

where the values of q_x^{1994} and AA_x are as specified in the 1994 GAR Table.

(Editor's Note: Section 84.3a and Appendices I—IV are new and printed in regular type to enhance readability.)

§ 84.3a. Application of the 2012 IAR Mortality Table.

(a) In using the 2012 IAR Mortality Table, the mortality rate for a person age x in year (2012 + n) is calculated as follows: $q_x^{2012+n} = q_x^{2012} (1 - G2_x)^n$.

(b) The resulting q_x^{2012+n} shall be rounded to three decimal places per 1,000, for example, 0.741 deaths per 1,000. This rounding shall occur according to the formula in subsection (a), starting at the 2012 period table rate.

(1) For example, for a male age 30, $q_x^{2012} = 0.741$.

$q_x^{2013} = 0.741 * (1 - 0.010) ^ 1 = 0.73359$, which is rounded to 0.734.

$q_x^{2014} = 0.741 * (1 - 0.010) ^ 2 = 0.7262541$, which is rounded to 0.726.

(2) A method leading to incorrect rounding would be to calculate q_x^{2014} as $q_x^{2013} * (1 - 0.010)$, or $0.734 * 0.99 = 0.727$. It is incorrect to use the already rounded q_x^{2013} to calculate q_x^{2014} .

**APPENDIX I
2012 IAM Period Table
Female, Age Nearest Birthday**

AGE	1000 · q_x^{2012}	AGE	1000 · q_x^{2012}	AGE	1000 · q_x^{2012}	AGE	1000 · q_x^{2012}
0	1.621	30	0.300	60	3.460	90	88.377
1	0.405	31	0.321	61	3.916	91	97.491
2	0.259	32	0.338	62	4.409	92	107.269
3	0.179	33	0.351	63	4.933	93	118.201
4	0.137	34	0.365	64	5.507	94	130.969
5	0.125	35	0.381	65	6.146	95	146.449
6	0.117	36	0.402	66	6.551	96	163.908
7	0.110	37	0.429	67	7.039	97	179.695
8	0.095	38	0.463	68	7.628	98	196.151
9	0.088	39	0.504	69	8.311	99	213.150
10	0.085	40	0.552	70	9.074	100	230.722
11	0.086	41	0.600	71	9.910	101	251.505
12	0.094	42	0.650	72	10.827	102	273.007
13	0.108	43	0.697	73	11.839	103	295.086
14	0.131	44	0.740	74	12.974	104	317.591
15	0.156	45	0.780	75	14.282	105	340.362
16	0.179	46	0.825	76	15.799	106	362.371
17	0.198	47	0.885	77	17.550	107	384.113
18	0.211	48	0.964	78	19.582	108	400.000
19	0.221	49	1.051	79	21.970	109	400.000
20	0.228	50	1.161	80	24.821	110	400.000
21	0.234	51	1.308	81	28.351	111	400.000
22	0.240	52	1.460	82	32.509	112	400.000
23	0.245	53	1.613	83	37.329	113	400.000
24	0.247	54	1.774	84	42.830	114	400.000
25	0.250	55	1.950	85	48.997	115	400.000
26	0.256	56	2.154	86	55.774	116	400.000
27	0.261	57	2.399	87	63.140	117	400.000
28	0.270	58	2.700	88	71.066	118	400.000
29	0.281	59	3.054	89	79.502	119	400.000
						120	1000.000

PROPOSED RULEMAKING

APPENDIX II
2012 IAM Period Table
Male, Age Nearest Birthday

AGE	$1000 \cdot q_x^{2012}$	AGE	$1000 \cdot q_x^{2012}$	AGE	$1000 \cdot q_x^{2012}$	AGE	$1000 \cdot q_x^{2012}$
0	1.605	30	0.741	60	5.096	90	109.993
1	0.401	31	0.751	61	5.614	91	123.119
2	0.275	32	0.754	62	6.169	92	137.168
3	0.229	33	0.756	63	6.759	93	152.171
4	0.174	34	0.756	64	7.398	94	168.194
5	0.168	35	0.756	65	8.106	95	185.260
6	0.165	36	0.756	66	8.548	96	197.322
7	0.159	37	0.756	67	9.076	97	214.751
8	0.143	38	0.756	68	9.708	98	232.507
9	0.129	39	0.800	69	10.463	99	250.397
10	0.113	40	0.859	70	11.357	100	268.607
11	0.111	41	0.926	71	12.418	101	290.016
12	0.132	42	0.999	72	13.675	102	311.849
13	0.169	43	1.069	73	15.150	103	333.962
14	0.213	44	1.142	74	16.860	104	356.207
15	0.254	45	1.219	75	18.815	105	380.000
16	0.293	46	1.318	76	21.031	106	400.000
17	0.328	47	1.454	77	23.540	107	400.000
18	0.359	48	1.627	78	26.375	108	400.000
19	0.387	49	1.829	79	29.572	109	400.000
20	0.414	50	2.057	80	33.234	110	400.000
21	0.443	51	2.302	81	37.533	111	400.000
22	0.473	52	2.545	82	42.261	112	400.000
23	0.513	53	2.779	83	47.441	113	400.000
24	0.554	54	3.011	84	53.233	114	400.000
25	0.602	55	3.254	85	59.855	115	400.000
26	0.655	56	3.529	86	67.514	116	400.000
27	0.688	57	3.845	87	76.340	117	400.000
28	0.710	58	4.213	88	86.388	118	400.000
29	0.727	59	4.631	89	97.634	119	400.000
						120	1000.000

APPENDIX III
 Projection Scale G2
 Female, Age Nearest Birthday

AGE	G2 _x	AGE	G2 _x	AGE	G2 _x	AGE	G2 _x
0	0.010	30	0.010	60	0.013	90	0.006
1	0.010	31	0.010	61	0.013	91	0.006
2	0.010	32	0.010	62	0.013	92	0.005
3	0.010	33	0.010	63	0.013	93	0.005
4	0.010	34	0.010	64	0.013	94	0.004
5	0.010	35	0.010	65	0.013	95	0.004
6	0.010	36	0.010	66	0.013	96	0.004
7	0.010	37	0.010	67	0.013	97	0.003
8	0.010	38	0.010	68	0.013	98	0.003
9	0.010	39	0.010	69	0.013	99	0.002
10	0.010	40	0.010	70	0.013	100	0.002
11	0.010	41	0.010	71	0.013	101	0.002
12	0.010	42	0.010	72	0.013	102	0.001
13	0.010	43	0.010	73	0.013	103	0.001
14	0.010	44	0.010	74	0.013	104	0.000
15	0.010	45	0.010	75	0.013	105	0.000
16	0.010	46	0.010	76	0.013	106	0.000
17	0.010	47	0.010	77	0.013	107	0.000
18	0.010	48	0.010	78	0.013	108	0.000
19	0.010	49	0.010	79	0.013	109	0.000
20	0.010	50	0.010	80	0.013	110	0.000
21	0.010	51	0.010	81	0.012	111	0.000
22	0.010	52	0.011	82	0.012	112	0.000
23	0.010	53	0.011	83	0.011	113	0.000
24	0.010	54	0.011	84	0.010	114	0.000
25	0.010	55	0.012	85	0.010	115	0.000
26	0.010	56	0.012	86	0.009	116	0.000
27	0.010	57	0.012	87	0.008	117	0.000
28	0.010	58	0.012	88	0.007	118	0.000
29	0.010	59	0.013	89	0.007	119	0.000
						120	0.000

PROPOSED RULEMAKING

APPENDIX IV
Projection Scale G2
Male, Age Nearest Birthday

AGE	$G2_x$	AGE	$G2_x$	AGE	$G2_x$	AGE	$G2_x$
0	0.010	30	0.010	60	0.015	90	0.007
1	0.010	31	0.010	61	0.015	91	0.007
2	0.010	32	0.010	62	0.015	92	0.006
3	0.010	33	0.010	63	0.015	93	0.005
4	0.010	34	0.010	64	0.015	94	0.005
5	0.010	35	0.010	65	0.015	95	0.004
6	0.010	36	0.010	66	0.015	96	0.004
7	0.010	37	0.010	67	0.015	97	0.003
8	0.010	38	0.010	68	0.015	98	0.003
9	0.010	39	0.010	69	0.015	99	0.002
10	0.010	40	0.010	70	0.015	100	0.002
11	0.010	41	0.010	71	0.015	101	0.002
12	0.010	42	0.010	72	0.015	102	0.001
13	0.010	43	0.010	73	0.015	103	0.001
14	0.010	44	0.010	74	0.015	104	0.000
15	0.010	45	0.010	75	0.015	105	0.000
16	0.010	46	0.010	76	0.015	106	0.000
17	0.010	47	0.010	77	0.015	107	0.000
18	0.010	48	0.010	78	0.015	108	0.000
19	0.010	49	0.010	79	0.015	109	0.000
20	0.010	50	0.010	80	0.015	110	0.000
21	0.010	51	0.011	81	0.014	111	0.000
22	0.010	52	0.011	82	0.013	112	0.000
23	0.010	53	0.012	83	0.013	113	0.000
24	0.010	54	0.012	84	0.012	114	0.000
25	0.010	55	0.013	85	0.011	115	0.000
26	0.010	56	0.013	86	0.010	116	0.000
27	0.010	57	0.014	87	0.009	117	0.000
28	0.010	58	0.014	88	0.009	118	0.000
29	0.010	59	0.015	89	0.008	119	0.000
						120	0.000

[Pa.B. Doc. No. 16-112. Filed for public inspection January 22, 2016, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 12, 2016.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-6-2016	PeoplesBank, A Codorus Valley Company York York County	211 Mount Carmel Road Parkton Baltimore County, MD	Filed
12-21-2015	Meridian Bank Malvern Chester County	100 East State Street Media Delaware County	Opened

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-31-2015	Kish Bank Belleville Mifflin County	4702 East Main Street Belleville Mifflin County	Closed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 16-113. Filed for public inspection January 22, 2016, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in

accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

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

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

PA0275816, Storm Water, SIC Code 3593, 3594, **Bosch Rexroth Corp**, 2315 City Line Road, Bethlehem, PA 18017-2131. Facility Name: Bosch Rexroth Corp. This proposed facility is located in **Northampton County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of Stormwater only.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
TSS	XXX	XXX	XXX	XXX	Report	XXX
TKN	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Best Management Practices

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

The EPA Waiver is in effect

PA0275794, Industrial Waste, SIC Code 4941, **Nestlé Waters North America**, 305 Nestle Way, Breinigsville, PA 18031. Facility Name: Greenwaltz Springs. This proposed facility is located in Washington Township, **Northampton County**.

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

The receiving stream, Greenwalk Creek, is located in State Water Plan watershed 01F and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.377 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	1,000	XXX
Total Alkalinity	XXX	XXX	XXX	Report	Report	XXX
Total Magnesium	XXX	XXX	XXX	Report	Report	XXX
Total Calcium	XXX	XXX	XXX	Report	Report	XXX
Total Sodium	XXX	XXX	XXX	Report	Report	XXX
Sulfate	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Total Hardness	XXX	XXX	XXX	Report	Report	XXX

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

- Instream Monitoring Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570.826.5472.

The EPA Waiver is in effect.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3636.

PA0232700, Industrial, SIC Code 2022, 2023, **Leprino Foods Co.**, 400 Leprino Avenue, Waverly, NY 14892-1351. Facility Name: Leprino Foods Co. WWTP Outfall. This proposed facility is located in South Waverly Borough, **Bradford County**.

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

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

The proposed effluent limits for Outfall 002 are based on a design flow of 0.55 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
DO	XXX	XXX	Report	XXX	XXX	XXX
TRC	XXX	XXX	XXX	0.5	XXX	1.6
BOD ₅	165	414	XXX	35.0	70.0	90
TSS	249	621	XXX	54.0	108.0	135
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)						
Nov 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	Report	Report	XXX
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Sulfate	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX

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

- Chemical Additives

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

The EPA Waiver is not in effect

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

PA0264229, Sewage, SIC Code 8800, **Piper Michael**, P. O. Box 21, Sligo, PA 16255. Facility Name: Michael Piper SRSTP. This proposed facility is located in Monroe Township, **Clarion County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a small flow treatment facility.

The receiving stream, Reids Run, is located in State Water Plan watershed 17-B and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

- Prohibition of Stormwater Discharges
- Right of Way
- Department Revocation of Permit/Abandonment of the Treatment System
- Submittal of an Annual Maintenance & Discharge Monitoring Reports
- Chlorine Minimization
- Solids Handling
- Aerobic Tank Pumping Requirement

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

The EPA Waiver is not in effect

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

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

WQM Permit No. 1615402, Sewage, **Denis Brooks**, 3257 Soap Fat Road, Shippenville, PA 16254.

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

Description of Proposed Action/Activity: Small Flow Treatment Facility.

WQM Permit No. 4315406, Sewage, **Dennis & Linda Desilvey**, 211 Gearhart Road, Pulaski, PA 16159.

This proposed facility is located in Shenango Township, **Mercer County**.

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

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Monroe County Conservation District, 8050 Running Valley Rd., Stroudsburg, PA 18360-0917

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024515013	Pocono Mountain School District P. O. Box 200 Swiftwater, PA 18370	Monroe	Paradise Township	Swiftwater Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI032805001R	Mark Flohr—Flohr Pools 1350 Lincoln Way East Chambersburg, PA 17202	Franklin	Guilford Township	Falling Spring Creek (Designated Use of Water: HQ-CWF, MF; Existing Use of Water: HQ-CWF, MF)

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAI050215004	Fox Chapel Country Club 426 Fox Chapel Road Pittsburgh, PA 15238	Allegheny County	Fox Chapel Borough	Glade Run (HQ-WWF)

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0915530 , Public Water Supply	
Applicant	Aqua Pennsylvania, Inc.
Township	Bristol

County	Bucks
Responsible Official	Curt Steffy 762 W. Lancaster Avenue Bryn Mawr, PA 19010
Type of Facility	PWS
Consulting Engineer	GHD 1240 W. Lancaster Avenue Bryn Mawr, PA 19010
Application Received Date	December 17, 2015
Description of Action	Application for the addition of sodium hypochlorite and ammonium sulfate to the existing Croydon Storage and pump facility.
Permit No. 4615523 , Public Water Supply	
Applicant	Frederick Living
Township	Upper Frederick
County	Montgomery
Responsible Official	Matthew P. Giannini
Type of Facility	PWS
Consulting Engineer	Gary Weaver, P.E. Castle Valley Consultants 10 Beulah Road New Britain, PA 18901
Application Received Date	December 21, 2015
Description of Action	Modification of the chlorine dioxide treatment system.

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 6715513 MA, Minor Amendment , Public Water Supply.	
Applicant	Goldsboro Borough Water Company
Municipality	Goldsboro Borough
County	York
Responsible Official	Lee Fishel PO Box 14 Etters, PA 17319

Type of Facility Public Water Supply
 Consulting Engineer David Paul Lambert, P.E.
 Skelly & Loy, Inc.
 449 Eisenhower Boulevard
 Harrisburg, PA 17111

Application Received: 11/17/2015

Description of Action The installation of a new 4,000-gallon hydropneumatic tank, and 100 feet of 12-inch chlorine contact piping, the relocation of the treatment system to the Pole Building and a revise Demonstration of 4-Log Treatment of Viruses.

Permit No. 6715516, Public Water Supply.

Applicant **Charles W & Sharon K Wetzel**
 Municipality Codorus Township
 County **York**
 Responsible Official Charles W. Wetzel, Partner
 139 Manchester Street
 Glen Rock, PA 17327

Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley & Associates,
 Inc.
 18 South George Street
 York, PA 17401

Application Received: 12/28/2015

Description of Action Installation of an anion exchange nitrate treatment system.

*Northcentral Region: Safe Drinking Water Program
 Manager, 208 West Third Street, Suite 101, Williamsport,
 PA 17701-6448*

Application No. 4116501—Bulk Water Hauling Public Water Supply.

Applicant **Stallion Oilfield Construction, LLC**
 Township/Borough City of Williamsport
 County **Lycoming**
 Responsible Official Douglas E. Stewart
 Executive VP & General Counsel
 Stallion Oilfield Construction,
 LLC
 950 Corbindale, Suite 300
 Houston, TX 77024

Type of Facility Public Water Supply
 Consulting Engineer Matthew Peramaki, PE
 Leggette, Brashears & Graham,
 Inc.
 E9573 Mapleridge Ct.
 Wetmore, MI 49895

Application Received: January 6, 2016

Description of Action Hauling potable water obtained from Towanda Municipal Authority to various natural gas drilling locations in surrounding areas.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

*Southcentral Region: Safe Drinking Water Program
 Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200*

WA 06-841A, Water Allocations. Wyomissing Borough Water System (**PWS ID No. 3060083**), **Berks County**. Water Allocation renewal. Applicant Address: Jim Babb, Public Works Director, Wyomissing Borough Water System, 22 Reading Boulevard, Wyomissing, PA 19610. Consulting Engineer: Holly C. Cinkutis, PE Great Valley Consultants, 75 Commerce Drive, Wyomissing, PA 19610. Application Received: 10/26/2015.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may

request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Gulf Oil Limited Partnership, 2451 Main Street, Whitehall Township, **Lehigh County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Gulf Oil Limited Partnership, 2451 Main Street, Whitehall, PA 18052, submitted a Notice of Intent to Remediate. Contamination is due to historical operations at the site. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Morning Call* on November 30, 2015.

Southeast Region: Environmental Cleanup Program Manager, Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass

PV Transport Inc., 2700 Clemens Road, Hatfield Township, **Montgomery County**, Andrew Markoski, Patriot Environmental Management, LLC, P. O. Box 629, Douglasville, PA 19518 on behalf of William Mehl, PV Transport, Inc., 2700 Clemens Road, Hatfield, PA 19440 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of inorganics. The intended future use of the property is continued use as a residential property. The Notice of Intent to Remediate was published in *The Intelligencer* on November 2, 2015. PF806471.

Interport Philadelphia LP Property, 7600 Holstein Avenue & 7601 Essington Avenue, City of Philadelphia, **Philadelphia County**. Steve Kirschner, Advance Geosciences Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19380, Dan Wright, Advance Geoscience Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19380 on behalf of Clay Kenmore, Interport Philadelphia, LP, 11401 Strange Line Road, Lenexa, KS 66215 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of lead and arsenic. The intended future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Philadelphia Inquirer* on November 20, 2015. PF806458.

Abbonizio Recycling Facility, Front and Thurlow Street, City of Chester, **Delaware County**. Mike Edelman, TRC Environmental, Inc., 1601 Market Street, Suite

2555, Philadelphia, PA 19103, Daniel Danehy, TRC Environmental, Inc., 1601 Market Street, Suite 2555, Philadelphia, PA 19103, Steve Jenness, Covanta Delaware Valley, LLP, 10 Highland Avenue Chester, PA 19013 on behalf of Carl Abbonizio, Abbonizio Recycling, Front and Thurlow Streets, Chester, PA 19013 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of other organics. The intended use of the property will remain the same. The Notice of Intent to Remediate was published in *The Daily Times* on December 7, 2015. PF806794.

Extra Space Storage, 4433 Wayne Avenue, City of Philadelphia, **Philadelphia County**. Richard J. Tobia, The Vertex Companies, Inc., 3322 Rt. 22 West, Suite 907, Branchburg, NJ 08876, Joseph J. C. Dultz, CHMM, The Vertex Companies, Inc., 3322 Rt. 22 West, Suite 90, Branchburg, NJ 08876 on behalf of Gwyn Goodson McNeal, Extra Space Storage, 2795 East Cottonwood Pkwy, #400, Salt Lake City, Utah 84121 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 6 heating oil. The property is currently the location of a retail self-storage facility. No changes to this use are planned. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on June 18, 2015. PF750470.

866 Lancaster Avenue, 866 Lancaster Avenue, Lower Merion Township, **Montgomery County**. Julie Baniewicz, JK Environmental Services, P. O. Box 509, Lafayette Hill, PA 19444, John Krinis, JK Environmental Services, P. O. Box 509, Lafayette Hill, PA 19444 on behalf of Andrew Gibbs, 866 Associates, LP, 633 Heather Lane, Bryn Mawr, PA 19010, has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 heating oil. The proposed future use of the property will be non-residential as a duplicating and printing business. The Notice of Intent to Remediate was published in *The Main Line Times* on November 22, 2015. PF805553.

Fairway Commons Apartments, 4927 Wynnefield Avenue, City of Philadelphia, **Philadelphia County**. Ken S. Eden, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Matthew Canno, Iron Stone 4927 Wynnefield, LLC, 2929 Arch Street, Philadelphia, PA 19104 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 6 heating oil. The site is currently occupied by residential apartment buildings. The Notice of Intent to Remediate was published in *The Westside Weekly* on October 22, 2015. PF807109.

Bensalem Shopping Center Dry Cleaner Tenant Space, 1945 Street Road, Bensalem Township, Bucks County. Craig Herr, P.G., RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, John Lydzinski, RT Environmental Services, Inc., 25 West Church Road, King of Prussia, PA 19406 on behalf of Michael Pearlstein, 3901 Manayunk Avenue, Suite 103, Philadelphia, PA 19128 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release other organics. The future use of the property will continue to be commercial. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on December 04, 2015. P807104.

**DETERMINATION FOR APPLICABILITY FOR
MUNICIPAL WASTE GENERAL PERMITS**

Application(s) for Modification of a General Permit Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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 Number WMGM044NE002. Monroe County Recycling & Alternative Fuel LLC, 2213 Shafer Road, Stroudsburg, PA 18360, **Monroe County.** General Permit Number WMGM044 authorizes processing of unpainted and untreated wood waste; gypsum board; brick, block and concrete waste; various organic wastes; non-asbestos containing asphalt shingles; pallets; skids; saw dust; source segregated paper; cardboard and newspaper; plastic waste; scrap metal; unused structural sound building materials; and architectural elements. The processed waste materials are beneficial use as (a) mulch or wood chips for further processing off-site, (b) aggregate material in roadway construction, (c) soil conditioner or soil amendment, (d) alternative fuel, (e) animal bedding, or (f) distributed to wholesale outlets. Monroe County Recycling & Alternative Fuel requested modification of General Permit Number WMGM044 to allow the alternative fuel material to no longer be considered waste when the conditions of the general permit are met. The request for modification of General Permit Number WMGM044 was received by Central Office on November 9, 2015.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on Modification of WMGM044" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

**OPERATE WASTE PROCESSING OR DISPOSAL
AREA OR SITE**

Application(s) received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit Application No. 301369. Alaron Nuclear Services, 2138 State Route 18, Wampum, PA 16157. This is a new residual waste transfer station permit for the storage and transfer of residual waste, primarily residual waste containing high TENORM concentrations. The application was received October 5, 2015 and a LMIP

meeting was conducted on December 10, 2015. The application was found to be administratively complete by the Northwest Regional Office on January 5, 2015.

Persons interested in commenting on the permit may contact Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

**PLAN APPROVAL AND OPERATING PERMIT
APPLICATIONS**

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection

Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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

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

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

46-0020H: Superior Tube Company, Inc. (3900 Germantown Pike, Collegeville, PA 19426) located in Lower Providence Township, **Montgomery County**. Plan Approval No. 46-0020H is for the addition of the applicable requirements of 40 CFR Part 63, Subpart DDDDD to Source ID Nos. 031 and 032 (the boilers) located at this facility. These boilers are existing sources, and emissions from these boilers will not increase with the addition of the requirements from 40 CFR Part 63, Subpart DDDDD.

This facility is a Title V facility. The Plan approval will contain record keeping and operating restriction designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

OPERATING PERMITS

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

46-00061: PA Dept. of Correction/Graterford SCI, (Route 29, Graterford, PA 19426) for the modification of the Title V operating permit in Skippack Township, **Montgomery County**. The modification restricts the usage of anthracite coal by the three coal-fired boilers (Source ID Nos. 041, 042 and 043) to less than 10% of the maximum potential heat input capacity of the boilers. The modification designates the three coal-fired boilers as “limited-use” as defined under 40 CFR Part 63 Subpart JJJJJJ. These three boilers are not subject to the emission limits, energy assessment requirement and operating limits given under 40 CFR Part 63 Subpart JJJJJJ. The site-wide emissions of major pollutants after the permit modification are: NO_x—16.4 TPY, SO_x—53.9 TPY, PM—15.4 TPY and CO₂—12,004 TPY. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

61-00181: Scrubgrass Generating Company L.P. (2151 Lisbon Road, Kennerdell, PA 16374-3305) for modification of the Title V Operating Permit for the facility located in Scrubgrass Township, **Venango County**. The modification is for incorporation of the Mercury and Air Toxics (MATS) Rule (40 CFR 63, Subpart UUUUU—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units), incorporation of the Acid Rain Program Permit Application with applicable requirements, incorporation of the Cross-State Air Pollution Rule (CSAPR), and change of Responsible Official. This facility continues to be subject to the Clean Air Interstate Rule (CAIR) relating to CAIR NO_x and SO₂ trading programs until the State SIP is modified.

The Scrubgrass Generating facility is used to produce electricity for the power grid. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit SO_x, NO_x, CO and Particulate Matter. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The potential emissions from each of the Boilers (Source 031 and 032) at this facility are as follows: SO_x—1003 TPY (tons per year), NO_x—370 TPY, CO—223 TPY, VOCs—2 TPY, and Particulate Matter—67 TPY.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Any person wishing to provide the Department of Environmental Protection with additional information that they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit #TV 61-00181) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Mr. Matthew M. Williams, Acting Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Mr. Matthew Williams at the same address or phone at (814) 332-6940.

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

46-00285: Montgomery County Crematory, LLC (516 Fayette Street, Conshohocken, PA 19428; Attn: Mr. William L. Ciavarelli) for a non-Title V Facility, State-Only Natural Minor Operating Permit in Conshohocken Borough, **Montgomery County**. Montgomery County Crematory operates a 175 lb/hr Matthews Human Cremation Unit at an existing funeral home. There are no other significant sources of emissions at this facility. The following are potential emissions from the human cremation unit: 2.68 TPY of PM, PM₁₀, and PM_{2.5}; 0.96 TPY of SO_x; 3.83 TPY of CO; 1.15 TPY of NO_x; and 1.15 TPY of VOC. Emissions of PM are expected to be less than 0.08 grain per dry standard cubic feet, corrected to 7 percent O₂. Emissions of SO_x are expected to be less than 500 ppmv. The permit will contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

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

40-00028: Dupont Terminals—DE, Dupont Petro Storage Terminal (PO Box 2621, Harrisburg, PA 17105-2621) for Petroleum Bulk Stations and Terminals in Pittston Township, **Luzerne County**. The sources consist of gasoline and distillate storage tanks, and an emergency generator. The control devices consist of 2 Vapor Recovery Units (VRU). The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable State and Federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

36-03106: New Enterprise Stone & Lime Co, Inc.—d/b/a Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) to issue a State-Only Operating Permit for the limestone crushing plant in West Cocalico Township, **Lancaster County**. Potential emissions from the facility are estimated to be 12.44 tons PM, 4.57 tons PM₁₀, and 0.60 ton PM_{2.5}. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

59-00024: Seneca Resources Corporation (51 Zents Blvd., Brookville, PA 15825) to issue a renewal State Only Operating Permit for their Cherry Flats Compressor Station located in Covington Township, **Tioga County**. The facility is currently operating under State Only (Synthetic Minor) Operating Permit 59-00024. The station's main sources include one compressor engine; three generator engines; three natural gas dehydration units; and a produced water treatment plant. The facility has potential emissions of 6.68 TPY of CO; 12.14 TPY of NO_x; 0.05 TPY of SO_x; 1.61 TPY of PM; 15.65 TPY of VOCs; 2.67 TPY HAPs; 14,432 TPY CO_{2e}. All engines are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

49-00011: Bimbo Bakeries USA, Inc. (249 North 11th Street, Sunbury, PA 17801) to issue a renewal State Only (Synthetic Minor) Operating Permit for their Sunbury Plant 1 located in City of Sunbury, **Northumberland County**. The facility is currently operating under State Only (Synthetic Minor) Operating Permit 49-00011. The facility produces bread and rolls for commercial sale. The facility's main sources include two bread/roll bake ovens, both natural gas-fired; dough preparation operations; two emergency generators; a parts washer; and various small boilers, heaters and evaporative coolers. The facility has potential emissions of 14.70 TPY of CO; 13.84 TPY of NO_x; 0.09 TPY of SO_x; 1.29 TPY of PM; <50 TPY of VOCs; 0.34 TPY HAPs; 20,689 TPY CO_{2e}. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

55-00010: National Limestone Quarry, Inc. (P. O. Box 397, Middleburg, PA 17842) for their limestone crushing facility located in Franklin Township, **Snyder County**. The facility is currently operating under the State Only Operating Permit 55-00010. The facility's main sources include a crushers, screens, conveyors, cold

cleaning degreaser and site haul roads. The facility has potential emissions of 37.46 tons per year of particulate matter. No emission or equipment changes are being proposed by this action at the site. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

55-00003: Susquehanna University (514 University Avenue, Selinsgrove, PA 17870) to issue a renewal State Only Operating Permit for the Selinsgrove campus located in Selinsgrove Borough, **Snyder County**. The facility is currently operating under State Only (Synthetic Minor) Operating Permit 55-00003; however, due to the removal of several sources, the campus no longer needs to retain synthetic minor status. The facility's main sources include several natural gas and No. 2 fuel oil-fired institutional boilers, water heaters and furnaces; thirteen emergency generators; two No. 2 fuel oil storage tanks. The facility has potential emissions of 29.91 TPY of CO; 43.49 TPY of NO_x; 4.28 TPY of SO_x; 2.83 TPY of PM/PM₁₀; 3.26 TPY of VOCs; 0.65 TPY HAPs; 42,343 TPY GHGs. Two of the #2 fuel oil-fired boilers are subject to 40 CFR Part 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. Three of the diesel-fired emergency generator engines are subject to 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60, Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

18-00008: Woolrich, Inc. (2 Mill Street, P. O. Box 138, Woolrich, PA 17779) to issue a renewal State Only "synthetic minor" Operating Permit for their facility located in Pine Creek Township, **Clinton County**. The facility is currently operating under State Only Operating Permit 18-00008. The significant emissions sources at the Woolrich facility are two boilers and the Dye and Finish Operation at the facility. The facility has potential emissions of 11.3 tons per year of carbon monoxide, 31.9 tons per year of nitrogen oxides, 75.4 tons per year of sulfur oxides, 4.0 tons per year of particulate matter, 23.0 tons per year of volatile organic compounds, 6.0 tons per year of total Hazardous Air Pollutants, and 33,371 tons per year of carbon dioxide equivalents (greenhouse gases).

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: and Tom Joseph, Permitting Chief—Telephone: 412-442-5226

03-00152: Glacial Sand and Gravel Co./Tarrtown Land Plant (4023 Tarrtown Road, Adrian, PA 16210) is for processing sand and decorative gravel facility located in East Franklin Township, **Armstrong County**. The facility consists of various crushers, screens, wet screens, dewatering screens, sand screws, sand tanks and transfer conveyors. The plant also consists of two wash tanks to remove surface stains from the sand and gravel as well as two hydroclones that remove further unwanted debris from the final material. The facility has the potential to emit: 20 tpy PM and 7 tpy PM₁₀. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

30-00086: Golden Eagle Construction Co./Carmichaels Plant (169 Green Valley Rd, Carmichaels, PA 15220) for the operation of an asphalt facility located in Franklin Township, **Greene County**. Golden Eagle operates a hot mix asphalt plant rated 250 tpy. Emissions are controlled through the use a baghouse. The facility is not to exceed the following limits: 100 tpy NO_x, 100 tpy CO, 100 tpy SO_x, 50 tpy VOC, 100 tpy PM₁₀, 10 tpy single HAP, and 25 tpy combined HAPs. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

11-00415 Greystone Materials Inc./Colver Processing Plant (272 Interpower Drive Colver, PA 15927) for the operation of a limestone pulverizing plant located in Cambria Township, **Cambria County**. Sources at this facility include Non-mineral processing equipment and a propane-fired aggregate dryer. Annual emissions from the facility are estimated to be less than 18 tpy NO_x; 15 tpy CO; 4 tpy particulate; and less than 1 tpy for all other criteria pollutants. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

33-00133: HRI Inc./Brookville Asphalt Plant (located at Interstate 80 Exit 86 & State Route 830, Brookville, PA) The mailing address for HRI Inc. is 1750

W. College Ave, State College, PA 16801-2719. The Department intends to re-issue a Natural Minor Permit to operate a Hot Mix Asphalt Plant located in the Pine Creek Township, **Jefferson County**.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM = 6.2, PM₁₀ = 2.5, SO_x = 21.8, NO_x = 29.8, VOC = 8.9, CO = 99.0, CO_{2e} = 9,157.5, and Total HAPs = 1.9.

43-00319: Sharon Tube Company/Church Street Plant (20 Church Street, P. O. Box 608, Wheatland, PA 16161) The Department intends to re-issue the Natural Minor Operating Permit to operate a Steel Pipe and Tubing Manufacturing Plant located in the Borough of Wheatland, **Mercer County**.

The Emergency Power Generators at this facility is now subject to the requirements of 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. These requirements have been attached to this source.

The potential VOC emissions from this facility are limited by Plan Approval Number 43-310C to no more than 13.8 tons/year. Emissions of all other criteria pollutants, if all sources were operated 8,760 hours per year are as follows: Particulate Matter = 0.6 TPY (tons per year), CO = 11.4 TPY, CO_{2e} = 54,434 TPY, NO_x = 20.2 TPY, and SO₂ = 0.1 TPY.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

10743701 and NPDES No. PA0215635. ArcelorMittal Pristine Resources, LLC, (P. O. Box 36, 129 Bethlehem Road, Revloc, PA 15948). To renew the permit for the Fawn Mine No. 91 CRDA in Clinton Township, **Butler County** and related NPDES permit. No additional discharges. The application was considered administratively complete on December 31, 2015. Application received June 29, 2015.

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** and related NPDES permit for installation of a borehole. Surface Acres Proposed 12.4. No additional discharges. The application was considered administratively complete on January 7, 2016. Application received September 4, 2015.

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

Permit No. 56120102 and NPDES No. PA0263419, Rosebud Mining Company, 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 114.7 acres. Receiving streams: unnamed tributaries to Coal Run and unnamed tributaries to Pickings Run classified for the following uses: cold water fishes and high quality cold water fishes respectively. The first downstream potable water supply intake from the point of discharge is Lincoln Municipal Authority—intake on North Branch of Quemahoning Creek. Application received: December 24, 2015.

Permit No. 56950110 and NPDES No. PA0213217, Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, permit renewal for reclamation only of a bituminous surface mine in Elklick Township, **Somerset County** affecting 166.8 acres. Receiving streams: unnamed tributary to/and Flag Run; unnamed tributary to/and Casselman River, Crab Run classified for the following uses: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 21, 2015.

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

16000101. Terra Works, Inc. (49 South Sheridan Road, Clarion, PA 16214) Transfer of an existing bituminous surface mine from Glenn O. Hawbaker, Inc. in Richland & Licking Townships, **Clarion County**, affecting 83.6 acres. Receiving streams: Unnamed tributaries to the Clarion River, classified for the following uses: CWF.

There are no potable surface water supply intakes within 10 miles downstream. Application received: January 6, 2016.

16060102. Terra Works, Inc. (49 South Sheridan Road, Clarion, PA 16214) Transfer of an existing bituminous surface mine from Glenn O. Hawbaker, Inc. in Licking & Beaver Townships, **Clarion County**, affecting 29.0 acres. Receiving streams: Unnamed tributary to the Clarion River, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 6, 2016.

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

17100108 and NPDES PA0257362. Waroquier Coal, Company (P. O. Box 128, Clearfield, PA 16830). Permit renewal for continued operation and restoration of a bituminous surface mine located in Beccaria Township, **Clearfield County** affecting 61.0 acres. Receiving stream(s): Dotts Run, Blue Run, and Unnamed Tributaries to Clearfield Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 21, 2015.

17080101 and NPDES PA0256692. RES Coal LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Permit renewal for continued operation and restoration of a bituminous surface mine located in Beccaria Township, **Clearfield County** affecting 217.1 acres. Receiving stream(s): Unnamed Tributary to Dewitt Run, Dewitt Run classified for the following uses: CWF and MF also Unnamed Tributaries to Clearfield Creek and Clearfield Creek classified for the following uses: WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 23, 2015.

17050103 and NPDES PA0256196. RAMM Coal, Inc. (1092 Spruce Hill Road, Rockton, PA 15856). Permit renewal for continued operation and restoration of a bituminous surface mine located in Brady Township, **Clearfield County** affecting 29.6 acres. Receiving stream(s): Unnamed Tributary to Little Anderson Creek and Anderson Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 30, 2015.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

30090101 and NPDES Permit No. PA0251607. Shannopin Materials, LLC (308 Dents Run Road, Morgantown, WV 26501). Renewal application for continued mining to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 120 acres. Receiving streams: unnamed tributaries to Dunkard Creek and Monongahela River, classified for

the following use: WWF. The potable water supplies with intake within 10 miles downstream from the point of discharge: Dunkard Valley Water Authority and Masontown Water Works. Renewal application received: December 21, 2015.

03940110 and NPDES Permit No. PA0200999. Britt Energies, Inc. (P. O. Box 515, Indiana, PA 15701). Renewal application for continued operation to an existing bituminous surface mine, located in Wayne Township, **Armstrong County**, affecting 55.5 acres. Receiving streams: unnamed tributaries to North Branch of South Fork Pine Creek, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: December 31, 2015.

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

Permit No. 13160101. Hazleton Shaft Corp., (P. O. Box 435, Hazleton, PA 18201), commencement, operation and restoration of an anthracite surface mine, coal refuse reprocessing and preparation plant operation in Banks and Hazle Townships, **Carbon and Luzerne Counties** affecting 465.5 acres, receiving stream: Quakake drainage tunnel to Wetzel Creek, classified for the following uses: cold water and migratory fishes. Application received: December 10, 2015.

Permit No. 13-305-002GP12. Hazleton Shaft Corp., (P. O. Box 435, Hazleton, PA 18201), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 13160101 in Banks and Hazle Townships, **Carbon and Luzerne Counties**. Application received: December 10, 2015.

Permit No. 54773005R6. Reading Anthracite Company, (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and refuse reprocessing operation in St. Clair Borough, Blythe and East Norwegian Townships, **Schuylkill County** affecting 2,108.0 acres, receiving stream: Schuylkill River, classified for the following use: cold water fishes. Application received: December 15, 2015.

Permit No. 40663024R6 and NPDES Permit No. PA0225614. Coal Contractors (1991), Inc., (P. O. Box 39, Hazleton, PA 18201), renewal of an existing anthracite surface mine operation and application for an NPDES Permit for discharge of treated mine drainage in Hazle Township, **Luzerne County** affecting 583.0 acres, receiving stream: Hazle Creek, classified for the following use: HQ-cold water fishes. Application received: December 23, 2015.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 44930301 and NPDES No. PA 0595985, Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16803 transfer of an existing large noncoal (industrial minerals) operation from New Enterprise Stone and Lime Col, Inc. d.b.a. Eastern Industries, Inc., 3724 Crescent Court, Suite 200, Whitehall, PA 18052, located in Armagh Township, **Mifflin County** affecting 173.8 acres. Receiving streams: unnamed tributary to Honey Creek classified for the following use: high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 30, 2015.

Permit No. 6875SM3 and NPDES No. PA 0612383, Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16803 transfer of an existing large noncoal (industrial minerals) operation from New Enterprise Stone and Lime Col, Inc. d.b.a. Eastern Industries, Inc., 3724 Crescent Court, Suite 200, Whitehall, PA 18052, located in Armagh Township, **Mifflin County** affecting 114.7 acres. Receiving streams: unnamed tributary to Honey Creek classified for the following use: high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 30, 2015.

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

16940308. County Landfill, Inc. (5600 Niagara Falls Boulevard, Niagara Falls, NY 14304) Renewal of NPDES Permit No. PA0226939 in Farmington Township, **Clarion County**. Receiving streams: Unnamed tributary to Toby Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 5, 2016.

16970307 and NPDES Permit No. PA0227609. Terra Works, Inc. (49 South Sheridan Road, Clarion, PA 16214). Transfer of an existing large industrial minerals mine from Glenn O. Hawbaker, Inc. in Beaver, Richland & Licking Townships, **Clarion County**, affecting 125.7 acres. Receiving streams: Unnamed tributary to Turkey Run, classified for the following uses: HQ—CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 6, 2016.

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

Permit No. 6276SM2A1C14 and NPDES Permit No. PA0594512. New Enterprise Stone & Lime Co., Inc. d/b/a Martin Limestone, Inc., (P. O. Box 550, Blue Ball, PA 17506), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in East Earl Township, **Lancaster County** affecting 232.0 acres, receiving stream: Conestoga River, classified for the following use: warm water fishes. Application received: December 14, 2015.

Permit No. 64030301T and NPDES Permit No. PA0224332. ER Linde Construction Corp., (9 Collan Park, Honesdale, PA 18431), transfer of an existing quarry and NPDES Permit for discharge of treated mine drainage from Middle Creek Quarry, Inc. in Palmyra Township, **Wayne County** affecting 94.3 acres, receiving stream: Middle Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: December 23, 2015.

Permit No. 45950302C11 and NPDES Permit No. PA0613037. The H & K Group, Inc., (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Tobyhanna Township, **Monroe County** affecting 116.46 acres, receiving streams/classified for the following uses: Twomile Run, HQ—cold water fishes and unnamed tributary to Trout Creek, EV. Application received: December 30, 2015.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

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

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

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

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0263419 (Mining permit no. 56120102), Rosebud Mining Company, 1117 Shaw Mines Road, Meyersdale, PA 15552 renewal of an NPDES permit for mining in Jenner Township, **Somerset County**, affecting 114.7 acres. Receiving streams: Unnamed tributaries to Pickings Run and unnamed tributary to Coal Run, classified for the following uses: High Quality Cold Water Fishes and Cold Water Fishes respectively. These receiving streams are included in the Kiski-Conemaugh River TMDL. Application received: December 24, 2015.

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

The outfalls listed below discharge to an unnamed tributary to Coal Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Pond 1	N
002—Sediment Pond 1	N

The proposed effluent limits for the above listed outfalls are as follows:

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

There are no proposed surface discharges from the facilities listed below to the unnamed tributaries to Pickings Run due to the implementation of non-discharge alternatives.

The outfalls listed below will be using non-discharge alternatives:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003—Sediment Pond 2	N
004—Sediment Pond 3	N

NPDES No. PA0269484 (Mining Permit No. 56130107), Rosebud Mining Company, 301 Market Street Kittanning, PA 16201, new NPDES permit for discharge of water resulting from surface coal mining in Jenner Township, **Somerset County**, affecting 312.1 acres. Receiving streams: unnamed tributary to/and Two Mile Run, classified for the following use: Cold Water Fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: September 2, 2015.

The outfall listed below discharges to an unnamed tributary to Two Mile Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
005 (Treatment Pond 1)	Y

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 005 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The outfalls listed below discharge to Two Mile Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Sediment Pond A)	Y
002 (Sediment Pond B)	Y
003 (Sediment Pond C)	Y
004 (Treatment Pond 3)	Y
006 (Sediment Pond E)	Y
007 (Treatment Pond 2)	Y

*Outfalls: 001, 003, 004, & 007
(All Weather Conditions)*

<i>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)	2.8	5.6	7.0
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			

Outfalls: 002 & 006 (All Weather Conditions)

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

E02-1717, The Barn Landscape Supply, 3004 Babcock Blvd, Pittsburgh, PA 15237, Ross Township, **Allegheny County**, ACOE Pittsburgh District.

The applicant is proposing to:

Construct and maintain a:

- 1.) 12 foot long concrete box beam bridge with a clear span of 30 feet over Girty's Run, and an under clearance of 6.25 feet,
- 2.) 12' x 8' R-6 Rip-Rap apron at the outfall of a 12" smooth lined corrugated plastic pipe, 3.) an 11' x 9' R-4 Rip Rap apron at the outfall of a diversion channel,

In association with providing access to a new materials storage area adjacent to existing facilities, for the purpose of expanding this landscaping business, which is located near the intersection of Babcock Boulevard and McKnight Road (USGS Glenshaw Quadrangle; Latitude: 40° 30' 50"; Longitude: -80° 00' 21"); in Ross Township, Allegheny

County. Cumulatively, the proposed features will permanently impact approximately 35 LF, of Girty's Run (WWF) and its associated floodway.

E04-350, FirstEnergy Generation, LLC, 76 South Main Street, A-GO-13, Akron, OH 44308, Green Township, **Beaver County**, ACOE Pittsburgh District.

The applicant is proposing to:

Operate and maintain:

- 1.) A suction pump vault and a gravel pad within 0.05 acre of the floodway to an Unnamed tributary (UNT) to Mill Creek (WWF).

- 2.) A 27 LF gabion basket dam across the aforementioned UNT, which ponds water for 22 LF behind this dam, and has an appurtenant work consisting of a 6 ft long—24" diameter HDPE riser pipe that conveys stream flow to the aforementioned vault structure. This collection system indirectly impacts this UNT by dewatering approximately 237 LF of the watercourse.

- 3.) Riprap along 24 LF of the left descending bank of the aforementioned UNT.

Construct and maintain:

- 4.) A 4'-diameter, high-density-polyethylene (HDPE) sump in the aforementioned UNT below the aforementioned dam to convey any incidental seepage that gets by the aforementioned collection system;

For the purpose of collecting seepage water from the up-gradient Little Blue Run Impoundment and return it to the Impoundment located south of the intersection of Georgetown Road and Little Blue Hollow Road in Green Township (Quadrangle: Hookstown; Latitude: 40° 37' 22.90"; Longitude: -80° 29' 50.94"); in Beaver County, cumulatively resulting in 321 lineal feet of permanent stream impact and 0.05 acre of permanent floodway impacts. Compensatory mitigation is proposed to offset the stream and floodway impacts by planting two (2) 0.37 acre areas downstream of the collection system with native trees and shrubs along the dewatered section of the aforementioned UNT.

E63-679, Valley Brook Country Club, 425 Hidden Valley Road, McMurray, PA 15317, Cecil and Peters Townships, **Washington County**, ACOE Pittsburgh District.

The applicant is proposing to:

1. Operate and maintain an existing steel truss bridge, with a width of 11.42' and a 14.44' underclearance, over Chartiers Creek (WWF);

2. Operate and maintain an existing road crossing across Chartiers Creek, consisting of twenty (20) 18" diameter low flow culverts, which is used as a low water crossing;

3. Construct and maintain a single span, steel beam and truss bridge, with a 10' width and 17.64' underclearance, over Chartiers Creek;

4. Construct and maintain a golf cart path over an unnamed tributary to Chartiers Creek (WWF) (aka Stream #6) with a 10' long, 24" diameter HDPE pipe with headwalls and endwalls and a 6" depression below the natural streambed elevation;

5. Construct and maintain a golf cart path over another unnamed tributary to Chartiers Creek (WWF) (aka Stream #5) with a 12' long, 24" diameter HDPE pipe with headwalls and endwalls and a 6" depression below the natural streambed elevation;

6. Construct and maintain a golf cart path over another unnamed tributary to Chartiers Creek (WWF) (aka Stream #2) with a 16' long, 24" diameter HDPE pipe with headwalls and endwalls and a 6" depression below the natural streambed elevation;

7. Construct and maintain a 4' wide, wood and timber foot bridge over Stream #5;

8. Construct and maintain a 4' wide, wood and timber footbridge over Stream #2;

9. Place and maintain fill in approximately 73 linear feet of another unnamed tributary to Chartiers Creek (WWF) (aka Stream 8) in association with the construction of a new/replacement golf hole-stream flow will be maintain through an underdrain consisting of a 6" perforated pipe and AASHTO #57 course aggregate;

10. Place and maintain fill in approximately 116 linear feet of Stream 5 in association with the construction of another new/replacement golf hole-stream flow will be maintain through an underdrain consisting of a 6" perforated pipe and AASHTO #57 course aggregate;

For the purpose of improving safety for golfers, workers, club members and guests, in and around the existing golf course and swimming pool, from errant golf balls. The Valley Brook Golf Club is located at 425 Hidden Valley Road (Canonsburg, PA USGS topographic quadrangle; Latitude: 40° 18' 0"; Longitude: -80° 8' 8"; Sub-basin: 20F; ACOE: Pittsburgh District), in Cecil and Peters Townships, Washington County. The project will cumulatively impact approximately 245' of watercourses.

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481

E10-500, PA DOT District 10-0, 2550 Oakland Ave., Indiana, PA 15701; SR 0228/SR 2005 Intersection (Cox's Corners) Improvement ACOE Pittsburgh District (Curtisville, PA Quadrangle N: 40°, 43', 30.0"; W: -79°, 49', 44.4") in Clinton Township, **Butler County**.

To fill a total of 0.517 acre of two wetlands (PEM), temporarily impact a total of 0.09 acre of wetland (0.006 acre PSS and 0.084 acre PEM), and to replace an existing 58-foot long, 24-inch diameter culvert with a 55-foot long, 36 inch diameter culvert including temporary impact to approximately 100 feet of the channel of a tributary to Lardintown Run (TSF) having a contributory drainage area less than 100 acres for the realignment of the intersection of SR 228 and SR 2005 into a roundabout approximately 1.25 mile southwest of Saxonburg. It is proposed to debit 0.517 acre from PennDOT's Butler County Wetland Bank as mitigation for project impacts.

E27-089, PA Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. SR 0062, Segment 0020, Offset 0000 Across Allegheny River, in Tionesta Township, **Forest County**, ACOE Pittsburgh District (Tionesta, PA Quadrangle N: 41° 28' 20"; W: 79° 30' 0").

To conduct the following activities associated with the construction of a new bridge carrying SR 0062 over the Allegheny River approximately 2.5 miles south of Tionesta Borough:

1. To construct and maintain a four-span continuous composite multi-plate girder bridge having spans of 180 feet, 350 feet, 350 feet and 244 feet with an out-to-out width of 39 feet of the Allegheny River. The new structure will be located 100 feet upstream of the existing structure.

2. To install a temporary causeway and temporary shoring for demolition and construction purposes.

3. To remove the existing structure over the Allegheny River.

4. To permanently impact 0.09 acre of wetland and several unnamed tributaries to Allegheny River due to roadway approach work.

The applicant proposes to debit from PennDOT's Polk Wetland Mitigation Bank to account for the proposed permanent wetland impacts.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701

E5929-056: Howard Energy Partners, LLC, 512 Towne Plaza, Suite 120, Route 6, Tunkhannock, PA, 18657, Morris Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats, a 16 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 247 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Morris, PA Quadrangle 41°35'42"N, 77°13'37"W);

The project will result in 247 square feet (0.01 acre) of temporary wetland impacts all for the purpose of installing a natural gas gathering line in Morris Township, Tioga County.

E5929-055: Talisman Energy USA, Inc., 337 Daniel Zenker Drive, Horseheads, NY 14845, Bloss and Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) A 12 inch diameter gas pipeline and an 8 inch diameter waterline impacting 125 square feet of an exceptional value palustrine emergent and forested (EV-PEM/PFO) wetland via an HDD Bore (Blossburg, PA Quadrangle 41°37'38"N, 77°07'06"W);

(2) A 12 inch diameter gas pipeline and an 8 inch diameter waterline impacting 10 linear feet of Bellman Run (CWF) via an HDD Bore (Blossburg, PA Quadrangle 41°37'33"N, 77°07'02"W);

(3) A 12 inch diameter gas pipeline and an 8 inch diameter waterline and a temporary road crossing using timber matting impacting 777 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle 41°38'17"N, 77°06'03"W);

(4) A 12 inch diameter gas pipeline and an 8 inch diameter waterline and a temporary road crossing using timber matting impacting 617 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 1,170 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle 41°38'16"N, 77°06'01"W);

(5) A 12 inch diameter gas pipeline and an 8 inch diameter waterline and a temporary road crossing using timber matting impacting 617 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 64 linear feet of an unnamed tributary to Bellman Run (CWF) (Blossburg, PA Quadrangle 41°38'16"N, 77°06'00"W);

(6) A 12 inch diameter gas pipeline and an 8 inch diameter waterline and a temporary road crossing using timber matting impacting 63 linear feet of an unnamed

tributary to Bellman Run (CWF) (Blossburg, PA Quadrangle 41°38'16"N, 77°05'59"W);

(7) A 12 inch diameter gas pipeline and an 8 inch diameter waterline and a temporary road crossing using timber matting impacting 134 linear feet of an unnamed tributary to Bellman Run (CWF) and 2 linear feet of another unnamed tributary to Bellman Run (CWF) (Blossburg, PA Quadrangle 41°38'17"N, 77°05'59"W);

(8) A 12 inch diameter gas pipeline and an 8 inch diameter waterline and a temporary road crossing using timber matting impacting 76 linear feet of an unnamed tributary to Bellman Run (CWF) and 64 linear feet of another unnamed tributary to Bellman Run (CWF) (Blossburg, PA Quadrangle 41°38'16"N, 77°05'54"W);

(9) A 12 inch diameter gas pipeline and an 8 inch diameter waterline and a temporary road crossing using timber matting impacting 121 linear feet of Long Run (CWF) (Blossburg, PA Quadrangle 41°38'18"N, 77°04'40"W);

(10) A temporary road crossing impacting 20 linear feet of an unnamed tributary to Bellman Run (CWF) (Blossburg, PA Quadrangle 41°37'45" N 77°05'16"W);

(11) A temporary road crossing using timber matting impacting 56 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle 41°37'41"N 77°05'11"W).

The project will result in 554 linear feet of temporary stream impacts, 2,128 (0.05 acre) square feet of temporary wetland impacts, and 1,234 (0.03 acre) square feet of permanent wetland impacts all for the purpose of installing a natural gas pipeline in Bloss and Liberty Township, Tioga County.

E5929-052: HEP Tioga Gathering, LLC; 512 Towne Plaza, Suite 120 Route 6, Tunkhannock, PA 18657, Morris Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A 20 inch diameter steel gas pipeline, a 16 inch diameter HDPE water pipeline, and a temporary road crossing using timber mats impacting 98 linear feet of an unnamed tributary to Dixie Run (EV) (Morris, PA Quadrangle 41°33'39"N, 77°18'57"W);

2) A 20 inch diameter steel gas pipeline, a 16 inch diameter HDPE water pipeline, and a temporary road crossing using timber mats impacting 126 linear feet of an unnamed tributary to Dixie Run (EV) (Morris, PA Quadrangle 41°33'51"N, 77°17'42"W);

3) A 20 inch diameter steel gas pipeline, a 16 inch diameter HDPE water pipeline, and a temporary road crossing using a multi-span bridge impacting 79 linear feet of Harrison Run (EV) (Morris, PA Quadrangle 41°34'1"N, 77°16'52"W);

4) A 20 inch diameter steel gas pipeline, a 16 inch diameter HDPE water pipeline, and a temporary road crossing using a timbermat bridge impacting 90 linear feet of an Unnamed Tributary to Custard Run (EV) (Morris, PA Quadrangle 41°34'44"N, 77°15'47"W);

5) A 20 inch diameter steel gas pipeline, a 16 inch diameter HDPE water pipeline, and a temporary road crossing using a timbermat bridge impacting 1,731 square feet of an exception value palustrine forested (EV-PFO) wetland (Morris, PA Quadrangle 41°35'12"N, 77°15'14"W);

6) A 20 inch diameter steel gas pipeline and a 16 inch diameter HDPE water pipeline impacting 42 linear feet of an Unnamed Tributary to Custard Run (EV) (Morris, PA Quadrangle 41°35'14"N, 77°15'12"W);

7) A 20 inch diameter steel gas pipeline, a 16 inch diameter HDPE water pipeline, and a temporary road crossing using a multi-span bridge impacting 80 linear feet of Custard Run (EV) (Morris, PA Quadrangle 41°35'14"N, 77°15'12"W);

8) A 20 inch diameter steel gas pipeline, a 16 inch diameter HDPE water pipeline, and a temporary road crossing using a timbermat bridge impacting 1,619 square feet of an exception value palustrine emergent (EV-PFO) wetland (Morris, PA Quadrangle 41°35'20"N, 77°15'17"W).

The project will result in 515 linear feet of temporary stream impacts, 1,619 square feet (0.04 acre) of temporary wetland impacts, and 1,731 square feet (0.04 acre) of permanent wetland impacts all for the purpose of installing a natural gas gathering line and associated access roads in Morris Township, Tioga County.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage

under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

I. NPDES Renewal Permit Actions

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0209481 (Sewage)	DHH Properties LLC 616 Bellefonte Avenue Lock Haven, PA 17745	Clearfield County Decatur Township	Shimel Run (8-C)	No
PA0228320 (Sewage)	Davidson Township Municipal Authority Wastewater Treatment Plant 32 Michelle Road Sonestown, PA 17758-5358	Sullivan County Davidson Township	Muncy Creek (10-D)	No
PA0113221 (Sewage)	Youth Challenge International Bible Institution 155 N Williamson Road Blossburg, PA 16912	Northumberland County Upper Augusta Township	Unnamed Tributary of Shamokin Creek (6-B)	No

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0030864 (Sewage)	Fairview Elementary School STP 343 Ridgemont Drive Midland, PA 15059-2219	Beaver County Ohioville Borough	Swale to Island Run (20-B)	Y
PA0093980 (Sewage)	Kimberly Estates MHP 102 Kimberlin Drive Irwin, PA 15642-3186	Westmoreland County Sewickley Township	Unnamed Tributary to Little Sewickley Creek (19-D)	Yes

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

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E67-922: Dillsburg Borough, 1515 Baltimore Street, Dillsburg, PA 17019 in Dillsburg Borough, **York County**, U. S. Army Corps of Engineers, Baltimore District.

To perform work on West Branch Fishers Run (CWF, MF) (Dillsburg Quadrangle 40° 6' 32.3" N, 77° 1' 41.8" W). The applicant proposes to construct a 16-foot by 8-foot single span bridge stream crossing, approximately 615 feet of pervious pavement as a walking path, two 20-foot by 20-foot pervious pavement pads, one 17-foot by 27-foot pervious pavement pad, and associated grading with approximately 300 cubic yards of fill. The total disturbed area for the bridge and walking trail is approximately 28 hundredths of an acre (0.28 ac). There are no proposed wetland impacts.

E28-380: PENNDOT Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699 in Washington Township & Waynesboro Borough, **Franklin County**, U. S. Army Corps of Engineers Baltimore District.

To remove existing structures and to install and maintain (1) a 76 foot x 56-foot 6-3/8 inch bridge with a 3.91-foot under clearance over West Branch Antietam Creek (CWF, MF), (2) a 27-inch diameter outfall and, (3) an 18-inch diameter outfall along SR 0016 SEC037 in Washington Township & Waynesboro Borough, Franklin County (Latitude: 39° 45' 45.3"; Longitude: -77° 35' 49.1") for the purpose of improving roadway safety. The project proposes to directly affect 81-linear feet of stream channel and 0.02 ac. of wetlands and temporarily affect 75 linear feet of stream channel and 0.01 ac. of wetlands.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3742.

NPDES Permit No. PA0228061, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010.

This existing facility is located in Sandy Township, **Clearfield County**.

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

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

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

WQM Permit No. 0115404, Sewerage, **Lake Meade Municipal Authority**, 59 Curtis Drive, East Berlin, PA 17316.

This proposed facility is located in Reading Township, **Adams County**.

Description of Proposed Action/Activity: Permit approval for the replacement of a submersible pumping station with a suction lift pumping station with greater capacity.

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

WQM Permit No. 5915201, CAFO, SIC Code 0213, **Country View Family Farms, LLC**, 1301 Fulling Mill Road Suite 3000, Middletown, PA 17057-5990.

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

Description of Proposed Action/Activity: Construction of three new swine barns with under-house manure storage.

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

WQM Permit No. 3281205 A-13, Industrial Waste, SIC Code 4911, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748.

This existing facility is located in Center Township, **Indiana County**.

Description of Proposed Action/Activity: Improvements to storm water controls at the facility's coal combustion residual waste landfill.

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023915014	Lower Macungie Township 3400 Brookside Road Macungie, PA 18062	Lehigh County	Lower Macungie Township	Little Lehigh Creek (HQ-CWF, MF)
PAI023915010	PPL Electric Utilities c/o Mr. Michael Hasel 1639 Church Road Allentown, PA 18104-9342	Lehigh County	Upper Milford Township	Indian Creek (CWF, MF) Perkiomen Creek (HQ-CWF, MF)
PAI024815005	Duke Realty Limited Partnership c/o Mr. Blaine Paul 600 East 96th Street, Suite 100 Indianapolis, IN, 46240	Northampton	Palmer Township and Upper Nazareth Townships	Bushkill Creek (HQ-CWF, MF) Shoeneck Creek (WWE, MF)

Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056515001	Wendy's Properties, LLC, One Dave Thomas Boulevard, Dublin, OH 43107-5452	Westmoreland County	Salem Township	UNT to Beaver Run (HQ-CWF)

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Rapho Township Lancaster County	PAG02003615106 Issued	J. Edward Buckwalter 1049 Buckwalter Road Lititz, PA 17543	UNT to Chickies Creek/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 (717) 299-5361, Ext.121
Highland Township Adams County	PAG02000115033 Issued	Carl L. & Janice M. Keller 535 Knoxlyn-Orrtanna Road Gettysburg, PA 17325	Little Marsh Creek/ CWF, MF	Adams County Conservation District 670 Old Harrisburg Rd., Suite 201 Gettysburg, PA 17325 717.334.0636

Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Baden Borough; Economy Borough; New Sewickley Township (Beaver County); Marshall Township (Allegheny County)	PAG02000414021	Municipal Authority Borough of West View Water Treatment Plant 210 Perry Highway Pittsburgh, PA 15229	Tevebau Run (WWF); UNT to Tevebau Run (WWF); Crows Run (WWF); UNT to Crows Run (WWF); UNT to North Fork Big Sewickley Creek (TSF) North Fork Big Sewickley Creek (WWF); Big Sewickley Creek (WWF); UNT to Brush Run (WWF)	Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001 (724) 378-1701
Cambria Township Cambria County	PAG02001115017	Cambria County Sherriff's Department 200 South Center Street Ebensburg, PA 15931	Howells Run (CWF)	Cambria County Conservation District, 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931 (814) 472-2120
Cresson Township; Gallitzin Township; and Gallitzin Borough Cambria County	PAG02001115201	Peoples TWP, LLC 205 North Main Street Butler, PA 16001-4904	Bradley Run (CWF); UNT to Bradley Run (CWF)	Cambria County Conservation District, 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931 (814) 472-2120
Rayne Township Indiana County	PAG02003215016	Swank Construction Company, LLC 632 Hunt Valley Circle New Kensington, PA 15068	Pine Run (CWF)	Indiana County Conservation District, 625 Kolter Drive, Suite 8, Indiana, PA 15701-3571 (724) 471-4751
Brothersvalley Township Somerset County	PAG02005615017	Joseph B. Fay Company, LLC P. O. Box 66 Russellton, PA 15076	Buffalo Creek (CWF)	Somerset County Conservation District, Somerset County Ag Center, 6024 Glades Pike, Suite 103, Somerset, PA 15501 (814) 445-4652
North Fayette Township and Robinson Township Washington County	PAG02006315010	RES Water-Champion, LLC 1373 Washington Pike Bridgeville, PA 15017	UNT to Raccoon Creek (WWF)	Washington County Conservation District, 2800 North Main Street, Suite 105, Washington, PA 15301 (724) 705-7098
North Strabane Township Washington County	PAG02006315041	First Street Partners, LLC 1500 Ellsworth Avenue Heidelberg, PA 15106	Chartiers Creek (WWF)	Washington County Conservation District, 2800 North Main Street, Suite 105, Washington, PA 15301 (724) 705-7098
Jackson Township Butler County	PAG02001015028	Lindy Paving Inc c/o Mr. David L. McNicholas III 158 Linsay Road Zelienople, PA 16063	Liken Run WWF	Butler County Conservation District 724-284-5270

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Brady Township Butler County	PAG02001015043	PTV Brady LLC c/o Mr. Brian Meridian 1563 Woodward Drive Extension Greensburg PA 15601	Big Run CWF	Butler County Conservation District 724-284-5270
South Shenango Township Crawford County	PAG02002015010	Mark and Wendy Stabill 1462 Lori Lane Hermitage, PA 16134	UNT Shenango River WWF	Crawford County Conservation District 814-763-5269
Darlington Township Beaver County	PAR806223	Nulfco Inc. 51964 East Taggart St. Ext. P. O. Box 26 East Palestine, OH 44413	UNT to Leslie Run— 20-B WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Cambria Township Cambria County	PAR806218	FedEx Freight, Inc. 2200 Forward Drive DC 2219 Harrison, AR 72601	Howells Run—18-E CWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Chartiers Township Washington County	PAR236121	Cooper Crouse-Hinds, LLC PO Box 579 Meadow Lands, PA 15347	Chartiers Creek— 20F—WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Deerfield Township Tioga County	PAG124852	Country View Family Farms, LLC 1301 Fulling Mill Road Middletown, PA 17057-5990	Unnamed Tributary to Yarnell Brook— 4-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**NUTRIENT MANAGEMENT PLAN
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Quality Livestock Company, LLC 1177 Gypsy Hill Rd. Lancaster, PA 17602	Lancaster	54.4	556.93	Swine	NA	A
Marcus Hoover 3229 Hossler Rd. Manheim, PA 17545	Lancaster	41.9	305.5	Layers	NA	A
Noah Kreider & Sons LLP— Donegal Larry Fetter 1104 Colebrook Rd Mount Joy, PA 17552	Lancaster	450	6,930	Layers	HQ	A
Keith Beiler 2185 Smyrna Rd. Paradise, PA 17562	Lancaster	353.5	431.5	Swine	HQ	A
Jeffrey Barley 862 Donerville Rd. Millersville, PA 17551	Lancaster	450	345.85	Pullet	NA	A

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 1516532-T1, Minor Amendment. Public Water Supply.

Applicant	Aqua Nation Corporation 315 East Snyder Street Philadelphia, PA 19120
City	City of Philadelphia
County	Philadelphia
Type of Facility	PWS
Consulting Engineer	American Aqueduct, Inc. 6201 North Front Street, #122 Philadelphia, PA 19120
Permit to Construct Issued	December 22, 2015

Permit No. 0915522, Minor Amendment. Public Water Supply.

Applicant	New Britain Inn 376 West Butler Avenue New Britain, PA 18901
Borough	New Britain
County	Bucks
Type of Facility	PWS
Consulting Engineer	HILBEC Engineering & Geosciences, LLC P. O. Box 1014 Huntingdon Valley, PA 19006
Permit to Operate Issued	December 22, 2015

Permit No. 1515548, Minor Amendment. Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Charlestown
County	Chester
Type of Facility	PWS

Consulting Engineer Gannett Fleming, Inc.
650 Park Avenue
King of Prussia, PA 19406

Permit to Construct December 22, 2015
Issued

Permit No. 1515547, Minor Amendment. Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Township West Brandywine

County **Chester**

Type of Facility PWS

Consulting Engineer Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Permit to Construct December 22, 2015
Issued

Permit No. 1515514, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hershey Park Drive
Hershey, PA 17033

Township East Vincent

County **Chester**

Type of Facility PWS

Consulting Engineer Pennsylvania American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Permit to Construct December 21, 2015
Issued

Permit No. 0915519, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 West Hershey Park Drive
Hershey, PA 17033

Township Lower Makefield

County **Bucks**

Type of Facility PWS

Consulting Engineer Pennsylvania American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Permit to Construct January 5, 2016
Issued

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110

Permit No. 3615513, Public Water Supply.

Applicant **Esbenshade Inc.**
Municipality Rapho Township

County **Lancaster**

Responsible Official Steven S. Greiner, Processing
Personnel Manager
220 Eby-Chiques Road
Mount Joy, PA 17552

Type of Facility New nontransient noncommunity water system including Well No. 2, a softening system (softening and manganese removal), a nitrate treatment system and sodium hypochlorite disinfection systems.

Consulting Engineer Charles A. Kehew II, P.E.
James R. Holley & Associates, Inc.
18 South George Street
York, PA 17401

Permit to Construct 12/31/2015
Issued

Operation Permit No. 3611521 issued to: **Columbia Water Company (PWS ID No. 7360123)**, Columbia Borough, **Lancaster County** on 1/7/2016 for facilities approved under Construction Permit No. 3611521.

Operation Permit No. 2215504 MA issued to: **Borough of Middletown (PWS ID No. 7220038)**, Middletown Borough, **Dauphin County** on 1/8/2016 for facilities approved under Construction Permit No. 2215504 MA.

Operation Permit No. 6714507 MA issued to: **The York Water Company (PWS ID No. 7670100)**, West Manchester Township, **York County** on 1/7/2016 for facilities approved under Construction Permit No. 6714507 MA.

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

Permit No. 0415505, Public Water Supply.

Applicant **Center Township Water Authority**
224 Center Grange Road
Aliquippa, PA 15001

[Borough or Township] Potter Township

County **Beaver**

Type of Facility New temporary water treatment plant

Consulting Engineer Lennon, Smith, Souleret Engineering, Inc.
846 Fourth Avenue
Coraopolis, PA 15108

Permit to Construct December 24, 2015
Issued

Operations Permit issued to: **Windber Area Authority**, 1700 Stockholm Avenue, Windber, PA 15963, **(PWSID #4560013)** Paint Township, **Somerset County** on December 31, 2015 for the operation of facilities approved under Construction Permit #5615505MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, **(PWSID #5650032)** Bell Township, **Westmoreland County** on December 31, 2015 for the operation of facilities approved under Construction Permit #6514505.

Operations Permit issued to: **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Moon Township, PA 15108, **(PWSID #5020011)** Moon Township, **Allegheny County** on December 31, 2015 for the operation of facilities approved under Construction Permit #0214520.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Shaskas South Well Pad, 118 Hart Road, Jessup Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of J.P. Reilly Construction LP, 559 Turnpike Road, Friendsville, PA 18801, submitted a Notice of Intent to Remediate and a Final Report concerning remediation of site soils contaminated with Chloride, Aluminum, Barium, Boron, Iron, Lithium, Manganese, Selenium, Vanadium, and Zinc. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Gulf Oil Limited Partnership, 2451 Main Street, Whitehall Township, **Lehigh County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Gulf Oil Limited

Partnership, 2451 Main Street, Whitehall, PA 18052, submitted a Site-Specific Remedial Investigation Report, Risk Assessment, and Cleanup Plan concerning remediation of site soils and groundwater contaminated with toluene, ethylbenzene, total xylenes, methyl tertiary butyl ether, isopropylbenzene, benzene, naphthalene, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Former Air Products and Chemicals, Inc., 2801 Mitchell Avenue, Allentown City, **Lehigh County**. Leidos, Inc., 6310 Allentown Boulevard, Harrisburg, PA 17112, on behalf of Air Products and Chemicals, Inc., 7201 Hamilton Boulevard, Allentown, PA 18195, submitted a Site-Specific Remedial Investigation Report, Site-Specific Cleanup Plan and Final Report concerning remediation of site soils and groundwater contaminated with Tetrachloroethene, Trichloroethene, 1,1-Dichloroethene, cis/trans-1,2-Dichloroethene, 1,2-Dichloroethane, 1,1,1-Trichloroethane, Arsenic, Beryllium, Cadmium, Chromium, Copper, Nickel, Lead, and Zinc. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Former Mobil Station #15D5H, 1098 Haines Road, York, PA 17402, Springettsbury Township, **York County**. Groundwater and Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of ExxonMobil Environmental Services, 7715 Crittenden Street, #309, Philadelphia, PA 19118-4421; and Shipley Energy, 415 Norway Street, York, PA 17403, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils and groundwater contaminated with unleaded gasoline and fuel oil. The report is intended to document remediation of the site to meet the Non-Residential Statewide Health and Site Specific Standards.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Sherwood Valve—Washington Plant (formerly Superior Valve/Amcast) 2200 North Main Street, Washington, PA 15301, Chartiers Township, **Washington County**. Woodard & Curran, 300 Penn Cinter Blvd., Suite 800, Pittsburgh, PA 15235 on behalf of Sherwood Valve, LLC, 2200 North Main Street, Washington, PA 15301, submitted a Final Report concerning remediation of site groundwater contaminated with trichloroethene, cis-1,2-dichloroethene and tetrachloroethene. The report is intended to document remediation of the site to meet non-residential Site Specific standard. Notice of the Final Report published in the *Observer Reporter* on December 1, 2015.

Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960.

BP Trainer, Ref Marcus Hook & Stoney Creek, 4101 Post Road, Trainer Borough, Borough of Marcus Hook, **Delaware County**. Iain Bryant, Sovereign Consulting, Inc., 111-A North Gold Drive, Robbinsville, NJ 08691, Sasa Jazic, Atlantic Richfield Company, on behalf of BP Products North American Inc., 50 West Warrenville Road, NRC-Bldg. 200 Mc 200E, Naperville, Illinois 60563 behalf of Matt Torell, Monroe Energy, LLC, 4101 Post

Road, Trainer, PA 19061 has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbon. The report is intended to document remediation of the site to meet the Site Specific Standard. PF765004.

Bensalem Shopping Center Dry Cleaner Tenant Space, 1945 Street Road, Bensalem Township, **Bucks County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Michael Pearlstein, Bensalem, Associates LP, 3901 Manayunk Avenue, Suite 103, Philadelphia, PA 19128 has submitted a Final Report concerning remediation of site soil contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF807104.

Aqua PA America Inc., 700 Sproul Road, Springfield Township, **Delaware County**. Charles Stevenson, Aqua America, Inc., 700 Sproul Road, Springfield, PA 19064 has submitted a 90 day Final Report concerning remediation of site soil contaminated with hydraulic oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF807087.

BP Trainer Refinery Site-Lube Plant Riverfront Area, 4101 Post Road, Borough of Trainer and Marcus Hook, **Delaware County**. Iain Bryant, Sovereign Consulting Inc., 111-A North Gold Drive, Robbinsville, NJ 0869, Sasa Jazic, Atlantic Richfield Company, on behalf of BP Products North America Inc., 150 West Warrenville Road, NRC-Bldg. 200 MC 200E, Naperville, Illinois 60563 on behalf of Matt Torell, Monroe Energy, LLC, 4101 Post Road, Trainer, PA 19061 has submitted a Final Report concerning remediation of site soil contaminated with TPH-DRO, lead and arsenic. The report is intended to document remediation of the site to meet the Site Specific Standard. PF617983.

Carr Residence, 4009 Nicole Drive, Upper Moreland Township, **Montgomery County**. Sean Fullmer, PG, CMI, 1350 Welsh Road, North Wales, PA 19454 on behalf of Judy Carr, 4009 Nicole Drive, Hatboro, PA 19040 has submitted a Final Report concerning remediation of site Soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF757789.

The Isle, 1 Cotton Street City of Philadelphia, **Philadelphia County**. Alexander Ross, Maser Consulting P.A., 2000 Midlantic Drive, Suite 2100, Mt. Laurel, NJ 08054 on behalf of Chris Cassella, Cornerstone Real Estate Advisor, LLC, 180 Glastonbury Boulevard, Suite 200 Glastonbury, CT 06033 has submitted a 90 day Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF806473.

Berwyn Shopping Center, 550 Lancaster Avenue, Easttown Township, **Chester County**. Aaron Epstein, P.G., Partner Engineering and Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355 on behalf of Theresa Susco, Berwyn Center LP, 725 Conshohocken State Road, Bala Cynwyd, PA 19004 has submitted a Remedial Investigation and Risk Assessment Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the site Specific Standard. PF777168.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Coplay General Supply, 1 Bridge Street, Coplay Borough, **Lehigh County**. JMT Environmental, 3353-C Gun Club Road, Nazareth, PA 18064 on behalf of Coplay General Supply, 1 Bridge Street, Coplay, PA 18037, submitted a Final Report concerning the remediation of

site soils contaminated with #2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 4, 2016.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Vallorbs Jewel Company, 2599 Old Philadelphia Pike, Bird-in-Hand, PA 17505, East Lampeter Township, **Lancaster County**. Brownfield Science & Technology, 3157 Limestone Road, Cochranville, PA 19330, on behalf of Vallorbs Jewel Company and Steudler Real Estate II, both at 2599 Old Philadelphia Pike, Bird-in-Hand, PA 17505, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with TCE. The Report was approved by the Department on January 8, 2016.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

XTO Energy—Ernest Pierce #5 Site, Black Lick Township, **Indiana County**. ARCADIS U.S., Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090 on behalf of XTO Energy, Inc., 395 Airport Road, Indiana, PA 15701 submitted a Final Report concerning the remediation of site soil contaminated with brine from a storage tank release. The Final Report demonstrated attainment of the Site Specific standards for chlorides and a residential Statewide Health standard for all other constituents sampled for in soils and was approved by the Department on January 8, 2016.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications deemed administratively complete under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018-1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

Permit No. 100345 Delaware County Solid Waste Authority d/b/a Rolling Hills Landfill, 582 Longview Road Boyertown, PA 19512-7955. The application submitted is to renew the permit for Rolling Hills Landfill, which expires January 6, 2017. This application was deemed administratively complete by the Southcentral Regional Office on January 8, 2016. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP9-09-0069: Naceville Materials (2052 Lucon Road, Skippack, PA 19474) On January 11, 2016 to operate three diesel-fired internal combustion engines in West Rockhill, **Bucks County**.

GP3-09-0139: Naceville Materials (2052 Lucon Road, Skippack, PA 19474) On January 11, 2016 to operate a portable non-metallic mineral processing plant in West Rockhill, **Bucks County**.

GP2-23-0231: Baker Petrolite, LLC (301 Saville Avenue, Eddystone, PA 19022-1526) On January 11, 2016 for eleven (11) storage Tanks for Volatile Organic Liquids, in Eddystone Borough, **Delaware County**.

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

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648

GP15-41-592B: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570) on January 7, 2016, for the construction of an animal feed pellet mill line, consisting of a pellet mill, pellet cooler and various conveyors and bins, and for the installation of two cyclone separators for the control of PM emissions, pursuant to the General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-15): Feed Mills at its Muncy Mill located in Clinton Township, **Lycoming County**.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

GP5-63-00992: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 1, Suite 1600, Denver, CO 80202-2137) on December 30, 2015, to authorize the installation and operation of a natural gas compressor station consisting of twelve electric reciprocating compressors rated at 5,000 hp each; three tri ethylene glycol dehydrators (including flash tanks and reboilers) rated for 130 MMSCFs/day each and controlled by enclosed flares; one condensate stabilization train controlled by an enclosed process flare; and twelve storage tanks including two 500 bbls gunbarrel separator tanks, seven 400 bbls produced water/condensate tanks, and three 2,000 bbls condensate tanks all controlled by a vapor recovery unit. The facility will be authorized under GP-5 for natural gas compression, named Imperial-Cibus Ranch Compressor Station, and located in Robinson Township, **Washington County**. Pig launchers and receivers proposed to be constructed with this facility are to be controlled by a combination of depressurization to the station inlet and enclosed flaring.

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

Contact: Dave Balog, New Source Review Chief—
Telephone: 814-332-6940

GP5-24-129C: EQT Corporation Benezette Compressor Station (Quehanna Highway, Benezette, PA 15821) on January 5, 2016, for the authority to construct and/or operate a natural gas fired compressor engine (Caterpillar G399 TA HCR), 1.5 MMSCF/d capacity glycol dehydrator/reboiler, and associated storage tanks (BAQ-GPA/GP5) located at their facility in Benezette Township, **Elk County**.

GP5-43-375B: Hilcorp Energy Company Jefferson Montgomery Central Facility (Steister Rd, Mercer, PA 16137) on January 5, 2016, for the authority to construct and/or operate a natural gas fired compressor engine (Caterpillar G3508B), 17.5 mmscfs/d glycol dehydrator/reboiler, pipeline pigging operations, and associated storage tanks (BAQ-GPA/GP5) located at their facility in Jefferson Township, **Mercer 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.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

23-0003Z: Monroe Energy, LLC (4101 Post Road, Trainer, PA 19061) On January 11, 2016, for the for the construction of three (3) closed loop recirculating cooling towers at its refinery in Trainer Borough, **Delaware County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

36-05008I: Tyson Poultry Incorporated (403 South Custer Avenue, New Holland, PA 17557) on January 5, 2016, for the installation of a natural gas-fired 25.2 mmBtus/hr boiler for the poultry processing plant located in Earl Township, **Lancaster County**. The boiler will be used at the facility's waste water treatment plant where steam will be injected into the waste water treatment system during wintertime operations.

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

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

41-00047A: Wildwood Cemetery Co. (1151 Cemetery St. Williamsport, PA 17701-1605) on January 5, 2016, to construct a crematory unit at the Wildwood Cemetery facility located in Loyalsock Township, **Lycoming County**.

14-00003H: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) issued Plan Approval on January 5, 2016, for the construction of construction of two 2,000 kW's Cummins model DQKAE emergency generators powered by 2,922 brake-horsepower diesel-fired Cummins QSK60 engines and one Cummins model C25 D6 emergency generator powered by a 69 bhp Cummins 4BT3.3-G5 diesel-fired engine at the Data

Center at the University Park Campus located in College Township and State College Borough, **Centre County**.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

65-00596A: St. Clair Cemetery Association (944 St. Clair Way, Greensburg, PA 15601) On January 7, 2016 for the construction of an additional human crematory at the existing St. Clair Cemetery located in Hempfield Township, **Westmoreland County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

46-0049A: International Business Systems, Inc. (431 Yerkes Road, King of Prussia, PA 19406-3523) On December 28, 2015 for the manufacturing of manifold business forms in Upper Merion Township, **Montgomery County**.

15-0141: Tin Technology & Refinery, LLC (P. O. Box 369, Sadsburyville, PA 19369-0396) On January 11, 2016, to construction/installation of a tin processing and refining facility powered by natural gas and diesel-fired generator in West Goshen Township, **Chester County**.

46-0277: Lite Tech, Inc. (975 Madison Avenue, Norristown, PA 19403) On January 11, 2016 for a manufacturing process for lightweight X-ray protection aprons in Lower Providence Township, **Montgomery County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

22-05012C: ArcelorMittal Steelton, LLC (215 South Front Street, Steelton, PA 17113-2538) on January 6, 2016, for the construction of a natural gas-fired walking beam reheat furnace to replace three soaking pit batteries and a heated roller table at the steel manufacturing facility in Steelton Borough, **Dauphin County**. The plan approval was extended.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

63-00936F: MarkWest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202) on January 7, 2016, to extend the period of temporary operation of the Houston Gas Plant located in Chartiers Township, **Washington County**. The new expiration date is June 28, 2016.

65-00629A: CBC Latrobe Acquisition, LLC (100 33rd Street, Latrobe, PA 15650-1474) on January 7, 2016, to extend the temporary operation period for the wastewater pretreatment system to allow additional shake-down of the new sources at the Latrobe Brewery located

in in Latrobe Borough, **Westmoreland County**. The new expiration date is June 28, 2016.

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

23-00082: Liberty Electric Power, LLC (1000 Industrial Highway, Eddystone, PA 19022-1529) On January 11, 2016 for renewal of the Title V Operating Permit (TVOP) for its natural gas-fired electric power generating facility located in Eddystone Borough, **Delaware County**.

The Liberty Electric Power plant has a nominal power generation capacity of 500 MWs. The facility comprises two combustion turbines with duct burners for boosting the turbines' heat output and a cooling tower. Actual emissions from the facility of the following pollutants averaged over the past two years in tons per year were as follows: nitrogen oxides (NO_x)—150; volatile organic compounds (VOC)—15; carbon monoxide (CO)—68; particulate matter (PM/PM₁₀)—96; sulfur oxides (SO_x)—8; ammonia (NH₃)—48.

The proposed Title V Operating Permit renewal does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The facility is subject to 40 CFR Part 60 Subpart GG—Standards of Performance for Stationary Gas Turbines, 40 CFR Part 60 Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units 40 CFR Part 97—Federal NO_x Budget Trading Program and CAIR NO_x and SO₂ Trading Programs, and Title IV—Acid Rain. Applicable requirements of the Subparts are included in the Operating Permit. The Acid Rain permit issued under separate cover for the term January 1, 2015—December 31, 2019. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4150/5226

TVOP-11-00332 Cambria Cogen Company (243 Rubisch Road, Ebensburg, PA 15931) In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on January 4, 2016, DEP has issued a Title V Operating Permit to Northern Star Generation LLC for the continued operation of a waste coal-fired power plant, known as the Cambria Generation Facility, located in Cambria Township, **Cambria County**.

The facility is a waste coal-fired electrical power plant. The main sources at this facility are two (2) circulating fluidized bed (CFB) waste coal-fired boilers (Source IDs 031 and 032), with maximum fuel heat inputs of 630 MMBtus/hour, each, which power a single electrical generator. Net electrical output from the twin boiler system is 87-MW. Emissions from the CFB boilers are controlled by limestone fed into the fluidized bed to control sulfur dioxide (SO₂) emissions, low combustion temperatures and selective non-catalytic reduction systems (SNCR) to control NO_x emissions, coarse particulate cyclone separation with reinjection into the bed, followed by fabric

filters to control PM emissions and further control SO₂ emissions. Collection of SO₂ and acid gases, including hydrochloric acid and hydrofluoric acid, by calcium in the limestone, takes place in the boiler and downstream system. Supporting equipment at this site includes one, 98.38 MMBtus/hour, auxiliary NG-fired boiler, one, 210-bhp, emergency diesel firepump engine, coal and limestone processing, handling, and conveying equipment, an ash handling system, and plant roads.

DEP has also issued an Acid Rain Permit for this site. The Title IV Permit is included by reference in the Title V Operating Permit renewal.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code, Article III, Chapters 121—145.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920

09-00225: North Penn & North Wales Water Authority dba Forest Park Water, (144 Park Avenue, Chalfont, PA 18914-0317) On January 5, 2016, located in Chalfont, **Bucks County** for the issuance of an initial State Only (Synthetic Minor) Operating Permit No. 09-00225 for its water treatment plant. The facility's air emissions sources consist of three stationary reciprocating internal combustion engines (RICE) to power three emergency generators. The Nitrogen Oxide emissions from these stationary RICE will not exceed 11.0 tons per year. The operating permit also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the sources and facility operating within all applicable air quality requirements.

09-00022: Cleveland Steel Container Corporation (350 Mill Street, Quakertown, PA 18951) On January 11, 2015, located in Quakertown Borough, **Bucks County**. This action is a renewal of a Synthetic Minor Operating Permit. The facility's emission points include a pail line spray coating line, a roller coater, two (2) curing ovens, and one (1) lithographic printing press. Volatile Organic Compound (VOC) emissions from the pail line coating process are controlled by a Regenerative Thermal Oxidizer and VOC emissions from the roller coating process are controlled by a Catalytic Incinerator. The facility elects to limit facility-wide VOC emissions to less than 25 tons per year; therefore, the facility is considered a Synthetic Minor for criteria pollutants and an area source of Hazardous Air Pollutant (HAP) emissions. There are no new sources at the facility; however, the requirements of 25 Pa. Code § 129.77 apply to adhesives used when gluing a rubber gasket onto pail lids which has been addressed with this renewal permit in Source ID 109 (Adhesives). The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

48-00104: Kranos Corporation (710 Industrial Drive, Litchfield, IL 62056) issued on 01/05/2016, for the operation of a sports and athletic reconditioning facility in Palmer Township, **Northampton County**. The sources consist of four (4) manual spray booths and five (5) automated spray booths. The particulate emissions are controlled by nine (9) dry filters. This is a new State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

Contact: *Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702*

07-05021: Albemarle Corp. (2858 Back Vail Road, Tyrone, PA 16686-8100) on January 5, 2016, for the chemical manufacturing facility located in Tyrone Borough, **Blair County**. The State-only permit was renewed.

22-03028: Linda B. Corson (885 Allegheny Street, Dauphin, PA 17018-8905) on January 5, 2016, for the animal cremation unit at the facility located in Middle Paxton Township, **Dauphin County**. The State-only permit was renewed.

06-05153: Evergreen Community Power LLC (720 Laurel Street, Reading, PA 19602) on January 4, 2016, for the biomass-fired electric generating facility located in Reading City, **Berks County**.

06-05068: Reading Terminals DE LLC (PO Box 2621, Harrisburg, PA 17105-2621) on January 5, 2016, for the petroleum products distribution terminal located in Sinking Spring Borough, **Berks County**. The State-only permit was renewed.

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

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

59-00018: Hanson Aggregates Pennsylvania LLC (7660 Imperial Way, Allentown, PA 18195) on January 5, 2016, was issued a renewal state only "synthetic minor" operating permit for its Blossburg Quarry located in Liberty Township, **Tioga County**. The facility's main sources include crushing and screening operations as well as three diesel-fired generators at the facility. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

19-00010: Wise Foods, Inc. (228 Raseley Street, Berwick, PA 18603) on December 23, 2015, was issued a renewal State Only (Synthetic minor) operating permit for their Berwick plant located in Berwick Borough, **Columbia County**. The facility's main sources include three (3) potato chip manufacturing lines, seven (7) related snack food manufacturing lines, 71 combustion units and six (6) process ovens. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

08-00006: General Electric Railcar Repair Services Corporation (North Thomas Avenue, Sayre, PA 18840),

was issued a State Only operating permit on December 18, 2015, for their railcar repair facility located in Sayre Borough, **Bradford County**. The facility's main sources include a railcar painting operation, steam cleaning operation, two parts washer and small natural gas fired combustion sources. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

17-00040: Moshannon Valley School District (4934 Green Acre Road, Houtzdale, PA 16651-9424) was issued a State Only (Synthetic Minor) Operating Permit for their elementary and Junior/Senior High School facility located in Bigler Township, **Clearfield County** on January 5, 2016. The facility's sources include boilers, water heaters, and generator-engines. The State Only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: *Tom Joseph, Permitting Chief—Telephone: 412-442-5226*

65-00280: Kalumetals, Inc. (P. O. Box 455 Latrobe, PA 15650), On January 7, 2016, the Department issued a facility-wide Natural Minor Operating Permit renewal, for the operation of a specialty metals reclamation plant, known as the Derry Plant, located in Derry Township, **Beaver County**.

The facility contains air contamination sources consisting of two furnaces. Air pollution prevention equipment at the facility consists of a thermal oxidizer. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145.

No emission or equipment changes have been approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 25 Pa. Code, Article III, Chapters 121—145.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: *Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

46-00033: Waste Management Disposal Services of PA, (WMDSPI), (1425 Sell Road, Pottstown, PA 19464) January 11, 2015 submitted to the DEP a Minor Modification application for the removal of turbine No. 2. Pottstown Landfill, a closed landfill, is a Title V Facility. The turbine is being decommissioned in response to Landfill Gas (LFG) flows which have declined significantly and no longer support continued turbine operation. The collected LFG will continue to be controlled via existing flares #2 and #3 and planned flare #4 which have more than sufficient capacity to handle all the gas. No increase in potential or actual emissions will result from this modification. Pottstown Landfill is still subject to all applicable regulations in their Title V Operating Permit and will keep the facility operating within all applicable State and Federal air quality requirements.

46-00107: ITW Engineered Polymers formerly known as ITW Philadelphia Resins (130 Commerce Drive, Montgomeryville, PA 18936). On January 5, 2015 the issued State Only Operating Permit has been amended to identify a change of the Responsible Official identified in the permit and to change the name of the company on the title/cover page of the permit.

46-00005: Merck & Company (770 Sumneytown Pike, West Point, PA 19486-0004) On January 11, 2016 located in Upper Gwynedd Township, **Montgomery County**. This amendment is to incorporate plan approvals 46-0005AL (RKI, compliance with 40 CFR 62, Subpart HHH) and 46-0005AO (Two Peaking generators—Sources 763 and 764), correct several typographical errors, and addresses the permanent removal of the following previously permitted sources: 207 (3 Acella Coating Pans), 322 (B69 Film Coating Suspension Prep), 324 (Process Rooms) 325 (B69 Vacuum System), and Sources 362, 363, 365, and 366 (Glatt columns 2, 3, 4 and 5, respectively). Administrative Amendment and modification of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.450 and 127.462.

23-00017. Exelon Generation Co. Eddystone Generating Station. (One Industrial Highway, Eddystone, PA, 19022) On January 11, 2015 for operation of their electric utility steam generating units in Eddystone Borough, **Delaware County**. This amendment changes the compliance date requirement for the three auxiliary boilers (Sources 034, 035 and 036) to match the changes made in the underlying federal regulation (40 CFR 63.7510(e)). The federal regulation has been rewritten to allow an extra 180 days for testing after the compliance date of January 31, 2016. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702

01-05018: McClarin Plastics LLC (15 Industrial Drive, Hanover, PA 17331-9530) on January 7, 2016, for the thermo-formed plastic and fiberglass reinforced plastic products manufacturing facility located in Conewago Township, **Adams County**. The State-only permit was administratively amended in order to reflect a change of ownership.

36-03046: Packaging Corp of America (1530 Fruitville Pike, Lancaster, PA 17601-4006) on January 5, 2016, for the cardboard container manufacturing facility located in Lancaster City, **Lancaster County**. The State-only permit underwent a minor modification to change the boiler backup fuel supply from #4 oil to #2 oil.

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940

20-00094: Ainsworth Pet Nutrition LLC (18746 Mill Street, Meadville, PA 16335-3644). On January 5, 2016 issued an administrative amendment to the Natural

Minor Operating Permit to incorporate the change of Responsible Official and Permit Contact for the State Operating Permit.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To renew the NPDES permit for the Cumberland Mine in Center, Greene, Franklin, Whiteley, Wayne, and Perry Townships, **Greene County**. No additional discharges. The application was considered administratively complete on February 4, 2013. Application received October 9, 2012. NPDES Permit issued January 5, 2016.

30831303 and NPDES No. PA0013511. Cumberland Coal Resources, LP, (158 Portal Road, PO Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Whiteley Township, **Greene County** and related NPDES permit to expand Slope No. 3 and add NPDES Outfall No. 038. 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. Surface Acres Proposed 84.05. Receiving Stream: Unnamed Tributary to Patterson Creek, classified for the following use: TSF. The application was considered administratively complete on June 12, 2014. Application received April 15, 2014. Permit issued January 5, 2016.

56121301 and NPDES No. PA0236152. AK Coal Resources, Inc., (1134 Stoystown Road, Friedens, PA 15541). To revise the permit for the North Fork Mine in Jenner and Quemahoning Townships, **Somerset County** and related NPDES permit to add underground permit and subsidence control plan acres. Underground Acres Proposed 2,775.3, Subsidence Control Plan Acres Proposed 2,775.3. No additional discharges. The application was considered administratively complete on June 25, 2015. Application received April 17, 2015. Permit issued January 4, 2016.

56121301 and GP12-56121301-R3. AK Coal Resources, Inc., (1134 Stoystown Road, Friedens, PA 15541). To operate the North Fork Mine in Jenner Township, **Somerset County** to establish an emission inventory for coal handling based on maximum total annual raw coal throughput at the facility of 800,000 tons per calendar year. Emission sources consist of unpaved roads, storage piles, drop operation, truck loading and screening activities. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56121301-R3. The application was considered administratively complete on October 9, 2015. Application received October 1, 2015. Permit issued January 4, 2016.

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

Permit No. 11100101 and NPDES No. PA0262986, Rampside Collieries, Inc., 527 Slate Hill Road, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface mine in Richland Township, **Cambria County**, affecting 14.0 acres. Receiving streams: unnamed tributaries to/and Solomon Run classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 4, 2015. Permit Issued: January 6, 2016.

Permit No. 56110104 and NPDES No. PA0263206. Wilson Creek Energy, LLC, 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface & Auger mine to change the land use from woodland to pastureland in Jenner Township, **Somerset County**, affecting 132.5 acres. Receiving streams: unnamed tributaries to/and Hoffman run classified for the following uses: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority, Quemahoning Reservoir. Application received: October 19, 2015. Permit Issued: January 7, 2016.

Permit No. 05070101 and NPDES No. PA0262544. J&J Svonavec Excavating, Inc., 618 Samuels Road, Somerset, PA 15501, renewal for the continued operation and restoration of a bituminous surface mine in Broad Top Township, **Bedford County**, affecting 110 acres. Receiving streams: Brewster hollow Run for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is Saxton Municipal water Authority at Saxton, PA on the Raystown Branch of the Juniata River. Application received: May 18, 2015. Permit Issued: January 7, 2016.

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

17110110 and NPDES PA0257834. Larry D. Baumgardner Coal Company, Inc. (P. O. Box 186, Lanse, PA 16849). Permit revision in change of land use from forestland to unmanaged natural habitat to an existing bituminous surface mine in Boggs Township, **Clearfield County** affecting 32.9 acres. Receiving stream(s): Unnamed Tributary to Laurel Run classified for CWF and Unnamed Tributary to Simeling Run classified for CWF, Class A Wild Trout Stream. There are no potable water supply intakes within 10 miles downstream. Application received: November 9, 2015. Permit issued: January 4, 2016.

17990102 and NPDES PA0238236. RES Coal LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Transfer of an existing bituminous surface coal and auger mine from River Hill Coal Company, Inc. located in Decatur Township, **Clearfield County** affecting 344.2 acres. Receiving stream(s): Unnamed Tributary to Shimel Run and Little Laurel Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 15, 2015. Permit issued: January 4, 2016.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500

65020101 and NPDES Permit No. PA025082. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Permit transfer from AMFIRE Mining Co., LLC and renewal issued for reclamation only to an existing bituminous surface mine, located in Unity Township, **Westmoreland County**, affecting 68 acres. Receiving stream: unnamed tributary to Nine Mile Run. Transfer application received: December 31, 2014. Transfer and Renewal permit issued: January 4, 2016.

03830116 and NPDES Permit No. PA0499727. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Permit revision issued for a land use change from forestland to unmanaged natural habitat to an existing bituminous surface mine, located in Kittanning Township, **Armstrong County**, affecting 830 acres. Receiving streams: unnamed tributaries to Mill Run. Application received: May 15, 2015. Renewal permit issued: January 8, 2016.

Noncoal Permits Issued

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

Permit No. 21140301 and NPDES No. PA0594296. Hempt Bros., Inc., 205 Creek Road, P. O. Box 278, Camp Hill, PA 17001, commencement, operation and restoration of a large noncoal (industrial minerals) operation in Silver Spring Township, **Cumberland County** affecting 283.7 acres. Receiving stream: unnamed tributary to Hogestown Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 18, 2015. Permit Issued: December 21, 2015.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E04-348, Municipal Authority of Borough of West View, 210 Perry Highway, Pittsburgh, PA 15229, Baden Borough and Economy Borough, **Beaver County**, ACOE Pittsburgh District.

Has been given consent to:

1. Construct, operate and maintain a raw water intake structure in the Ohio River (WWF), construct, operate and maintain a pump station building, construct and maintain a 100 linear foot retaining wall, and place and maintain 13,935 square feet of floodplain fill along the Ohio River at river mile 20.2 in Baden Borough (Baden, PA USGS topographic quadrangle; Latitude: 40° 38' 28"; Long: -80° 14' 5.8"), Beaver County.

2. Place and maintain fill in approximately 0.04 acre of wetlands and 850 linear feet of unnamed tributaries to Tevebau Run (WWF) for the purpose of constructing a water treatment plant in Economy Borough (Mars, PA USGS topographic quadrangle; Latitude: 40° 39' 31.6"; Longitude: -80° 13' 15.1"), Beaver County.

3. The project will also include 33 utility line stream crossings of Tevebau Run (WWF), UNT to Tevebau Run (WWF), Crows Run (WWF), UNT to Crows Run (WWF), UNT to North Fork Big Sewickley Creek (TSF), UNT to Brush Creek (WWF), and one (1) drain line outfall structure to Tevebau Run (WWF), and three (3) wetland crossings to install a raw water line, drain line, and a finished water line. Cumulatively, the water and drain line installations will impact 827 linear feet of stream,

and 0.28 acre of wetlands which will be restored to existing conditions following construction.

As compensatory mitigation for permanent wetland and stream impacts associated with the water treatment plant, a 0.079 acre wetland mitigation area will be constructed at the proposed water treatment plant site, several riparian buffer areas will be enhanced with native trees and shrubs, 150 linear feet of eroded stream bank will be stabilized with instream structures, and 869 linear feet of stream banks will be stabilized with rip-rap and vegetative plantings.

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA

E4129-101: Regency Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Cummings Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) one 8-inch gas pipeline and a timber mat bridge impacting 48 linear feet of First Fork Larrys Creek (EV) and 102 square feet of adjacent palustrine forested (PFO) wetlands. (Waterville, PA Quadrangle 41°20'39"N 77°18'06"W).

The project will result in a total of 48 linear feet of stream impacts and 0.002 acre of wetland impacts all for the purpose of installing natural gas gathering line and access roadway to a natural gas well site for Marcellus well development.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESG15-019-0049—Christensen Gas Pipeline
Applicant Mountain Gathering LLC
Contact Dewey Chalos
Address 810 Houston St.
City Fort Worth State TX Zip Code 76102
County Butler Township(s) Jefferson
Receiving Stream(s) and Classification(s) UNT to Thorn Creek (CWF) and Thorn Creek (CWF)/Connoquenessing Creek

ESCGP-2 #ESX15-073-0009—North Beaver-NCDC to McClelland Gathering Line
Applicant Hilcorp Energy Co.
Contact Stephanie McMurray
Address 1201 Louisiana Street Ste. 1400
City Houston State TX Zip Code 77002
County Lawrence Township(s) North Beaver
Receiving Stream(s) and Classification(s) UNT to Mahoning River.

ESCGP-2 #ESG15-019-0052—Allen Well Pad
Applicant XTO Energy, Inc.
Contact Melissa Breitenbach
Address 190 Thorn Hill Road
City Warrendale State PA Zip Code 15086
County Butler Township(s) Clearfield
Receiving Stream(s) and Classification(s) Trib to North Branch Rough Run HQ-TSF, Trib to Buffalo Creek HQ-TSF, Buffalo Creek Watershed

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESX11-117-0135(01)
Applicant Name SWEPI LP
Contact Person Jason Shoemaker
Address 2100 Georgetown Dr, Suite 400
City, State, Zip Sewickley, PA 15143
County Tioga
Township(s) Liberty
Receiving Stream(s) and Classification(s) Brion Creek (EV)

ESCGP-2 # ESX12-027-0001(01)
Applicant Name Anadarko E&P Onshore LLC
Contact Person Rane Wilson
Address 33 W Third St, Suite 200
City, State, Zip Williamsport, PA 17701
County Centre
Township(s) Boggs
Receiving Stream(s) and Classification(s) UNTs to Council Run (CWF)
Secondary—Council Run (HQ-CWF)

ESCGP-2 # ESX29-115-15-0017(01)
Applicant Name Williams Field Services Co LLC
Contact Person Josh Henry
Address 2000 Commerce Dr
City, State, Zip Pittsburgh, PA 15275
County Susquehanna
Township(s) Harford
Receiving Stream(s) and Classification(s) Butler Creek (CWF-MF); UNTs to Butler Creek (CWF-MF); Nine Partners Creek (CWF-MF); UNTs to Nine Partners Creek (CWF-MF)

SPECIAL NOTICES

Minor State Only Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief of Source Registration, 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) issued a Minor State Only Operating Permit for the following facility:

S14-022: Albert Einstein Medical Center (5501 Old York Road, Philadelphia, PA 19141), for the operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three 300 HP (10 MMBTUs/hr) boilers that firing natural gas or No. 6 fuel oil, one (1) 900 HP boiler (30.1 MMBTUs/hr) boiler equipped with low NO_x burner firing natural gas or No. 6 fuel oil, one (1) 1,225 kW peak shaking generator (G02) firing natural gas which is allowed to operate as an emergency generator, one (1) 1,225 kW natural gas fired emergency generator (G01), and nine (9) emergency generators rated 800 kW or less firing diesel or No. 2 fuel oil.

Intent to Issue Plan Approval—IPAOP

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

AMS 15256: (Cintas Corporation, 4700 Jefferson Street, Philadelphia, PA 19131) for installation of nine (9) washers each with a capacity of 563 lbs/batch, five (5) dryers 500 lbs/batch each, one 155 lbs/batch pony dryer, a waste water treatment, a Steam Tunnel, and a 5.4 MMBTUs/hr boiler firing natural gas. There will be a potential emission increase of nine (9) tons of Volatile organic compound (VOC) per year for the facility. The plan approval will contain operating, monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 15256: (Cintas Corporation, 10080 Sandmeyer Lane, Philadelphia, PA 19116) for installation of seven (7) washers each with a capacity of 500 lbs/batch, four (4) dryers 500 lbs/batch each, one 155 lbs/batch pony dryer, a waste water treatment, a Steam Tunnel, and a 8.3 MMBTUs/hr boiler firing natural gas. There will be a potential emission increase of nine (9) tons of Volatile organic compound (VOC) per year for the facility. The plan approval will contain operating, monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

[Pa.B. Doc. No. 16-114. Filed for public inspection January 22, 2016, 9:00 a.m.]

Aggregate Advisory Board Meeting Change

The Aggregate Advisory Board meeting originally scheduled for Wednesday, February 3, 2016, is rescheduled for Thursday, February 18, 2016, at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the meeting can be directed to Daniel E. Snowden, DEd, Bureau of Mining Programs, (717) 783-8846, dsnowden@pa.gov. The agenda for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's

(Department) web site at www.dep.state.pa.us (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd at (717) 783-8846 through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-115. Filed for public inspection January 22, 2016, 9:00 a.m.]

Small Water Systems Technical Assistance Center Board Meeting Cancellation

The January 28, 2016, meeting of the Small Water Systems Technical Assistance Center Board (Board) has

been cancelled. The next Board meeting is scheduled for Tuesday, February 23, 2016, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8467.

Questions concerning the cancellation of the January 28, 2016, meeting or the February 23, 2016, meeting should be directed to Dawn Hissner, Bureau of Safe Drinking Water, (717) 772-2189, dhissner@pa.gov. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Dawn Hissner at (717) 772-2189, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users), to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-116. Filed for public inspection January 22, 2016, 9:00 a.m.]

Stream Redesignation Evaluation of Hosensack Creek, Beaver Run, Fireline Creek, Salt Lick Run, Council Run, UNT to Bradley Run, Gap Run, UNT to Lehigh River "Nis Hollow" and Potter Run; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream section listed to determine the proper aquatic life use designation in the Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Hosensack Creek, Basin	Montgomery, Lehigh	Perkiomen Creek
Beaver Run, Basin	Carbon	Lehigh River
Fireline Creek, Basin	Carbon	Lehigh River
Salt Lick Run, Basin	Centre	Beech Creek
Council Run, Basin	Centre	Beech Creek
UNT to Bradley Run, Basin	Cambria	Bradley Run
Gap Run, Basin	Centre	Logan Branch
UNT to Lehigh River "Nis Hollow"	Carbon	Lehigh River
Potter Run, Basin	Centre	Sinking Creek

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in the assessment. These assessments may lead to recommendations to the Environmental Quality Board for redesignation.

Data should be submitted to Mark Brickner, Division of Water Quality Standards, Bureau of Point and Non-Point Source Management, P. O. Box 8774, Harrisburg, PA 17105-8774, mbrickner@pa.gov. Data should be submitted within 30 days of this notice. Questions concerning this evaluation can be directed to Mark Brickner at (717) 787-9637.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Mark Brickner directly at (717) 783-9719 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-117. Filed for public inspection January 22, 2016, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Office Space to the Commonwealth Philadelphia County

Proposers are invited to provide the Department of General Services with 21,105 usable square feet of office space for the State Police in Philadelphia County. For more information on SFP No. 94784, which is due on Friday, February 19, 2016, visit www.dgs.state.pa.us or contact David Weyandt, (717) 525-5255, daweyandt@pa.gov.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-118. Filed for public inspection January 22, 2016, 9:00 a.m.]

Lease Retail Space to the Commonwealth Montgomery County

Proposers are invited to provide a proposal to the Department of General Services for 6,000 to 8,000 net usable square feet of retail space for the Liquor Control Board in Harleysville, Montgomery County, due on or before 3 p.m. on January 22, 2016. For more information on SFP No. 94786, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-119. Filed for public inspection January 22, 2016, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Devon Manor
235 Lancaster Avenue
Devon, PA 19333
FAC ID # 014202

Donahoe Manor
136 Donahoe Manor Road
Bedford, PA 15522
FAC ID # 040402

ManorCare Health Services—Bethel Park
60 Highland Drive
Bethel Park, PA 15102
FAC ID # 138802

ManorCare Health Services—Dallastown
100 West Queen Street
Dallastown, PA 17313
FAC ID # 900802

ManorCare Health Services—Erie
3805 Field Street
Erie, PA 16511
FAC ID # 200602

ManorCare Health Services—Greentree
1848 Greentree Road
Pittsburgh, PA 15220
FAC ID # 381502

ManorCare Health Services—Whitehall Borough
505 Weyman Road
Pittsburgh, PA 15236
FAC ID # 10230200

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) and (k) (relating to electric requirements for existing and new construction):

Broomall Presbyterian Village
146 Marple Road
Broomall, PA 19008
FAC ID # 283202

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the 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 these exception requests 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 requests 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).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-120. Filed for public inspection January 22, 2016, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Unemployment Compensation; Table Specified for the Determination of Rate and Amount of Benefits

The purpose of this notice is to announce the Table Specified for the Determination of Rate and Amount of Benefits (Table) and the maximum weekly benefit rate for 2016.

The Table, in section 404(e)(1) of the Unemployment Compensation Law (law) (43 P. S. § 804(e)(1)), was amended by the act of June 12, 2012 (P. L. 577, No. 60) (Act 60). Under sections 18 and 20 of Act 60, the amended Table was effective January 1, 2013, and applies to benefit years that begin on or after that date.

As enacted, the amended Table establishes a maximum weekly benefit rate of \$573. Section 404(e)(2)(i) of the law provides that the Table shall be extended or contracted annually to the point where the maximum weekly benefit rate for a calendar year equals 66 2/3% of the average weekly wage for the 36-month period ending on the previous June 30. However, section 404(e)(2)(iii) of the law, as amended by Act 60, contains limitations on the growth of the maximum weekly benefit rate. Section 404(e)(2)(iii) of the law provides that the maximum weekly benefit rate for 2013 through 2019 may not exceed \$573. Therefore, the Department of Labor and Industry is not extending the Table for 2016, and the maximum weekly benefit rate will remain at \$573.

The Table, as amended by Act 60, was published at 43 Pa.B. 378 (January 19, 2013) and is codified in Appendix A to 34 Pa. Code Chapter 65 (relating to employee provisions). Under section 201(a) of the law (43 P.S. § 761(a)), section 404(e)(2) of the law and 34 Pa. Code § 65.111 (relating to benefit table), the Table in Appendix A to 34 Pa. Code Chapter 65 is being adopted by this notice for 2016.

Questions concerning this notice should be directed to Kevin M. Cicak, Deputy Secretary for Unemployment Compensation Programs, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121.

KATHY M. MANDERINO,
Secretary

[Pa.B. Doc. No. 16-121. Filed for public inspection January 22, 2016, 9:00 a.m.]

DEPARTMENT OF REVENUE

7-11-21® '16 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 7-11-21® '16.

2. *Price:* The price of a Pennsylvania 7-11-21® '16 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania 7-11-21® '16 instant lottery game ticket will contain one play area consisting of "GAME 1," "GAME 2," "GAME 3" and "GAME 4." Each "GAME" is played separately. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), a 7 (SEVEN) symbol, an 11 (ELEVN) symbol and a 21 (TWONE) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: Free (TICKET), \$1^{.00} (ONE DOL), \$2^{.00} (TWO DOL), \$3^{.00} (THR DOL), \$5^{.00} (FIV DOL), \$7^{.00} (SVN DOL), \$10^{.00} (TEN DOL), \$11^{.00} (ELEVN), \$21^{.00} (TWY ONE), \$42^{.00} (FRY TWO), \$50^{.00} (FIFTY), \$70^{.00} (SEVENTY), \$100 (ONE HUN), \$210 (TWOHUNTN), \$700 (SVN HUN) and \$7,000 (SVN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$3, \$5, \$7, \$10, \$11, \$21, \$42, \$50, \$70, \$100, \$210, \$700 and \$7,000. The player can win up to 4 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania 7-11-21® '16 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$7,000 (SVN THO) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$7,000.

(b) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$700 (SVN HUN) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$700.

(c) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$210 (TWOHUNTN) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$210.

(d) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$70^{.00} (SEVENTY) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$70.

(f) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$50^{.00} (FIFTY) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$42^{.00} (FRY TWO) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$42.

(h) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$21^{.00} (TWY ONE) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$21.

(i) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$11^{.00} (ELEVN) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$11.

(j) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$10^{.00} (TEN DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$7^{.00} (SVN DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$7.

(l) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “PRIZE” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “PRIZE” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$3.

(n) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “PRIZE” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets upon which any one of the play

symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “PRIZE” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$1.

(p) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWONE), and a prize symbol of FREE (TICKET) appears in the “PRIZE” area for that “GAME,” on a single ticket, shall be entitled to a prize of one Pennsylvania 7-11-21® ’16 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal a 7, 11 or 21 In Any Game, Win Prize Shown For That Game. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
FREE	FREE \$1 TICKET	10.34	1,044,000
\$1	\$1	100	108,000
\$1 × 2	\$2	50	216,000
\$2	\$2	30	360,000
\$1 × 3	\$3	200	54,000
\$3	\$3	200	54,000
(\$2 × 2) + \$1	\$5	600	18,000
\$3 + \$2	\$5	600	18,000
\$5	\$5	214.29	50,400
(\$2 × 3) + \$1	\$7	150	72,000
\$5 + \$2	\$7	150	72,000
\$7	\$7	150	72,000
\$5 × 2	\$10	1,000	10,800
(\$3 × 3) + \$1	\$10	1,000	10,800
\$10	\$10	750	14,400
(\$3 × 3) + \$2	\$11	1,000	10,800
(\$5 × 2) + \$1	\$11	1,000	10,800
\$11	\$11	750	14,400
\$7 × 3	\$21	1,500	7,200
(\$10 × 2) + \$1	\$21	1,500	7,200
\$11 + \$10	\$21	1,500	7,200
\$21	\$21	750	14,400
\$21 × 2	\$42	4,000	2,700
\$42	\$42	4,000	2,700
\$42 + \$21 + \$5 + \$2	\$70	4,800	2,250
\$70	\$70	4,800	2,250
(\$42 × 2) + \$11 + \$5	\$100	16,000	675
(\$10 × 3) + \$70	\$100	16,000	675
\$100	\$100	16,000	675
(\$100 × 2) + (\$5 × 2)	\$210	240,000	45
(\$50 × 2) + \$100 + \$10	\$210	240,000	45
\$210	\$210	240,000	45
(\$210 × 3) + \$70	\$700	240,000	45
\$700	\$700	240,000	45
\$7,000	\$7,000	1,080,000	10

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 Program for retailers who sell Pennsylvania 7-11-21® ’16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000.

Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania 7-11-21[®] '16, prize money from winning Pennsylvania 7-11-21[®] '16 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 7-11-21[®] '16 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.

12. *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.

13. *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 7-11-21[®] '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-122. Filed for public inspection January 22, 2016, 9:00 a.m.]

Pennsylvania \$3,000,000 Extreme Green 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 \$3,000,000 Extreme Green.

2. *Price*: The price of a Pennsylvania \$3,000,000 Extreme Green instant lottery game ticket is \$30.

3. *Play Symbols*: Each Pennsylvania \$3,000,000 Extreme Green instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a separate "FAST CASH BONUS" area. The "FAST CASH BONUS" area is played separately. The play symbols and their captions printed in green ink and located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26

(TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions printed in black ink and located in the "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), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions printed in green ink and located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 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), 10X (10TIMES) symbol, EXTREME (EXTGRN) symbol and a \$3 MILLION (\$3MIL). The play symbols and their captions printed in black ink and located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions printed in green ink and located in the "FAST CASH BONUS" area are: BAR (TRY AGAIN) symbol, Bell (NO BONUS) symbol, Chest (TRY AGAIN) symbol, Safe (NO BONUS) symbol, Star (TRY AGAIN) symbol, Horseshoe (NO BONUS) symbol, Crown (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Diamond (NO BONUS) symbol and a Double Money Bag (DOUBLE) symbol. The play symbols and their captions printed in black ink and located in the "FAST CASH BONUS" area are: BAR (TRY AGAIN) symbol, Bell (NO BONUS) symbol, Chest (TRY AGAIN) symbol, Safe (NO BONUS) symbol, Star (TRY AGAIN) symbol, Horseshoe (NO BONUS) symbol, Crown (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Diamond (NO BONUS) symbol and a Money Bag (MNYBAG) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$300 (THR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$50,000 (FTY THO) \$250,000 (TWHNFYTH) and \$3MILL (THR MIL). The prize symbols and their captions located in the "FAST CASH BONUS" area are: \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: \$30, \$40, \$50, \$100, \$200, \$300, \$500, \$1,000, \$50,000, \$250,000 and \$3,000,000. The prizes that can be won in the "Fast Cash Bonus" area are: \$30, \$50, \$100, \$200, \$500 and \$2,000. A player can win up to 25 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania \$3,000,000 Extreme Green instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$3MILL (THR MIL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$3,000,000. This prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$3 MILLION (\$3MIL) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$3MILL (THR MIL) appears under that \$3 MILLION (\$3MIL) symbol, on a single ticket, shall be entitled to a prize of \$3,000,000. This prize shall be paid as a one-time, lump-sum cash payment.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$250,000 (TWHNFYTH) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$50,000 (FTY THO) appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, 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 \$5,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, 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 \$2,500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(k) Holders of tickets upon which a Double Money Bag (DOUBLE) symbol, with the symbol and caption printed in green ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Double Money Bag (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1,000 (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.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$1,000 (ONE THO) appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, 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 \$1,000.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$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.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$500 (FIV HUN) appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, 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 \$500.

(t) Holders of tickets upon which a Money Bag (MNYBAG) symbol, with the symbol and caption printed in black ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$500.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$300 (THR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$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.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$200 (TWO HUN) appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$200.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(z) Holders of tickets upon which a Money Bag (MNYBAG) symbol, with the symbol and caption printed

in black ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$200.

(aa) Holders of tickets upon which a Double Money Bag (DOUBLE) symbol, with the symbol and caption printed in green ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Double Money Bag (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in green ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$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.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$100 (ONE HUN) appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(ee) Holders of tickets upon which a Money Bag (MNYBAG) symbol, with the symbol and caption printed in black ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$100.

(ff) Holders of tickets upon which a Double Money Bag (DOUBLE) symbol, with the symbol and caption printed in green ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under that Double Money Bag (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(gg) Holders of tickets upon which a Double Money Bag (DOUBLE) symbol, with the symbol and caption printed in green ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "prize" area under that Double Money Bag (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$60.

(hh) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(ii) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$50⁰⁰ (FIFTY)

appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(jj) Holders of tickets upon which a Money Bag (MNYBAG) symbol, with the symbol and caption printed in black ink, appears in the "FAST CASH BONUS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under that Money Bag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$50.

(kk) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$40⁰⁰ (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.

(ll) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$40⁰⁰ (FORTY)

appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(mm) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols, with the symbol and caption printed in black ink, matches any of the "WINNING NUMBERS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(nn) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is an EXTREME (EXTGRN) symbol, with the symbol and caption printed in green ink, and a prize symbol of \$30⁰⁰ (THIRTY) appears under that EXTREME (EXTGRN) symbol, on a single ticket, shall be entitled to a prize of \$30.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$30 w/ EXTREME	\$30	500,000
\$30	\$30	300,000
\$40 w/ EXTREME	\$40	300,000
\$40	\$40	200,000
\$50 w/ MONEY BAG	\$50	200,000
\$50 w/ EXTREME	\$50	200,000
\$50	\$50	200,000
\$50 × 2	\$100	40,000
\$40 + (\$30 w/ DOUBLE MONEY BAG)	\$100	60,000
\$100 w/ MONEY BAG	\$100	20,000
(\$50 w/ EXTREME) × 2	\$100	40,000
\$100 w/ EXTREME	\$100	20,000
\$100	\$100	40,000
(((\$50 × 2) + (\$50 w/ DOUBLE MONEY BAG))	\$200	4,000
(((\$50 × 2) + (\$100 w/ MONEY BAG))	\$200	1,500
\$50 × 4	\$200	1,750
\$100 + (\$50 w/ DOUBLE MONEY BAG)	\$200	2,500
(\$100 + \$50 + (\$50 w/ MONEY BAG))	\$200	1,750
\$40 w/ GREEN MATCH	\$200	1,750
(((\$30 w/ GREEN MATCH) + (\$50 w/ MONEY BAG))	\$200	6,000
\$200 w/ EXTREME	\$200	1,750
\$200	\$200	1,750
(((\$30 × 10) + (\$100 w/ DOUBLE MONEY BAG))	\$500	2,000
(\$40 × 10) + (\$50 W/ DOUBLE MONEY BAG)	\$500	2,000
\$50 × 10	\$500	1,000
(\$50 × 5) + ((\$50 w/ MONEY BAG × 5))	\$500	2,000
\$100 × 5	\$500	1,000
(\$100 × 3) + (\$100 w/ DOUBLE MONEY BAG)	\$500	2,000
(\$200 × 2) + (\$100 w/ MONEY BAG)	\$500	500
\$100 + ((\$200 w/ MONEY BAG × 2)	\$500	2,000

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets:
(\$40 × 5) + (\$30 × 10)	\$500	12,000	500
(\$100 × 2) + \$300	\$500	12,000	500
(\$50 w/ GREEN MATCH) × 2	\$500	3,000	2,000
\$100 w/ GREEN MATCH	\$500	6,000	1,000
\$50 w/ 10X	\$500	1,600	3,750
\$500 w/ EXTREME	\$500	6,000	1,000
\$500	\$500	8,000	750
\$40 × 25	\$1,000	12,000	500
\$50 × 20	\$1,000	24,000	250
(\$50 × 10) + (\$500 w/ MONEY BAG)	\$1,000	24,000	250
\$100 × 10	\$1,000	12,000	500
(\$200 × 3) + ((\$50 w/ MONEY BAG) × 4)	\$1,000	12,000	500
\$500 × 2	\$1,000	12,000	500
\$500 + ((\$100 w/ MONEY BAG) × 5)	\$1,000	24,000	250
(\$50 w/ GREEN MATCH) × 4	\$1,000	12,000	500
\$200 w/ GREEN MATCH	\$1,000	12,000	500
\$100 w/ 10X	\$1,000	4,800	1,250
(\$500 w/ EXTREME) × 2	\$1,000	24,000	250
\$1,000 w/ EXTREME	\$1,000	24,000	250
\$1,000	\$1,000	12,000	500
(((\$500 w/ GREEN MATCH) × 16) + ((\$1,000 w/ DOUBLE MONEY BAG) × 5))	\$50,000	1,000,000	6
(\$1,000 w/ GREEN MATCH) × 10	\$50,000	2,000,000	3
(\$200 w/ 10X) × 25	\$50,000	2,000,000	3
(\$500 w/ 10X) × 10	\$50,000	2,000,000	3
\$50,000 w/ EXTREME	\$50,000	2,000,000	3
\$50,000	\$50,000	2,000,000	3
\$50,000 w/ GREEN MATCH	\$250,000	600,000	10
\$250,000	\$250,000	600,000	10
\$3,000,000 w/ \$3 MILLION	\$3,000,000	2,000,000	3
\$3,000,000	\$3,000,000	3,000,000	2

When matching numbers are GREEN, win 5 times the prize shown under the matching number.

Reveal a "10X" (10TIMES) symbol, win 10 times the prize shown under that symbol.

Reveal an "EXTREME" (EXTGRN) symbol, win prize shown under that symbol automatically.

Reveal a "\$3 MILLION" (\$3MIL) symbol, win \$3,000,000 instantly!

Fast Cash Bonus: Reveal a "MONEY BAG" (MNYBAG) symbol, win prize shown under that symbol.

Reveal a "DOUBLE MONEY BAG" (DOUBLE) symbol, win double the prize shown under that symbol.

Fast Cash Bonus is played separately.

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 Program for retailers who sell Pennsylvania \$3,000,000 Extreme Green instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles

the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$3,000,000 Extreme Green, prize money from winning Pennsylvania \$3,000,000 Extreme Green 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 \$3,000,000 Extreme Green 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.

12. *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.

13. *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 \$3,000,000 Extreme Green or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-123. Filed for public inspection January 22, 2016, 9:00 a.m.]

Pennsylvania Funky 5s '16 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 Funky 5s '16.

2. *Price:* The price of a Pennsylvania Funky 5s '16 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Funky 5s '16 instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 5 (FIVE) symbol and a 5X (5TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$1,000 and \$25,000. The player can win up to 10 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Funky 5s '16 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$25,000 (TWYFIVTHO) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$1,000 (ONE THO) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the “prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$250 (TWOHUNFTY) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) in the “prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) in the “prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) in the “prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$25⁰⁰ (TWY FIV) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$25.

(k) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) in the “prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$4⁰⁰ (FOR DOL) in the “prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) in the “prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$4⁰⁰ (FOR DOL) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) in the “prize” area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$2.

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:

Reveal A "5" (FIVE) Symbol,
Win Prize Shown Under That
Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets
\$2	\$2	9.38	768,000
\$2 × 2	\$4	50	144,000
\$4	\$4	37.5	192,000
\$5	\$5	17.05	422,400
\$5 × 2	\$10	1,500	4,800
\$2 w/ 5X	\$10	93.75	76,800
\$10	\$10	1,500	4,800
\$2 × 10	\$20	1,500	4,800
\$10 × 2	\$20	1,500	4,800
(\$2 w/ 5X) × 2	\$20	375	19,200
\$4 w/ 5X	\$20	500	14,400
\$20	\$20	1,500	4,800
(\$5 × 3) + (\$2 × 5)	\$25	6,000	1,200
\$20 + \$5	\$25	6,000	1,200
(\$4 w/ 5X) + \$5	\$25	705.88	10,200
\$5 w/ 5X	\$25	750	9,600
\$25	\$25	4,000	1,800
\$5 × 10	\$50	3,000	2,400
\$10 × 5	\$50	6,000	1,200
(\$5 w/ 5X) × 2	\$50	2,000	3,600
\$10 w/ 5X	\$50	2,000	3,600
\$50	\$50	6,000	1,200
\$10 × 10	\$100	3,000	2,400
\$50 × 2	\$100	4,000	1,800
\$20 w/ 5X	\$100	3,000	2,400
\$100	\$100	4,000	1,800
\$25 × 10	\$250	60,000	120
(\$100 × 2) + \$50	\$250	120,000	60
\$50 w/ 5X	\$250	60,000	120
\$250	\$250	120,000	60
(\$100 w/ 5X) × 2	\$1,000	60,000	120
\$1,000	\$1,000	120,000	60
\$25,000	\$25,000	480,000	15

Reveal a "5X" (5TIMES) symbol, win 5 times the prize shown under that symbol.

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 Program for retailers who sell Pennsylvania Funky 5s '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter

a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Funky 5s '16, prize money from winning Pennsylvania Funky 5s '16 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 Funky 5s '16 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.

12. *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.

13. *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 Funky 5s '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-124. Filed for public inspection January 22, 2016, 9:00 a.m.]

Pennsylvania Leprechaun Loot '16 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 Leprechaun Loot '16.

2. *Price:* The price of a Pennsylvania Leprechaun Loot '16 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Leprechaun Loot '16 instant lottery game ticket will contain one play area featuring 15 play symbols and their captions. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Leprechaun (LEPCH) symbol, \$ (WIN50) symbol and a Rainbow (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$20^{.00} (TWENTY), \$40^{.00} (FORTY), \$50^{.00} (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000 and \$50,000. The player can win up to 15 times on the ticket.

6. *Second-Chance Drawings:* The Pennsylvania Lottery will conduct a Lots O' Cash Second-Chance Drawing for which non-winning Pennsylvania Leprechaun Loot '16 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Leprechaun Loot '16 instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$50,000 (FTY THO) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Rainbow (WINALL) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas and a prize symbol of \$50^{.00} (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a Rainbow (WINALL) symbol in the play area and a prize symbol of \$40^{.00} (FORTY) 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 \$500.

(f) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets with a Rainbow (WINALL) symbol in the play area and a prize symbol of \$40^{.00} (FORTY) appears in five of the "prize" areas and a prize symbol of \$20^{.00} (TWENTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with a Rainbow (WINALL) symbol in the play area and a prize symbol of \$10^{.00} (TEN DOL) appears in two of the "prize" areas, a prize symbol of \$5^{.00} (FIV DOL) appears in twelve of the "prize" area and a prize symbol of \$20^{.00} (TWENTY) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets with a Rainbow (WINALL) symbol in the play area and a prize symbol of \$10^{.00} (TEN DOL) appears in five of the "prize" areas and a prize symbol of \$5^{.00} (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$50^{.00} (FIFTY) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets with a \$ (WIN50) symbol in the play area, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$40^{.00} (FORTY) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$20^{.00} (TWENTY) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$10^{.00} (TEN DOL) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets with a Leprechaun (LEPCH) symbol in the play area and a prize symbol of \$5^{.00} (FIV DOL) appears in the "prize" area under that Leprechaun (LEPCH) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal A "LEPRECHAUN" (LEPCH)
Symbol, Win Prize Shown Under That
Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets
\$5	\$5	8.57	700,000
\$5 × 2	\$10	24	250,000
\$10	\$10	30	200,000
\$5 × 4	\$20	150	40,000
\$10 × 2	\$20	200	30,000
\$20	\$20	200	30,000
\$5 × 8	\$40	300	20,000
\$10 × 4	\$40	600	10,000
\$20 × 2	\$40	600	10,000
\$40	\$40	600	10,000
\$5 × 10	\$50	600	10,000
\$10 × 5	\$50	600	10,000
\$50 w/ \$	\$50	85.71	70,000
\$50	\$50	600	10,000
RAINBOW w/ ((\$10 × 5) + (\$5 × 10))	\$100	600	10,000
RAINBOW w/ ((\$10 × 2) + (\$5 × 12) + \$20)	\$100	800	7,500
\$20 × 5	\$100	2,400	2,500
(\$50 w/ \$) × 2	\$100	800	7,500
\$100	\$100	2,400	2,500
RAINBOW w/ ((\$40 × 5) + (\$20 × 10))	\$400	15,000	400
\$40 × 10	\$400	120,000	50
\$100 × 4	\$400	120,000	50
(\$50 w/ \$) × 8	\$400	120,000	50
\$400	\$400	120,000	50
RAINBOW w/ ((\$40 × 10) + (\$20 × 5))	\$500	17,143	350
\$100 × 5	\$500	120,000	50
(\$50 w/ \$) × 10	\$500	24,000	250
\$500	\$500	120,000	50
RAINBOW w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	100,000	60
\$500 × 2	\$1,000	300,000	20
\$1,000	\$1,000	300,000	20
\$50,000	\$50,000	600,000	10

Reveal a "\$" (WIN50) symbol, win \$50 instantly!

Reveal a "RAINBOW" (WINALL) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Lots O' Cash Second-Chance Drawing (hereafter, "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-1191 Leprechaun Loot '16 (\$5) and PA-1192 Lucky Shamrock '16 (\$2) instant game tickets, as well as all Millionaire Raffle XXIII lottery game tickets ("Qualifying Tickets") are eligible for entry into the Drawing.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once for the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description*:

(1) The Lottery will conduct one Lots O' Cash Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) The entry period for the Drawing begins after 11:59:59 p.m. on January 10, 2016 and ends at 11:59:59 p.m. on March 24, 2016.

(ii) The Drawing will be held between March 25, 2016 and March 29, 2016.

(2) The number of entries an entrant receives is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1191 Leprechaun Loot '16 (\$5) = five (5) entries; PA-1192 Lucky Shamrock '16 (\$2) = two (2)

entries; and each Millionaire Raffle XXIII lottery game ticket (\$20) = twenty (20) entries.

(3) Players may review their entries for the Drawing via the Lots O' Cash Second-Chance Drawing promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period.

(i) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000.

(ii) The second through the sixth entries selected from the total number of entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000.

(iii) The seventh through the eleventh entries selected from the total number of entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(iv) The twelfth through the sixty-first entries selected from the total number of entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$500.

(3) The entry deadline and the number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) The odds of an entry being selected in the Drawing depend upon the total number of entries awarded for the Drawing.

(5) A computer generated randomizer will be used to select the winning entries.

(e) *Drawing Restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected during or following the Drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) The payment of a prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Leprechaun Loot '16 instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after

the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania Leprechaun Loot '16, prize money from winning Pennsylvania Leprechaun Loot '16 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 Leprechaun Loot '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Leprechaun Loot '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-125. Filed for public inspection January 22, 2016, 9:00 a.m.]

Pennsylvania Lucky Shamrock '16 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 Lucky Shamrock '16.

2. *Price*: The price of a Pennsylvania Lucky Shamrock '16 instant lottery game ticket is \$2.

3. *Play Symbols*: Each Pennsylvania Lucky Shamrock '16 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) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Shamrock (SHMRCK) symbol and a Pot of Gold (WIN20) symbol.

4. *Prize Symbols*: The prize symbols and their captions located in the "prize" areas are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰

(TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$30,000 (TRY THO).

5. *Prizes*: The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$200, \$400, \$1,000 and \$30,000. The player can win up to 10 times on a ticket.

6. *Second-Chance Drawings*: The Pennsylvania Lottery will conduct a Lots O' Cash Second-Chance Drawing for which non-winning Pennsylvania Lucky Shamrock '16 instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate Number of Tickets Printed For the Game*: Approximately 6,000,000 tickets will be printed for the Pennsylvania Lucky Shamrock '16 instant lottery game.

8. *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 \$30,000 (TRY THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(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 Shamrock (SHMRCK) symbol and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Shamrock (SHMRCK) 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 Shamrock (SHMRCK) symbol and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Shamrock (SHMRCK) 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 \$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.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Shamrock (SHMRCK) symbol and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Shamrock (SHMRCK) symbol, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shamrock (SHMRCK) symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Shamrock (SHMRCK) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either 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.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shamrock (SHMRCK) symbol and a prize symbol of \$40.00 (FORTY) appears in the “prize” area under that Shamrock (SHMRCK) 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 \$20.00 (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.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shamrock (SHMRCK) symbol and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under that Shamrock (SHMRCK) 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 is a Pot of Gold (WIN20) symbol and a prize symbol of \$20.00 (TWENTY) appears in the “prize” area under that Pot of Gold (WIN20) symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play 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 is a Shamrock

(SHMRCK) symbol and a prize symbol of \$10.00 (TEN DOL) appears in the “prize” area under that Shamrock (SHMRCK) symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$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.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shamrock (SHMRCK) symbol and a prize symbol of \$5.00 (FIV DOL) appears in the “prize” area under that Shamrock (SHMRCK) symbol, on a single ticket, shall be entitled to a prize of \$5.

(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 \$4.00 (FOR DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shamrock (SHMRCK) symbol and a prize symbol of \$4.00 (FOR DOL) appears in the “prize” area under that Shamrock (SHMRCK) symbol, on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.00 (TWO DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Shamrock (SHMRCK) symbol and a prize symbol of \$2.00 (TWO DOL) appears in the “prize” area under that Shamrock (SHMRCK) symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$2 w/ SHAMROCK	\$2	14.29	420,000
\$2	\$2	25	240,000
\$2 x 2	\$4	100	60,000
\$4 w/ SHAMROCK	\$4	37.5	160,000
\$4	\$4	75	80,000
\$5 w/ SHAMROCK	\$5	50	120,000
\$5	\$5	75	80,000
\$2 x 5	\$10	300	20,000
\$10 w/ SHAMROCK	\$10	187.5	32,000
\$10	\$10	214.29	28,000
\$5 x 4	\$20	1,500	4,000
\$10 x 2	\$20	1,500	4,000
\$20 w/ POT OF GOLD	\$20	93.75	64,000
\$20 w/ SHAMROCK	\$20	1,500	4,000
\$20	\$20	1,500	4,000
\$10 x 4	\$40	3,000	2,000
(\$20 w/ POT OF GOLD) + (\$10 x 2)	\$40	857.14	7,000

When Any Of Your Numbers Match Either
Winning Number, Win Prize Shown
Under The Matching Number. Win With:

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets
(\$20 w/ POT OF GOLD) × 2	\$40	857.14
\$40 w/ SHAMROCK	\$40	3,000
\$40	\$40	3,000
\$10 × 10	\$100	12,000
(((\$20 w/ POT OF GOLD) × 2) + (\$10 × 6))	\$100	4,000
(\$20 w/ POT OF GOLD) + (\$40 × 2)	\$100	3,429
(\$20 w/ POT OF GOLD) × 5	\$100	3,429
\$100 w/ SHAMROCK	\$100	12,000
\$100	\$100	8,000
\$40 × 5	\$200	120,000
\$100 × 2	\$200	120,000
(\$20 w/ POT OF GOLD) × 10	\$200	120,000
\$200 w/ SHAMROCK	\$200	120,000
\$200	\$200	120,000
\$40 × 10	\$400	120,000
\$100 × 4	\$400	120,000
\$200 × 2	\$400	120,000
\$400 w/ SHAMROCK	\$400	120,000
\$400	\$400	120,000
\$1,000 w/ SHAMROCK	\$1,000	200,000
\$1,000	\$1,000	200,000
\$30,000	\$30,000	600,000

Reveal a "SHAMROCK" (SHMRCK) symbol, win prize shown under that symbol automatically.
Reveal a "POT OF GOLD" (WIN20) symbol, win \$20 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing: Lots O' Cash Second-Chance Drawing* (hereafter, "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-1191 Leprechaun Loot '16 (\$5) and PA-1192 Lucky Shamrock '16 (\$2) instant game tickets, as well as all Millionaire Raffle XXIII lottery game tickets ("Qualifying Tickets") are eligible for entry into the Drawing.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once for the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description*:

(1) The Lottery will conduct one Lots O' Cash Second-Chance Drawing. All time references are Eastern Prevailing Time.

(i) The entry period for the Drawing begins after 11:59:59 p.m. on January 10, 2016 and ends at 11:59:59 p.m. on March 24, 2016.

(ii) The Drawing will be held between March 25, 2016 and March 29, 2016.

(2) The number of entries an entrant receives is determined by the purchase price of the Qualifying Ticket entered. The respective purchase prices and corresponding number of entries for Qualifying Tickets are as follows: PA-1191 Leprechaun Loot '16 (\$5) = five (5) entries; PA-1192 Lucky Shamrock '16 (\$2) = two (2) entries; and each Millionaire Raffle XXIII lottery game ticket (\$20) = twenty (20) entries.

(3) Players may review their entries for the Drawing via the Lots O' Cash Second-Chance Drawing promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period.

(i) The first entry selected from the total number of entries awarded in the Drawing will be a winning entry, and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000.

(ii) The second through the sixth entries selected from the total number of entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000.

(iii) The seventh through the eleventh entries selected from the total number of entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(iv) The twelfth through the sixty-first entries selected from the total number of entries awarded in the Drawing will be winning entries, and the entrants who submitted those winning entries shall each be entitled to a prize of \$500.

(3) The entry deadline and the number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) The odds of an entry being selected in the Drawing depend upon the total number of entries awarded for the Drawing.

(5) A computer generated randomizer will be used to select the winning entries.

(e) *Drawing Restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected during or following the Drawing, the Lottery will select another entry to replace the rejected entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC Advertising, MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) The payment of a prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Lucky Shamrock '16 instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lucky Shamrock '16, prize money from winning Pennsylvania Lucky Shamrock '16 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 Lucky Shamrock '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lucky Shamrock '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-126. Filed for public inspection January 22, 2016, 9:00 a.m.]

Pennsylvania The Price Is Right® '16 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 The Price Is Right '16.

2. *Price:* The price of a Pennsylvania The Price Is Right '16 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania The Price Is Right '16 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 (TWNIN), 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 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Dollar Bill (WIN100) symbol and a PLINKO (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN),

\$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000 and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania The Price Is Right '16 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols 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.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a PLINKO (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a PLINKO (WINALL) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(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 \$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.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a PLINKO (WINALL) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a PLINKO (WINALL) symbol, and a prize symbol of \$20.00 (TWENTY) appears in five of the “prize” areas and a prize symbol of \$10.00 (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dollar Bill (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(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 \$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.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(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 \$15.00 (FIFTEEN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (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.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets:</i>
\$10	\$10	5.71	1,680,000
\$10 x 2	\$20	20	480,000
\$20	\$20	30	320,000
\$10 x 4	\$40	600	16,000
\$20 x 2	\$40	200	48,000
\$40	\$40	600	16,000
\$10 x 5	\$50	300	32,000
(\$15 x 2) + (\$10 x 2)	\$50	300	32,000
\$50	\$50	600	16,000
\$10 x 10	\$100	600	16,000
\$50 x 2	\$100	600	16,000
\$100 w/ DOLLAR BILL	\$100	85.71	112,000
\$100	\$100	600	16,000
PLINKO w/ ((\$20 x 5) + (\$10 x 10))	\$200	1,200	8,000
\$20 x 10	\$200	3,000	3,200
\$40 x 5	\$200	6,000	1,600
\$50 x 4	\$200	6,000	1,600
(\$100 w/ DOLLAR BILL) x 2	\$200	1,200	8,000
\$200	\$200	6,000	1,600
PLINKO w/ ((\$40 x 5) + (\$20 x 10))	\$400	6,000	1,600
\$40 x 10	\$400	24,000	400
(\$100 w/ DOLLAR BILL) x 4	\$400	12,000	800
\$400	\$400	24,000	400
PLINKO w/ ((\$40 x 10) + (\$20 x 5))	\$500	6,000	1,600
\$50 x 10	\$500	15,000	640
(((\$100 w/ DOLLAR BILL) x 3) + \$200)	\$500	24,000	400
(\$100 w/ DOLLAR BILL) x 5	\$500	24,000	400
\$500	\$500	60,000	160
PLINKO w/ ((\$100 x 5) + (\$50 x 10))	\$1,000	24,000	400
\$100 x 10	\$1,000	120,000	80
\$500 x 2	\$1,000	120,000	80

When Any Of Your Numbers Match
Any Winning Number, Win Prize
Shown Under The Matching Number.
Win With:

(((\$100 w/ DOLLAR BILL) × 4) + (\$200 × 3)
(\$100 w/ DOLLAR BILL) × 10
\$1,000
\$10,000
\$300,000

Win:
\$1,000
\$1,000
\$1,000
\$10,000
\$300,000

Approximate
Odds Are 1 In:
120,000
120,000
120,000
480,000
960,000

Approximate No.
Of Winners Per
9,600,000
Tickets:

80
80
80
20
10

Reveal a “DOLLAR BILL” (WIN100) symbol, win \$100 instantly.
Reveal a “PLINKO” (WINALL) 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 Program for retailers who sell Pennsylvania The Price Is Right '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania The Price Is Right '16, prize money from winning Pennsylvania The Price Is Right '16 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 The Price Is Right '16 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.

12. *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.

13. *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 The Price Is Right '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-127. Filed for public inspection January 22, 2016, 9:00 a.m.]

Pennsylvania Spicy 9s '16 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 Spicy 9s '16.

2. *Price:* The price of a Pennsylvania Spicy 9s '16 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Spicy 9s '16 instant lottery game ticket will contain one play area and a separate “BONUS” area containing two prize symbols. The “BONUS” area is played separately. The play symbols and their captions printed in red ink and located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 30 (THIRTY), 9X (9TIMES) symbol and a Pepper (SPICY) symbol. The play symbols and their captions printed in black ink and located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 30 (THIRTY) and a 9 (NINE) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the play area are: \$5^{.00} (FIV DOL), \$9^{.00} (NIN DOL), \$10^{.00} (TEN DOL), \$20^{.00} (TWENTY), \$30^{.00} (THIRTY), \$40^{.00} (FORTY), \$50^{.00} (FIFTY), \$90^{.00} (NINTY), \$100 (ONE HUN), \$300 (THR HUN), \$500 (FIV HUN), \$900 (NIN HUN), \$9,000 (NIN THO) and \$90,000 (NTY THO). The prize play symbols and their captions located in the “BONUS” area are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$20^{.00} (TWENTY), \$30^{.00} (THIRTY), \$50^{.00} (FIFTY), \$100 (ONE HUN) and \$300 (THR HUN).

5. *Prizes*: The prizes that can be won in this game are: \$5, \$9, \$10, \$20, \$30, \$40, \$50, \$90, \$100, \$300, \$500, \$900, \$9,000 and \$90,000. The prizes that can be won in the “BONUS” are: \$5, \$10, \$20, \$30, \$50, \$100 and \$300. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 9,600,000 tickets will be printed for the Pennsylvania Spicy 9s '16 instant lottery game.

7. *Determination of Prize Winners*:

(a) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$90,000 (NTY THO) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$90,000.

(b) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$9,000 (NIN THO) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$9,000.

(c) Holders of tickets with a 9X (9TIMES) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$900 (NIN HUN) in the “Prize” area under that 9X (9TIMES) symbol, on a single ticket, shall be entitled to a prize of \$8,100.

(d) Holders of tickets with a 9 (NINE) symbol in the play area and a prize symbol of \$900 (NIN HUN) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$900.

(e) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$100 (ONE HUN) in two of the “Prize” areas, a prize symbol of \$90⁰⁰ (NINTY) in five of the “Prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) in five of the “Prize” areas on a single ticket, shall be entitled to a prize of \$900.

(f) Holders of tickets with a 9X (9TIMES) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$90⁰⁰ (NINTY) in the “Prize” area under that 9X (9TIMES) symbol, on a single ticket, shall be entitled to a prize of \$810.

(g) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$500 (FIV HUN) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$50⁰⁰ (FIFTY) in six of the “Prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) in five of the “Prize” areas, and a prize symbol of \$100 (ONE HUN) in one of the “Prize” areas on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$50⁰⁰ (FIFTY) in two of the “Prize” areas and a prize symbol of \$40⁰⁰ (FORTY) in ten of the “Prize” areas on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets with a 9X (9TIMES) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$50⁰⁰ (FIFTY) in the “Prize” area under that 9X (9TIMES) symbol, on a single ticket, shall be entitled to a prize of \$450.

(k) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$300 (THR HUN) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$300.

(l) Holders of tickets with two \$300 (THR HUN) prize play symbols in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$300.

(m) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$50⁰⁰ (FIFTY) in two of the “Prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) in ten of the “Prize” areas on a single ticket, shall be entitled to a prize of \$300.

(n) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$100 (ONE HUN) in two of the “Prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) in ten of the “Prize” areas on a single ticket, shall be entitled to a prize of \$300.

(o) Holders of tickets with a 9X (9TIMES) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$30⁰⁰ (THIRTY) in the “Prize” area under that 9X (9TIMES) symbol, on a single ticket, shall be entitled to a prize of \$270.

(p) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$100 (ONE HUN) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets with two \$100 (ONE HUN) prize play symbols in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$10⁰⁰ (TEN DOL) in five of the “Prize” areas, a prize symbol of \$5⁰⁰ (FIV DOL) in six of the “Prize” areas, and a prize symbol of \$20⁰⁰ (TWENTY) in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$5⁰⁰ (FIV DOL) in ten of the “Prize” areas, a prize symbol of \$40⁰⁰ (FORTY) in one of the “Prize” areas, and a prize symbol of \$10⁰⁰ (TEN DOL) in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$90⁰⁰ (NINTY) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$90.

(u) Holders of tickets with a 9X (9TIMES) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$10⁰⁰ (TEN DOL) in the “Prize” area under that 9X (9TIMES) symbol, on a single ticket, shall be entitled to a prize of \$90.

(v) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$10⁰⁰ (TEN DOL) in two of the “Prize” areas, a prize symbol of \$9⁰⁰ (NIN DOL) in five of the “Prize” areas, and a prize symbol of \$5⁰⁰ (FIV DOL) in five of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$90.

(w) Holders of tickets with a Pepper (SPICY) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$10⁰⁰ (TEN DOL) in six of the “Prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) in six of the “Prize” areas on a single ticket, shall be entitled to a prize of \$90.

(x) Holders of tickets with a 9X (9TIMES) symbol in the play area, with the symbol and caption printed in red

ink, and a prize symbol of \$9⁰⁰ (NIN DOL) in the “Prize” area under that 9X (9TIMES) symbol, on a single ticket, shall be entitled to a prize of \$81.

(y) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$50⁰⁰ (FIFTY) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets with two \$50⁰⁰ (FIFTY) prize play symbols in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets with a 9X (9TIMES) symbol in the play area, with the symbol and caption printed in red ink, and a prize symbol of \$5⁰⁰ (FIV DOL) in the “Prize” area under that 9X (9TIMES) symbol, on a single ticket, shall be entitled to a prize of \$45.

(bb) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$40⁰⁰ (FORTY) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(cc) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$30⁰⁰ (THIRTY) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets with two \$30⁰⁰ (THIRTY) prize play symbols in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$30.

(ee) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$20⁰⁰ (TWENTY) in the

“Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets with two \$20⁰⁰ (TWENTY) prize play symbols in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$10⁰⁰ (TEN DOL) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(hh) Holders of tickets with two \$10⁰⁰ (TEN DOL) prize play symbols in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$10.

(ii) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$9⁰⁰ (NIN DOL) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$9.

(jj) Holders of tickets with a 9 (NINE) symbol in the play area, and a prize symbol of \$5⁰⁰ (FIV DOL) in the “Prize” area under that 9 (NINE) symbol, on a single ticket, shall be entitled to a prize of \$5.

(kk) Holders of tickets with two \$5⁰⁰ (FIV DOL) prize play symbols in the “BONUS” area, 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:

Reveal a “9” (NINE) Symbol, Win Prize Shown Under That Symbol Automatically.

Win With:

\$5	\$5
\$9	\$9
\$5 × 2	\$10
(2—\$5s w/ BONUS) + \$5	\$10
\$10	\$10
\$5 × 4	\$20
\$10 × 2	\$20
(2—\$10s w/ BONUS) + \$10	\$20
\$20	\$20
\$5 × 6	\$30
\$10 × 3	\$30
(2—\$10s w/ BONUS) + \$20	\$30
\$30	\$30
\$5 × 8	\$40
\$10 × 4	\$40
\$20 × 2	\$40
(2—\$20s w/ BONUS) + (\$10 × 2)	\$40
\$40	\$40
\$5 × 10	\$50
\$10 × 5	\$50
(\$5 w/ 9X) + \$5	\$50
\$50	\$50
PEPPER w/ ((\$10 × 6) + (\$5 × 6))	\$90
PEPPER w/ ((\$10 × 2) + (\$9 × 5) + (\$5 × 5))	\$90
\$9 × 10	\$90
\$30 × 3	\$90
(\$9 w/ 9X) + \$9	\$90
\$10 w/ 9X	\$90
(2—\$30s w/ BONUS) + (\$30 × 2)	\$90
(2—\$50s w/ BONUS) + \$40	\$90
\$90	\$90
PEPPER w/ ((\$5 × 10) + \$40 + \$10)	\$100

Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 9,600,000 Tickets:
	8.57	1,120,000
	20	480,000
	300	32,000
	200	48,000
	120	80,000
	200	48,000
	150	64,000
	100	96,000
	300	32,000
	600	16,000
	300	32,000
	300	32,000
	600	16,000
	600	16,000
	600	16,000
	600	16,000
	600	16,000
	600	16,000
	600	16,000
	600	16,000
	600	16,000
	300	32,000
	600	16,000
	1,500	6,400
	2,400	4,000
	6,000	1,600
	6,000	1,600
	2,400	4,000
	2,000	4,800
	2,400	4,000
	2,400	4,000
	2,400	4,000
	6,000	1,600
	6,000	1,600

12. *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.

13. *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 Spicy 9s '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-128. Filed for public inspection January 22, 2016, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes; Correction

An error occurred in the notice published at 46 Pa.B. 420 (January 16, 2016). A sentence was inadvertently omitted from the description of the property. The description of the property is corrected as follows. The remainder of the notice is accurate as published.

Tinicum Township, Delaware County, parcel No. 5. The parcel contains 4,241.05 square feet of unimproved land situated at Governor Printz Boulevard and First Street. The parcel is subject to a drainage easement owned by the Department. The estimated fair market value is \$21,500.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-129. Filed for public inspection January 22, 2016, 9:00 a.m.]

Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Monday, February 1, 2016, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact Ellen E. Sweeney, (717) 787-2913, ellsweeney@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-130. Filed for public inspection January 22, 2016, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Glenn J. Morrison, MD v. DEP and Insurance Auto Auctions, Inc., Permittee; EHB Doc. No. 2016- 009-L

Glenn J. Morrison, MD has appealed the issuance by the Department of Environmental Protection of a General NPDES permit to Insurance Auto Auctions, Inc. for a facility in Latimore Township, Adams County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 16-131. Filed for public inspection January 22, 2016, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Proposed Additions and Revisions; March 2016

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time to time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on March 30 and 31, 2016, the Commission will consider changes to its list of wild trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Bedford	UNT to Shobers Run (RM 6.50)	Headwaters to Mouth	Shobers Run	39.956243 78.547466
Cambria	UNT to West Branch Susquehanna River (RM 234.73)	Headwaters to Mouth	West Branch Susquehanna River	40.626410 78.763370
Cambria	UNT to West Branch Susquehanna River (RM 238.00)	Headwaters to UNT at RM 0.54	West Branch Susquehanna River	40.592671 78.735987
Carbon	Beaver Creek	Headwaters to Mouth	Black Creek	40.945833 75.847778
Carbon	Crooked Run	Headwaters to Mouth	Stewart Creek	40.825588 75.766666
Carbon	UNT to Black Creek (RM 4.95)	Headwaters to Mouth	Black Creek	40.937846 75.828292
Carbon	UNT to Mahoning Creek (RM 7.04)	Headwaters to Mouth	Mahoning Creek	40.790276 75.799454
Carbon	UNT to Mahoning Creek (RM 7.18)	Headwaters to Mouth	Mahoning Creek	40.790310 75.800095
Carbon	UNT to Quakake Creek (RM 2.34)	Headwaters to Mouth	Quakake Creek	40.916287 75.855366
Carbon	UNT to Quakake Creek (RM 4.33)	Headwaters to Mouth	Quakake Creek	40.899881 75.886926
Centre	Hosterman Gap Run	Headwaters to Mouth	Pine Creek	40.922043 77.345771
Centre	Slide Hollow Run	Headwaters to Mouth	Sugar Camp Run	41.108060 77.680743
Centre	Sugar Camp Run	Headwaters to Mouth	Beech Creek	41.108203 77.679101
Centre	UNT to Stony Run (RM 1.15)	Headwaters to Mouth	Stony Run	40.927930 77.293600
Centre	Whetstone Gap Run	Headwaters to Mouth	Pine Creek	40.940342 77.302752
Centre	Winkelblech Gap Run	Headwaters to Mouth	Pine Creek	40.935263 77.319164
Clearfield	Bilger Run	Headwaters to Mouth	Kratzer Run	40.972069 78.570442
Clearfield	Boiling Spring Run	Headwaters to Mouth	West Branch Susquehanna River	40.774776 78.784643
Clearfield	Elk Lick Run	Headwaters to UNT at RM 0.37	West Branch Susquehanna River	40.839370 78.778193
Clearfield	Hiles Run	Headwaters to Mouth	West Branch Susquehanna River	40.925775 78.587747
Clearfield	UNT to Beaver Run (RM 2.62)	Headwaters to Mouth	Beaver Run	40.756522 78.769496
Clearfield	UNT to Gifford Run (RM 4.66)	Headwaters to Mouth	Gifford Run	41.182584 78.287269
Clearfield	UNT to Hogback Run (RM 0.18)	Headwaters to Mouth	Hogback Run	40.963415 78.491269
Clearfield	UNT to West Branch Susquehanna River (RM 176.59)	Headwaters to Mouth	West Branch Susquehanna River	40.967653 78.489170
Clearfield	UNT to West Branch Susquehanna River (RM 191.65)	Headwaters to Mouth	West Branch Susquehanna River	40.929639 78.603418
Clearfield	UNT to West Branch Susquehanna River (RM 199.91)	Headwaters to Mouth	West Branch Susquehanna River	40.892514 78.683768

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Clearfield	UNT to West Branch Susquehanna River (RM 200.14)	Headwaters to Mouth	West Branch Susquehanna River	40.893715 78.687787
Clearfield	UNT to West Branch Susquehanna River (RM 210.69)	Headwaters to Mouth	West Branch Susquehanna River	40.851198 78.779081
Clearfield	UNT to West Branch Susquehanna River (RM 218.63)	Headwaters to Mouth	West Branch Susquehanna River	40.790060 78.776690
Clearfield	UNT to West Branch Susquehanna River (RM 219.23)	Headwaters to Mouth	West Branch Susquehanna River	40.787494 78.784602
Clearfield	UNT to West Branch Susquehanna River (RM 223.19)	Headwaters to Mouth	West Branch Susquehanna River	40.744820 78.793676
Clinton	Bark Shanty Hollow Run	Headwaters to Mouth	Drury Run	41.395987 77.834448
Clinton	Big Run	Headwaters to Mouth	Beech Creek	41.110832 77.731944
Clinton	Jordan Hollow Run	Headwaters to Mouth	Drury Run	41.380501 77.834872
Clinton	Pong Hollow Run	Headwaters to Mouth	Drury Run	41.392820 77.834283
Clinton	UNT to Boggs Hollow Run (RM 2.61)	Headwaters to Mouth	Boggs Hollow	41.308449 77.713585
Clinton	UNT to Boggs Hollow Run (RM 3.32)	Headwaters to Mouth	Boggs Hollow	41.302162 77.723526
Clinton	UNT to Boggs Hollow Run (RM 3.50)	Headwaters to Mouth	Boggs Hollow	41.301323 77.726898
Clinton	UNT to Fishing Creek (RM 15.71)	Headwaters to Mouth	Fishing Creek	40.983536 77.516361
Clinton	UNT to Fishing Creek (RM 41.61)	Headwaters to Mouth	Fishing Creek	41.050100 77.155718
Clinton	UNT to Water Trough Hollow Run (RM 0.35)	Headwaters to Mouth	Water Trough Hollow Run	41.274300 77.754044
Crawford	UNT to Oil Creek (RM 18.85)	Headwaters to Mouth	Oil Creek	41.623098 79.671721
Crawford	UNT to Oil Creek (RM 18.99)	Headwaters to Mouth	Oil Creek	41.622352 79.674272
Crawford	UNT To Oil Creek (RM 20.61)	Headwaters to Mouth	Oil Creek	41.629721 79.700702
Crawford	UNT to Oil Creek (RM 22.92)	Headwaters to Mouth	Oil Creek	41.648250 79.732503
Crawford	UNT to Pine Creek (RM 1.09)	Headwaters to Mouth	Pine Creek	41.618325 79.639600
Elk	Little Bear Run	Headwaters to Mouth	Dents Run	41.362039 78.297280
Elk	UNT to Dents Run (RM 0.59)	Headwaters to Mouth	Dents Run	41.359482 78.271233
Elk	UNT to Dents Run (RM 2.45)	Headwaters to Mouth	Dents Run	41.362202 78.303166
Elk	UNT to Dents Run (RM 2.54)	Headwaters to Mouth	Dents Run	41.361078 78.304024
Erie	Pine Run	Headwaters to Mouth	South Branch French Creek	41.892750 79.785446

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Fayette	Beaver Creek	Headwaters to Dinner Bell Ohioplye Road Bridge	Meadow Run	39.832939 79.509872
Fayette	Big Sandy Creek	Headwaters to 0.5 mile downstream of Fayette Springs Road	Cheat River	39.720833 79.661110
Fayette	Tub Run	Headwaters to Mouth	Youghiogheny River Lake	39.771484 79.400940
Fayette	UNT to Tub Run (RM 1.51)	Headwaters to Mouth	Tub Run	39.783039 79.423410
Forest	UNT to Holeman Run (RM 0.20)	Headwaters to Mouth	Holeman Run	41.477138 79.510070
Huntingdon	Kennedy Run	Headwaters to Mouth	Miller Run	40.234619 78.164886
Huntingdon	Shores Branch	Headwaters to Mouth	Little Trough Creek	40.317951 78.044647
Huntingdon	UNT to Blacklog Creek (RM 1.13)	Headwaters to Private Lane at RM 0.58	Blacklog Creek	40.247238 77.902122
Huntingdon	UNT to Laurel Run (RM 1.84)	Headwaters to Mouth	Laurel Run	40.336861 78.103546
Indiana	Little Yellow Creek	Headwaters to Mouth	Yellow Creek Lake	40.568611 79.018608
Jefferson	Clutch Run	Headwaters to Hadden Run	Little Sandy Creek	41.028250 79.044743
Jefferson	Hickok Run	Headwaters to Mouth	Little Sandy Creek	41.034360 79.031704
Jefferson	Middle Branch Little Sandy Creek	Headwaters to Mouth	Little Sandy Creek	41.038799 79.025277
Jefferson	UNT to Wolf Run (RM 2.33)	Headwaters to Mouth	Wolf Run	41.164140 78.791325
Juniata	Copperhead Hollow Run	Headwaters to Mouth	Spigelmyer Run	40.641384 77.391633
Juniata	UNT to Juniata River (RM 39.30)	Headwaters to Mouth	Juniata River	40.606727 77.437293
Juniata	UNT to Juniata River (RM 41.93)	Headwaters to Mouth	Juniata River	40.602490 77.482534
Lancaster	Puddle Duck Creek	Headwaters to Mouth	Peters Creek	39.761111 76.223589
Luzerne	Dreck Creek	Outlet of Reservoir G to Mouth	Hazle Creek	40.960833 75.885000
Luzerne	Maple Spring Brook	Headwaters to Mouth	Kitchen Creek	41.309444 76.276111
Luzerne	Shingle Cabin Brook	Headwaters to Mouth	Kitchen Creek	41.315556 76.273333
Lycoming	UNT to Laurel Run (RM 1.49)	Headwaters to Mouth	Laurel Run	41.290919 76.731668
McKean	UNT to Blacksmith Run (RM 1.23)	Headwaters to Mouth	Blacksmith Run	41.814130 78.471540
Mifflin	Coffee Run	Headwaters to Mouth	Kishacoquillas Creek	40.651501 77.622464
Mifflin	Shindle Run	Headwaters to Mouth	Jacks Creek	40.667781 77.417947
Schuylkill	Still Creek	Headwaters to Still Creek Reservoir	Little Schuylkill River	40.848912 76.003649
Schuylkill	UNT to Mahoning Creek (RM 9.98)	Headwaters to Mouth	Mahoning Creek	40.778316 75.841293

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Schuylkill	UNT to Schuylkill River (RM 107.79)	Headwaters to Mouth	Schuylkill River	40.585483 76.081672
Schuylkill	UNT to UNT to Schuylkill River (RM 109.25)	Headwaters to 1.0 mile upstream of the Mouth	UNT to Schuylkill River (RM 109.25)	40.615314 76.101730
Somerset	Soap Hollow Run	Headwaters to Mouth	Stonycreek River	40.278279 78.924157
Somerset	UNT to May Run (RM 0.09)	Headwaters to Mouth	May Run	39.869573 79.320620
Somerset	UNT to Quemahoning Reservoir (RM 2.06)	Headwaters to Mouth	Quemahoning Reservoir	40.180832 78.963211
Sullivan	Sullivan Branch	Headwaters to Mouth	East Branch Fishing Creek	41.326111 76.345278
Union	UNT to Bear Run (RM 1.90)	Headwaters to Mouth	Bear Run	40.893660 77.298363
Venango	Holeman Run	Headwaters to Stewart Run Road	Allegheny River	41.476705 79.512882
Venango	Husband Run	Headwaters to Mouth	Oil Creek	41.572388 79.647117
Venango	UNT to Oil Creek (RM 11.62)	Headwaters to Mouth	Oil Creek	41.554635 79.651944
Venango	UNT to Oil Creek (RM 11.65)	Headwaters to Mouth	Oil Creek	41.555574 79.656032
Venango	UNT to Oil Creek (RM 13.75)	Headwaters to Mouth	Oil Creek	41.575520 79.650615
Venango	UNT to Oil Creek (RM 14.36)	Headwaters to Mouth	Oil Creek	41.580968 79.644501
Venango	UNT to Oil Creek (RM 15.28)	Headwaters to Mouth	Oil Creek	41.590431 79.644866
Warren	Adams Run	Headwaters to Mouth	Chapman Dam Reservoir	41.747653 79.179874
Warren	UNT to Davis Run (RM 0.11)	Headwaters to Mouth	Davis Run	41.697320 79.219050
Warren	UNT to Davis Run (RM 0.33)	Headwaters to Mouth	Davis Run	41.694791 79.217692
Warren	UNT to Dutchman Run (RM 0.11)	Headwaters to Mouth	Dutchman Run	41.817966 79.103734
Warren	UNT to UNT to Dutchman Run (RM 0.76)	Headwaters to Mouth	UNT to Dutchman Run (RM 1.63)	41.794332 79.105518
Wayne	Indian Orchard Brook	Headwaters to Mouth	Lackawaxen River	41.545834 75.216942
Wyoming	Mill Run	Headwaters to Mouth	North Branch Susquehanna River	41.507222 75.900556

The Commission also will consider the following revisions to the section limits of streams on the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Current Limits</i>	<i>Revised Limits</i>	<i>Tributary To</i>	<i>Mouth Lat/Lon</i>
Berks	Cacoosing Creek	SR 3012 to Mouth	Headwaters to Mouth	Tulpehocken Creek	40.366111 75.995278
Centre	Laurel Run (Port Matilda)	First Tributary downstream SGL 33 to Mouth	Headwaters to Mouth	Bald Eagle Creek	40.802500 78.047222
Elk	Dents Run	Headwaters to Dark Hollow	Headwaters to Mouth	Bennett Branch Sinnemahoning Creek	41.355556 78.263056

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Current Limits</i>	<i>Revised Limits</i>	<i>Tributary To</i>	<i>Mouth Lat/Lon</i>
Northumberland	West Branch Susquehanna River	Outfall of AMD Treatment Facility at RM 234.09 to Shryock Run	Headwaters to Cush Creek	Susquehanna River	40.881111 76.797222
Tioga	Tioga River	Headwaters to Fall Brook	Headwaters to Morris Run	Chemung River	42.000000 77.114722

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them in writing to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

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

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 16-132. Filed for public inspection January 22, 2016, 9:00 a.m.]

Proposed Additions to List of Class A Wild Trout Waters; March 2016

The Fish and Boat Commission (Commission) is considering additions to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, the Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Biomass Class Criteria include provisions for:

(i) *Wild Brook Trout Fisheries*

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

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

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) *Wild Brown Trout Fisheries*

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

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

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) *Mixed Wild Brook and Brown Trout Fisheries*

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

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

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

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

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) *Wild Rainbow Trout Fisheries*

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

(v) *Mixed Wild Brook and Rainbow Trout Fisheries*

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

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

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

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

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

(vi) *Mixed Wild Brown and Rainbow Trout Fisheries*

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

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

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

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

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

During recent surveys, Commission staff documented the following stream sections to have Class A wild trout populations. The Commission intends to consider adding these waters to its list of Class A Wild Trout Streams at its meeting on March 30 and 31, 2016.

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>	<i>Brook Trout (kg / ha)</i>	<i>Brown Trout (kg / ha)</i>	<i>Rainbow Trout (kg / ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Berks	Cacoosing Creek	2	Wernersville Road to 800 meters downstream from SR 422	Tulpehocken Creek	40.366111 75.995270	—	94.89	—	2.73	2015
Cambria/ Clearfield	Beaver Run	1	Headwaters to SR 3004 (Sylvia Road)	West Branch Susquehanna River	40.780749 78.780070	—	68.71	—	2.09	2015
Cameron/ Elk	Sanders Draft Run	1	Headwaters to Mouth	Red Run	41.275555 78.243332	36.00	—	—	2.34	2015
Carbon	Still Creek	1	Headwaters to Still Creek Reservoir	Little Schuylkill River	40.848912 76.003649	33.22	14.01	—	1.85	2015
Centre	Laurel Run (Port Matilda)	2	Vicinity of Black Oak Church to Mouth	Bald Eagle Creek	40.802500 78.047222	8.23	61.29	—	3.03	2015
Centre	Oliver Run	1	Headwaters to Mouth	Laurel Run (Port Matilda)	40.807957 78.062294	1.70	72.92	—	3.20	2015
Centre	Slide Hollow Run	1	Headwaters to Mouth	Sugar Camp Run	41.108060 77.680743	53.82	—	—	2.03	2015
Centre	Winkelblech Gap Run	1	Headwaters to Mouth	Pine Creek	40.935263 77.319164	38.20	—	—	1.60	2015
Clearfield	Hogback Run	1	Headwaters to Mouth	West Branch Susquehanna River	40.965580 78.490639	43.92	1.62	—	2.45	2015
Clearfield	Kratzer Run	1	Headwaters to Mouth	Anderson Creek	40.976410 78.547333	1.21	48.15	—	6.46	2015
Clearfield	North Run	1	Headwaters to Mouth	West Branch Susquehanna River	40.868521 78.758231	39.28	—	—	1.59	2015
Clearfield	Patchin Run	1	Headwaters to Mouth	West Branch Susquehanna River	40.782009 78.779752	43.24	—	—	1.54	2015
Clearfield	UNT to Anderson Creek (Roaring Run)	1	Headwaters to Mouth	Anderson Creek	40.979019 78.536476	58.55	—	—	2.13	2015
Clearfield	UNT to Gifford Run (RM 4.66)	1	Headwaters to Mouth	Gifford Run	41.182584 78.287269	41.15	—	—	0.65	2015

<i>County</i>	<i>Stream</i>	<i>Section</i>	<i>Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Rainbow Trout (kg/ha)</i>	<i>Length (miles)</i>	<i>Survey Year</i>
Clearfield	UNT to Hogback Run (RM 0.18)	1	Headwaters to Mouth	Hogback Run	40.963415 78.491269	42.10	3.00	—	0.72	2015
Clearfield/ Indiana	UNT to Bear Run (RM 2.92)	1	Headwaters to Mouth	Bear Run	40.877265 78.803804	35.01	—	—	2.08	2015
Elk	Porcupine Draft Run	1	Headwaters to Mouth	Red Run	41.289780 78.245895	39.39	—	—	1.28	2015
Indiana	Bear Run	1	Headwaters to South Branch Bear Run	West Branch Susquehanna River	40.881111 78.861948	50.54	0.53	—	3.40	2015
Lehigh	Little Lehigh Creek	8	Fish Hatchery Road Bridge (SR 2010) to 134 meters upstream Bogerts Covered Bridge	Lehigh River	40.597222 75.449167	—	167.00	—	0.82	2013
McKean	UNT to Blacksmith Run (RM 1.23)	1	Headwaters to Mouth	Blacksmith Run	41.814130 78.471540	37.58	—	—	1.59	2015
Sullivan	Double Run	2	Shrewsbury/ Forks Township line to Mouth	Loyalsock Creek	41.466667 76.578611	32.36	—	—	1.87	2015
York	Blymire Hollow Run	2	Mont Road Bridge (T-580) to Mouth	East Branch Codorus Creek	39.832222 76.646111	—	48.23	—	1.87	2015

Persons with comments, objections or suggestions concerning the additions are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 16-133. Filed for public inspection January 22, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Genworth Life Insurance Company (GEFA-130373044); Rate Increase Filing for Individual LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 118% on 6,316 policyholders with the following individual policy forms: the 7030 Series and 7032 Series. The company is requesting a 130% increase on policies with unlimited benefit periods and a 111% increase on policies with limited benefit periods.

Unless formal administrative action is taken prior to April 7, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-134. Filed for public inspection January 22, 2016, 9:00 a.m.]

Genworth Life Insurance Company (GEFA-130373053); Rate Increase Filing for Individual LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 67% on 14,127 policyholders with the following individual policy

forms: the 7035 Series. The company is requesting a 78% increase on policies with unlimited benefit periods and a 60% increase on policies with limited benefit periods.

Unless formal administrative action is taken prior to April 7, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-135. Filed for public inspection January 22, 2016, 9:00 a.m.]

Genworth Life Insurance Company (GEFA-130373076); Rate Increase Filing for Individual LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 89% on 3,090 policyholders with the following individual policy forms: the 7000 Series and 7020 Series. The company is requesting a 103% increase on policies with unlimited benefit periods and a 67% increase on policies with limited benefit periods.

Unless formal administrative action is taken prior to April 7, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-136. Filed for public inspection January 22, 2016, 9:00 a.m.]

Repeal of Outdated Notices Regarding Form and Rate Filings; Filing Requirements under the Accident and Health Filing Reform Act; Notice 2016-01

Certain accident and health insurance policy forms, subject to filing under section 3(a) of the Accident and Health Filing Reform Act (40 P. S. § 3801.303(a)), added

by the act of December 18, 1996 (P. L. 1066, No. 159) (Act 159), were exempted from filing with the Insurance Department (Department) by the Insurance Commissioner (Commissioner) by notices published at 26 Pa.B. 1453 (March 30, 1996) and 32 Pa.B. 3449 (July 13, 2002)¹ under the authority of section 3(b) of Act 159. In addition, there may be notices issued prior to Act 159 regarding form and rate filings that some may view as still in effect, including Notice 1992-17, "Notice of the Insurance Commissioner Pursuant to Section 354 of The Insurance Company Law of 1921, Act of May 17, 1921, P. L. 682 (40 P. S. § 477(b)) Revising Requirements for Filing Certain Accident and Health Forms."²

The Federal Patient Protection and Affordable Care Act (Pub. L. No. 111-148) and the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152) (together, the Affordable Care Act (ACA)) and regulations and other Federal guidance promulgated thereunder have imposed new requirements on accident and health policy forms and rates in the large and small group markets, as well as the individual market. Act 159 was amended by the act of December 22, 2011 (P. L. 614, No. 134) (Act 134) to assure that the Commonwealth would maintain its authority to review rates for accident and health policies in light of the ACA.

In recognition of the recent changes in health insurance requirements, and to monitor and assure compliance with the ACA and state law requirements, the Department has determined that it is in the public interest to review forms, including riders, amendments and endorsements, for all group accident and health policies (other than disability) as well as all individual policies. First, all group accident and health forms, for both large and small groups, are required to comply with provisions of state and Federal law, including requirements brought about by the ACA and Federal laws that have explicit correlation to state law requirements, such as the mental health parity and genetic nondiscrimination requirements. (See the Health Insurance Coverage Parity and Nondiscrimination Act (40 P. S. §§ 908-11—908-16).) It will assist the Department in protecting insurance consumers in this Commonwealth to receive these forms prior to use as specified in Act 134.² Second, the Department has determined that its review of small group rate filings should be informed by a coordinated review of the forms associated with those rate filings. In addition, under Act 134, and consistent with the ACA, student, blanket, and franchise accident and health insurance is now defined and recognized, not as group, but as individual coverage. To maintain the Commonwealth's status under the ACA as an effective rate review state and to assure that consumers in this Commonwealth receive all protections and benefits required by law, the Department will review student, blanket, and franchise accident and health policy rates.³ As with small group products, a review of the forms for student and franchise policies will inform its review of those rates; however, due to the particular nature of blanket insurance, the Department intends to continue exempting blanket insurance from form filing.

Form Filings

Section 3(b) of Act 159 authorizes the Commissioner to require forms exempted from filing to be subsequently

¹ The notice published at 32 Pa.B. 3449 repealed the notice published at 28 Pa.B. 4302 (August 29, 1998), under which the deregulation notices published at 27 Pa.B. 1893 (April 12, 1997) and 27 Pa.B. 3118 (June 28, 1997) had been temporarily discontinued.

² The Department notes that once it is assured that the insurance industry is familiar with post-ACA requirements, it may repeat this review of large group forms. See, for example, 28 Pa.B. 4302 (requiring form filings to assure compliance with the act of June 17, 1998 (P. L. 464, No. 68)), later repealed by Notice 2002-06 published at 32 Pa.B. 3449.

³ Blanket insurance is individual insurance under Act 134. However, because of its particular nature, rather than requiring blanket insurance rates to be filed 45 days prior to use, the Department by this notice is establishing a shorter period of 15 days for these rate filings. See section 3(c) of Act 159.

made subject to filing with the Department upon 90 days advance notice published in the *Pennsylvania Bulletin*. By this publication, the Commissioner hereby communicates her intent to discontinue certain form filing exemptions and reinstitute certain form filings.⁴ Accordingly, the Department identifies the forms that are currently required to be filed, as well as those that will no longer be exempt from filing, effective for the plan years specified. The forms specified here are required to be filed by each insurer, as that term is defined in Act 159, provided, however, that a form eligible to be filed through, and in fact filed through, the Interstate Insurance Compact need not be filed with the Department in accordance with this notice.

Forms currently required to be filed

- Individual accident and health forms, including:
 - Individual major medical forms (other than student, franchise, and blanket policies, as elsewhere specified in this notice).
 - Individual disability forms.
 - Individual limited benefit forms.⁵
 - Individual long-term care forms.
 - Individual Medicare supplement forms.
- Group long-term care and Medicare supplement forms.

Forms to be filed for plan years beginning on or after July 1, 2016

- Student and franchise accident and health forms.

Forms to be filed for plan years beginning on or after January 1, 2017

- Major medical accident and health forms sold to small groups.
 - Limited benefit forms sold to small groups.

Forms to be filed for plan years beginning on or after January 1, 2018

- Major medical accident and health forms sold only to large groups.

Forms continuing to be deregulated and not subject to filing

- Blanket accident and health forms.
- Group disability forms.
- Limited benefit forms sold only to large groups.

Notwithstanding the continued exemption of certain forms from filing, the Department reminds insurers that it retains full authority to request a copy of any form being issued in this Commonwealth, as provided in section 10 of Act 159 (40 P. S. § 3801.310).

Rate Filings

The Department by this notice reminds insurers that the following accident and health rates are currently required to be filed:

- All individual major medical, student, franchise, blanket, limited benefit, long-term care and Medicare supplement rates.
- All major medical and limited benefit rates for policies sold to small groups.
- All group long-term care and Medicare supplement rates.

⁴ Insofar as any exemption notice issued prior to the effective date of Act 159 is believed to still be extant, any exemption thereunder, like the notices specifically identified herein, is discontinued by this notice.

⁵ Limited benefit policies, for purposes of this notice, include dental, vision, hospital and other fixed indemnity, accident-only, critical illness, specified disease, wraparound, short-term limited duration health and any other supplemental or excepted benefit accident and health insurance policies.

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, January 26, 2016.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,
Executive Director

[Pa.B. Doc. No. 16-139. Filed for public inspection January 22, 2016, 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 February 8, 2016. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2015-2509139. Archangel Adult Daycare Services, LLC (1214 Quincy Avenue, Dunmore, PA 18509) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in Lackawanna County.

A-2016-2522193. Almond Tree Senior Solutions, LLC (405 Wagenseller Street, Middleburg, PA 17842) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons requiring wheelchair or stretcher van transportation, from points in the Counties of Snyder, Union, Northumberland, Juniata, Mifflin, Montour, Columbia and Lycoming, to points in Pennsylvania, and return.

Application of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as *common carriers* for the transportation of *household goods* as described under the application.

A-2016-2522467. A Action Family Moving Company, Inc., t/a Transtar Moving Systems (P. O. Box 570, Moorestown, NJ 08057) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-140. Filed for public inspection January 22, 2016, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due February 8, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. John D. Hebert t/a JD Hebert Transportation; Docket No. C-2015-2495609

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against John D. Hebert t/a JD Hebert Transportation (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of this Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P. O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Kourtney L. Myers
 Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265
 717.705.4366
 komyers@pa.gov

Michael L. Swindler
 Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

4. Respondent is John D. Hebert t/a JD Hebert Transportation and maintains his principal place of business at 149 Lisa Circle York, PA 17406.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as he is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about February 20, 2013, at A-2012-2294868, for paratransit authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about September 11, 2014, the Commission mailed Respondent an assessment invoice for the July 1, 2014 to June 30, 2015 Fiscal Year (2014-2015 Fiscal Year). Respondent's assessment was \$30.

13. The assessment invoice was not returned to the Commission as being undeliverable.

14. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

15. The Commission received no objections from Respondent to the assessment amount set forth in the 2014-2015 Fiscal Year assessment invoice.

16. Respondent failed to pay the amount of his 2014-2015 Fiscal Year assessment invoice.

17. The total outstanding assessment balance for Respondent is \$30.

Violation

18. That Respondent failed to satisfy his 2014-2015 Fiscal Year assessment in that he did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). I&E's proposed civil penalty for this violation is \$50.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$80, which consists of his outstanding assessment balance of \$30 and a civil penalty of \$50 for the above-described violations; and

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
 Stephanie M. Wimer
 Prosecutor

Pennsylvania Public Utility Commission
 Bureau of Investigation & Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265
 717.772.8839
 stwimer@pa.gov

Date: July 30, 2015

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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: July 30, 2015

Mandy Freas, Accountant
 Assessment Section
 Bureau of Administrative Services
 PA. Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 16-142. Filed for public inspection January 22, 2016, 9:00 a.m.]

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P. O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Your check or money order should be payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
 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 Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-141. Filed for public inspection January 22, 2016, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 16-003.S, Uniform Rental (including weekly cleaning and repairs), until 2 p.m. on Tuesday, February 16, 2016. Information can be obtained from the web site www.philaport.com under Procurement or call (215) 426-2600.

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Leslie Denise Mitchell, LPN; File No. 14-51- 08119; Doc. No. 0414-51-2015

On December 21, 2015, Leslie Denise Mitchell, LPN, license no. PN281145 of Airville, York County, was issued a formal reprimand and a \$250 civil penalty based on disciplinary action being taken against her license by another state and failing to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Nursing, P. O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-143. Filed for public inspection January 22, 2016, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Application for Licensure as a Vehicle Salesperson of Oscar B. Santiago; Doc. No. 2302-60-2015; File No. 15-60-14747

On December 23, 2015, Oscar B. Santiago, Philadelphia, Philadelphia County, was granted a probationary vehicle salesperson license for no less than 2 years based on criminal felony convictions.

Individuals may obtain a copy of the order by writing to Bridget K. Guilfoyle, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 69523, Harrisburg, PA 17105-2649.

DANIEL G. MURPHY, III,
Chairperson

[Pa.B. Doc. No. 16-144. Filed for public inspection January 22, 2016, 9:00 a.m.]

STATE REAL ESTATE COMMISSION

**Bureau of Professional and Occupational Affairs v.
Gail Y. Middleton; Doc. No. 2005-56-15; File No.
15-56-12776**

On November 5, 2015, the State Real Estate Commission suspended the license of Gail Y. Middleton, license no. AB066604, last known of Aldan, Delaware County, for failure to pay a previously imposed civil penalty until the civil penalty is paid in full.

Individuals may obtain a copy of the order by writing to the Prothonotary, Department of State, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. McGETTIGAN,
Chairperson

[Pa.B. Doc. No. 16-145. Filed for public inspection January 22, 2016, 9:00 a.m.]
