

PENNSYLVANIA BULLETIN

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Department of Education
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Department of Health
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 505, December 2016

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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THE GOVERNOR

Notice of Veto

November 21, 2016

To the Honorable House of Representatives
of the Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1538, Printer's Number 4125.

Government works best when trust and openness exist between citizens and their government. I cannot agree to sign this bill, because it will enshrine into law a policy to withhold important information from the public.

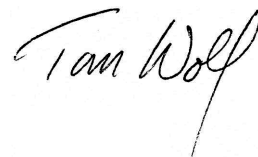
The legislation as drafted would prevent the disclosure of a police officer's name in a situation where an officer takes the life of an unarmed person. These situations in particular—when law enforcement uses deadly force—demand utmost transparency, otherwise a harmful mistrust will grow between police officers and the communities they protect and serve. Transparency and accountability are required of all public employees, but this bill ignores the reality that a police officer is a public employee.

This bill's provisions will supersede any conflicting local police department policies, even though local police departments are better equipped to decide what information is appropriate to release to the public. Finally, this legislation would allow for the prosecution of anyone who violates the ban on releasing the name of a police officer who uses deadly force. This criminalization of what should be a routine release of public information is not in the public interest.

I am deeply concerned for the safety of the Commonwealth's police officers, but this legislation does not necessarily provide greater protection to law enforcement while it seriously inhibits public access to information.

For the reasons set forth above, I must withhold my signature from House Bill 1538, Printer's Number 4125.

Sincerely,



Governor

[Pa.B. Doc. No. 16-2102. Filed for public inspection December 9, 2016, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS [204 PA. CODE CH. 211]

Judicial Salaries

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

§ 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2016, was 1.3 percent (1.3%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Thursday, November 17, 2016).

§ 211.2. Judicial salaries effective January 1, 2017.

The annual judicial salaries for calendar year beginning January 1, 2017 will be adjusted by a cost-of-living factor.

(a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$206,054.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$212,051.

(b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$194,422.

(2) The annual salary of the President Judge of the Superior Court shall be \$200,416.

(c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$194,422.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$200,416.

(d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$178,868.

(2) The annual salary of the President Judges of the Court of Common Pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$181,866.

(ii) Philadelphia County, \$182,466.

(iii) Judicial districts having six or more judges, \$180,427.

(iv) Judicial districts having one to five judges, \$179,648.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of six or more judges, \$180,427.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with divisions of five or less judges, \$179,648.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of six or more judges, \$180,427.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with divisions of five or less judges, \$179,648.

(e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$174,729.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$177,428.

(f) *Philadelphia Municipal Court—Traffic Division.*

(1) The annual salary of a judge of the Philadelphia Traffic Court shall be \$93,995.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$89,438.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$553 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 16-2103. Filed for public inspection December 9, 2016, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1920]

Order Amending Rule 1920.72 of the Rules of Civil Procedure; No. 654 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 18th day of November, 2016, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interest of efficient administration:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1920.72 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on December 5, 2016.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

Rule 1920.72. Form of Complaint. Affidavit under § 3301(c) or § 3301(d) of the Divorce Code. Counter-affidavit. Waiver of Notice of Intention to Request Decree under § 3301(c) and § 3301(d).

* * * * *

(d) The affidavit required by § 3301(d) of the Divorce Code and [Rule] Pa.R.C.P. No. 1920.42(a)(2) shall be substantially in the following form:

(Caption)

NOTICE

If you wish to deny any of the statements set forth in this affidavit, you must file a [counteraffidavit] counter-affidavit within [twenty] 20 days after this affidavit has been served on you or the statements will be admitted.

AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE

1. The parties to this action separated on [_____] and have continued to live separate and apart for a period of at least two years [insert date] .

2. Check (a) or (b):

[] (a) The date of separation was prior to December 5, 2016, and the parties have continued to live separate and apart for a period of at least two years.

[] (b) The date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least one year.

[2.] 3. The marriage is irretrievably broken.

[3.] 4. I understand that I may lose rights concerning alimony, division of property, lawyer’s fees or expenses if I do not claim them before a divorce is granted.

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

Date: _____

[Plaintiff/Defendant] (PLAINTIFF) (DEFENDANT)

(e)(1) The counter-affidavit prescribed by [Rule 1920.42(d)(2)] Pa.R.C.P. No. 1920.42(d)(2) for a divorce under § 3301(c) of the Divorce Code shall be substantially in the following form [in a § 3301(c) divorce]:

(Caption)

COUNTER-AFFIDAVIT UNDER § 3301(c) OF THE DIVORCE CODE

I wish to claim economic relief which may include alimony, division of property, lawyer’s fees or expenses or other important rights.

I understand that I must file my economic claims with the prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.

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

Date: _____ (PLAINTIFF) (DEFENDANT)

NOTICE: IF YOU DO NOT WISH TO CLAIM ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

(2) The counter-affidavit prescribed by [Rule] § 3301(d) of the Divorce Code and Pa.R.C.P. No. 1920.42(d)(2) shall be substantially in the following form [in a § 3301(d) divorce]:

(Caption)

COUNTER-AFFIDAVIT UNDER § 3301(d) OF THE DIVORCE CODE

1. Check either (a) or (b):

[] (a) I do not oppose the entry of a divorce decree.

[] (b) I oppose the entry of a divorce decree because

[(Check (i), (ii), (iii) or all)]:

Check (i), (ii), (iii) or all:

[] (i) The parties to this action have not lived separate and apart for [a period of at least two years] the required separation period: two years for parties that separated prior to December 5, 2016, and one year for parties that separated on or after December 5, 2016.

[] (ii) The marriage is not irretrievably broken.

[] (iii) There are economic claims pending.

(2) Check (a), (b) or (c):

* * * * *

EXPLANATORY COMMENT—2016

Act 102 of 2016 (the Act) amended the Divorce Code by reducing the separation period required by § 3301(d) from two years to one year for parties separating after the Act’s effective date: December 5, 2016. The Act provides that the one-year separation period is only applicable to married persons separating after the effective date of the Act. However, the current two-year separation period remains applicable to married persons that separated prior to the effective date of the Act. As such, the current forms could not be amended merely by substituting one-year for two-year on the affidavit and counter-affidavit in Pa.R.C.P. No. 1920.72(d) and (e)(2), respectively. Instead, the current forms have been amended to delineate when the parties separated vis-à-vis the Act’s effective date. Therefore, a party alleging a date of separation prior to December 5, 2016, should proceed under a two-year separation period. A party alleging a date of separation on or after December 5, 2016 should proceed under a one-year separation period.

[Pa.B. Doc. No. 16-2104. Filed for public inspection December 9, 2016, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ARMSTRONG COUNTY

Adoption of New Local Court Rules; No. CP-03-AD-0000002-2016

Order of Court

And Now, this 16th day of November, 2016, it is hereby Ordered as follows:

1. The following rules are hereby *Adopted* as the Local Rules of Judicial Administration, effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*:

Rule 4001. Interpretation of Rules. Citations of Rules.

(A) These Local Rules of Judicial Administration pertaining to court reporting and transcripts shall be read in pari materia with the Pennsylvania Rules of Judicial Administration pertaining to the same subject matter.

(B) The Local Rules of Judicial Administration shall be cited as L.R.J.A. _____.

Rule 4002. Definitions.

Court Administrator means the court administrator of the Court of Common Pleas of the 33rd Judicial District sitting in Armstrong County.

Court reporter includes court recorder, unless indicated otherwise.

Rule 4004. Certification of Court Reporter. Duties of Court Administrator.

(A) The Court Administrator shall be responsible for making the determination of whether a court reporter first employed or utilized by the Court after January 1, 2017 meets the minimum criteria to serve in such capacity, as set forth in the Pennsylvania Rule of Judicial Administration. In the event that the minimum criteria are met, the Court Administrator shall approve the court reporter's use by the Court.

(B) The Court Administrator shall be responsible for presenting pertinent information to the President Judge sufficient so as to permit the judge to determine if the triennial or other requalification requirements for a court reporter, as set forth in the Pennsylvania Rules of Judicial Administration, have been satisfied.

Rule 4007. Requests for Transcripts. Payments.

(A) All requests for a transcripts shall be filed with the Court Administrator.

(B) Upon receipt of a request for an ordinary transcript, the Court Administrator shall forthwith instruct the appropriate court reporter to prepare a brief statement of estimated cost. In preparing such statement, the court reporter shall calculate the estimated cost by using the price rates explicitly established by the Pennsylvania Rules of Judicial Administration or other rates approved pursuant thereto.

(C) A partial payment shall be made by the requester after the Court Administrator has informed the requester of the estimated cost. A partial payment in the amount of seventy-five percent (75%) of the estimated cost shall be made for an ordinary transcript. A partial payment in the amount of ninety per cent (90%) of the estimated cost

shall be made for all other transcripts. All checks shall be made payable to "County of Armstrong." All checks shall be delivered to the Court Administrator.

(D) The Court Administrator shall receive payment for any balance owed for the transcript. All checks shall be payable to "County of Armstrong." The Court Administrator shall deliver the transcript to the requester upon receipt of such payment.

(E) If a filing office (Office of the Prothonotary, Clerk of Courts, or the Clerk of the Orphans' Court Division) receives a request for a copy of a transcript already delivered to it by a court reporter, it shall forward the same to the Court Administrator. The Court Administrator shall proceed in accordance with this Rule. The filing office is prohibited from making a copy of a transcript, paperbound or otherwise.

(F) The provisions of this Local Rule regarding deposits and final payments shall not apply to a request for a transcript where the Commonwealth or any subdivision thereof is the requester, or where the requester has been given in forma pauperis status. Legal aid clients shall be entitled to obtain an ordinary transcript at no cost, provided that Laurel Legal Services, or any other legal aid agency representing the requester, must first provide the President Judge with a letter of certification verifying, as provided in R.J.A. 4008(B), that the client meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

Rule 4008. Transcript Costs Payable by Requesting Party Other than the Commonwealth or a Subdivision Thereof.

(A) The transcript costs payable by a requesting party other than the Commonwealth or a subdivision thereof, shall be subject to the provisions of Paragraph (B) and (C) of this Rule, and shall be as follows:

(1) *Electronic Format:*

- (a) for an ordinary transcript, \$2.50 per page
- (b) for an expedited transcript, \$3.50 per page
- (c) for a daily transcript, \$4.50 per page
- (d) for same-day delivery, \$6.50 per page
- (e) for a realtime feed, \$1.00 per page
- (f) for complex litigation, \$3.00 per page
- (g) for rough drafts, \$1.00 per page

(2) *Paper Format:*

- (a) for an ordinary transcript, \$2.75 per page
- (b) for an expedited transcript, \$3.75 per page
- (c) for a daily transcript, \$4.75 per page
- (d) for same-day delivery, \$6.75 per page
- (e) for a realtime feed, \$1.00 per page
- (f) for complex litigation, \$3.25 per page
- (g) for rough drafts, \$1.25 per page

(B) The president judge may impose a reasonable surcharge in cases of unusually complex litigation, such as litigation where unusually complex expert testimony is received.

(C) A litigant who requests a transcript in a matter under appeal or where the transcript is necessary to advance the litigation, may seek a waiver or reduction of

the fees otherwise payable by simultaneously filing a petition to proceed in forma pauperis together with the request for a transcript. The petition shall be in the form prescribed by Pa.R.C.P. No. 240(h).

Rule 4009. Fees for Court Reporting Products.

The President Judge shall, from time to time, enter an order of court pertaining to the fees paid to court reporters for their work products. All such fees shall be reasonable.

Rule 4015. Ownership of Notes. Storage. Unauthorized Copying.

(A) Notes of testimony of court proceedings, stenographic notes, tapes, rough draft transcripts or other media used by court reporting personnel to record or monitor a proceeding in or for a court as well as transcriptions thereof, are the exclusive property of the Thirty-third Judicial District, subject to the vested property interests of court reporters described by these rules. Court reporters must, on a daily basis, upload their notes to the Cloud for storage.

(B) The copying of any portion of a transcript or the copying of a copy of any portion of a transcript is prohibited except in accordance with the procedures set forth in these Local Rules of Judicial Administration. Any person who violates this provision shall be liable to the County of Armstrong for payment of the copied product. The Court may impose sanctions upon litigants who violate this provision. The Court may report any violation to appropriate disciplinary tribunals as a violation of an ethical obligation.

2. The current Local Rule of Judicial Administration 5000.13 is hereby *Repealed*.

By the Court

KENNETH G. VALASEK,
President Judge

[Pa.B. Doc. No. 16-2105. Filed for public inspection December 9, 2016, 9:00 a.m.]

BRADFORD COUNTY

Local Rules of Judicial Administration; No. 2016IR0074

Order

And Now, this 29th day of November, 2016, it is hereby *Ordered and Decreed* that Bradford County Court of Common Pleas adopts the following Local Rules of Judicial Administration governing court reporting and transcripts for the 42nd Judicial District to be effective thirty (30) days after publication.

The Bradford County District Court Administrator is *Ordered and Directed* to do the following:

1) File one (1) copy of the local rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Publish the local rules on the court's website after publication in the *Pennsylvania Bulletin*.

4) Forward one (1) paper copy and/or (1) electronic copy in a Microsoft Word format for the publication *Bradford County Law Journal*.

5) File one copy of the local rules in the appropriate filing offices for public inspection and copying.

By the Court

MAUREEN T. BEIRNE,
President Judge

Local Rules of Judicial Administration

These rules supplement the Pennsylvania Rules of Judicial Administration and are implemented to comply with Pa.R.J.A. 4009.

Rule 4007. Requests for Transcripts.

(A) All requests for transcripts shall be set forth on the standardized form provided by the Commonwealth of Pennsylvania Court Administrator. This form may be obtained from Bradford County Court Administrator's Office or on the county website when available.

(B) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the office in which the matter is filed, either the Prothonotary's Office or Register and Recorder's Office. The requesting party shall also serve copies of the formal request to:

- (1) the judge presiding over the matter;
- (2) the court reporter or court recorder;
- (3) the district court administrator or his or her designee;
- (4) opposing counsel, but if not represented, the opposing party.

An affidavit of service shall be filed after service.

(C) Daily, expedited, same day and rough draft transcripts are not available.

(D) When a litigant requests a transcript:

(1) the litigant ordering a transcript shall make a deposit payment in the amount of 95% of the estimated total costs of the transcript. Deposit checks are to be payable to Bradford County and shall be delivered to the District Court Administrator.

(2) Upon receipt of the 95% deposit, the court reporter assigned to the proceeding shall be directed by Order of the presiding judge to prepare the transcript.

(3) The court reporter(s) shall notify the ordering party and the District Court Administrator upon completion of the transcript and shall indicate the balance due. Checks for the final balance due are to be made payable to Bradford County and shall be delivered to the District Court Administrator.

(4) Transcripts shall not be filed and copies shall not be delivered until the final balance is paid as set forth above.

(E) Any request by a litigant for a transcript alleging inability to pay due to economic hardship must proceed pursuant to B.C.R.J.A. 4008(B).

(F) Deposits pursuant to B.C.R.J.A. 4007(D)(2) above shall not apply for requests for transcripts by the Court, the Commonwealth or the County.

Rule 4008. Transcript Costs.

(A) *Costs payable:*

(1) *Electronic Format.*

(a) The costs payable by the initial ordering party other than the Commonwealth, County or Court, for a transcript delivered via electronic format shall be \$2.25 per page.

(b) The costs payable by the initial ordering party who is the Commonwealth, County or Court for a transcript delivered via electronic format shall be \$1.75.

(2) *Paper Format.*

(a) The costs payable by the initial ordering party other than the Commonwealth, County or Court for a transcript delivered via paper format shall be \$2.50 per page.

(b) The costs payable by the initial ordering party who is the Commonwealth, County or Court for a transcript delivered via paper format shall be \$2.00.

(B) *Economic hardship—minimum standards*

(1) See Pa.R.J.A. 4008(B)(1).

(2) See Pa.R.J.A. 4008(B)(2).

(3) See Pa.R.J.A. 4008(B)(3).

(4) Request to waive all or a portion of costs

(a) To request a waiver or reduction of transcript costs:

(i) Legal Aid Services must attach to their request for transcript a letter of certification verifying, as provided in Pa.R.J.A. 4008(B), that the client meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

(ii) Self-represented litigants claiming economic hardship must attach to the request for transcript (1) a fully completed In Forma Pauperis Petition pursuant to Pennsylvania Rule of Civil Procedure 240 and (2) a letter of certification that the matter is under appeal and setting forth the reasons a transcript is needed for appeal or that the transcript being requested is necessary to advance the current litigation and set forth the reasons for such need.

(C) See Pa.R.J.A. 4008(C)

(D) *Copies of transcripts*—Any requests to the filing offices for copies of filed transcript shall be directed to the District Court Administrators office. Any copy of transcripts shall be produced solely by the court reporter or court recorder. The costs of copies shall be in accordance with Pa.R.J.A. 4008(D) and shall be paid in advance payable to Bradford County and delivered the District Court Administrator.

[Pa.B. Doc. No. 16-2106. Filed for public inspection December 9, 2016, 9:00 a.m.]

BUCKS COUNTY

Adult Probation and Parole Supervisors On-Call Pay; Amended Administrative Order No. 71

Order

And Now, this 22nd day of November, 2016, in order to permit the execution of the On-Call pay for Supervisors in the Adult Probation and Parole Department, it is hereby *Ordered* and *Decreed* that:

Supervisors on night and weekend standby duty will be paid a flat rate of five hundred (\$500.00) dollars for every seven-day on-call rotation.

Night and weekend standby duty will consist of Monday through Thursday from 5:00 p.m. to 8:00 a.m. and from 5:00 p.m. on Friday through 8:00 a.m. on Monday, including holidays.

This Order shall take effect January 2, 2017.

The current comp time practice will remain in effect through Sunday, January 1, 2017.

By the Court

JEFFREY L. FINLEY,
President Judge

[Pa.B. Doc. No. 16-2107. Filed for public inspection December 9, 2016, 9:00 a.m.]

BUCKS COUNTY

Juvenile Probation and Parole Supervisors On-Call Pay; Amended Administrative Order No. 70

Order

And Now, this 22nd day of November, 2016, in order to permit the execution of the On-Call pay for Supervisors in the Juvenile Probation and Parole Department, it is hereby *Ordered* and *Decreed* that:

Supervisors on night and weekend standby duty will be paid a flat rate of five hundred (\$500.00) dollars for every seven-day on-call rotation.

Night and weekend standby duty will consist of Monday through Thursday from 5:00 p.m. to 8:00 a.m. and from 5:00 p.m. on Friday through 8:00 a.m. on Monday, including holidays.

This Order shall take effect on January 2, 2017.

The current comp time practice will remain in effect through Sunday, January 1, 2017.

By the Court

JEFFREY L. FINLEY,
President Judge

[Pa.B. Doc. No. 16-2108. Filed for public inspection December 9, 2016, 9:00 a.m.]

LUZERNE COUNTY

Request to Increase Clerk of Court’s Fee Pursuant to 42 P.S. § 1725.4; No. 1528 MD 2016

Order

And now, this 28th day of November, 2016, upon consideration and review of the within Petition of Joan Hoggarth, Director of Judicial Services and Records of Luzerne County, to increase the Clerk of Court’s Fees pursuant to 42 Pa.C.S.A. § 1725.4, which authorizes the Clerk of Courts to increase fees consistent with the percentage of increase in the Consumer Price Index for Urban Workers for the immediate three year period preceding the increase, the court takes Judicial Notice that the CPI increase is six percent (6%).

It is hereby *Ordered* and *Decreed* that the Clerk of Courts of Luzerne County is ordered to increase the fees by up to six percent (6%) effective January 1, 2017 as per the following proposed 2017 Clerk of Courts Fee Bill, which is marked as Exhibit “A”.

This Order shall be published on the Luzerne County website and the *Luzerne County Legal Register* and the *Pennsylvania Bulletin*. The original Order shall be filed with the Clerk of Courts.

By the Court

RICHARD M. HUGHES, III,
President Judge

EXHIBIT “A”

Luzerne County—Clerk of Courts Fees

Effective January 1, 2017

Appeal Processing for Clerk of Courts (\$58.50 + \$5.00 automation fee)	\$63.50
Appeal Processing for Superior Court	\$85.50
Appointment to Fill Vacancy of Office	\$17.50
ARD Dismissal Rule 319 (\$17.50 + \$5.00 automation fee).	\$22.50
Certifications	\$8.50
Civil Judgment Satisfaction (\$17.50 + \$5.00 automation fee).	\$22.50
Constable Deputy and Constable Bonds	\$17.50
Copies	\$.50
Detective License Applications (Incorporated)	\$425.50
Detective License Applications (Individual)	\$319.50
Expungements Rule 320 (\$17.50 + \$5.00 automation fee).	\$22.50
Expungement Fee under Pa.C.S. Section 1725.7 (Act 5)	\$132.00
Filing Petition & Order (17.50 + \$5.00 automation fee).	\$22.50
Filing of Orders/Motions (2nd Filing).	\$8.50
Filing of Resolutions/Ordinances	\$17.50
Filing of Tax Collector’s Bonds.	\$11.50
Liquor License Appeals.	\$23.50
Microfilm Copies.	\$1.50
Motion & Order (all nolle prose)	\$23.00
Poundage on Bail 3% on the first thousand, 1% on the balance.	
Processing all Misc. or Felony Cases During or After Trial.	\$145.50
Processing all Misc. or Felony Cases During or Before Trial	\$81.50
Record checks (per individual)	\$17.50
Short Certificate.	\$8.00
Subpoenas.	\$3.25
Summary Appeal (\$47.00 + \$5.00 automation fee).	\$52.00
Writ of Habeas Corpus Petitions (\$58.50 + \$5.00 automation fee)	\$63.50

[Pa.B. Doc. No. 16-2109. Filed for public inspection December 9, 2016, 9:00 a.m.]

MONTGOMERY COUNTY

Adoption of Local Rule of Judicial Administration 4009*—Court Reporting and Transcripts—Fees and Procedures; No. 2016-00004

Order

And Now, this 21st day of November, 2016, the Court hereby adopts Montgomery County Local Rule of Judicial Administration 4009*—Court Reporting and Transcripts—Fees and Procedures. This Local Rule shall become effective on January 1, 2017.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A.103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

WILLIAM J. FURBER, Jr.,
President Judge

Rule 4009. Court Reporting and Transcripts—Fees and Procedures.

(A) *Fees—original transcript—requesting party*

(1) The fees payable by the initial requesting party, other than the Commonwealth or a subdivision thereof, to the Court for a transcript in an electronic format shall be as follows:

- (a) for an ordinary transcript, \$2.50 per page;
- (b) for an expedited transcript, \$3.50 per page;
- (c) for a daily transcript, \$4.50 per page; and
- (d) for same day delivery, \$6.50 per page.

The above fee includes the original transcript, filed of record with the Court, 1 copy of the transcript for the presiding Judge (if requested) and 1 copy of the transcript to be provided to the initial requesting party.

(2) The fees payable by the Commonwealth or a subdivision thereof to the Court Reporter for a transcript in an electronic format shall be as follows:

- (a) for an ordinary transcript, \$2.00 per page;
- (b) for an expedited transcript, \$3.00 per page;
- (c) for a daily transcript, \$4.00 per page; and
- (d) for same day delivery, \$6.00 per page.

The above fee includes the original transcript, filed of record with the Court, 1 copy of the transcript for the presiding Judge (if requested) and 2 copies of the transcript, to be distributed pursuant to Court policy.

(3) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraphs (1) and (2) relating to electronic format plus a surcharge of \$0.25 per page.

(4) The fees received by the Court, in accordance with this section, shall, in turn, be paid to the Court Reporter.

(5) In economic hardship cases, in accordance with the provisions of section (G) of this Rule, the Court will

compensate the Court Reporter for any such waived or reduced fee not to exceed the Commonwealth rate noted in section (A)(2) herein.

(B) *Fees—copies of transcript—requesting party*

A request for a copy of any transcript, made contemporaneous with the creation of the transcript and prior to filing the transcript of record, in excess of any copies provided for in section (A) of this Rule, shall be provided according to the following schedule:

- (1) \$0.75 per page paper format; and
- (2) \$0.50 per page electronic copy.

The above fee shall be paid to the Court. The fee received by the Court, in accordance with this section, shall, in turn, be paid to the Court Reporter. For such contemporaneous requests, the fee herein, along with the initial requesting fee identified in Section (A) of this Rule, shall be divided equally among all requesting parties.

(C) *Fees—copies of transcript—previously ordered, transcribed and filed of record*

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided according to the following schedule:

- (3) \$0.75 per page paper format; and
- (4) \$0.50 per page electronic copy.

The above fee shall be paid to and collected by the respective filing office. No portion of this fee is payable to the Court or the Court Reporter.

(D) *Fees—additional costs*

The trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice, or other unusually complex litigation where there is a need for court reporters to significantly expand their dictionary. Such surcharges are at the discretion of the trial judge, in accordance with Court policy.

(E) *Fees—secure electronic feed*

The trial judge may impose a reasonable surcharge in cases involving a secure electronic feed during the proceeding. Such surcharge is at the discretion of the trial judge, in accordance with Court policy.

(F) *Procedure for requesting a transcript*

(1) All requests for transcripts shall be set forth on the standardized form available at www.montcopa.org/court.

(2) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the Court Services Office. The requesting party shall also serve copies of the formal request to:

- (a) the judge presiding over the matter;
- (b) the court reporter; and
- (c) opposing counsel or the opposing party, if not represented.

(3) If a party is requesting daily, expedited or same day transcripts, or provisions for secure electronic feed, the request for such transcripts or service shall be filed with Court Services at least ten (10) days prior to the scheduled proceeding. Copies of the written request shall be delivered as required by subsection (2). In the event of an emergency, a party may request by oral motion a daily, expedited or same day transcript.

(4) When a litigant (a requesting party or Commonwealth agency or subdivision thereof other than the Court) requests a transcript:

(a) The litigant shall make a deposit in the amount of 90% of the estimated cost of the transcript as provided by Court Services. This amount shall be paid by money order, certified check or check from an attorney made payable to the "County of Montgomery" and delivered to Court Services;

(b) The court reporter shall prepare the transcript upon direction of Court Services;

(c) The court reporter shall notify the ordering party and Court Services of the completion of the transcript and deliver a copy of the transcript to the presiding judge;

(d) Upon payment of the final balance owed, the court reporter shall deliver the original transcript to the appropriate filing office and copies to the requesting parties. The final amount shall be paid by money order, certified check or check from an attorney made payable to the County of Montgomery and delivered to Court Services.

(G) *Economic hardship*

(1) Pursuant to the guidelines identified in Pa.R.J.A. 4008(B), a request to waive or reduce transcript fees shall be noted on the transcript request form filed with Court Services. Litigants claiming economic hardship must attach to their transcript request form a fully completed In Forma Pauperis Petition pursuant to Pennsylvania Rule of Civil Procedure 240, even if IFP status was previously granted on the case. All such requests will be forwarded to the Court for filing and determination.

(2) Litigants who have been approved for representation by Legal Aid Services are not required to further prove economic hardship pursuant to section (G)(1) above, however, they must provide Court Services with a letter of certification from Legal Aid Services that the litigant meets financial eligibility and that the matters is under appeal or that the transcript being requested is necessary to advance the current litigation.

[Pa.B. Doc. No. 16-2110. Filed for public inspection December 9, 2016, 9:00 a.m.]

SNYDER COUNTY

Judicial Administration; CP-55-AD-2-2016; Full Court-MC-39-2016

Order

And Now, this 17th day of November, 2016, the 17th Judicial District hereby adopts the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001-et seq.) Local Rule of Judicial Administration 17CV4007 through 17CV4009 is adopted for use in Snyder County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

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

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

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

4) Copies shall be kept continuously available for public inspection in the Office of the Snyder County Prothonotary.

By the Court

MICHAEL T. HUDOCK,
President Judge

Court Reporter Rules—Transcripts

17-CV4007—4009. Local Rule.

AND NOW, this 17th day of November 2016, the 17th Judicial District hereby adopts the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001—4016 et seq).

The President Judge hereby appoints the District Court Administrator as designee for purposes of the administration of this local rule.

This rule shall not interfere with or otherwise limit the income of court reporters. Court reporters shall continue to be properly compensated for their professional services regarding the preparation of transcripts.

I. *Procedures:*

(A) *Format:*

Requests for transcripts shall be set forth on a standardized form provided by the Court Administrator of the Administrative Office of Pennsylvania Courts.

(B) *Requests for Transcripts:*

For an ordinary transcript, the party requesting the full or partial transcript of a trial or other proceeding shall file the original transcript request form with the Prothonotary/Clerk of Courts Office.

(C) *Service:*

The requesting party shall serve copies of the formal request to:

1. The Presiding Judge
2. The court reporter(s) assigned to the proceeding
3. The District Court Administrator
4. Opposing counsel or party, if party is unrepresented

(D) *Filing:*

In courts where daily, expedited, same-day or rough draft transcripts are available, requests for transcripts shall be filed in writing in the appropriate filing office at least 10 days prior to the proceeding.

1. Copies of the written request shall be served as provided for by Section (C) supra.

2. In the event of an emergency, a party may request by oral motion a daily, expedited, same-day or rough draft transcript.

(E) *Private Litigant Requests:*

When a private litigant requests a transcript, the litigant ordering the transcript shall make payment in the amount of 90% of the estimated total cost of the transcript.

(F) *Payment of Costs:*

Deposit checks are to be made payable to appropriate Common Pleas Court Snyder County or Union County and shall be delivered to County Clerk of Courts/Prothonotary's office. A copy of the receipt will be provided to the District Court Administrator from the Clerk of Courts/Prothonotary's office.

(G) *Preparation of Transcripts:*

Upon receipt of the 90% deposit, the court reporter(s) assigned to the proceeding shall be directed by the District Court Administrator to prepare the transcript.

(H) *Notice of Completion:*

The court reporter(s) shall notify the ordering party and the District Court Administrator of the completion of the transcript and shall deliver a copy of the transcript to the judge presiding over the matter.

(I) *Payment for Balance:*

Checks for the final balance are to be made payable to Snyder or Union County Court of Common Pleas and shall be delivered to the Clerk of Courts/Prothonotary's office at which time the filing office will confirm payment with the District Court Administrator.

(J) *Requirement of Signature of Presiding Judge:*

Upon payment of the balance owed, the court reporter(s) shall obtain the signature of the presiding judge (after the (5) five day lodging period) on the original transcript and shall deliver the original transcript to the appropriate filing office. After the original transcript has been delivered to the appropriate filing office, if ordered pursuant to Section II(E) *infra*, copies shall be delivered to the parties.

(K) *Request by Litigant (Economic Hardship):*

1. When a litigant requests a transcript, but cannot pay for the transcript because of alleged economic hardship, the Court shall determine economic hardship pursuant to the procedure set forth in Paragraph II(C) *infra*.

2. In cases of economic hardship where the matter is under appeal or a transcript is necessary to advance litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the Court.

3. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance litigation, the requesting party must demonstrate reasonable need before the Court shall waive or adjust the cost of obtaining the transcript.

II. *Rates:*

Transcript costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, shall be governed as follows:

(A) *Costs Payable:*

The costs payable by the initial ordering party for a transcript delivered via electronic format shall not exceed:

1. For an ordinary transcript, \$2.50 per page
2. For an expedited transcript, \$3.50 per page
3. For a daily transcript, \$4.50 per page
4. For same-day delivery, \$6.50 per page
5. For copies, \$0.25 per page
6. For complex litigation, \$4.50 per page Ex: medical malpractice
7. For Adoption hearings \$20.00

Transcript costs payable by the Commonwealth or a subdivision thereof shall be governed as follows:

1. For an ordinary transcript, \$1.50 per page
2. For an expedited transcript, \$2.50 per page
3. For a daily transcript, \$3.50 per page
4. For same-day delivery, \$5.50 per page
5. For copies, \$0.25 per page
6. For complex litigation, \$3.50 per page

(B) *Bound Paper Format:*

When the transcript is prepared in bound paper format, the costs shall be in accordance with Section II(A) *supra* relating to electronic format plus a surcharge of \$0.25 per page. Bound paper format copies shall not be delivered in condensed form.

(C) *Economic Hardship:*

1. Transcript costs for ordinary transcripts in matters under appeal or in which the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the Court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

2. Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

3. Transcript costs for ordinary transcripts in matters that are not subject to appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, same-day or rough draft transcripts may be waived at the Court's discretion for parties who qualify for economic hardship under Section II(C)(1) or II(C)(2) *supra* and upon good cause shown.

4. The application for waiver of all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure.

(D) *Assignment and Allocation of Transcript Costs:*

1. The requesting party, or the party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the Court.

2. When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(E) *Copies of transcripts:*

A request for a copy of any transcript previously ordered, transcribed, and filed of record shall be provided according to the following schedule:

1. \$0.75 per page bound, paper format; and
2. \$0.50 per page for an electronic copy, if available
3. \$0.25 per page for Commonwealth and subdivisions

All additional copies of transcripts shall be requested from and provided by the filing office, and this office will

be responsible for copying the transcript and receipt of the copy fees. Filing offices must inform District Court Administrator of copies of transcripts for statistical purposes only.

[Pa.B. Doc. No. 16-2111. Filed for public inspection December 9, 2016, 9:00 a.m.]

UNION COUNTY

Judicial Administration; No. 16-664 2016; CP-60-AD-3-2016

Order

And Now, this 17th day of November, 2016, the 17th Judicial District hereby adopts the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001-et seq.) Local Rule of Judicial Administration 17CV4007 through 17CV4009 is adopted for use in Union County, Court of Common Pleas of the 17th Judicial District, Commonwealth of Pennsylvania, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The 17th Judicial District Court Administrator is Ordered and Directed to do the following:

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

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

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

4) Copies shall be kept continuously available for public inspection in the Office of the Union County Prothonotary.

By the Court

MICHAEL T. HUDOCK,
President Judge

Court Reporter Rules—Transcripts

17-CV4007—4009. Local Rule.

AND NOW, this 17th day of November 2016, the 17th Judicial District hereby adopts the Uniform Rules Governing Court Reporting and Transcripts (Rule 4001—4016 et seq).

The President Judge hereby appoints the District Court Administrator as designee for purposes of the administration of this local rule.

This rule shall not interfere with or otherwise limit the income of court reporters. Court reporters shall continue to be properly compensated for their professional services regarding the preparation of transcripts.

I. Procedures:

(A) Format:

Requests for transcripts shall be set forth on a standardized form provided by the Court Administrator of the Administrative Office of Pennsylvania Courts.

(B) Requests for Transcripts:

For an ordinary transcript, the party requesting the full or partial transcript of a trial or other proceeding shall

file the original transcript request form with the Prothonotary/Clerk of Courts Office.

(C) Service:

The requesting party shall serve copies of the formal request to:

1. The Presiding Judge
2. The court reporter(s) assigned to the proceeding
3. The District Court Administrator
4. Opposing counsel or party, if party is unrepresented

(D) Filing:

In courts where daily, expedited, same-day or rough draft transcripts are available, requests for transcripts shall be filed in writing in the appropriate filing office at least 10 days prior to the proceeding.

1. Copies of the written request shall be served as provided for by Section (C) supra.

2. In the event of an emergency, a party may request by oral motion a daily, expedited, same-day or rough draft transcript.

(E) Private Litigant Requests:

When a private litigant requests a transcript, the litigant ordering the transcript shall make payment in the amount of 90% of the estimated total cost of the transcript.

(F) Payment of Costs:

Deposit checks are to be made payable to appropriate Common Pleas Court Snyder County or Union County and shall be delivered to County Clerk of Courts/Prothonotary's office. A copy of the receipt will be provided to the District Court Administrator from the Clerk of Courts/Prothonotary's office.

(G) Preparation of Transcripts:

Upon receipt of the 90% deposit, the court reporter(s) assigned to the proceeding shall be directed by the District Court Administrator to prepare the transcript.

(H) Notice of Completion:

The court reporter(s) shall notify the ordering party and the District Court Administrator of the completion of the transcript and shall deliver a copy of the transcript to the judge presiding over the matter.

(I) Payment for Balance:

Checks for the final balance are to be made payable to Snyder or Union County Court of Common Pleas and shall be delivered to the Clerk of Courts/Prothonotary's office at which time the filing office will confirm payment with the District Court Administrator.

(J) Requirement of Signature of Presiding Judge:

Upon payment of the balance owed, the court reporter(s) shall obtain the signature of the presiding judge (after the (5) five day lodging period) on the original transcript and shall deliver the original transcript to the appropriate filing office. After the original transcript has been delivered to the appropriate filing office, if ordered pursuant to Section II(E) infra, copies shall be delivered to the parties.

(K) Request by Litigant (Economic Hardship):

1. When a litigant requests a transcript, but cannot pay for the transcript because of alleged economic hardship, the Court shall determine economic hardship pursuant to the procedure set forth in Paragraph II(C) infra.

2. In cases of economic hardship where the matter is under appeal or a transcript is necessary to advance litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the Court.

3. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance litigation, the requesting party must demonstrate reasonable need before the Court shall waive or adjust the cost of obtaining the transcript.

II. Rates:

Transcript costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, shall be governed as follows:

(A) Costs Payable:

The costs payable by the initial ordering party for a transcript delivered via electronic format shall not exceed:

1. For an ordinary transcript, \$2.50 per page
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6. For complex litigation, \$4.50 per page Ex: medical malpractice
7. For Adoption hearings \$20.00

Transcript costs payable by the Commonwealth or a subdivision thereof shall be governed as follows:

1. For an ordinary transcript, \$1.50 per page
2. For an expedited transcript, \$2.50 per page
3. For a daily transcript, \$3.50 per page
4. For same-day delivery, \$5.50 per page
5. For copies, \$0.25 per page
6. For complex litigation, \$3.50 per page

(B) Bound Paper Format:

When the transcript is prepared in bound paper format, the costs shall be in accordance with Section II(A) supra relating to electronic format plus a surcharge of \$0.25 per page. Bound paper format copies shall not be delivered in condensed form.

(C) Economic Hardship:

1. Transcript costs for ordinary transcripts in matters under appeal or in which the transcript is necessary to advance the litigation shall be waived for a litigant who

has been permitted by the Court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

2. Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

3. Transcript costs for ordinary transcripts in matters that are not subject to appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, same-day or rough draft transcripts may be waived at the Court's discretion for parties who qualify for economic hardship under Section II(C)(1) or II(C)(2) supra and upon good cause shown.

4. The application for waiver of all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure.

(D) Assignment and Allocation of Transcript Costs:

1. The requesting party, or the party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the Court.

2. When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(E) Copies of transcripts:

A request for a copy of any transcript previously ordered, transcribed, and filed of record shall be provided according to the following schedule:

1. \$0.75 per page bound, paper format; and
2. \$0.50 per page for an electronic copy, if available
3. \$.0.25 per page for Commonwealth and subdivisions

All additional copies of transcripts shall be requested from and provided by the filing office, and this office will be responsible for copying the transcript and receipt of the copy fees. Filing offices must inform District Court Administrator of copies of transcripts for statistical purposes only.

[Pa.B. Doc. No. 16-2112. Filed for public inspection December 9, 2016, 9:00 a.m.]

RULES AND REGULATIONS

Title 52—PUBLIC UTILITIES

PHILADELPHIA PARKING AUTHORITY

Temporary Regulations Regarding Taxicabs and Limousines Providing Service in Philadelphia; Public Comment Hearing

Under the act of November 4, 2016 (P.L. 1222, No. 164) (Act 164), the Philadelphia Parking Authority (Authority) is required to promulgate temporary regulations within 90 days of November 4, 2016. The temporary regulations must address certain issues regarding the regulation of taxicabs and limousines providing service in Philadelphia. See section 57B02 of Act 164.

Therefore, the Taxicab and Limousine Division (TLD) of the Authority seeks information and comment from the public at large, industry members and prospective/current vendors of associated industry equipment concerning the temporary regulations.

The TLD will hold a public comment hearing on Wednesday, January 4, 2017, from 10:30 a.m. to 1:30 p.m. at the Independence Visitor Center, Liberty View Ballroom, 2nd Floor, 1 North Independence Mall West, 6th and Market Streets, Philadelphia, PA 19106.

The TLD is also seeking written comments concerning the temporary regulations. The TLD requests that comments that are to be presented at the hearing also be submitted in writing either before or at the hearing to Christine Kirlin, Esq., Administrative Counsel, Philadelphia Parking Authority, Taxicab and Limousine Division, 2415 South Swanson Street, Philadelphia, PA 19148-4113, ckirlin@philapark.org.

Act 164 can be read at <http://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2015&sInd=0&body=S&type=B&bn=984>.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 16-2113. Filed for public inspection December 9, 2016, 9:00 a.m.]

Title 28—HEALTH AND SAFETY

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 1161]

Medical Marijuana; Dispensaries; Temporary Regulations

The Department of Health (Department) is publishing temporary regulations in Chapter 1161 (relating to dispensaries) to read as set forth in Annex A. The temporary regulations are published under the Medical Marijuana Act (act) (35 P.S. §§ 10231.101—10231.2110). Section 1107 of the act (35 P.S. § 10231.1107) specifically provides that, to facilitate the prompt implementation of the act, the Department may promulgate temporary regulations that are not subject to sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1205), known as the Commonwealth Documents Law, the

Regulatory Review Act (71 P.S. §§ 745.1—745.14) and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P.S. §§ 732-204(b) and 732-301(10)).

To implement the Medical Marijuana Program, the Department will be periodically publishing temporary regulations regarding various sections of the act. The temporary regulations for dispensaries are effective upon publication and will expire on December 10, 2018.

Chapter 1161 pertains to dispensaries that will dispense medical marijuana to patients and caregivers in accordance with the act. The next set of temporary regulations that the Department anticipates publishing relate to laboratories, followed by temporary regulations relating to practitioners, caregivers and patients, and academic clinical research centers.

Interested persons are invited to submit written comments, suggestions or objections regarding the temporary regulations to John J. Collins, Office of Medical Marijuana, Department of Health, Room 628, Health and Welfare Building, 625 Forester Street, Harrisburg, PA 17120, (717) 787-4366, RA-DHMedMarijuana@pa.gov. Persons with a disability who wish to submit comments, suggestions or objections regarding the temporary regulations may do so by using the previous contact information. Speech and/or hearing impaired persons may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT). Persons who require an alternative format of this document may contact John J. Collins so that necessary arrangements may be made.

KAREN M. MURPHY, PhD, RN,
Secretary

Fiscal Note: 10-201. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 28. HEALTH AND SAFETY PART IX. MEDICAL MARIJUANA CHAPTER 1161. DISPENSARIES

- Sec.
- 1161.21. Definitions.
 - 1161.22. Dispensaries generally.
 - 1161.23. Dispensing medical marijuana.
 - 1161.24. Limitations on dispensing.
 - 1161.25. Licensed medical professionals at facility.
 - 1161.26. Dispensary facilities.
 - 1161.27. Items and services provided at a dispensary.
 - 1161.28. Labels and safety inserts.
 - 1161.29. Plans of operation.
 - 1161.30. Visitor access to dispensary facilities.
 - 1161.31. Security and surveillance.
 - 1161.32. Inventory data.
 - 1161.33. Storage requirements.
 - 1161.34. Sanitation and safety in a facility.
 - 1161.35. Transportation of medical marijuana.
 - 1161.36. Transport manifest.
 - 1161.37. Evidence of adverse loss during transport.
 - 1161.38. Complaints about or recall of medical marijuana.
 - 1161.39. Electronic tracking system.
 - 1161.40. Application for additional dispensary locations.

§ 1161.21. Definitions.

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

Certified registered nurse practitioner—The term as defined in section 2 of The Professional Nursing Law (63 P.S. § 212).

Device—An object used, intended for use or designed for use in preparing, storing, ingesting, inhaling or otherwise introducing medical marijuana into the human body.

Dispense—The activity of lawfully providing to a patient or caregiver medical marijuana in a suitable container that is appropriately labeled for subsequent administration or use pursuant to a patient certification issued by a practitioner.

Medical marijuana product—The final form and dosage of medical marijuana that is grown, processed, produced, sealed, labeled and tested by a grower/processor and sold to a dispensary.

Pharmacist—The term as defined in section 2 of the Pharmacy Act (63 P.S. § 390-2).

Physician—The term as defined in section 2 of the Medical Practice Act of 1985 (63 P.S. § 422.2) and section 2 of the Osteopathic Medical Practice Act (63 P.S. § 271.2).

Physician assistant—The term as defined in section 2 of the Medical Practice Act of 1985 and section 2 of the Osteopathic Medical Practice Act.

§ 1161.22. Dispensaries generally.

(a) The qualifications that a dispensary shall meet to receive a permit are continuing qualifications to maintain the permit.

(b) In addition to any other requirements in the act or this part, a dispensary shall comply with the following:

(1) A dispensary may not engage in the business of possessing, dispensing, selling or offering to dispense or sell medical marijuana to a patient or caregiver in this Commonwealth without first being issued a permit by the Department and without first being determined operational by the Department as required under § 1141.42 (relating to failure to be operational).

(2) A dispensary may not employ an individual at its facility who is under 18 years of age.

(3) A dispensary may not permit a patient to self-administer medical marijuana at the facility unless the patient is also an employee of the dispensary, and the dispensary permits self-administration of medical marijuana at the facility by the employees.

§ 1161.23. Dispensing medical marijuana.

(a) A dispensary may only dispense medical marijuana to a patient or caregiver who presents a valid identification card to an employee at the facility who is authorized to dispense medical marijuana at the facility.

(b) Prior to dispensing medical marijuana to a patient or caregiver, the dispensary shall:

(1) Verify the validity of the patient or caregiver identification card using the electronic tracking system.

(2) Review the information on the patient's most recent certification by using the electronic tracking system to access the Department's database. The following apply:

(i) If a practitioner sets forth recommendations, requirements or limitations as to the form or dosage of medical marijuana on the patient certification, the medical marijuana dispensed to a patient or a caregiver by a dispensary must conform to those recommendations, requirements or limitations.

(ii) If a practitioner does not set forth recommendations, requirements or limitations as to the form or dosage of medical marijuana on the patient certification, the physician, pharmacist, physician assistant or certified registered nurse practitioner employed by the dispensary and working at the facility shall consult with the patient or the caregiver regarding the appropriate form and dosage of medical marijuana to be provided.

(iii) The dispensary shall update the patient certification in the electronic tracking system by entering any recommendation as to the form or dosage of medical marijuana that is provided to the patient.

(c) Prior to the completion of the transaction, the employee conducting the transaction at the dispensary shall prepare a receipt of the transaction, and file the receipt information with the Department utilizing the electronic tracking system. A dispensary shall provide a copy of the receipt to the patient or the caregiver, unless the patient or the caregiver declines the receipt. The receipt must include the following information:

(1) The name, address and any permit number assigned to the dispensary by the Department.

(2) The name and address of the patient and, if applicable, the patient's caregiver.

(3) The date the medical marijuana was dispensed.

(4) Any requirement or limitation noted by the practitioner on the patient's certification as to the form of medical marijuana that the patient should use.

(5) The form and the quantity of medical marijuana dispensed.

(d) Except as provided in sections 2001—2003 of the act (35 P.S. §§ 10231.2001—10231.2003), a dispensary shall destroy any paper copy of the patient certification or delete any electronically recorded patient certification stored on the dispensary's network, server or computer system as the result of a transaction after the receipt relating to that transaction has been filed under subsection (c).

§ 1161.24. Limitations on dispensing.

(a) A dispensary may not dispense to a patient or caregiver:

(1) A quantity of medical marijuana that is greater than the amount indicated on the patient's certification, if any.

(2) A form or dosage of medical marijuana that is listed as a restriction or limitation on the patient certification.

(3) A form of medical marijuana not permitted by the act or this part, unless otherwise provided in regulations adopted by the Department under section 1202 of the act (35 P.S. § 10231.1202).

(b) A dispensary may not dispense an amount of medical marijuana greater than a 30-day supply to a patient or caregiver until the patient has exhausted all but a 7-day supply provided pursuant to the certification currently on file with the Department.

§ 1161.25. Licensed medical professionals at facility.

(a) Except as provided in subsection (b), a dispensary shall ensure that a physician or a pharmacist is present

at the facility at all times during the hours the facility is open to dispense or offer to dispense medical marijuana to patients and caregivers.

(b) If a dispensary is authorized to operate more than one facility under its permit, a physician assistant or a certified registered nurse practitioner may be present onsite at each of the other locations instead of a physician or pharmacist.

(c) As required under the act, a physician, a pharmacist, a physician assistant or a certified registered nurse practitioner shall, prior to assuming any duties at a facility, successfully complete a 4-hour training course developed by the Department. The course must provide instruction in the latest scientific research on medical marijuana, including the risks and benefits of medical marijuana, and other information deemed necessary by the Department.

(d) Successful completion of the course required under subsection (c) shall be approved as continuing education credits as determined by:

- (1) The State Board of Medicine and the State Board of Osteopathic Medicine.
- (2) The State Board of Pharmacy.
- (3) The State Board of Nursing.

(e) A practitioner or a physician, while at the facility, may not issue a patient certification to a patient.

§ 1161.26. Dispensary facilities.

(a) A dispensary may only dispense medical marijuana to a patient or caregiver in an indoor, enclosed, secure facility as approved by the Department.

(b) A dispensary may not be located:

- (1) Within 1,000 feet of the property line of a public, private or parochial school, or a day-care center.
- (2) At the same site used for growing and processing medical marijuana.
- (3) In the same office space as a practitioner or other physician.

(c) The Department may waive or amend the prohibition under subsection (b)(1) if it is shown by clear and convincing evidence that the waiver or amendment is necessary to provide patients with adequate access to medical marijuana. A waiver or amendment by the Department under this subsection may require additional security measures, changes to the physical plant of a facility or other conditions necessary to protect individuals under 18 years of age and to prevent unauthorized access to medical marijuana.

(d) No one under 18 years of age is permitted to enter a dispensary unless the individual is a patient or accompanied by a parent, guardian or caregiver. If a dispensary facility is located adjacent to a commercial operation, the facility shall provide additional means of security satisfactory to the Department to prevent individuals under 18 years of age from entering the facility from the commercial operation unless the individual is accompanied by an adult.

(e) The following areas of a dispensary must be clearly marked with proper signage:

(1) Limited access areas. All areas of ingress and egress to a limited access area must be clearly identified by the posting of a sign which shall be not less than 12

inches wide and 12 inches long, composed of letters not less than 1/2 inch in height, which must state:

Do Not Enter—Limited Access Area—Access Limited to Authorized Personnel and Escorted Visitors.

(2) Areas that are open to patients and caregivers.

(f) A dispensary must have an enclosed, secure area out of public sight for the loading and unloading of medical marijuana into and from a transport vehicle.

§ 1161.27. Items and services provided at a dispensary.

(a) A dispensary shall dispense the form of medical marijuana under § 1161.23(b)(2) (relating to dispensing medical marijuana).

(b) A dispensary shall purchase medical marijuana products only from a grower/processor.

(c) A dispensary may sell, offer for sale or provide at its facility, with the prior written approval of the Department, instruments, devices and services related to the use of medical marijuana.

(d) A dispensary may dispense a medical marijuana product with a THC concentration of 0.3% or less so long as the dispensary purchases it from a grower/processor and the grower/processor obtained Department approval under § 1151.28(c) (relating to forms of medical marijuana).

(e) A dispensary may not:

(1) Advertise medical marijuana:

- (i) As a promotional item.
- (ii) As part of a giveaway.
- (iii) As part of a coupon program.

(2) Provide medical marijuana at no cost or free, unless the patient is approved for financial assistance by the Department.

(3) Make the dispensing of medical marijuana to a patient or caregiver conditional upon:

- (i) The purchase of a medical device, instrument or service provided at a dispensary facility.
- (ii) The purchase of a medical device, instrument or service provided at a location other than a dispensary facility.

(4) Offer the delivery of or deliver medical marijuana to a patient or caregiver at the patient's or caregiver's home or any other location.

§ 1161.28. Labels and safety inserts.

(a) Medical marijuana products dispensed by a dispensary must only be identified by the name of the grower/processor, the name of the dispensary, the form and species of medical marijuana, the percentage of THC and CBD contained in the medical marijuana product, and any other labeling required by the Department.

(b) A dispensary shall dispense medical marijuana to a patient or caregiver in a sealed and properly labeled package.

(c) The dispensary shall inspect the label to ensure that the label contains the following:

(1) The information required to be included in the receipt in § 1161.23 (relating to dispensing medical marijuana).

- (2) The packaging date.
- (3) A use by or expiration date.
- (4) The following warning stating:

This product is for medicinal use only. Women should not consume during pregnancy or while breastfeeding except on the advice of the practitioner who issued the certification and, in the case of breastfeeding, the infant's pediatrician. This product might impair the ability to drive or operate heavy machinery. Keep out of reach of children.

(5) The amount of individual doses contained within the package and the species and percentage of THC and CBD.

(6) A warning that the medical marijuana must be kept in the original container in which it was dispensed.

(7) A warning that unauthorized use is unlawful and will subject the purchaser or user to criminal penalties.

(8) Any other information required by the Department.

(d) The dispensary shall inspect the label to ensure that the label does not bear:

(1) Any resemblance to the trademarked, characteristic or product-specialized packaging of any commercially available food or beverage product.

(2) Any statement, artwork or design that could reasonably lead an individual to believe that the package contains anything other than medical marijuana.

(3) Any seal, flag, crest, coat of arms or other insignia that could reasonably mislead an individual to believe that the product has been endorsed, manufactured or approved for use by any state, county or municipality or any agency thereof.

(4) Any cartoon, color scheme, image, graphic or feature that might make the package attractive to children.

(e) When a dispensary dispenses medical marijuana to a patient or caregiver, the dispensary shall also provide the patient or caregiver with a safety insert developed and approved by the Department that includes the following information:

(1) The method or methods for administering individual doses of medical marijuana.

(2) Any potential dangers stemming from the use of medical marijuana.

(3) How to recognize what may be problematic usage of medical marijuana and how to obtain appropriate services or treatment for problematic usage.

(4) The side effects and contraindications associated with medical marijuana, if any, which may cause harm to the patient.

(5) How to prevent or deter the misuse of medical marijuana by an individual under 18 years of age or others.

(6) Any other information determined by the Department to be relevant to enhance patient safety.

§ 1161.29. Plans of operation.

(a) At the time the Department determines a dispensary to be operational, the dispensary shall provide the Department with a full and complete plan of operation for review that includes the following:

- (1) Employment policies and procedures.
- (2) Security policies and protocols, including:

- (i) Staff identification measures.
- (ii) Monitoring of attendance of staff and visitors.
- (iii) Alarm systems.
- (iv) Video surveillance.
- (v) Monitoring and tracking inventory.
- (vi) Personnel security.

(3) A process for receiving, packaging, labeling, handling, tracking, transporting, storing, disposing, returning and recalling products containing medical marijuana in accordance with all applicable laws, rules and regulations.

(4) Workplace safety.

(5) Maintenance, cleaning and sanitation of the site or facility, or both.

(6) Inventory maintenance and reporting procedures.

(7) The investigation of complaints and potential adverse events from other medical marijuana organizations, patients, caregivers or practitioners.

(8) The use of the electronic tracking system prescribed by the Department.

(b) A dispensary shall make the full and complete plan of operation available to the Department upon request and during any inspection of the site and facility.

§ 1161.30. Visitor access to dispensary facilities.

(a) A dispensary shall post a sign in a conspicuous location at each entrance of the facility that reads:

THESE PREMISES ARE UNDER CONSTANT VIDEO SURVEILLANCE.

NO ONE UNDER THE AGE OF 18 IS PERMITTED TO ENTER UNLESS THE INDIVIDUAL IS A PATIENT OR ACCOMPANIED BY A PARENT, GUARDIAN OR CAREGIVER.

(b) Except as provided in subsection (c), only authorized employees of a dispensary may enter a limited access area.

(c) A dispensary shall require visitors, including vendors and contractors requiring access to a limited access area in the dispensary's facility, to present government-issued identification, sign a visitor log and wear a visitor identification badge that is visible to others at all times while in a limited access area.

(d) When admitting a visitor under subsection (c) to a limited access area, a dispensary shall:

(1) Require the visitor to sign a visitor log upon entering and leaving the limited access area.

(2) Check the visitor's government-issued identification to verify that the name on the identification provided matches the name in the visitor log. A photocopy of the identification must be retained with the log.

(3) Issue a visitor identification badge with the visitor's name and company, if applicable, and a badge number.

(4) Escort the visitor while the visitor remains in a limited access area.

(5) Ensure that the visitor does not touch any medical marijuana located in a limited access area.

(e) The following apply regarding the visitor log required under subsections (c) and (d):

(1) The dispensary shall maintain the log for 4 years and make the log available to the Department, State or

local law enforcement and other State or local government officials upon request if necessary to perform the government officials' functions and duties.

(2) The log must include the full name of each visitor, the visitor identification badge number, the time of arrival, the time of departure and the purpose of the visit, including the areas visited and the name of each employee visited.

(f) This section does not limit the right of the Department or its authorized agents, or other Federal, State or local government officials, from entering any area of a dispensary if necessary to perform the government officials' functions and duties.

(g) A principal, financial backer, operator or an employee of a dispensary may not receive any type of consideration or compensation for allowing a visitor to enter a limited access area.

§ 1161.31. Security and surveillance.

(a) A dispensary shall have security and surveillance systems, utilizing commercial-grade equipment, to prevent unauthorized entry and to prevent and detect an adverse loss. The security and surveillance systems must include the following:

(1) A professionally-monitored security alarm system that includes the following:

(i) Coverage of all facility entrances and exits; rooms with exterior windows, exterior walls, roof hatches or skylights; storage rooms, including those that contain medical marijuana and safes; and the perimeter of the facility.

(ii) A silent security alarm system signal, known as a duress alarm, generated by the entry of a designated code into an arming station in order to signal that the alarm user is being forced to turn off the system.

(iii) An audible security alarm system signal, known as a panic alarm, generated by the manual activation of a device intended to signal a life-threatening or emergency situation requiring law enforcement response.

(iv) A silent alarm signal, known as a holdup alarm, generated by the manual activation of a device intended to signal a robbery in progress.

(v) An electrical, electronic, mechanical or other device capable of being programmed to send a prerecorded voice message requesting dispatch, when activated, over a telephone line, radio or other communication system to a law enforcement, public safety or emergency services agency.

(vi) A failure notification system that provides an audible, text or visual notification of any failure in the systems. The failure notification system must provide by telephone, e-mail or text message an alert to a designated security person within the facility within 5 minutes after the failure.

(vii) Smoke and fire alarms.

(viii) Auxiliary power sufficient to maintain security and surveillance systems for at least 48 hours following a power outage.

(ix) The ability to ensure all access doors are not solely controlled by an electronic access panel to prevent locks from becoming released during a power outage.

(x) Motion detectors.

(2) A professionally-monitored security and surveillance system that is operational 24 hours a day, 7 days a week

and records all activity in images capable of clearly revealing facial detail. The security and surveillance system must include the following:

(i) Fixed camera placement that allows for a clear image of all individuals and activities in and around the following:

(A) Any area of the facility where medical marijuana is loaded or unloaded into or from transport vehicles.

(B) Entrances to and exits from the facility. Entrances and exits must be recorded from both indoor and outdoor vantage points.

(C) Rooms with exterior windows, exterior walls, roof hatches or skylights and storage rooms, including those that may contain medical marijuana and safes.

(D) Five feet from the exterior of the perimeter of the facility.

(E) All limited access areas.

(ii) Auxiliary power sufficient to maintain security and surveillance systems for at least 48 hours following a power outage.

(iii) Ability to operate under the normal lighting conditions of each area under surveillance.

(iv) Ability to immediately produce a clear, color, still photograph in a digital format that meets the requirements of this subsection.

(3) Ability to clearly and accurately display the date and time. The date and time must be synchronized and set correctly and may not significantly obscure the picture.

(4) Ability to record all images captured by each surveillance camera for a minimum of 4 years in a format that may be easily accessed for investigative purposes. The recordings must be kept:

(i) At the facility:

(A) In a locked cabinet, closet or other secure place to protect it from tampering or theft.

(B) In a limited access area or other room to which access is limited to authorized individuals.

(ii) At a secure location other than the location of the facility if approved by the Department.

(5) A security alarm system separate from the facility's primary security system covering the limited access area or other room where the recordings under paragraph (4) are stored. The separate security alarm system must meet the same requirements as the facility's primary security alarm system.

(b) The following apply regarding the inspection, servicing or alteration of, and the upgrade to, the dispensary facility's security and surveillance systems:

(1) The systems shall be inspected and all devices tested once every year by a qualified alarm system vendor and a qualified surveillance system vendor, as approved by the Department.

(2) The dispensary shall conduct maintenance inspections once every month to ensure that any repairs, alterations or upgrades to the security and surveillance systems are made for the proper operation of the systems.

(3) The dispensary shall retain at the facility, for at least 4 years, records of all inspections, servicing, alterations and upgrades performed on the systems and shall

make the records available to the Department and its authorized agents within 2 business days following a request.

(4) In the event of a mechanical malfunction of the security or surveillance system that the dispensary anticipates will exceed a 4-hour period, the dispensary shall notify the Department immediately and, with Department approval, provide alternative security measures that may include closure of the facility.

(5) The dispensary shall designate an employee to continuously monitor the security and surveillance systems at the facility.

(6) The following apply regarding records retention:

(i) Within 2 business days following a request, a dispensary shall provide up to four screen captures of an unaltered copy of a video surveillance recording to the Department or its authorized agents, law enforcement, or other Federal, State or local government officials if necessary to perform the government officials' functions and duties.

(ii) If a dispensary has been notified in writing by the Department or its authorized agents, law enforcement, or other Federal, State or local government officials of a pending criminal or administrative investigation for which a recording may contain relevant information, the dispensary shall retain an unaltered copy of the recording for 4 years or until the investigation or proceeding is closed or the entity conducting the investigation or proceeding notifies the dispensary that it is not necessary to retain the recording, whichever is longer.

(c) A dispensary shall install commercial-grade, non-residential doors and door locks on each external door of the facility. Keys or key codes for all doors shall remain in the possession of designated authorized individuals.

(d) During all nonworking hours, all entrances to and exits from the facility must be securely locked.

(e) A dispensary shall have an electronic back-up system for all electronic records.

(f) A dispensary shall install lighting to ensure proper surveillance inside and outside of the facility.

(g) A dispensary shall limit access to a room containing security and surveillance monitoring equipment to persons who are essential to maintaining security and surveillance operations; Federal, State and local law enforcement; security and surveillance system service employees; the Department or its authorized agents; and other persons with the prior written approval of the Department. The following apply:

(1) A dispensary shall make available to the Department or the Department's authorized agents, upon request, a current list of authorized employees and service employees or contractors who have access to any security and surveillance areas.

(2) A dispensary shall keep security and surveillance rooms locked at all times and may not use these rooms for any other purpose or function.

§ 1161.32. Inventory data.

(a) A dispensary shall maintain the following inventory data in its electronic tracking system:

(1) Medical marijuana received from a grower/processor.

(2) Medical marijuana dispensed to a patient or caregiver.

(3) Damaged, defective, expired or contaminated medical marijuana awaiting return to a grower/processor or disposal.

(b) A dispensary shall establish inventory controls and procedures to conduct monthly inventory reviews and annual comprehensive inventories of medical marijuana at its facility.

(c) A written record shall be created and maintained of each inventory which includes the date of the inventory, a summary of the inventory findings, and the names, signatures and titles or positions of the individuals who conducted the inventory.

§ 1161.33. Storage requirements.

(a) A dispensary shall have separate locked limited access areas for storage of medical marijuana that is expired, damaged, deteriorated, mislabeled, contaminated, recalled, or whose containers or packaging have been opened or breached until the medical marijuana is returned to a grower/processor, destroyed or otherwise disposed of as required under § 1151.40 (relating to disposal of medical marijuana).

(b) A dispensary shall maintain all storage areas in a clean and orderly condition and free from infestation by insects, rodents, birds and pests.

§ 1161.34. Sanitation and safety in a facility.

(a) A dispensary shall maintain its facility in a sanitary condition to limit the potential for contamination or adulteration of the medical marijuana stored in or dispensed at the facility. The following apply:

(1) Trash shall be properly removed.

(2) Floors, walls and ceilings shall be kept in good repair.

(3) Adequate protection against pests shall be provided through the use of integrated pest management practices and techniques that identify and manage pest problems, and the regular disposal of trash to prevent infestation.

(4) Toxic cleaning compounds, sanitizing agents, solvents and pesticide chemicals must be labeled and stored in a manner that prevents contamination of medical marijuana and in a manner that otherwise complies with other applicable laws and regulations.

(b) An employee working in direct contact with medical marijuana is subject to the restrictions on food handlers in § 27.153 (relating to restrictions on food handlers). An employee shall otherwise conform to sanitary practices while on duty, including the following:

(1) Maintaining adequate personal hygiene.

(2) Washing hands thoroughly in an adequate hand-washing area before starting work and at any other time when hands may have become soiled or contaminated and at all times before dispensing medical marijuana to a patient or caregiver.

(c) A dispensary shall provide its employees and visitors with adequate and convenient hand-washing facilities furnished with running water at a temperature suitable for sanitizing hands. The following apply:

(1) Hand-washing facilities must be located where good sanitary practices require employees to wash and sanitize their hands.

(2) Effective nontoxic sanitizing cleansers and sanitary towel service or suitable hand drying devices shall be provided.

(d) A dispensary shall provide its employees and visitors with adequate, readily accessible lavatories that are maintained in a sanitary condition and in good repair.

(e) A dispensary shall comply with all other applicable State and local building code requirements.

§ 1161.35. Transportation of medical marijuana.

(a) A dispensary may transport and deliver medical marijuana to a medical marijuana organization in this Commonwealth in accordance with this section. The following apply:

(1) A dispensary may deliver medical marijuana to a medical marijuana organization only between 7 a.m. and 9 p.m. for the purposes of transferring medical marijuana among the permittee's dispensary locations and returning medical marijuana to a grower/processor.

(2) A dispensary may contract with a third-party contractor for delivery so long as the contractor complies with this section.

(3) A dispensary may not transport medical marijuana to any location outside of this Commonwealth.

(4) A dispensary shall use a global positioning system to ensure safe, efficient delivery of the medical marijuana to a medical marijuana organization.

(b) Vehicles permitted to transport medical marijuana must:

(1) Be equipped with a secure lockbox or locking cargo area.

(2) Have no markings that would either identify or indicate that the vehicle is being used to transport medical marijuana.

(3) Be capable of being temperature-controlled for perishable medical marijuana, as appropriate.

(4) Display current State inspection and registration stickers.

(5) Be insured in an amount that is commercially reasonable and appropriate.

(c) A transport vehicle shall be staffed with a delivery team consisting of at least two individuals and comply with the following:

(1) At least one delivery team member shall remain with the vehicle at all times that the vehicle contains medical marijuana.

(2) Each delivery team member shall have access to a secure form of communication with the dispensary, such as a cellular telephone, at all times that the vehicle contains medical marijuana.

(3) Each delivery team member shall carry an identification badge or card at all times and shall, upon demand, produce it to the Department or its authorized agents, law enforcement or other Federal, State or local government officials if necessary to perform the government officials' functions and duties.

(4) Each delivery team member shall have a valid driver's license.

(5) While on duty, a delivery team member may not wear any clothing or symbols that may indicate ownership or possession of medical marijuana.

(d) Medical marijuana stored inside the transport vehicle may not be visible from the outside of the transport vehicle.

(e) Except as provided in subsection (h), a delivery team shall proceed in a transport vehicle from the dispensary, where the medical marijuana is loaded, directly to the medical marijuana organization, where the medical marijuana is unloaded, without unnecessary delays. Notwithstanding the foregoing, a transport vehicle may make stops at multiple facilities, as appropriate, to deliver medical marijuana.

(f) A dispensary shall immediately report to the Department, either through a designated phone line established by the Department or by electronic communication with the Department in a manner prescribed by the Department, any vehicle accidents, diversions, losses or other reportable events that occur during transport of medical marijuana.

(g) A dispensary shall notify the Department daily of its delivery schedule, including routes and delivery times, either through a designated phone line established by the Department or by electronic communication with the Department in a manner prescribed by the Department.

(h) A transport vehicle is subject to inspection by the Department or its authorized agents, law enforcement, or other Federal, State or local government officials if necessary to perform the government officials' functions and duties. A transport vehicle may be stopped and inspected along its delivery route or at any medical marijuana organization.

§ 1161.36. Transport manifest.

(a) A dispensary shall generate a printed or electronic transport manifest that accompanies every transport vehicle and contains the following information:

(1) The name, address and permit number of the dispensary, and the name of and contact information for a representative of the dispensary who has direct knowledge of the transport.

(2) The name, address and permit number of the medical marijuana organization receiving the delivery, and the name of and contact information for a representative of the medical marijuana organization.

(3) The quantity, by weight or unit, of each medical marijuana batch or lot contained in the transport, along with the identification number for each batch or lot.

(4) The date and approximate time of departure.

(5) The date and approximate time of arrival.

(6) The transport vehicle's make and model and license plate number.

(7) The identification number of each member of the delivery team accompanying the transport.

(b) When a delivery team delivers medical marijuana to multiple medical marijuana organizations, the transport manifest must correctly reflect the specific medical marijuana in transit. Each recipient shall provide the dispensary with a printed receipt for the medical marijuana received.

(c) All medical marijuana being transported must be packaged in shipping containers and labeled in accordance with §§ 1151.34 and 1161.28 (relating to packaging and labeling of medical marijuana; and labels and safety inserts).

(d) A dispensary shall provide a copy of the transport manifest to the recipient receiving the medical marijuana described in the transport manifest. To maintain confidentiality, a dispensary may prepare separate manifests for each recipient.

(e) A dispensary shall, if requested, provide a copy of the printed transport manifest, and any printed receipts for medical marijuana being transported, to the Department or its authorized agents, law enforcement, or other Federal, State or local government officials if necessary to perform the government officials' functions and duties.

§ 1161.37. Evidence of adverse loss during transport.

(a) If a dispensary receiving a delivery of medical marijuana from a medical marijuana organization discovers a discrepancy in the transport manifest upon delivery, the dispensary shall refuse acceptance of the delivery and immediately report the discrepancy to the Department either through a designated phone line established by the Department or by electronic communication with the Department in a manner prescribed by the Department, and to the appropriate law enforcement authorities.

(b) If a dispensary discovers evidence of, or reasonably suspects, a theft or diversion of medical marijuana during transport, the dispensary shall immediately report its findings or suspicions to the Department either through a designated phone line established by the Department or by electronic communication with the Department in a manner prescribed by the Department, and to law enforcement.

(c) If a dispensary discovers a discrepancy in the transport manifest, the dispensary shall:

- (1) Conduct an investigation.
- (2) Amend the dispensary's standard plan of operation, if necessary, to prevent future discrepancies between the quantity or description of inventory listed in the transport manifest and the quantity or description of inventory delivered.
- (3) Submit a report of the investigation to the Department. The following apply:
 - (i) A written preliminary report of the investigation shall be submitted to the Department within 7 days of discovering the discrepancy.
 - (ii) A final written report of the investigation shall be submitted to the Department within 30 days of discovering the discrepancy.

§ 1161.38. Complaints about or recall of medical marijuana.

(a) A dispensary shall notify the Department and the grower/processor immediately upon becoming aware of any complaint made to the dispensary by a patient, caregiver or practitioner who reports an adverse event from using medical marijuana dispensed by the dispensary.

(b) Upon notification by the grower/processor under § 1151.42 (relating to complaints about or recall of medical marijuana), the dispensary shall cease dispensing the affected medical marijuana.

(c) A dispensary shall coordinate the return of the recalled medical marijuana with the grower/processor.

§ 1161.39. Electronic tracking system.

A dispensary shall use the electronic tracking system prescribed by the Department containing the requirements in section 701 of the act (35 P.S. § 10231.701). The Department will publish notice of the electronic tracking system to be utilized by a dispensary in the *Pennsylvania Bulletin* 60 days prior to the implementation date of the system.

§ 1161.40. Application for additional dispensary locations.

(a) An applicant for a dispensary permit shall include at least one specified dispensary facility location in its initial permit application, and may file an application under this section for additional dispensary facility locations at a later date.

(b) A dispensary shall submit an application for additional dispensary locations on a form prescribed by the Department.

(c) A dispensary submitting an application for additional dispensary locations shall include with the application the following fees:

- (1) An application fee of \$5,000, which is nonrefundable.
- (2) A permit fee of \$30,000 for each dispensary location being proposed. The permit fee shall be submitted with the application for additional dispensary locations and will be refunded if the application is not granted.

(d) A dispensary may not begin operations at an additional location until the Department approves the application for additional dispensary locations, in writing, under this section.

(e) A dispensary submitting an application for additional dispensary locations shall follow the requirements in § 1141.29 (relating to initial permit application) and this part.

[Pa.B. Doc. No. 16-2114. Filed for public inspection December 9, 2016, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE REAL ESTATE COMMISSION

[49 PA. CODE CH. 35]

Seller Property Disclosure Statement

The State Real Estate Commission (Commission) amends § 35.335a (relating to seller property disclosure statement) to read as set forth in Annex A.

Background and Purpose

The Commission is required to promulgate a form of property disclosure statement that satisfies the requirements of 68 Pa.C.S. Chapter 73 (relating to Real Estate Seller Disclosure Law) (act) under section 7304 of the act (relating to disclosure form). Section 7304(b) of the act lists the subjects that call for disclosures on the property disclosure statement. The act of June 19, 2015 (P.L. 23, No. 6) (Act 6) amended the act to add sinkholes and storm water facilities to the list of subjects requiring disclosure on the property disclosure statement.

Omission of Proposed Rulemaking

Under section 204 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204), known as the Commonwealth Documents Law (CDL), the Commission is authorized to omit the procedures for proposed rulemaking in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) if the

Commission finds that the specified procedures are impracticable, unnecessary or contrary to the public interest. The Commission determined that publication of proposed rulemaking is unnecessary under the circumstances because section 3 of Act 6 requires the Commission to promulgate the revised property disclosure statement as a final rulemaking, with notice of proposed rulemaking omitted under section 204 of the CDL.

Description of the Amendment

Act 6 amended the act to add sinkholes and storm water facilities to the list of subjects requiring disclosure on the property disclosure statement. In amending the property disclosure statement, the Commission includes sinkholes in section 13 of the property disclosure statement which deals with soils, drainage and boundaries. The Commission also adds a section that deals specifically with storm water facilities.

Statutory Authority

Section 404 of the Real Estate Licensing and Registration Act (RELRA) (63 P.S. § 455.404) authorizes the Commission to promulgate and adopt rules and regulations not inconsistent with law as it deems necessary for the performance of its duties and the proper administration of the RELRA. Section 7304 of the act requires the Commission to promulgate a form of property disclosure statement that satisfies the requirements of the act. Section 3 of Act 6 requires promulgation of a final-omitted rulemaking that amends the property disclosure statement.

Fiscal Impact and Paperwork Requirements

This final-omitted rulemaking will not have a fiscal impact on, or create additional paperwork for, the regulated community, the Commonwealth or its political subdivisions. A group or association that may have printed its own property disclosure statement might have a cost associated with reprinting and revising the statement to comply with this final-omitted rulemaking. However, that cost should be minimal due to the minimal changes to the property disclosure statement.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on October 11, 2016, the Commission submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC). On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on November 16, 2016, the final-omitted rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 17, 2016, and approved the final-omitted rulemaking.

Additional Information

For additional information about this final-omitted rulemaking, submit inquiries to Krista Linsenbach, State Real Estate Commission, P.O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-3658, RA-REALESTATE@pa.gov.

Findings

The Commission finds that:

(1) Public notice of the Commission’s intention to amend its regulations under the procedures in sections 201 and 202 of the CDL has been omitted under section 204 of the CDL because public comment is unnecessary in that the amendments to § 35.335a implement amendments to the act, and section 3 of Act 6 directs the Commission to promulgate a final-omitted rulemaking.

(2) The amendment of the Commission’s regulations in the manner provided in this order is necessary and appropriate for the administration of the act.

Order

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

(a) The regulations of the Commission, 49 Pa. Code Chapter 35, are amended by amending § 35.335a to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

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

(c) The Commission shall submit this order and Annex A to IRRC, the HPLC and the SCP/PLC as required by law.

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

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

JOSEPH J. McGETTIGAN,
Chairperson

(Editor’s Note: See 46 Pa.B. 7603 (December 3, 2016) for IRRC’s approval order.)

Fiscal Note: 16A-5623. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 35. STATE REAL ESTATE COMMISSION

Subchapter E. STANDARDS OF CONDUCT AND PRACTICE

REAL ESTATE DOCUMENTS

§ 35.335a. Seller property disclosure statement.

The seller’s property disclosure statement must, at a minimum, contain the following disclosures:

Seller’s Property Disclosure Statement

Property address: _____

Seller: _____

A seller must disclose to a buyer all known material defects about property being sold that are not readily observable. This disclosure statement is designed to assist

the seller in complying with disclosure requirements and to assist the buyer in evaluating the property being considered.

This statement discloses the seller's knowledge of the condition of the property as of the date signed by the seller and is not a substitute for any inspections or warranties that the buyer may wish to obtain. This statement is not a warranty of any kind by the seller or a warranty or representation by any listing real estate broker, any selling real estate broker or their agents. The buyer is encouraged to address concerns about the condition of the property that may not be included in this statement. This statement does not relieve the seller of the obligation to disclose a material defect that may not be addressed on this form.

A material defect is a problem with the property or any portion of it that would have a significant adverse impact on the value of the residential real property or that involves an unreasonable risk to people on the land. The fact that a structural element, system or subsystem is near, at or beyond the end of its normal useful life is not by itself a material defect.

* * * * *

(13) Land (soils, drainage, boundaries and sinkholes).

(i) Are you aware of any fill or expansive soil on the property? ____ yes ____ no

(ii) Are you aware of any sliding, settling, earth movement, upheaval, subsidence or earth stability problems that have occurred on or that affect the property? ____ yes ____ no

NOTE TO BUYER: Some properties may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence damage may occur and mine subsidence insurance are available through the Department of Environmental Protection, Mine Subsidence Insurance Fund.

(iii) Are you aware of any existing or proposed mining, strip mining or any other excavations that might affect this property? ____ yes ____ no

(iv) To your knowledge, is this property or part of it located in a flood zone or wetlands area? ____ yes ____ no

(v) Do you know of any past or present drainage or flooding problems affecting the property? ____ yes ____ no

(vi) Do you know of any encroachments, boundary line disputes or easements? ____ yes ____ no

NOTE TO BUYER: Most properties have easements running across them for utility services and other reasons. In many cases, the easements do not restrict the ordinary use of the property, and the seller may not be readily aware of them. Buyers may wish to determine the existence of easements and restrictions by examining the property and ordering an abstract of title or searching the records in the Office of the Recorder of Deeds for the county before entering into an agreement of sale.

(vii) Are you aware of any shared or common areas (for example, driveways, bridges, docks, walls, etc.) or maintenance agreements? ____ yes ____ no

(viii) Are you aware of any sinkholes that have developed on the property? ____ yes ____ no

Explain any "yes" answers that you give in this section:

(14) Hazardous substances.

(i) Are you aware of any underground tanks or hazardous substances present on the property (structure or soil), including, but not limited to, asbestos, polychlorinated biphenyls (PCBs), radon, lead paint, urea-formaldehyde foam insulation (UFFI), etc? ____ yes ____ no

(ii) To your knowledge, has the property been tested for any hazardous substances? ____ yes ____ no

(iii) Do you know of any other environmental concerns that might impact upon the property? ____ yes ____ no

Explain any "yes" answers that you give in this section:

(15) Condominiums and other homeowners associations (complete only if applicable).

Type: ____ condominium* ____ cooperative ____ homeowners association ____ other

If "other," please explain: _____

NOTICE REGARDING CONDOMINIUMS AND COOPERATIVES:

According to section 3407 of the Uniform Condominium Act (68 Pa.C.S. § 3407) (relating to resales of units) and 68 Pa.C.S. § 4409 (relating to resales of cooperative interests), a buyer of a resale unit in a condominium or cooperative must receive a certificate of resale issued by the association in the condominium or cooperative. The buyer will have the option of canceling the agreement with return of all deposit moneys until the certificate has been provided to the buyer and for 5 days thereafter or until conveyance, whichever occurs first.

(16) Storm water facilities.

(i) Do you know the location and condition of any basin, pond, ditch, drain, swale, culvert, pipe or other manmade feature of land that temporarily or permanently conveys or manages storm water for the property? ____ yes ____ no ____ unknown

(ii) If the answer to (i) is yes, is the owner of this property responsible for the ongoing maintenance of the storm water facility? ____ yes ____ no ____ unknown

Explain any "yes" answers that you give in this section:

(17) Miscellaneous.

* * * * *

[Pa.B. Doc. No. 16-2115. Filed for public inspection December 9, 2016, 9:00 a.m.]

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 677a AND 678a]

World Poker Tour Heads-Up Hold 'Em and High Card Flush; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), adds Chapters 677a and 678a (relating to World Poker Tour Heads-Up Hold 'Em; and High Card Flush) to read as set forth in Annex A.

Purpose of this Final-Form Rulemaking

This final-form rulemaking adds two new table games to the compliment of games available for play in this Commonwealth.

Explanation

The Board adds two new table games. The rules of play in both chapters are drafted in the same basic format: section a.1 contains the definitions used throughout the chapter; section a.2 contains the table physical characteristics; section a.3 details the number of cards and decks used to play the game; a.4 addresses the opening of the table for gaming; a.5 details how the cards are to be shuffled and cut; a.6 specifies the ranking of the hands; section a.7 outlines the permissible wagers; sections a.8—a.10 detail the procedures for dealing the cards; section a.11 addresses how the round of play is to be completed; a.12 outlines the permissible payout odds for winning wagers; and section a.13 addresses irregularities in play.

In World Poker Tour Heads-Up Hold 'Em, the optional wagers have a range in hold percentage as follows: for the optional Pocket Bonus Wager, the Board approved three payout tables with a range between 4.52% and 9.95%; and for the optional Trips Plus Wager, the Board approved four payout tables with a range between 0.75% and 4.34%.

In High Card Flush, the optional wagers have a range in hold percentage as follows: for the optional Flush Bonus Wager, the Board approved eight payout tables with a range between 5.3% and 11.1%; for the optional Straight Flush Bonus Wager, the Board approved four payout tables with a range between 6.6% and 13.0%; and for the Progressive Jackpot Wager, which is also optional and not a required wager, the hold percentage is 23%, which is consistent with almost all other progressive side wagers offered.

Comment and Response Summary

Notice of proposed rulemaking was published at 45 Pa.B. 4764 (August 15, 2015). The Board did not receive comments from the regulated community during the comment period. After the close of the comment period, Mountainview Thoroughbred Racing Association d/b/a Hollywood Casino (Hollywood) provided comments. Additionally, on October 14, 2015, the Independent Regulatory Review Commission (IRRC) submitted comments.

Hollywood suggested revisions to the dealing procedures in Heads-Up Hold 'Em, specifically requesting that instead of dealing the five community cards before players make their bets, that the cards be dealt after players make their bets. The Board agrees with Hollywood's suggestion and revised the dealing procedures in

§§ 677a.8—677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) accordingly.

Regarding § 677a.1 (relating to definitions), IRRC suggested that the definition of "fold" be clarified by specifying that the player may fold only after the last two community cards are exposed. The Board agrees and revised the definition accordingly.

Additional Revisions

At the request of the proprietary owner of the game, "Heads-Up Hold 'Em" is revised in this final-form rulemaking to "World Poker Tour Heads-Up Hold 'Em." The name change should not, however, have an impact on a facility currently offering the game as the layouts have already been submitted and approved by Board staff.

As it relates to the language applicable to the payout limitation in §§ 677a.2(b)(8) and 677a.12(f) (relating to World Poker Tour Heads-Up Hold 'Em table physical characteristics; and payout odds; payout limitation), slight revisions are made for consistency with other games that also have a payout limitation, per player per round of play. See Chapters 643a, 645a, 647a and 674a.

In Chapter 678a, the Board added an aggregate payout consistent with the aggregate payout in Chapter 677a. Additionally, the Board revised two of the payout tables applicable to the Flush Bonus Wager and one of the payout tables applicable to the Straight Flush Bonus Wager. The hold percentages for each approved side wager are described in the Explanation portion of this preamble.

Affected Parties

Slot machine licensees may be impacted by this final-form rulemaking as they will have the option to offer additional games to patrons at their licensed facilities.

Fiscal Impact

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

Political subdivisions. This final-form rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This final-form rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer the games within the licensed facility, the certificate holder will be required to train dealers on the rules of play and may need to purchase new equipment. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This final-form rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

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

Effective Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on August 4, 2015, the Board submitted a copy of the notice of proposed rulemaking, published at 45 Pa.B. 4764, to IRRC and the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board 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 Board has considered all comments from IRRC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 19, 2016, 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 October 20, 2016, and approved the final-form rulemaking.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

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

(1) The regulations of the Board, 58 Pa. Code, are amended by adding §§ 677a.1—677a.13 and 678a.1—678a.13 to read as set forth in Annex A.

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

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

DAVID M. BARASCH,
Chairperson

(*Editor's Note:* See 46 Pa.B. 7051 (November 5, 2016) for IRRC's approval order.)

Fiscal Note: Fiscal Note 125-192 remains valid for the final adoption of the subject regulations.

Annex A**TITLE 58. RECREATION****PART VII. GAMING CONTROL BOARD****Subpart K. TABLE GAMES****CHAPTER 677a. WORLD POKER TOUR HEADS-UP HOLD 'EM**

Sec.	Definitions.
677a.1.	World Poker Tour Heads-Up Hold 'Em table physical characteristics.
677a.2.	World Poker Tour Heads-Up Hold 'Em table physical characteristics.
677a.3.	Cards; number of decks.
677a.4.	Opening of the table for gaming.
677a.5.	Shuffle and cut of the cards.
677a.6.	World Poker Tour Heads-Up Hold 'Em rankings.
677a.7.	Wagers.

677a.8.	Procedure for dealing the cards from a manual dealing shoe.
677a.9.	Procedure for dealing the cards from the hand.
677a.10.	Procedure for dealing the cards from an automated dealing shoe.
677a.11.	Procedure for completion of each round of play.
677a.12.	Payout odds; payout limitation.
677a.13.	Irregularities.

§ 677a.1. Definitions.

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

Bad Beat Bonus—A bonus payout awarded to any player who holds a straight or higher and loses to the dealer's hand.

Check—Waiving the right to place a Raise Wager but remaining in the round of play.

Community card—A card which may be used by each player and the dealer to form the best possible five-card Poker hand.

Flop—The first three community cards dealt during a round of play.

Fold—The withdrawal of a player from a round of play by not making a Raise Wager after the Turn and River cards are exposed.

Hand—The five-card Poker hand formed from the two cards of the player or the dealer and any of the five community cards.

River card—The fifth community card revealed during a round of play.

Turn card—The fourth community card revealed during a round of play.

§ 677a.2. World Poker Tour Heads-Up Hold 'Em table physical characteristics.

(a) World Poker Tour Heads-Up Hold 'Em shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a World Poker Tour Heads-Up Hold 'Em table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

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

(2) Three separate betting areas designated for the placement of Ante, Odds and Raise Wagers for each player.

(3) A separate area designated for the placement of the five community cards located directly in front of the table inventory container.

(4) A separate area designated for the placement of the dealer's two cards.

(5) If the certificate holder offers the optional Pocket Bonus Wager authorized under § 677a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Pocket Bonus Wager for each player.

(6) If the certificate holder offers the optional Trips Plus Wager authorized under § 677a.7(d)(3), a separate area designated for the placement of the Trips Plus Wager for each player.

(7) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If the payout odds are not inscribed on the layout, a sign

identifying the payout odds for all permissible wagers shall be posted at each World Poker Tour Heads-Up Hold 'Em table.

(8) Inscriptions indicating the following:

(i) The Ante Wager will be returned if the dealer does not have a pair or better.

(ii) If established by the certificate holder, the payout limit per player per round of play, as authorized under § 677a.12(f) (relating to payout odds; payout limitation).

(9) If the information required under paragraph (8) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each World Poker Tour Heads-Up Hold 'Em table.

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

(d) Each World Poker Tour Heads-Up Hold 'Em table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 677a.3. Cards; number of decks.

(a) Except as provided in subsection (b), World Poker Tour Heads-Up Hold 'Em shall be played with one deck of cards that are identical in appearance and two cover cards.

(b) If an automated card shuffling device is utilized, World Poker Tour Heads-Up Hold 'Em may be played with two decks of cards in accordance with the following requirements:

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

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

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

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

(c) The decks of cards used in World Poker Tour Heads-Up Hold 'Em shall be changed at least every:

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

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

§ 677a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 677a.5 (relating to shuffle and cut of the cards).

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

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

§ 677a.5. Shuffle and cut of the cards.

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

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

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

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

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

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

(f) If there is no gaming activity at a World Poker Tour Heads-Up Hold 'Em table which is open for gaming, the cards shall be spread out on the table face down unless a player requests that the cards be spread face up on the

table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 677a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

§ 677a.6. World Poker Tour Heads-Up Hold 'Em rankings.

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

(b) The permissible five-card Poker hands at the game of World Poker Tour Heads-Up Hold 'Em, in order of highest to lowest rank, shall be:

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

(2) A straight flush, which is a hand, other than a royal flush, consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10 and 9 being the highest ranking straight flush and ace, 2, 3, 4 and 5 being the lowest straight flush.

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

(4) A full house, which is a hand consisting of a three-of-a-kind and a pair, with three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house.

(5) A flush, which is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack and 9 being the highest ranking flush and 2, 3, 4, 5 and 7 being the lowest ranking flush.

(6) A straight, which is a hand consisting of five cards of more than one suit and of consecutive rank, with an ace, king, queen, jack and 10 being the highest ranking straight and an ace, 2, 3, 4 and 5 being the lowest ranking straight.

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

(8) Two pair, which is a hand consisting of two pairs, with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair.

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

(c) When comparing two hands that are of identical rank under subsection (b), or that contain none of the hands in subsection (b), the hand that contains the highest ranking card under subsection (a), which is not

contained in the other hand, shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a tie.

§ 677a.7. Wagers.

(a) Wagers at World Poker Tour Heads-Up Hold 'Em shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at the World Poker Tour Heads-Up Hold 'Em table may place a wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All Ante, Odds, Trips Plus and Pocket Bonus Wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 677a.11(b), (d) and (f) (relating to procedure for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of World Poker Tour Heads-Up Hold 'Em:

(1) A player shall compete against the dealer's five-card Poker hand by placing an Ante Wager and an Odds Wager equal to the player's Ante Wager then a Raise Wager in accordance with § 677a.11(b), (d) or (f).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a World Poker Tour Heads-Up Hold 'Em table the option to make an additional Pocket Bonus Wager that the player's first two cards will contain a pair or an ace and a king, queen or jack. A Pocket Bonus Wager does not have a bearing on any other wager made by the player.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a World Poker Tour Heads-Up Hold 'Em table the option to make an additional Trips Plus Wager that the player's five-card Poker hand formed from any of the player's two cards and the five community cards will contain a three-of-a-kind or better as defined in § 677a.6(b) (relating to World Poker Tour Heads-Up Hold 'Em rankings). A Trips Plus Wager does not have a bearing on any other wager made by the player.

(e) A player may not wager on more than one player position at a World Poker Tour Heads-Up Hold 'Em table.

§ 677a.8. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 677a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be

placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante, Odds, Trips Plus and Pocket Bonus Wagers have been placed, the dealer shall announce “no more bets.”

(c) The dealer shall then deal the cards by removing each card from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand. Starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time, face down, to each player who placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers) and to the dealer, until each player who placed Ante and Odds Wagers and the dealer have two cards.

(d) After two cards have been dealt to each player and to the area designated for the placement of the dealer’s hand, the dealer shall deal the five community cards in accordance with § 677a.11(c) and (e) (relating to procedure for completion of each round of play). After all community cards have been dealt, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (e), place the stub in the discard rack without exposing the cards.

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

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

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

§ 677a.9. Procedure for dealing the cards from the hand.

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

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

(2) After the procedures required under § 677a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(b) Prior to dealing any cards and after all Ante, Odds, Trips Plus and Pocket Bonus Wagers have been placed, the dealer shall announce “no more bets.” The dealer shall then deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the

appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal one card at a time to each player who placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers) and to the dealer, until each player who placed Ante and Odds Wagers and the dealer have two cards.

(c) After two cards have been dealt to each player and to the area designated for the placement of the dealer’s hand, the dealer shall deal the five community cards in accordance with § 677a.11(c) and (e) (relating to procedure for completion of each round of play). After all community cards have been dealt, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

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

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

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

§ 677a.10. Procedure for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 677a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the dealer delivering any stacks of cards dispensed from the automated dealing shoe, the dealer shall announce “no more bets.”

(b) The dealer shall then deliver the first stack of two cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed Ante and Odds Wagers in accordance with § 677a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack of two cards face down to each of the other players who has placed Ante and Odds Wagers. The dealer shall then deliver a stack of two cards face down to the area designated for the dealer’s cards.

(c) After each stack of two cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the remaining cards from the automated dealing shoe and, following the procedures in § 677a.9(a)(2) (relating to procedure for dealing the cards from the hand), deal from his hand the five community cards in accordance with § 677a.11(c) and (e) (relating to procedure for completion of each round of play). After all five community cards have been dealt, the dealer shall,

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

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

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

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

(g) Notwithstanding the requirements in subsections (b) and (c), if a certificate holder is utilizing an automated dealing shoe which automatically reshuffles the cards, the five community cards may be dispensed before the two cards are dispensed to each player and to the dealer. The community cards shall then be revealed in accordance with § 677a.11(c), (e) and (f).

§ 677a.11. Procedure for completion of each round of play.

(a) After the dealing procedures required under § 677a.8, § 677a.9 or § 677a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at World Poker Tour Heads-Up Hold 'Em shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

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

(b) After each player has examined his cards, the dealer shall, beginning with the player farthest to the dealer's left and moving clockwise around the table, ask each player if he wishes to place a Raise Wager prior to the dealing of the Flop. The player may either check and remain in the game or place a Raise Wager up to three times the amount of the player's Ante Wager.

(c) After each player has either placed a Raise Wager or checked, the dealer shall burn the next card. The dealer shall then deal the three-card Flop face up on the layout in the designated area for the community cards.

(d) After the Flop has been exposed, the dealer shall, beginning with the player farthest to the dealer's left who has not placed a Raise Wager and moving clockwise around the table, ask each player who has not placed a Raise Wager if he wishes to place a Raise Wager prior to the dealing of the Turn and River cards. The player may either check and remain in the game or place a Raise Wager in an amount up to two times the player's Ante Wager.

(e) Once all remaining players have either placed a Raise Wager or checked, the dealer shall burn the next card. The dealer shall then deal the Turn and River cards face up on the layout in the designated area for the community cards.

(f) After the Turn and River cards have been exposed, the dealer shall, beginning with the player farthest to the dealer's left who has not placed a Raise Wager and moving clockwise around the table, ask each player if he wishes to place a Raise Wager in an amount equal to the player's Ante Wager or fold. If a player folds, the dealer shall collect the player's Ante and Odds Wagers and place the player's cards in the discard rack, provided that if any player placed a Trips Plus or Pocket Bonus Wager, the dealer shall tuck the player's cards under the player's Trips Plus or Pocket Bonus Wager until the optional wagers are settled in accordance with subsection (i).

(g) Once all remaining players have either placed a Raise Wager or folded, the dealer shall turn his two cards face up on the layout. The dealer shall then select five cards using the dealer's two cards and the five community cards to form the highest ranking five-card Poker hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right who has placed a Raise Wager and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the two cards of each player who has placed a Raise Wager face up on the layout.

(2) The dealer shall examine the cards of the player and select the five cards using the player's two cards and the five community cards to form the highest ranking five-card Poker hand. The wagers of each player shall be resolved one player at a time regardless of outcome.

(h) If the dealer's hand:

(1) Does not contain a pair or better, as defined in § 677a.6 (relating to World Poker Tour Heads-Up Hold 'Em rankings), each player's Ante Wager shall push and be returned to the player. If the player's hand:

(i) Is higher in rank than the dealer's hand, the player's Raise Wager shall be paid out at the odds in § 677a.12(a) (relating to payout odds; payout limitation) and the player's Odds Wager shall be paid out in accordance with the payout odds in § 677a.12(b).

(ii) Is equal in rank to the dealer's hand, the player's Raise and Odds Wagers shall push and be returned to the player.

(iii) Is lower in rank to the dealer's hand, the player's Raise and Odds Wagers shall lose and be collected.

(2) Contains a pair or better, as defined in § 677a.6, and if the player's hand:

(i) Is higher in rank than the dealer's hand, the player's Ante and Raise Wagers shall be paid out at the odds in § 677a.12(a) and the player's Odds Wager shall be paid out in accordance with the payout odds in § 677a.12(b).

(ii) Is equal in rank to the dealer's hand, the player's Ante, Raise and Odds Wagers shall push and be returned to the player.

(iii) Is lower in rank to the dealer's hand, the Ante Wager shall lose and be collected and if the player's hand:

(A) Was not a straight or higher, the player's Raise and Odds Wagers shall lose and be collected.

(B) Was a straight or higher, the player's Raise Wager shall lose and be collected and the player's Odds Wager shall be eligible for a Bad Beat payout as provided in § 677a.12(c).

(i) After settling the player's Ante, Raise and Odds Wagers, the dealer shall settle the player's optional Pocket Bonus and Trips Plus Wagers, if applicable, as follows:

(1) If a player placed a Pocket Bonus Wager and the player's two cards:

(i) Contain a pair or an ace and a king, queen or jack, the winning hand shall be paid out as provided in § 677a.12(d).

(ii) Do not contain a pair or an ace and a king, queen or jack, the dealer shall collect the player's losing Pocket Bonus Wager.

(2) If a player placed a Trips Plus Wager and the player's two cards and the five community cards:

(i) Contain a three-of-a-kind or better, the winning hand shall be paid out as provided in § 677a.12(e).

(ii) Does not contain a three-of-a-kind or better, the dealer shall collect the losing Trips Plus Wager.

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

§ 677a.12. Payout odds; payout limitation.

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

(b) A certificate holder shall pay each winning Odds Wager at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Royal flush	500 to 1
Straight flush	50 to 1
Four-of-a-kind	10 to 1
Full house	3 to 1
Flush	3 to 2
Straight	1 to 1
Three-of-a-kind	Push
Two pair	Push
Pair	Push
High card	Push

(c) A certificate holder shall pay a Bad Beat Bonus at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Royal flush	N/A
Straight flush	500 to 1
Four-of-a-kind	25 to 1
Full house	6 to 1
Flush	5 to 1
Straight	4 to 1

(d) A certificate holder shall pay each winning Pocket Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

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

(e) A certificate holder shall pay each winning Trips Plus Wagers at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Royal flush	100 to 1	100 to 1	100 to 1	100 to 1
Straight flush	40 to 1	40 to 1	40 to 1	40 to 1
Four-of-a-kind	30 to 1	30 to 1	30 to 1	30 to 1
Full house	9 to 1	8 to 1	7 to 1	8 to 1
Flush	7 to 1	6 to 1	6 to 1	7 to 1
Straight	4 to 1	5 to 1	5 to 1	4 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1	3 to 1

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

§ 677a.13. Irregularities.

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

void, all wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the foregoing, if the cards are found face up after each player and the dealer have received their initial two cards, any Pocket Bonus Wagers shall be settled in accordance with the payout odds in § 677a.12(d) (relating to payout odds; payout limitation).

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

(c) If any player, the dealer or the area designated for the placement of the community cards is dealt an incor-

rect number of cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

(d) If either of the cards dealt to the dealer in World Poker Tour Heads-Up Hold 'Em is inadvertently exposed prior to each player having either folded or placed a Raise Wager as provided for under § 677a.11 (relating to procedure for completion of each round of play), all hands shall be void and all Ante, Odds and Raise Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the forgoing, if a player has placed a Pocket Bonus or Trips Plus Wager, the wager shall be settled in accordance with the payout odds in § 677a.12(d) and (e).

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

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

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

CHAPTER 678a. HIGH CARD FLUSH

Sec.

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§ 678a.1. Definitions.

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

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

Raise Wager—The wager a player places after examining the player's seven cards.

§ 678a.2. High Card Flush table physical characteristics.

(a) High Card Flush shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a High Card Flush table shall be submitted to the Bureau of Gaming Operations and approved in accordance with § 601a.10(a) (relating to

approval of table game layouts, signage and equipment) and contain, at a minimum:

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

(2) Two separate betting areas designated for the placement of the Ante and Raise Wagers for each player.

(3) A separate area designated for the placement of the dealer's seven cards.

(4) If the certificate holder offers the optional Flush Bonus Wager authorized under § 678a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Flush Bonus Wager for each player.

(5) If the certificate holder offers the optional Straight Flush Bonus Wager authorized under § 678a.7(d)(3), a separate area designated for the placement of the Straight Flush Bonus Wager for each player.

(6) If a certificate holder offers the optional Progressive Jackpot Wager authorized under § 678a.7(d)(4), a separate area designated for the placement of the Progressive Jackpot Wager for each player.

(7) Inscriptions that advise patrons of the following:

(i) The payout odds for all permissible wagers offered by the certificate holder.

(ii) The dealer qualifies with a three-card flush, nine high or pays the Ante Wager and pushes the Raise Wager.

(iii) For Raise Wagers, if a player has:

(A) A two-card, three-card or four-card flush, a player may place a Raise Wager equal to the player's Ante Wager.

(B) A five-card flush, a player may place a Raise Wager up to two times the amount of the player's Ante Wager.

(C) A six-card or seven-card flush, a player may place a Raise Wager up to three times the amount of the player's Ante Wager.

(iv) If established by the certificate holder, the payout limit per player per round of play, as authorized under § 678a.12(e) (relating to payout odds; payout limitation).

(8) If the information under paragraph (7) is not inscribed on the layout, a sign which sets forth the required information shall be posted at each High Card Flush table.

(c) If a certificate holder offers the Progressive Jackpot Wager in accordance with § 678a.7(d)(4), the High Card Flush table must have a progressive table game system, in accordance with § 605a.7 (relating to progressive table games), for the placement of the Progressive Jackpot Wagers. If the certificate holder is offering the Progressive Jackpot Wager on multiple linked tables or games in the same licensed facility, the progressive table game system must comply with the requirements in § 605a.8 (relating to linked progressive table games). The progressive table game system must include:

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

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

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

(e) Each High Card Flush table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 678a.3. Cards; number of decks.

(a) Except as provided in subsection (b), High Card Flush shall be played with one deck of cards that are identical in appearance and two cover cards.

(b) If an automated card shuffling device is utilized, High Card Flush may be played with two decks of cards in accordance with the following requirements:

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

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

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

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

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

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

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

§ 678a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 678a.5 (relating to shuffle and cut of the cards).

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

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

§ 678a.5. Shuffle and cut of the cards.

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

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

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe).

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

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

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

(f) If there is no gaming activity at a High Card Flush table which is open for gaming, the cards shall be spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 678a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

§ 678a.6. High Card Flush rankings.

(a) The rank of the cards used in High Card Flush, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. All suits shall be equal in rank.

(b) For purposes of the Ante, Raise and Flush Bonus Wagers, the permissible hands at the game of High Card Flush, in order of highest to lowest rank, shall be:

(1) A seven-card flush, which is a hand consisting of seven cards of the same suit in any order.

(2) A six-card flush, which is a hand consisting of six cards of the same suit in any order.

(3) A five-card flush, which is a hand consisting of five cards of the same suit in any order.

(4) A four-card flush, which is a hand consisting of four cards of the same suit in any order.

(5) A three-card flush, which is a hand consisting of three cards of the same suit in any order.

(6) A two-card flush, which is a hand consisting of two cards of the same suit in any order.

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

(d) For purposes of the optional Straight Flush Bonus and the Progressive Jackpot Wagers, the permissible hands shall be:

(1) A seven-card straight flush, which is a hand consisting of seven cards of the same suit in consecutive rank.

(2) A six-card straight flush, which is a hand consisting of six cards of the same suit in consecutive rank.

(3) A five-card straight flush, which is a hand consisting of five cards of the same suit in consecutive rank.

(4) A four-card straight flush, which is a hand consisting of four cards of the same suit in consecutive rank.

(5) A three-card straight flush, if included in the payout table selected by the certificate holder, which is a hand consisting of three cards of the same suit in consecutive rank.

§ 678a.7. Wagers.

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

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

(c) All Ante, Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedure in § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe). Except as provided in § 678a.11(b) (relating to procedure for completion of each

round of play), a wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

(d) The following wagers may be placed in the game of High Card Flush:

(1) A player shall compete against the dealer’s seven-card hand by placing an Ante Wager then a Raise Wager in accordance with § 678a.11(b).

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a High Card Flush table the option to make an additional Flush Bonus Wager that the player’s seven cards will form a four-card flush or higher as described in § 678a.6(b) (relating to High Card Flush rankings). A Flush Bonus Wager does not have a bearing on any other wager made by the player.

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a High Card Flush table the option to make an additional Straight Flush Bonus Wager that the player’s seven cards will form a three-card straight flush or higher as described in § 678a.6(d). A Straight Flush Bonus Wager does not have a bearing on any other wager made by the player.

(4) If specified in its Rules Submission under § 601a.2, certificate holder may offer to each player at a High Card Flush table the option to make an additional Progressive Jackpot Wager that the player’s seven cards will form a three-card straight flush or a four-card straight flush or higher, depending on the payout table selected by the certificate holder. After placing the Ante Wager, a player may make the additional Progressive Jackpot Wager by placing a value chip onto the progressive wagering device designated for that player. Each player shall be responsible for verifying that the player’s respective Progressive Payout Wager has been accepted.

(e) A player may not wager on more than one player position at a High Card Flush table.

§ 678a.8. Procedure for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 678a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe either by the dealer or by the automated card shuffling device.

(b) Prior to dealing the cards and after all Ante Wagers and optional wagers have been placed, the dealer shall announce “no more bets” and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Jackpot Wagers. If Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(c) Each card shall be removed from the dealing shoe with the hand of the dealer that is the closest to the dealing shoe and placed on the appropriate area of the layout with the opposite hand.

(d) The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time, face down, to each player who placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have seven cards.

(e) After seven cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall remove the stub from the manual dealing shoe and, except as provided in subsection (f), place the stub in the discard rack without exposing the cards.

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

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

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

§ 678a.9. Procedure for dealing the cards from the hand.

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

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

(2) After the procedures required under § 678a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which he will hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

(b) The dealer shall announce "no more bets" and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of any additional Progressive Jackpot Wagers. If any Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container. The dealer shall then deal each card by holding the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who

placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers) and to the dealer, under a cover card, until each player who placed an Ante Wager and the dealer have seven cards.

(c) After seven cards have been dealt to each player and to the area designated for the placement of the dealer's hand, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

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

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

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

§ 678a.10. Procedure for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 678a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

(2) Prior to the shoe dispensing any stacks of cards, the dealer shall announce "no more bets" and, if the Progressive Jackpot Wager is being offered, use the progressive table game system to prevent the placement of additional Progressive Jackpot Wagers. If Progressive Jackpot Wagers have been made, the dealer shall collect the wagers and, on the layout in front of the table inventory container, verify that the number of value chips wagered equals the number of Progressive Jackpot Wagers accepted by the progressive table game system. The dealer shall then place the value chips into the table inventory container.

(b) The dealer shall deliver the first stack of seven cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager in accordance with § 678a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack of seven cards face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of seven cards face down under a cover card to the area designated for the dealer's cards.

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

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

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

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

§ 678a.11. Procedure for completion of each round of play.

(a) After the dealing procedures required under § 678a.8, § 678a.9 or § 678a.10 (relating to procedure for dealing the cards from a manual dealing shoe; procedure for dealing the cards from the hand; and procedure for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

(b) After each player has examined his cards, beginning with the player farthest to the dealer's left and moving clockwise around the table, the dealer shall ask each player if he wishes to fold or place a Raise Wager. If a player has:

(1) A two-card, three-card or four-card flush, the player may place a Raise Wager equal to the player's Ante Wager.

(2) A five-card flush, a player may place a Raise Wager up to two times the amount of the player's Ante Wager.

(3) A six-card or seven-card flush, a player may place a Raise Wager up to three times the amount of the player's Ante Wager.

(c) If a player:

(1) Places a Raise Wager, the wager shall be placed in the area designated for the Raise Wager.

(2) Folds, the player's Ante Wager shall be collected by the dealer and placed in the table inventory container. If the player:

(i) Has also placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall place the cards of the player face down underneath the optional wagers pending their resolution at the conclusion of the round of play.

(ii) Has not placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall immediately collect the player's cards and place them in the discard rack.

(d) After each player has either placed a Raise Wager or folded, the dealer shall turn his seven cards face up on the layout. The dealer shall then form the highest ranking flush. If the dealer's hand:

(1) Does not contain at least a three-card flush, nine high, beginning with the player farthest to the dealer's right who has placed a Raise Wager and continuing around the table in a counterclockwise direction, the dealer shall pay each player's winning Ante Wager in accordance with § 678a.12(a) (relating to payout odds; payout limitation) and return the player's Raise Wager. If a player:

(i) Also placed a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall turn the cards of each player face up on the layout and form the highest ranking flush. The dealer shall then settle the player's Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager in accordance with subsection (e).

(ii) Did not place a Flush Bonus, Straight Flush Bonus or Progressive Jackpot Wager, the dealer shall collect the player's cards and place them in the discard rack.

(2) Contains at least a three-card flush, nine high, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, the dealer shall then complete the following applicable procedures in succession for each player:

(i) The dealer shall turn the cards of each player face up on the layout and form the highest ranking flush.

(ii) The dealer shall then compare the rank of the dealer's hand to the rank of the player's hand. If the player's hand:

(A) Is higher in rank than the dealer's hand, the player's Ante and Raise Wagers shall be paid out at the odds in § 678a.12(a).

(B) Is equal in rank to the dealer's hand, the player's Ante and Raise Wagers shall push and be returned to the player.

(C) Is lower in rank to the dealer's hand, the player's Ante and Raise Wagers shall lose and be collected.

(e) After settling the player's Ante and Raise Wagers, the dealer shall settle the player's Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers as follows:

(1) For the Flush Bonus Wager, if a player's hand:

(i) Contains a three-card flush or less, the dealer shall collect the player's losing Flush Bonus Wager.

(ii) Contains a four-card flush or better as provided in § 678a.6(b) (relating to High Card Flush rankings), the dealer shall pay the winning Flush Bonus Wager in accordance with § 678a.12(b).

(2) For the Straight Flush Bonus Wager, after settling the player's Ante, Raise and Flush Bonus Wagers, if applicable, the dealer shall configure the player's cards so as to form the highest ranking straight flush as provided in § 678a.6(d). If a player's hand:

(i) Contains a two-card straight flush or less, the dealer shall collect the player's losing Straight Flush Bonus Wager.

(ii) Contains a three-card straight flush or higher, as provided in § 678a.6(d), the dealer shall pay the winning Straight Flush Bonus Wager in accordance with § 678a.12(c).

(3) For the Progressive Jackpot Wager, after configuring the player's cards so as to form the highest ranking straight flush, if the player has a three-card straight flush or a four-card straight flush, depending on the payable selected by the certificate holder, or higher and has won a progressive payout, the dealer shall:

- (i) Verify that the hand is a winning hand.
- (ii) Verify that the appropriate light on the progressive table game system has been illuminated.
- (iii) Have a floorperson or above validate the progressive payout in accordance with the certificate holder's approved internal control procedures.
- (iv) Pay the winning Progressive Jackpot Wager in accordance with the payout odds in § 678a.12(d). If a player has won a progressive payout that is a percentage

of the jackpot amount on the progressive meter, the progressive payout may not be paid from the table inventory container. If a player has won a progressive payout that is not being paid from the table inventory container, the cards of that player must remain on the table until the necessary documentation has been completed.

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

§ 678a.12. Payout odds; payout limitation.

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

(b) A certificate holder shall pay each winning Flush Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2 (relating to table games Rules Submissions):

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Seven-card flush	300 to 1	100 to 1	200 to 1	500 to 1
Six-card flush	100 to 1	20 to 1	60 to 1	50 to 1
Five-card flush	10 to 1	10 to 1	12 to 1	12 to 1
Four-card flush	1 to 1	2 to 1	1 to 1	1 to 1

<i>Hand</i>	<i>Paytable E</i>	<i>Paytable F</i>	<i>Paytable G</i>	<i>Paytable H</i>
Seven-card flush	400 to 1	400 to 1	500 to 1	250 to 1
Six-card flush	60 to 1	100 to 1	100 to 1	100 to 1
Five-card flush	12 to 1	10 to 1	10 to 1	10 to 1
Four-card flush	1 to 1	1 to 1	1 to 1	1 to 1

(c) A certificate holder shall pay each winning Straight Flush Bonus Wager at the odds in one of the following paytables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Seven-card straight flush	8,000 to 1	1,000 to 1	500 to 1	1,000 to 1
Six-card straight flush	1,000 to 1	500 to 1	200 to 1	500 to 1
Five-card straight flush	100 to 1	100 to 1	100 to 1	100 to 1
Four-card straight flush	60 to 1	75 to 1	60 to 1	60 to 1
Three-card straight flush	7 to 1	7 to 1	8 to 1	8 to 1

(d) If a certificate holder offers the Progressive Jackpot Wager:

(1) A winning Progressive Jackpot Wager shall be paid at the following odds:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>
Seven-card straight flush	100% of meter	100% of meter
Six-card straight flush	10% of meter	10% of meter
Five-card straight flush	250 for 1	900 for 1
Four-card straight flush	40 for 1	50 for 1
Three-card straight flush	3 for 1	N/A

(2) A player shall receive the payout for only the highest straight flush hand formed.

(3) The rate of progression for the meter used for the progressive payout in paragraph (1) must be in the certificate holder's Rules Submission filed in accordance with § 601a.2. The initial and reset amount must also be in the certificate holder's Rules Submission and be at least \$30,000.

(4) Winning Progressive Jackpot Wagers shall be paid in accordance with the amount on the meter when it is the player's turn to be paid in accordance with § 678a.11(e)(3) (relating to procedure for completion of each round of play).

(e) Notwithstanding the payout odds in subsections (a)—(c), if specified in its Rules Submission form filed in accordance with § 601a.2, the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater. The aggregate payout limit established may not include winning progressive jackpot wagers.

§ 678a.13. Irregularities.

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

more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void, all wagers shall be returned to the players and the cards shall be reshuffled.

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

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

(d) If any of the cards dealt to the dealer in High Card Flush is inadvertently exposed prior to each player having either folded or placed a Raise Wager as provided under § 678a.11(b) (relating to procedure for completion of each round of play), all hands shall be void, all Ante and Raise Wagers shall be returned to the players and the cards shall be reshuffled. Notwithstanding the foregoing, any Flush Bonus, Straight Flush Bonus and Progressive Jackpot Wagers shall be settled in accordance with § 678a.11(e).

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

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

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

[Pa.B. Doc. No. 16-2116. Filed for public inspection December 9, 2016, 9:00 a.m.]

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PENNSYLVANIA GAMING CONTROL BOARD
[58 PA. CODE CH. 679a]

Three Card Prime; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), adds Chapter 679a (relating to Three Card Prime) to read as set forth in Annex A.

Purpose of this Final-Form Rulemaking

This final-form rulemaking adds a new table game to the compliment of games available for play in this Commonwealth.

Explanation

Section 679a.1 (relating to definitions) contains the definitions used throughout Chapter 679a. Section 679a.2 (relating to Three Card Prime table physical characteristics) contains the table physical characteristics. Section 679a.3 (relating to cards; number of decks) details the

number of cards and decks used to play the game. Section 679a.4 (relating to opening of the table for gaming) addresses the opening of the table for gaming. Section 679a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut. Section 679a.6 (relating to Three Card Prime rankings) specifies the ranking of the hands. Section 679a.7 (relating to wagers) outlines the permissible wagers. Sections 679a.8—679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) detail the procedures for dealing the cards. Section 679a.11 (relating to procedures for completion of each round of play) addresses how the round of play is to be completed. Section 679a.12 (relating to payout odds; Bad Beat Bonus) outlines the permissible payout odds for winning wagers. Section 679a.13 (relating to irregularities) addresses irregularities in play.

In Three Card Prime, the hold percentages/house edge for the optional side wagers are as follows: Bad Beat Bonus—between 2.28% and 3.03%; Prime Wager—3.62%; Pair Bonus Wager—between 3.18% and 5.83%; and All Six Bonus Wager—between 6.74% and 18.10%.

Comment and Response Summary

Notice of proposed rulemaking was published at 45 Pa.B. 6992 (December 12, 2015). The Board did not receive comments from the regulated community. On February 10, 2016, the Independent Regulatory Review Commission (IRRC) provided the following comments.

As it relates to the Bad Beat Bonus, IRRC recommended that a definition of the payout be added to § 679a.1 and that the heading of § 679a.12 be revised to reflect the Bad Beat rather than Envy Bonus. Both revisions are made in this final-form rulemaking.

The Board corrected § 679a.2(b)(2) to state that there are two betting areas on the layout required for the Ante and Play Wagers. The proposed rulemaking referenced the three betting areas.

Additional Revisions

The Board added two optional payout tables for the Bad Beat Bonus in this final-form rulemaking. Players receive a Bad Beat Bonus if they lose to the dealer's hand and have a straight or higher. The new tables will provide a payout to patrons who lose to the dealer's hand and have a lower ranking flush or higher. The hold percentages for the two additional payout tables are 2.28% and 2.41%.

Additionally, as there is no progressive side wager currently offered on the game, the Board corrected the heading of § 679a.12 to delete "rate of progression."

Affected Parties

Slot machine licensees may be impacted by this final-form rulemaking as they will have the option to offer another game to patrons at their licensed facilities.

Fiscal Impact

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

Political subdivisions. This final-form rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This final-form rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Three Card Prime within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This final-form rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

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

Effective Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 23, 2015, the Board submitted a copy of the notice of proposed rulemaking, published at 45 Pa.B. 6992, to IRRC and the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board 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 Board has considered all comments from IRRC.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 19, 2016, 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 October 20, 2016, and approved the final-form rulemaking.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

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

(1) The regulations of the Board, 58 Pa. Code, are amended by adding §§ 679a.1—679a.13 to read as set forth in Annex A.

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

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

DAVID M. BARASCH,
Chairperson

(*Editor's Note:* See 46 Pa.B. 7051 (November 5, 2016) for IRRC's approval order.)

Fiscal Note: Fiscal Note 125-195 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 679a. THREE CARD PRIME

- Sec.
- 679a.1. Definitions.
- 679a.2. Three Card Prime table physical characteristics.
- 679a.3. Cards; number of decks.
- 679a.4. Opening of the table for gaming.
- 679a.5. Shuffle and cut of the cards.
- 679a.6. Three Card Prime rankings.
- 679a.7. Wagers.
- 679a.8. Procedures for dealing the cards from a manual dealing shoe.
- 679a.9. Procedures for dealing the cards from the hand.
- 679a.10. Procedures for dealing the cards from an automated dealing shoe.
- 679a.11. Procedures for completion of each round of play.
- 679a.12. Payout odds; Bad Beat Bonus.
- 679a.13. Irregularities.

§ 679a.1. Definitions.

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

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

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

Bad Beat Bonus—A payout on the player's Play Wager when the rank of the player's three-card hand is a flush or higher or a straight or higher, depending on the payout table selected by the certificate holder, but is lower in rank than the dealer's three-card hand.

Hand—The Three Card Prime hand that is held by each player and the dealer after the cards are dealt.

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

Play Wager—An additional wager that a player shall make if the player opts to remain in competition against the dealer after the player reviews his hand.

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

Qualify or qualifies—When the dealer's hand is a queen high or better.

§ 679a.2. Three Card Prime table physical characteristics.

(a) Three Card Prime shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

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

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

(2) Two separate betting areas designated for the placement of Ante and Play Wagers for each player.

(3) If the certificate holder offers the optional Prime Wager authorized under § 679a.7(d)(2) (relating to wagers), the Pair Bonus Wager authorized under § 679a.7(d)(3) or the All-Six Bonus Wager authorized under § 679a.7(d)(4), a separate area designated for the placement of each of the wagers for each player.

(4) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder and the phrase "Dealer Qualifies with a Queen or Ante Pushes and Play Wins" and "Player wins ties." If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Three Card Prime table.

(5) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 679a.12(h) (relating to payout odds; Bad Beat Bonus), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Three Card Prime table.

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

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

§ 679a.3. Cards; number of decks.

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

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

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

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

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

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

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

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

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

§ 679a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 679a.5 (relating to shuffle and cut of the cards).

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

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

§ 679a.5. Shuffle and cut of the cards.

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

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

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

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

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

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

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

(f) If there is no gaming activity at a Three Card Prime table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 679a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

§ 679a.6. Three Card Prime rankings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 679a.7. Wagers.

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

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

(c) All wagers, except the Play Wager, shall be placed prior to the dealer announcing “no more bets” in accordance with the dealing procedures in § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe). Except as provided in § 679a.11(b) (relating to procedures for completion of each round of play), a wager may not be made, increased or withdrawn after the dealer has announced “no more bets.”

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

(1) A player may compete solely against the dealer’s Three Card Prime hand by placing an Ante Wager then a Play Wager, in an amount equal to the player’s Ante Wager, in accordance with § 679a.11(b).

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

(3) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional Pair Bonus Wager, which shall win if the player’s hand contains a pair or better as provided in § 679a.6(b) (relating to Three Card Prime rankings).

(4) If specified in its Rules Submission under § 601a.2, a certificate holder may offer to each player at a Three Card Prime table the option to make an additional All-Six Bonus Wager, which shall win if the player’s three cards and the dealer’s three cards form a three-of-a-kind or better as provided in § 679a.6(d).

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

§ 679a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

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

(c) Starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player’s fourth card. All cards shall be dealt face down.

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

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

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

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

§ 679a.9. Procedures for dealing the cards from the hand.

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

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

(2) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

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

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer’s left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have three cards. If a player has placed a Pair Bonus Wager, the dealer shall deal an additional card to the area of the layout for the player’s fourth card. All cards shall be dealt face down.

(c) After three cards have been dealt to each player and the dealer, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

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

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

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

§ 679a.10. Procedures for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 679a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

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

(b) The dealer shall deliver the first stack of three cards dispensed by the automated dealing shoe face down to the player farthest to the dealer’s left who has placed an Ante Wager in accordance with § 679a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of three cards face down to the area designated for the placement of the dealer’s cards.

(c) After each stack of three cards has been dispensed and delivered in accordance with subsection (b), the dealer shall remove the stub from the automated dealing shoe and, except as provided in subsection (d), place the cards in the discard rack without exposing the cards. If a player has placed a Pair Bonus Wager, after removing the

stub from the automated dealing shoe, the dealer shall deal an additional card face down to the area of the layout for the player's fourth card. Except as provided in subsection (d), the dealer shall then place the cards in the discard rack without exposing the cards.

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

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

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

(g) Notwithstanding the requirements in subsections (b) and (c), if a certificate holder is utilizing an automated dealing shoe that automatically reshuffles the cards, the dealer may distribute four cards to each player and the dealer provided that as the cards are dispensed and distributed to each player:

(1) The top card of a stack dealt to a player who placed a Pair Bonus Wager shall be moved off the top of the stack and placed face down on the table layout until it is revealed by the dealer in accordance with § 679a.11(d)(2) (relating to procedures for completion of each round of play).

(2) The top card of a stack dealt to a player who did not place a Pair Bonus Wager and to the dealer shall be collected and placed face down in the discard rack.

§ 679a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 679a.8, § 679a.9 or § 679a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

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

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

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

(c) After each player who has placed an Ante Wager has either placed a Play Wager on the designated area of the layout or forfeited his Ante Wager, the dealer shall collect all forfeited wagers and associated cards, except for the cards of those players who placed an optional Prime, Pair Bonus or All-Six Bonus Wager, and place the cards in the discard rack. The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking Three Card Prime hand. After the dealer's cards are turned face up, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player:

(1) The dealer shall turn the three cards of each player face up on the layout.

(2) The dealer shall examine the cards of the player and form the highest possible ranking Three Card Prime hand for each player.

(3) If the dealer's highest ranking Three Card Prime hand:

(i) Does not qualify, the dealer shall return each player's Ante Wager and pay the player's Play Wager in accordance with § 679a.12(a) (relating to payout odds; Bad Beat Bonus).

(ii) Qualifies, and the player's highest ranking Three Card Prime hand is higher than or equal to the dealer's hand, the dealer shall pay the winning Ante Wager in accordance with § 679a.12(a) and the player's winning Play Wager in accordance with § 679a.12(b).

(iii) Qualifies, and the player's hand contains a flush or lower or a pair or lower, depending on the payout table selected by the certificate holder, and is lower than the dealer's hand, the dealer shall collect the player's losing Ante and Play Wagers.

(iv) Qualifies, and the player's hand contains a straight or better or a flush or better, depending on the payout table selected by the certificate holder, and is lower than the dealer's hand, the dealer shall collect the player's losing Ante Wager and pay the player a Bad Beat Bonus on the player's Play Wager in accordance with § 679a.12(c).

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

(1) For the Prime Wager, if all three of the player's cards:

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

(ii) Are of the same color, or if all three of the player's cards are the same color and all three of the dealer's cards are the same color as the player's three cards, the winning Prime Wager shall be paid out in accordance with § 679a.12(d).

(2) For the Pair Bonus Wager, if the player's hand:

(i) Does not contain a pair or better, the dealer shall collect the losing Pair Bonus Wager.

(ii) Contains a pair or better, the dealer shall reveal the fourth card dealt to the player. If the fourth card dealt to the player:

(A) Is not a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(e).

(B) Is a 2, the dealer shall pay the winning Pair Bonus Wager in accordance with § 679a.12(f).

(3) For the All-Six Bonus Wager, the dealer shall combine the player's three cards and the dealer's three cards to form the highest ranking six-card hand as provided in § 679a.6(d) (relating to Three Card Prime rankings). If the hand:

(i) Does not contain a three-of-a-kind or better, the dealer shall collect the losing All-Six Bonus Wager.

(ii) Contains a three-of-a-kind or better, the dealer shall pay the winning All-Six Bonus Wager in accordance with § 679a.12(g).

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

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Straight flush	12 to 1	12 to 1	6 to 1	6 to 1
Three-of-a-kind	10 to 1	10 to 1	5 to 1	5 to 1
Straight	4 to 1	4 to 1	2 to 1	2 to 1
Flush		1 to 1		1 to 1

(d) A certificate holder shall pay out winning Prime Wagers at the odds in the following payout table:

<i>Hand</i>	<i>Payout</i>
Same color player and dealer hand	4 to 1
Same color player hand	3 to 1

(e) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was not a 2, as provided in the following payout table:

<i>Hand</i>	<i>Payout</i>
Mini-royal flush	50 to 1
Straight flush	40 to 1
Three-of-a-kind	30 to 1
Straight	6 to 1
Flush	3 to 1
Pair	1 to 1

(f) A certificate holder shall pay out winning Pair Bonus Wagers, in which the player's fourth card was a 2, as provided in one of the following payout tables selected by the certificate holder in its Rules Submission filed in accordance with § 601a.2:

<i>Hand</i>	<i>Paytable A</i>	<i>Paytable B</i>	<i>Paytable C</i>	<i>Paytable D</i>
Mini-royal flush	100 to 1	75 to 1	75 to 1	75 to 1
Straight flush	80 to 1	60 to 1	50 to 1	50 to 1
Three-of-a-kind	60 to 1	45 to 1	40 to 1	40 to 1
Straight	12 to 1	10 to 1	8 to 1	8 to 1
Flush	6 to 1	5 to 1	4 to 1	4 to 1
Pair	1 to 1	2 to 1	2 to 1	1 to 1

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

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

§ 679a.12. Payout odds; Bad Beat Bonus.

(a) A certificate holder shall pay winning Ante Wagers at odds of 1 to 1 and shall pay Play Wagers when a dealer does not qualify at odds of 1 to 1.

(b) A certificate holder shall pay winning Play Wagers, when the dealer's hand qualifies, in accordance with the following payout table:

<i>Hand</i>	<i>Payout</i>
Mini-royal flush	10 to 1
Straight flush	6 to 1
Three-of-a-kind	5 to 1
Straight	2 to 1
Flush or lower	1 to 1

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

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

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

§ 679a.13. Irregularities.

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

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

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

(d) If one or more of the dealer’s cards is inadvertently exposed prior to the dealer revealing his cards in accordance with § 679a.11(c) (relating to procedures for completion of each round of play), all hands shall be void, all Ante and Play Wagers shall be returned to the players and the cards shall be reshuffled, provided that if any player placed a Prime, Pair Bonus or All-Six Bonus Wager, those wagers shall be settled in accordance with § 679a.11(d).

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

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

(g) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing

shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.

[Pa.B. Doc. No. 16-2117. Filed for public inspection December 9, 2016, 9:00 a.m.]

PENNSYLVANIA GAMING CONTROL BOARD
[58 PA. CODE CH. 680a]
Saigon 5 Card; Table Game Rules of Play

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority), adds Chapter 680a (relating to Saigon 5 Card) to read as set forth in Annex A.

Purpose of this Final-Form Rulemaking

This final-form rulemaking adds a new table game to the compliment of games available for play in this Commonwealth.

Explanation

Section 680a.1 (relating to definitions) contains the definitions used throughout Chapter 680a. Section 680a.2 (relating to Saigon 5 Card table physical characteristics) contains the table physical characteristics. Section 680a.3 (relating to cards; number of decks) details the number of cards and decks used to play the game. Section 680a.4 (relating to opening of the table for gaming) addresses the opening of the table for gaming. Section 680a.5 (relating to shuffle and cut of the cards) details how the cards are to be shuffled and cut. Section 680a.6 (relating to Saigon 5 Card rankings) specifies the ranking of the hands. Section 680a.7 (relating to wagers) outlines the permissible wagers. Sections 680a.8—680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) detail the procedures for dealing the cards. Section 680a.11 (relating to procedures for completion of each round of play) addresses how the round of play is to be completed. Section 680a.12 (relating to payout odds; Envy Bonus; rate of progression) outlines the permissible payout odds for winning wagers. Section 680a.13 (relating to irregularities) addresses irregularities in play.

In Saigon 5 Card, the hold percentage for the optional Bonus Wager is 7.97%.

Comment and Response Summary

Notice of proposed rulemaking was published at 45 Pa.B. 6987 (December 12, 2015). The Board did not

receive comments from the regulated community or the Independent Regulatory Review Commission (IRRC).

Additional Revisions

The Board made minor corrections in §§ 680a.2(b)(6) and 680a.8(d).

Affected Parties

Slot machine licensees may be impacted by this final-form rulemaking as they will have the option to offer another game to patrons at their licensed facilities.

Fiscal Impact

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

Political subdivisions. This final-form rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector. This final-form rulemaking will provide certificate holders with additional table game options. If a certificate holder decides to offer Saigon 5 Card within the licensed facility, the certificate holder will be required to train their dealers on the rules of play and may need to purchase new equipment. Costs incurred to train employees or purchase/lease equipment should be offset by the proceeds of gaming.

General public. This final-form rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

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

Effective Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on November 23, 2015, the Board submitted a copy of the notice of proposed rulemaking, published at 45 Pa.B. 6987, to IRRC and the Chairpersons of the House Gaming Oversight Committee and the Senate Community, Economic and Recreational Development Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board 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 October 19, 2016, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, this final-form rulemaking was deemed approved by IRRC effective October 19, 2016.

Findings

The Board finds that:

(1) Public notice of intention to adopt these amendments 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The final-form rulemaking is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

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

(1) The regulations of the Board, 58 Pa. Code, are amended by adding §§ 680a.1—680a.13 to read as set forth in Annex A.

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

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

DAVID M. BARASCH,
Chairperson

(*Editor's Note:* See 46 Pa.B. 7051 (November 5, 2016) for IRRC's approval.)

Fiscal Note: Fiscal Note 125-196 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 680a. SAIGON 5 CARD

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§ 680a.1. Definitions.

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

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

Bonus Wager—An optional wager a player may make to compete against a posted payout table.

Qualify or qualifies—When the dealer's three-card hand or the player's three-card hand made from the five cards dealt to the dealer and the player has a total value of 10, 20 or 30.

Showdown hand—The two-card hand of the player or the dealer made from the five cards dealt to the player or the dealer.

§ 680a.2. Saigon 5 Card table physical characteristics.

(a) Saigon 5 Card shall be played at a table having betting positions for no more than six players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Saigon 5 Card table shall be submitted to the Bureau of Gaming Operations in accordance with § 601a.10(a) (relating to approval of table game layouts, signage and equipment) and contain, at a minimum:

- (1) The name or logo of the certificate holder.
- (2) A separate betting area designated for the placement of the Ante Wager for each player.
- (3) Two separate areas for each player for the placement of the player's three-card qualifying hand and the player's two-card showdown hand.
- (4) If the certificate holder offers the optional Bonus Wager authorized under § 680a.7(d)(2) (relating to wagers), a separate area designated for the placement of the Bonus Wager for each player.
- (5) Inscriptions that advise patrons of the payout odds for all permissible wagers offered by the certificate holder. If payout odds are not inscribed on the layout, a sign indicating the payout odds for all permissible wagers shall be posted at each Saigon 5 Card table.
- (6) If the certificate holder establishes a payout limit per player, per round of play, as authorized under § 680a.12(d) (relating to payout odds; Envy Bonus; rate of progression), inscriptions that advise patrons of the payout limit. If the payout limit is not inscribed on the layout, a sign identifying the payout limit shall be posted at each Saigon 5 Card table.

(c) Each Saigon 5 Card table must have a drop box and a tip box attached on the same side of the table as, but on opposite sides of, the dealer, as approved by the Bureau of Casino Compliance in accordance with § 601a.10(g). The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

(d) Each Saigon 5 Card table must have a discard rack securely attached to the top of the dealer's side of the table.

§ 680a.3. Cards; number of decks.

(a) Except as provided in subsection (b), Saigon 5 Card shall be played with one deck of cards that are identical in appearance and one cover card. The deck of cards used to play Saigon 5 Card must include one joker. A certificate holder may use decks that are manufactured with two jokers provided that only one joker is used for the play of the game.

(b) If an automated card shuffling device is utilized, Saigon 5 Card may be played with two decks of cards in accordance with the following requirements:

- (1) The cards in each deck must be of the same design. The backs of the cards in one deck must be of a different color than the cards included in the other deck.
- (2) One deck of cards shall be shuffled and stored in the automated card shuffling device while the other deck is being used to play the game.
- (3) Both decks are continuously alternated in and out of play, with each deck being used for every other round of play.
- (4) The cards from only one deck are placed in the discard rack at any given time.

(c) The decks of cards used in Saigon 5 Card shall be changed at least every:

- (1) Four hours if the cards are dealt by hand.
- (2) Eight hours if the cards are dealt from a manual or automated dealing shoe.

§ 680a.4. Opening of the table for gaming.

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

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

(c) After the first player arriving at the table has been afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked. Once the cards have been stacked, the cards shall be shuffled in accordance with § 680a.5 (relating to shuffle and cut of the cards).

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

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

§ 680a.5. Shuffle and cut of the cards.

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

(b) If an automated card shuffling device is being used, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, and the device reveals that an incorrect number of cards are present, the deck shall be removed from the table.

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

(1) If the cards were shuffled using an automated card shuffling device, deal the cards in accordance with § 680a.8, § 680a.9 or § 680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe).

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

(d) If a cut of the cards is required, the dealer shall place the cover card in the stack at least ten cards in

from the top of the stack. Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The stack of cards shall then be inserted into the dealing shoe for commencement of play.

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

(f) If there is no gaming activity at a Saigon 5 Card table which is open for gaming, the cards shall be removed from the dealing shoe and discard rack and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player arriving at the table is afforded an opportunity to visually inspect the cards, the procedures in § 680a.4(c) (relating to opening of the table for gaming) and this section shall be completed.

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

§ 680a.6. Saigon 5 Card rankings.

(a) The value of the cards in each deck shall be as follows:

- (1) Any card from 2 to 9 shall have its face value.
- (2) Any 10, jack, queen or king shall have a value of 10.
- (3) Any ace shall have a value of 1.
- (4) A joker has a value of 3, 6 or 9.

(b) The Point Count of a showdown hand shall be a number from 1 to 10, with 10 being the highest rank and 1 being the lowest rank, determined by totaling the value of the cards in the hand. If the total value of the cards in a showdown hand is greater than 10, 10 will be subtracted from the number. For example:

(1) A showdown hand composed of an ace and 4 has a Point Count of 5.

(2) A showdown hand composed of a 10 and a jack has a value of 20 but a Point Count of only 10 since 10 is subtracted from 20.

(c) For purposes of the Bonus Wager, a joker may be used as an ace in any hand, other than the royal flush with no joker, or may be used to complete a royal flush with a joker, straight flush, flush or a straight. An ace may be used to complete a straight flush or a straight formed with a 2, 3, 4 and 5 but may not be combined with any other sequence of cards (for example, a queen, king, ace, 2 and 3). The permissible Poker hands shall be:

(1) Five aces, which is a hand consisting of four aces and a joker.

(2) A royal flush with no joker, which is a hand consisting of an ace, king, queen, jack and 10 of the same suit.

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

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

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

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

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

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

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

(10) Two pair, which is a hand containing two pairs.

§ 680a.7. Wagers.

(a) Wagers at Saigon 5 Card shall be made by placing value chips, plaques or other Board-approved table game wagering instruments on the appropriate areas of the table layout. Verbal wagers accompanied by cash may not be accepted.

(b) Only players who are seated at a Saigon 5 Card table may wager at the game. Once a player has placed a wager and received cards, that player shall remain seated until the completion of the round of play. If a player leaves the table during a round of play, any wagers made by the player may be considered abandoned and may be treated as losing wagers.

(c) All wagers shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedure in § 680a.8, § 680a.9 or § 680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) and may not be increased or withdrawn after the dealer has announced "no more bets."

(d) The following wagers may be placed in the game of Saigon 5 Card:

(1) A player may compete solely against the dealer by placing an Ante Wager.

(2) If specified in its Rules Submission under § 601a.2 (relating to table games Rules Submissions), a certificate holder may offer to each player at a Saigon 5 Card table the option to make an additional Bonus Wager which shall win if the player's five cards contain two pair or better as described in § 680a.6(c) (relating to Saigon 5 Card rankings).

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

§ 680a.8. Procedures for dealing the cards from a manual dealing shoe.

(a) If a manual dealing shoe is used, the dealing shoe must be located on the table in a location approved by the Bureau of Casino Compliance in accordance with § 601a.10(g) (relating to approval of table game layouts, signage and equipment). Once the procedures required under § 680a.5 (relating to shuffle and cut of the cards) have been completed, the stacked deck of cards shall be placed in the dealing shoe by the dealer or by an automated card shuffling device.

(b) Prior to dealing any cards, the dealer shall announce "no more bets." To deal the cards, the dealer shall remove each card from the dealing shoe with the hand of

the dealer that is closest to the dealing shoe and place it on the appropriate area of the layout with the opposite hand.

(c) Starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal one card at a time to each player who has placed an Ante Wager in accordance with § 680a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have five cards. All cards shall be dealt face down.

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

(e) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(f) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(g) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 680a.9. Procedures for dealing the cards from the hand.

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

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

(2) After the procedures required under § 680a.5 (relating to shuffle and cut of the cards) have been completed, the dealer shall place the stacked deck of cards in either hand. After the dealer has chosen the hand in which to hold the cards, the dealer shall continue to use that hand whenever holding the cards during that round of play. The cards held by the dealer shall be kept over the table inventory container and in front of the dealer at all times.

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

(b) To deal the cards, the dealer shall hold the deck of cards in the chosen hand and use the other hand to remove the top card of the deck and place it face down on the appropriate area of the layout. The dealer shall, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, deal one card at a time to each player who has placed an Ante Wager in accordance with § 680a.7(d)(1) (relating to wagers) and to the dealer until each player who placed a wager and the dealer have five cards. All cards shall be dealt face down.

(c) After five cards have been dealt to each player and the dealer, the dealer shall, except as provided in subsection (d), place the stub in the discard rack without exposing the cards.

(d) If an automated card shuffling device that counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 680a.10. Procedures for dealing the cards from an automated dealing shoe.

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

(1) After the procedures required under § 680a.5 (relating to shuffle and cut of the cards) have been completed, the cards shall be placed in the automated dealing shoe.

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

(b) The dealer shall deliver the first stack of five cards dispensed by the automated dealing shoe face down to the player farthest to the dealer's left who has placed an Ante Wager in accordance with § 680a.7(d)(1) (relating to wagers). As the remaining stacks are dispensed to the dealer by the automated dealing shoe, the dealer shall, moving clockwise around the table, deliver a stack face down to each of the other players who has placed an Ante Wager. The dealer shall then deliver a stack of five cards face down to the area designated for the placement of the dealer's cards.

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

(d) If an automated card shuffling device, which counts the number of cards in the deck after the completion of each shuffle and indicates whether 53 cards are present, is not being used, the dealer shall count the stub at least once every 5 rounds of play to determine if the correct number of cards are still present in the deck. The dealer shall determine the number of cards in the stub by counting the cards face down on the layout.

(e) If the count of the stub indicates that 53 cards are in the deck, the dealer shall place the stub in the discard rack without exposing the cards.

(f) If the count of the stub indicates that the number of cards in the deck is incorrect, the dealer shall determine if the cards were misdealt. If the cards were misdealt but 53 cards remain in the deck, all hands shall be void and all wagers shall be returned to the players. If the cards were not misdealt, all hands shall be void, all wagers shall be returned to the players and the entire deck of cards shall be removed from the table.

§ 680a.11. Procedures for completion of each round of play.

(a) After the dealing procedures required under § 680a.8, § 680a.9 or § 680a.10 (relating to procedures for dealing the cards from a manual dealing shoe; procedures for dealing the cards from the hand; and procedures for dealing the cards from an automated dealing shoe) have been completed, each player shall examine his cards subject to the following limitations:

(1) Each player who wagers at Saigon 5 Card shall be responsible for his own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

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

(b) Each player shall examine his cards and shall set them into two hands. If any three of the player's five cards:

(1) Have a combined total value of 10, 20 or 30, the player's hand qualifies and the player shall set those three cards as the player's three-card hand. The remaining two cards shall be set as the player's two-card showdown hand. For example, if a player's hand contains a joker, 8, 6, 5 and 2, the player's three-card hand would contain the joker (used as a 9 value card), the 5 and the 6 for a total value of 20, which would qualify, and the 8 and 2 would compose the player's showdown hand with a Point Count of 10.

(2) Does not have a combined total value of 10, 20 or 30, the player's hand does not qualify and the player may place any three cards as the player's three-card hand and the remaining two cards in the player's two-card showdown hand.

(c) After each player has set his two hands, the dealer shall then reveal and arrange the dealer's cards. If any three of the dealer's five cards:

(1) Have a combined total value of 10, 20 or 30, the dealer's hand qualifies and the dealer shall set those three cards as the three-card hand. The remaining two cards shall be set as the dealer's two-card showdown hand.

(2) Does not have a combined total value of 10, 20 or 30, the dealer's hand does not qualify.

(d) After the dealer's cards are turned face up and set, the dealer shall, beginning with the player farthest to the dealer's right and continuing around the table in a counterclockwise direction, complete the following applicable procedures in succession for each player. The dealer shall turn the player's three-card hand face up on the layout and compare the dealer's three-card hand to the player's three-card hand. If the dealer's three-card hand:

(1) Does not qualify and the player's three-card hand:

(i) Does not qualify, the dealer shall return the player's Ante Wager.

(ii) Qualifies, the dealer shall reveal the player's showdown hand. If the player's two-card showdown hand:

(A) Has a Point Count of 1—4 or 6—10, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(a) (relating to payout odds; Envy Bonus; rate of progression).

(B) Has a Point Count of 5, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(b).

(2) Qualifies, and the player's three-card hand:

(i) Does not qualify, the dealer shall collect the player's losing Ante Wager.

(ii) Qualifies, the dealer shall reveal the player's showdown hand and compare it to the dealer's showdown hand. If the dealer's showdown hand:

(A) Is higher in Point Count than the Point Count of the player's showdown hand, the dealer shall collect the player's losing Ante Wager.

(B) Is lower in Point Count than the Point Count of the player's showdown hand, the dealer shall pay the winning Ante Wager in accordance with § 680a.12(a) if the player's showdown hand had a Point Count of 1—4 or 6—10 and in accordance with § 680a.12(b) if the player's showdown hand had a Point Count of 5.

(C) Is equal in Point Count with the Point Count of the player's showdown hand, the dealer shall return the player's Ante Wager.

(e) After settling the player's Ante Wager, the dealer shall settle any optional Bonus Wager by reconfiguring the player's five cards to form the highest ranking Poker hand. If the player's hand:

(1) Does not contain two pair or better, as provided in § 680a.6(c) (relating to Saigon 5 Card rankings), the dealer shall collect the losing Bonus Wager.

(2) Contains two pair or better, the dealer shall pay the winning Bonus Wager in accordance with § 680a.12(c).

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

§ 680a.12. Payout odds; Envy Bonus; rate of progression.

(a) A certificate holder shall pay winning Ante Wagers at odds of 1 to 1 if the player's showdown hand had a Point Count of 1—4 or 6—10.

(b) A certificate holder shall pay winning Ante Wagers at odds of 1 to 2 if the player's showdown hand had a Point Count of 5.

(c) A certificate holder shall pay out winning Bonus Wagers as provided in the following payout table:

<i>Hand</i>	<i>Paytable A</i>
Five aces	5,000 to 1
Royal flush—no joker	1,000 to 1
Royal flush—with a joker	250 to 1
Straight flush	100 to 1
Four-of-a-kind	50 to 1
Full house	20 to 1
Flush	15 to 1
Straight	12 to 1
Three-of-a-kind	10 to 1
Two pair	8 to 1

(d) Notwithstanding the payout odds in subsections (a)—(c), if specified in its Rules Submission form filed in accordance with § 601a.2 (relating to table games Rules Submissions), the certificate holder may establish an aggregate payout limit per player per round of play which may not be less than \$50,000 or the maximum amount that one patron could win per round when betting the minimum wager, whichever is greater.

§ 680a.13. Irregularities.

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

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

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

(d) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle or

fails to complete a shuffle cycle, the cards shall be reshuffled.

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

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

[Pa.B. Doc. No. 16-2118. Filed for public inspection December 9, 2016, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

2017 Industrial Hemp Research Pilot Program Parameters

The Department of Agriculture (Department) is conducting the Industrial Hemp Research Pilot Program (Program) as authorized by section 7606 of the Agricultural Act of 2014 (Farm Bill) (7 U.S.C.A. § 5940) and 3 Pa.C.S. §§ 701—710 (Act 92) (relating to industrial hemp research), signed by Governor Wolf on July 20, 2016. This Program allows researchers from institutions of higher education and growers contracting with the Department to apply and be approved for a research permit from the Department.

This document outlines Program parameters for 2017. The Department may revise Program parameters in upcoming years to reflect regulatory and statutory changes or scientific advances.

The following information is a guide for researchers when planning industrial hemp pilot projects for submission to the Department for approval as required by Act 92.

1) *Research Scope:*

a. *Who may Apply to Conduct a Pilot Research Project:*

i. An institution of higher education, as defined by the Farm Bill and Act 92, may submit an Industrial Hemp Research application to the Department. Once approved, an institution of higher education holding an industrial hemp research permit issued by the Department may contract with a person* to grow or cultivate industrial hemp under its approved hemp research project. The contract between the institution of higher education and the person must incorporate the provisions of the permit issued by the Department and will require review and approval by the Department.

ii. A person* desiring to conduct an industrial hemp research project independent of an institution of higher education may submit an Industrial Hemp Research application directly to the Department. If the project is approved, the person shall enter into a contract with the Department and be issued an industrial hemp research project permit. The person permitted may contract with others to grow or cultivate industrial hemp under its approved hemp research project. The contract must incorporate the provisions of the permit issued by the Department and will require review and approval by the Department.

iii. Persons applying for and/or involved with the research and growing of the industrial hemp crop, not directly employed by the Department, must submit results of Pennsylvania State Police (PSP) or Federal Bureau of Investigation (FBI), or both, criminal history record checks to the Department for the purpose of verifying any criminal arrests and convictions.

iv. More specifically:

* Person—A natural person, corporation, foundation, organization, business trust, estate, limited liability company, licensed corporation, trust, partnership, limited liability partnership, association or other form of legal business entity, as well as a State or local government entity.

At the time of the application, the applicant must submit a PSP response to criminal record check obtained from the e-PATCH system at <https://epatch.state.pa.us/Home.jsp> for each person named in the application. (Proof of submission of the request would also be acceptable if the response is not received by the application deadline.)

When the application is approved, and before a permit will be issued, the Department must have received and approved:

a. A PSP response to criminal record check for each project participant.

b. A PSP response to criminal record check and an FBI criminal history background check for the applicant. Information about the process for FBI fingerprinting-based background checks will be provided upon approval of the application.

v. Persons shall submit the criminal history background check to the Department to be eligible to be involved in the pilot project. Any person with a felony drug conviction within the past 10 years may not contract to grow or cultivate industrial hemp under the Program. The Department's final approval of the application and issuance of a permit is contingent upon a successful background check.

vi. After approval of an industrial hemp research project, if any person involved in the approved project is charged and convicted of a felony, including a felony drug conviction, the holder of the contract and permit must immediately file a report with the Department. The Department will make a determination of any action related to the approved industrial hemp project. Failure to report will result in revocation of research permits and contracts, and may result in issuance of control orders and application of criminal or civil penalties, or both, in accordance with Act 92.

b. *Application Content:* An application for participation in the 2017 Program is available and must be completed in full. Major sections of the application include:

i. The names and addresses of the applicant and of all participants in the research project.

ii. A detailed description of the research project, including objectives, work plan and anticipated timeline.

iii. The size and legal description of each location, plot and site to be utilized to grow or cultivate industrial hemp. (The Department inspectors will collect GPS coordinates during site visits.)

iv. A description of resources available to implement the project, including experience of participants, personnel and equipment.

v. For those applications proposing the sale or distribution of an industrial hemp product, the application must include documentation that the product complies with all Federal and State laws and regulations that govern the sale, production, labeling, marketing and distribution of the products.

c. *Contracts and Permits:* Upon approval of an industrial hemp research project and prior to implementation of any part of that approved project, the institution of higher education or person approved must enter into a contract with the Department and individual permits

must be issued by the Department. Individual permits will establish specific parameters and requirements to be followed.

d. *Research Scale*: A single application should describe a single research project to be conducted using a maximum research plot of 5 acres in size, or smaller plots, which when combined, will not exceed a size of 5 acres. If projects receive approval, the Department will collect GPS coordinates of each site where industrial hemp will be grown, and these coordinates will be shared with State and local law enforcement.

e. *Research Duration*: Research projects may be for the duration of 1 to 3 years.

f. *Limited Research Project Approvals*: For the first year of the Program, the Department will approve a maximum of 30 applications. The Department retains the right to define what constitutes a single research project, suitable for approval as a single application and issuance of a single permit.

g. *Government Grant Opportunities*: In the event a pilot project sponsor is awarded a grant by the United States Department of Agriculture (USDA) or other government agency, the Department will expedite the project review/approval process to enable the grant funded project to proceed in a timely manner.

h. *Research Focus*: The Department accepts the focus provided by the USDA/United States Drug Enforcement Agency (DEA)/United States Food and Drug Administration (FDA) "Statement of Principles on Industrial Hemp" published at 81 FR 53395 (August 12, 2016). In this statement, Federal agencies define industrial hemp as "used exclusively for industrial purposes (fiber and seed)." It further states that, while sales of hemp products may be part of marketing research, products in a research pilot program should not be produced "for the purpose of general commercial activity."

The Program will permit projects on topics concerning the growth, cultivation or marketing of hemp exclusively for industrial purposes (fiber and seed) and not for the purposes of general commercial activity. Appropriate research topics include:

- Planting methods
- Seed variety trials
- DNA sequencing/genetics
- Optimum fertility levels
- Best management practices in crop production
- Pest management strategies
- Development of harvesting methods/equipment uses
- Development of hemp seed products, including oil derived from seed
- Biomass, seed and fiber yield trials
- Conservation/riparian buffers
- Phytoremediation
- Biofuel

i. *Research Description*: Research projects submitted must describe and follow a detailed scientific method. Using the research focuses previously listed as a guide, applicants must establish a question and a hypothesis about growth, processing or marketing of industrial hemp, which will provide the Department, institutions of

higher education and industrial hemp commodity groups with new, regionally appropriate and useful crop knowledge, better understanding of in-State market potential or improvement of established processing methods for industrial hemp, or both. The purpose of this research is to allow for the future structuring of an industrial hemp industry for the Commonwealth. It is recommended that those interested in supporting pilot projects work with institutions of higher education and publish the results of their project in agricultural or scientific publications to provide documented data and information to expand and validate the findings of the project.

i. Following is an example of an appropriate research project:

Comparing the Durability, Cleanliness and Affordability of Multiple Varieties of Hemp Fiber Bedding to Straw Bedding from Traditional Cereal Crop in Porcine Facilities.

An inventory of input costs will be recorded and evaluated for a variety of hemp seed plantings and for a control planting of traditional cereal crop. Costs of processing bedding products from the hemp crop and traditional cereal crop will be recorded and evaluated. The resulting bedding products will be used as the bedding materials for identical test groups of pigs. Tests and observations for characteristics such as moisture retention, mold growth, particle degradation, compaction, and the like will be recorded and evaluated for each hemp variety source and comparison results will be shared. Based on the data resulting from these observations, a conclusion and recommendation for or against varieties of industrial hemp will be made.

ii. The approved researchers shall make quarterly update reports on the progress of all research and adhere to all recordkeeping, sampling and testing requirements as established by the Department in the contract and individual permits issued. Failure to meet these requirements will result in removal from the Program and affect eligibility for future project approval. Control orders for the destruction of the crop may be issued as allowed under Act 92 and for violations of the terms of the contract or permits issued. A control order will be issued where the contract and permit are revoked.

iii. For purposes of marketing research, but not for the purpose of general commercial activity, industrial hemp products may be sold, if sales are not prohibited under other Federal or State laws. The USDA/DEA/FDA "Statement of Principles on Industrial Hemp proclaimed the Federal law does not "alter the approval process for new drug applications" nor does it "alter the requirements of the Controlled Substances Act (CSA) that apply to the manufacture, distribution and dispensing of drug products containing controlled substances" nor the requirement for "those conducting research with such drug products."

j. *Seed Acquisition*: The Department will acquire a registration from the DEA as an importer of Schedule 1 drugs for noninstitution of higher education pilot projects. The Department will then be able to apply for permits to import seed (controlled substances for domestic and scientific purposes) from international sources. No industrial hemp seed may, or will, be acquired from other states until a regulatory framework for acquisition has been established through the DEA. As part of the Program application, applicants will be asked to supply their preferred sources of seed and the variety of seed. The

approved researcher will be required to pay for seed, import and transportation charges. The Department will be the recipient of the seeds for applicants chosen to participate in the Program not sponsored by an institution of higher education and the seed will remain in the custody of the Department until planting.

i. Pilot project participants are responsible for making all arrangements for acquisition of the industrial hemp seeds for planting, including identifying the source, making payment, arranging transportation, completing required forms for importation and movement of the seed needed by the Department to submit to the appropriate agencies.

ii. All seed purchased under the Department's DEA registration must be delivered to the Department.

iii. The Department will accept deliveries of the seed on behalf of Program participants and deliver the seed to the test plot at planting during normal business hours. All unused seed will be collected by the Department.

iv. No seed produced by pilot projects may be saved or used for future planting unless: 1) the original seed source holding rights to the seed provides written approval and documentation of their authority to grant that permission; and 2) written approval is received from the Department.

v. The Department will act as the acquisition agent only and is not responsible or liable for the condition, warranty, guarantee, company delivery delays, and viability of the seed or tetrahydrocannabinol (THC) level of plants grown from the seed. The Program participant takes full responsibility for any and all costs associated with the seeds and plants grown from them including crop destruction if THC levels exceed the 0.3% permitted level.

k. *Product Restrictions:* All Cannabis plant material or products produced from them must contain total THC levels of less than 0.3%. If THC levels are found to be greater than 0.30%, the material shall not move off site and products cannot enter market. If THC is between 0.3% and 1.0%, confirmational testing or alternative destruction methods may be authorized, at the Department's discretion. For any planting with THC levels over 1.0%, the Department will issue an order for the registrant to immediately destroy the plants and law enforcement will be notified and has the authority to pursue prosecution under any applicable laws.

i. The project plan must include detailed statements describing the management of the plants and all plant parts at the end of the growth period. Researchers that plan to conduct or offer any part of the plant for processing following the growing trials must include a detailed description of the processes that will be used and measures taken with respect to the management, security and sterilization of any seed produced.

ii. If the research project methods involve processing of the hemp plant and the processing facilities are located away from where the hemp plants are registered to be grown, then a transportation plan must be submitted before a permit will be issued. Only a driver who has gone through required background checks may transport the hemp and the hemp must be transported in a truck or van with an enclosed, interior, locked compartment. Individuals involved in the processing must also have the required clearances.

iii. Institutions of higher education, growers and processors of finished products will be held responsible to

meet all laws, regulations and requirements of all authorities that regulate any products produced, marketed, labeled, distributed and/or sold as part of the permitted industrial hemp research project. This may include, but may not be limited to, the DEA, the FDA, the USDA, the United States Internal Revenue Service, the Department's Bureau of Food Safety and Laboratory Services, the Department of Health and any other governmental authority.

iv. The name, symbols, and logos of the Commonwealth of Pennsylvania or any of its agencies, including the Department, may not in any way be used in the labeling, promotion or marketing of any hemp products associated with the Program without written permission from the Department.

2) *Application Process:* An application for participation in the 2017 Program is available with a deadline for submission to the Department of 4 p.m. on January 6, 2017. Application submission will be possible by e-mail, fax, hand delivery, United States Postal Service, overnight courier service or express mail. Applications must be complete and accurate, submitted on the official application and accompanied by a check or money order for the application fee payable to the Commonwealth of PA in the amount of \$250. Incomplete applications may be discarded. These applications will be the sole source of information under consideration for potential participation. The Department will evaluate each application and select projects for approval based on the legitimacy of the research and the applicant's ability to complete the proposed project.

a. Notification of tentative approval of projects will occur from January 31, 2017, through February 17, 2017. Upon tentative approval of a project, a process will begin that will include development of a contract between the applicant and the Department, a site visit and issuance of an individual permit for each approved research project.

b. Before issuing a permit, the Department will collect \$3,000 per research project, to cover the Department's costs for administration and project review.

3) *Inspection, Sampling, Testing and Recordkeeping:* During the course of a research project, participants will be subject to farm/establishment inspections to verify compliance with all requirements of the contract and individual permit issued. Inspection may include sampling by the Department inspectors for the purpose of hemp seed germination and quality testing, and for determination of plant THC levels.

a. The Department's inspectors must be granted unrestricted access during normal business hours to all growing locations and adjacent areas, storage, processing and all other grounds, structures and facilities involved in the approved Program project.

b. Inspection visits may be made with little or no notice during regular business hours. Project leaders or their representatives will be notified and requested to be present to accompany the Department inspector and allow access to any part of the field or establishment.

c. Sampling of plants or plant parts for THC testing will be done by the Department's inspectors utilizing a statistical method developed to provide an accurate representation of the test plot. If requested the inspector will provide a duplicate sample to the project leader. The Department sampling will target female flowers near the time of harvest, as that sample is most likely to have the highest levels of THC.

d. Individual samples will be collected for each variety or lot of seed, or both, planted. Larger plots may require more than one sample to be accurate.

e. Unless prohibited by the nature of the pilot project, the Department strongly recommends that larger plots be planted with access spaces (walkways) through the planting to allow access for sample collection.

f. Records of all information detailing the pilot project including inputs, climatic events and pesticide applications will be required as part of the final project report.

g. Detailed records documenting any movement of seed, plants or plant parts are also required to be submitted at the conclusion of the project.

h. More specific recordkeeping requirements will be set forth in the individual permit issued for each approved pilot research project.

4) *Termination/Decommissioning of Project Responsibilities*: All industrial hemp plants must be destroyed at the conclusion of the project and the Department will continue to monitor the site for 3 years to insure there is no regrowth or sprouting. The Department must be given access to the site during normal business hours to conduct follow up inspections during this time to verify there is no regrowth at the location. Any industrial hemp plants found must be destroyed.

5) *Program Costs*: There are no financial awards associated with the Program. All costs incurred with the research must be paid for by the participating institution of higher education or individual applicants. The Department will charge one administrative fee of \$3,000 per research project, due before a permit will be issued. The Department will also invoice the project for costs associated with inspection and testing.

The following is a list of anticipated costs associated with a research project, all of which would be the responsibility of the person conducting the research:

a. Application Fee: \$250—nonrefundable, payable to the Department at time of application submission.

b. Cost of PSP criminal record checks for all research participants, plus cost of FBI background check for applicant.

c. The Department Administrative Fee: \$3,000—must be paid before a permit will be issued.

d. Hemp seed purchase, importation charges, acquisition and transportation to the Department (direct billed to researcher).

e. All costs associated with the research itself.

f. The Department's Service Fees:

i. The Department's staff time for following types of activities will be assessed at \$100/hour including travel time:

- Initial site approval visit (to each growing site)
- Delivery of seed to project for planting
- Growing site inspection—sampling
- Growing site inspection—decommissioning (minimum of three)
- Site inspection (processing sites)—Initial site approval visit

ii. Hemp seed testing

- Germination: \$15

- Purity: \$17

- Combined: \$32

iii. Plant material testing for THC levels (official sample): \$200/sample

RUSSELL C. REDDING,
Secretary

2017 APPLICATION PACKET

Guidelines and Instructions

Application

Template for Attachment A

Industrial Hemp Research Pilot Program Permit Application

Guidelines and Instructions

The Pennsylvania Department of Agriculture (PDA) is conducting an Industrial Hemp Research Pilot Program as authorized by section 7606 of the Agricultural Act of 2014 (Farm Bill) and Pennsylvania's Industrial Hemp Research Act (3 Pa.C.S.A. 701—710) (Act 92), signed by Governor Wolf on July 20, 2016. Researchers from institutions of higher education or growers who would like to be considered for participation in the program must submit a 2017 PDA Industrial Hemp Research Pilot Program Permit Application prior to the application deadline. More detailed information about this program is available in the 2017 Program Parameters document.

1. *Application Deadline*: January 6, 2017 is the application deadline for all 2017 industrial hemp research projects. Applications may be submitted via email, FAX, hand delivery, U.S. Postal Service, overnight courier service or express mail. Regardless of the delivery method used, they must be received no later than 4:00 PM on January 6, 2017.

2. *Application Submission*: Submit application and corresponding materials to:

ATTN: Cathy Thomas

Industrial Hemp Research Pilot Program Coordinator
PA Department of Agriculture, Bureau of Plant Industry
2301 N. Cameron St
Harrisburg PA 17110

E-mail: caththomas@pa.gov

FAX: 717-783-3275

3. *Application Cost*: Applications must be accompanied by a check or money order for the application fee payable to the Commonwealth of PA in the amount of \$250.00. For those applicants using e-mail or FAX submission, check or money order must still be received at PDA by the January 6 deadline.

4. *Application File Format*: The PDA Industrial Hemp Research Pilot Program application is available in two file formats: Microsoft Word and PDF. If you do not have compatible software, please print out the PDF and complete the form manually and legibly.

5. *Complete Applications*: Applications must be complete and accurate. Follow all instructions in the document.

6. *Application Review*: PDA will evaluate each application and select projects for approval based on the legitimacy of the research and the applicant's ability to complete the proposed project. PDA may not conduct follow-up inquiries.

7. *Research Project:* Section 7606 of the Farm Bill authorizes industrial hemp research programs only; consequently, each applicant must submit a research plan. The United States Drug Enforcement Agency will not allow the import of seeds for commercial production, only research. The 2017 PDA Industrial Hemp Research Pilot Program will consider projects of up to 3 years in duration, with annual reauthorization by PDA. Research projects may be conducted in a maximum research plot of 5 acres in size, or smaller plots which when combined will not exceed a size of 5 acres. The PDA Industrial Hemp Research Pilot Program will permit projects on topics concerning the growth, cultivation or marketing of hemp exclusively for industrial purposes (fiber and seed). The research plan is to be addressed in Question 3 of the application. It is important to be detailed and thorough in your answers. More detailed guidance about research scope is outlined in the 2017 Program Parameters document.

8. *Background Checks:* At the time the application is submitted, a PA State Police (PSP) response to criminal record check (obtained from <https://epatch.state.pa.us/Home.jsp>) must be attached to the application for each project participant listed in the application. (Proof of submission of the request would also be acceptable if the response has not been received by the application deadline).

If the application is approved, and before a permit will be issued, PDA must have received and approved:

a. A PSP response to criminal record check for each project participant.

b. A PSP response to criminal record check and an FBI criminal history background check for the applicant. Information about the process for FBI fingerprinting-based background checks will be provided upon approval of the application.

This background check process will only need to be done once for all participants prior to the permit being issued. However, if any participating person is convicted of a felony after the permit has been issued, a report must be filed immediately with PDA, who will make a determination of any action related to the industrial hemp project. Failure to report will result in revocation of research permits and contracts, and may result in issuance of control orders and application of criminal and/or civil penalties in accordance with Act 92.

9. *Timeline:* The expected timeline for approval of 2017 projects is as follows:

a. January 6, 2017—Applications due.

b. January 31—February 17, 2017—Notification of tentative approvals of research projects.

Note: The PA Department of Agriculture has applied for DEA registration, but does not have control over timeframe for registration approval nor for DEA processing of Import Permits for individual shipments of seed. There is a possibility that seed will not be received in time for planting in 2017. If seed arrives late, the permit holder will have the option to destroy the seed or to delay the project start date until 2018.

For more information on the PDA Industrial Hemp Research Pilot Program, please visit: www.agriculture.pa.gov/Protect/PlantIndustry/Pages/Industrial-Hemp-.aspx.

2017 Industrial Hemp Research Pilot Program Permit Application

Institution/Business Name:		
Project Director:		
Mailing Address:		
City:	State:	Zip:
Email Address:		
Phone Number:	Secondary Phone:	

1) Indicate the focus of your 2017 project. [Please check all that apply.]

- Seed, Grain
 Fiber

2) Provide a list of all individuals (professors, research assistants, farm managers, contracted growers, etc.) who will be managing the research project or handling industrial hemp. List each person's name, address, responsibilities associated with this project and qualifications. Attach additional sheet(s) if necessary.

<i>Employees of Applicant</i>			
<i>Name</i>	<i>Address</i>	<i>Responsibilities</i>	<i>Qualifications</i>

<i>Under Contract</i>			
<i>Name</i>	<i>Address</i>	<i>Responsibilities</i>	<i>Qualifications</i>

* The applicant is responsible for acquiring state police criminal record checks for each person involved with the project. These must be available to PDA before a permit will be issued. Any individual who is found to have a felony drug conviction within the past 10 years may not be involved with this project.

3) Describe in detail the industrial hemp research project you are interested in conducting beginning in the 2017 growing season. Provide this in an attachment to this application, labelled "Attachment A." The Attachment should be no more than 3 pages in length, and should include:

- a. Project title and objective(s)
- b. Work plan and timeline
- c. General location information and security considerations
- d. Method of measuring project success
- e. Plant material handling at end of project:
 - i. Anticipated hemp plant material, seed, or hemp products retained
 - ii. Methods for destruction of any hemp plant material remaining at end of the research project.

Note: More detailed guidance about research scope is outlined in the 2017 Program Parameters document. Applicants should also reference the Template for Attachment A for format instructions. Incomplete answers to this question will result in the application's removal from consideration.

4) Provide a brief description of your previous experience with agricultural research and/or crop production.

5) Indicate the source of certified seed that you intend to plant. If you are using multiple sources, provide information for each source. Attach additional sheet(s) if necessary. More detailed guidance on seed acquisition is provided in the 2017 Program Parameters document.

Note: Prior determination of your seed source is not mandatory for this application to be considered, but must be provided to PDA before a permit will be issued.

Source 1:

- a) Seed Company: _____
- b) Company Address: _____
- c) Contact Email: _____
- d) Seed Variety: _____

Check here if your seed source is unknown.

6) What equipment do you have to implement this project (eg., for planting, cultivating, harvesting)? Have you considered any equipment modifications to accommodate this crop?

7) Describe how you intend to handle and store the harvested Industrial Hemp. Provide details about the storage structure, if any, including location, security and intended duration at the storage location.

8) Provide a list of all intended growing and storage addresses. GPS coordinates of fields and facilities will be measured by PDA inspectors and locations will be mapped and shared with law enforcement agencies. Attach additional sheet(s) if necessary. If an exact street address is not available for the farm entrance, list an approximate number, road name, city and county.

	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip</i>	<i>County</i>	<i>Own or Rent</i>
Farm 1			PA			
Farm 2			PA			
Farm 3			PA			
Farm 4			PA			
Farm 5			PA			

9. If your research project involves marketing of hemp products, what products will you develop? If you will not be developing products, move to Question # 13. Please list all intended products and the anticipated volume of products. Attach additional sheet(s) if necessary.

<i>Hemp Products</i>	<i>Anticipated Volume</i>

10) If you intend to make food grade products, do you have a Food Establishment Registration from the PA Department of Agriculture? Yes No If yes, attach a copy of your Registration. If no, describe your plans to apply for registration.

11) Do you have a Pennsylvania facility with the necessary equipment to process your industrial hemp products? Yes No If yes, describe your facility and equipment. If no, explain your plans to find/develop a facility and acquire equipment.

12) Provide a list of all intended processing and storage addresses. PDA will share all location information with law enforcement agencies.

	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip</i>	<i>County</i>
1			PA		
Description of # 1 Facility and Purpose:					
2			PA		
Description of # 2 Facility and Purpose:					
3			PA		
Description of # 3 Facility and Purpose:					

13) Have any of the project participants ever been convicted of a drug-related felony or misdemeanor? Yes No If yes, provide dates and details about the conviction(s) that have occurred.

Note: Please attach PA State Police response to criminal background check (obtained from <https://epatch.state.pa.us/Home.jsp>) for applicant and all listed participants in project. Proof of submission of the epatch request would also be acceptable if the response has not been received by the application deadline.

14) The USDA/DEA/FDA "Statement of Principles on Industrial Hemp" (published 8/12/2016) states that federal law does not "alter the approval process for new drug applications" nor does it "alter the requirements of the Controlled Substances Act (CSA) that apply to the manufacture, distribution, and dispensing of drug products containing controlled substances," nor the requirements for "those conducting research with such drug products." Please provide a statement of whether your proposal involves any activity that could be construed as regulated under the Controlled Substances Act. Please provide a full explanation.

15) The USDA/DEA/FDA "Statement of Principles on Industrial Hemp" (published 8/12/2016) states that the term "industrial hemp" as interpreted by the federal government only includes hemp "used exclusively for industrial purposes (fiber and seed)." Please provide a statement of whether your proposal involves any activity that could be construed as being beyond this interpretation of the term "industrial hemp." Please provide a full explanation of your position.

16) The USDA/DEA/FDA "Statement of Principles on Industrial Hemp" (published 8/12/2016) states that any marketing research pursuant to PDA's program cannot be for "the purpose of general commercial activity." Please provide a statement of whether your proposal involves any activity that could be construed to be beyond this allowable scope of marketing research. Please provide a full explanation of your position.

17) I affirm that I am prepared to conduct a research project and comply with all other requirements of the Pennsylvania Department of Agriculture Industrial Hemp Research Pilot Program, including timely submission of reports and other required documents.

Yes No

18) I acknowledge that all physical addresses of the location(s) to be used to grow, process or store industrial hemp must be submitted with this application. This application constitutes written consent by the applicant to allow PDA personnel access to any research pilot locations as deemed necessary by PDA for evaluation, including verification of compliance and progress of research. Any changes to physical addresses used in the growing or processing of hemp shall be approved in writing by PDA prior to that location being legally permitted for use in this project.

Yes No

19) I acknowledge that there may be no follow-up questions during the application review process. The written responses on this application and attachments may be the sole source of information under consideration for potential participation in the PDA Industrial Hemp Research Pilot Program.

Yes No

20) I acknowledge that this is a selective process and not every application may be approved for participation. I understand that PDA is not obligated to issue a permit to me. Furthermore, the decisions made by PDA are final.

Yes No

21) I acknowledge that all plant material (includes seeds, leaves, stalks, flowers, etc) that has not been processed as part of the research project must be destroyed at the end of the growing season and that this will be confirmed by PDA inspectors and that follow up visits will continue for 3 years after the project has concluded.

Yes No

22) I acknowledge that any research plots with THC levels over .30% will no longer be classified as Industrial Hemp. If THC levels are found to be greater than 0.30%, the material shall not move off site and products cannot enter market. If THC is between 0.3% and 1.0%, confirmational testing or alternative destruction methods may be authorized, at PDA's discretion. For any planting with THC levels over 1.0%, PDA will issue an order for the registrant to immediately destroy the plants and law enforcement will be notified and has the authority to pursue prosecution under any applicable laws.

Yes No

Attachments:

Please list any attachments other than the required Attachment A (see question 3) and PSP background check responses. Attachments may include extended answers to any questions in the above sections, a background check, a PDA food establishment registration or other supporting documents. If the attachment is supplementary information to a question on this form, be sure to include the question number on the document.

List of attachments:

I hereby verify and affirm that all of the information contained in this application is true and accurate.

Signature of applicant

Date

Printed Name

Applications are due at PDA: January 6, 2017 by 4:00 PM.

Mail completed application with \$250 check/money order and all attachments to:

ATTN: Cathy Thomas
Industrial Hemp Research Pilot Program Coordinator
PA Department of Agriculture, Bureau of Plant Industry
2301 N. Cameron St
Harrisburg PA 17110

E-mail: caththomas@pa.gov
FAX: 717-783-3275

Template for Attachment A

Any Industrial Hemp Research Pilot Application must include a separate attachment answering Question 3. Label this "Attachment A."

The attachment shall:

- 1) Not be longer than 3 pages.
- 2) Label and address each of the components listed below.

Project Title: This should be a concise description of the project, not longer than 25 words.

Objectives:

1. The project objectives are specific, anticipated accomplishments.
2. The objectives should be expressed as a numbered list of single sentences.

Work plan:

This should be a detailed and practical description of how the research will be conducted and how objectives will be met throughout the project. The work plan should include specific farming methods and who will be involved in the research.

Timeline:

This must be written as a table which lists the time frame during which each project activity will be accomplished and who will be conducting each activity.

<i>Activity</i>	<i>Conducted by</i>	<i>Time frame</i>
Specific research/growing activity. Ex. Preparing field and gridding off research blocks.	Person conducting the specific activity. Ex. John Smith, farm manager	Time the activity will be conducted. Ex. April 2017

General Location Information:

The specific addresses of growing, storage and processing locations will be requested in Questions 8 and 10 of the Pilot Program Permit Application, so that information is not needed in this section. This section is to provide details such as acreage, description of the land and demographics of the area where the project will be conducted.

Security Considerations:

While there are no requirements for fencing or the use of security cameras, it is the responsibility of applicants to be aware of the potential issues which may arise from growing a crop that closely resembles marijuana. This section should briefly address if and how the applicant plans to make sensible accommodations for growing industrial hemp. For example, will the applicant be using signage to label the crop as industrial hemp? Will there be buffer areas blocking the crop from public view?

Method of Measuring Project Success:

This section must provide a means of how each of the project objectives will be quantifiably evaluated. Please be as specific as possible.

Plant Material Handling at the End of the Project:

- i. Anticipated hemp plant material, seed, or hemp products retained: Please explain briefly if and how the hemp plants will be processed (including transportation), and where they will be marketed.
- ii. Methods for destruction of any hemp plant material remaining at the end of the research project: Please briefly explain how you will be removing and destroying any remaining hemp material at the end of your project. To ensure that industrial hemp will not be grown in locations outside of permitted research projects, the Pennsylvania Department of Agriculture may conduct field inspections of research locations for up to 3 years following the completion of the research pilot programs.

[Pa.B. Doc. No. 16-2119. Filed for public inspection December 9, 2016, 9:00 a.m.]

Termination of the Pennsylvania Apple Marketing Program

Under the applicable provisions of 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act), a review referendum was held from October 17—31, 2016, to determine if the producers affected by the Pennsylvania Apple Marketing Program (Program) wished to continue the Program for an additional 5 years. To pass, a majority of eligible producers voting had to vote in favor of the Program's continuation. An impartial Teller Committee (Committee) met on November 9, 2016, to count the ballots. The following results were submitted by the Committee: a total of 133 eligible votes were cast with 58 producers voting in favor of and 75 voting against

the continuation of the Program. One ballot was invalid because it was received late. Two additional ballots contained no vote because the producer stated they were not eligible to vote. Votes favoring continuation of the Program by number of producers represented 44% of eligible votes and votes against continuation of the Program represented 56% of eligible votes. Because a majority of the votes cast were not in favor of continuation, the Program will terminate on May 26, 2017.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 16-2120. Filed for public inspection December 9, 2016, 9:00 a.m.]

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 November 29, 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 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

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-22-2016	Monument Bank Doylestown Bucks County	Approved
	Application for approval to merge Monument Interim Bank, Doylestown, with and into Monument Bank, Doylestown.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-9-2016	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	168 North Flowers Mill Road Langhorne Bucks County	Opened
11-14-2016	Univest Bank & Trust Co. Souderton Montgomery County	5089 Hamilton Boulevard Allentown Lehigh County	Opened
11-16-2016	Somerset Trust Company Somerset Somerset County	581 Pittsburgh Road Uniontown Fayette County	Opened
11-22-2016	AmeriServ Financial Bank Johnstown Cambria County	1213 Scalp Avenue Johnstown Cambria County	Filed
11-29-2016	Univest Bank and Trust Co. Souderton Montgomery County	3601 Market Street Philadelphia Philadelphia County	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-28-2016	Mid Penn Bank Millersburg Dauphin County	<i>To:</i> 2148 Market Street Camp Hill Cumberland County <i>From:</i> 2101 Market Street Camp Hill Cumberland County	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 16-2121. Filed for public inspection December 9, 2016, 9:00 a.m.]

DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

Pennsylvania Advisory Council on Drug and Alcohol Abuse

The Pennsylvania Advisory Council on Drug and Alcohol Abuse (Council) will hold a public meeting on December 14, 2016, from 1 p.m. to 3:30 p.m. The meeting will be held at the Child Welfare Resource Center, 403 East Winding Hill Road, Mechanicsburg, PA 17055, (717) 795-9048. The meeting is open to the public. For additional information visit the Department of Drug and Alcohol Programs' (Department) web site at www.ddap.pa.gov.

The primary focus of this Council meeting is for the Council members to meet to discuss current drug and alcohol issues and challenges facing this Commonwealth and to serve in an advisory capacity to the Department on these issues.

For additional information visit the previously listed web site or contact Ann Catalano at (717) 214-1937.

Persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation should contact Ann Catalano at (717) 214-1937.

This meeting is subject to cancellation without notice.

GAROLD E. TENNIS, Esq.,
Secretary

[Pa.B. Doc. No. 16-2122. Filed for public inspection December 9, 2016, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Liberty University to Operate Two Locations in this Commonwealth

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval for Liberty University to open a location at Moyer Aviation in Tobyhanna, PA and at Gateway Aviation in Allentown, PA to offer the flight training component of their online Bachelor of Science in Aeronautics program.

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

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previous address to schedule a time for a review.

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

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 16-2123. Filed for public inspection December 9, 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.

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0255173 (Sewage)	Enlow Fork Mine 8 N 1 Portal 332 Enon Church Road West Finley, PA 15377	Washington County Morris Township	Unnamed Tributary to Tennile Creek (19-B)	Yes

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0056545 (Storm Water)	Infiana USA Malvern Facility 2400 Continental Boulevard Malvern, PA 19355-2326	Chester County Tredyffrin Township	Little Valley Creek and Unnamed Tributary to Little Valley Creek (3-F)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063975 (Sewage)	Thompson Borough Susquehanna County Water Street PO Box 89 Thompson, PA 18465	Susquehanna County Thompson Borough	Starrucca Creek (04E)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0035157 (IW)	Farmer's Pride, Inc. 154 West Main Street PO Box 39 Fredericksburg, PA 17026	Lebanon County Bethel Township	UNT to Deep Run 7-D	Y
PA0014621 (IW)	SUEZ Water Pennsylvania Inc. 4405 North Sixth Street Harrisburg, PA 17110	Dauphin County Susquehanna Township	Swatara Creek 7-D	Y
PA0083747 (IW)	Weaber Inc. 1231 Mount Wilson Road Lebanon, PA 17042-4785	Lebanon County South Annville Township	Gingrich Run 7-D	Y
PA0080829 (IW)	Keystone Protein Company 154 West Main Street PO Box 39 Fredericksburg, PA 17026	Lebanon County Bethel Township	UNT to Elizabeth Run 7-D	Y
PAS603508 (Stormwater)	Cumberland Recycling, Inc. PO Box 307 Carlisle, PA 17013-0307	Cumberland County Middlesex Township	UNT to Letort Spring Run 7-B	Y
PAS123501 (Stormwater)	Treehouse Private Brands, Inc. 336 Hill Road Womelsdorf, PA 19567	Berks County Heidelberg Township	UNT of Tulpehocken Creek 3-C	Y
PA0261637 (IW)	NGK Metals Corporation 917 US Highway 11 South Sweetwater, TN 37874	Berks County Muhlenberg Township	Laurel Run 3-C	Y
PA0261751 (IW)	United Refining Company 15 Bradley Street Warren, PA 16365	Cumberland County Silver Springs Township	Trindle Spring Run 7-B	Y
PA0080454 (IW)	Carlisle Borough 53 West South Street Carlisle, PA 17013	Cumberland County North Middleton Township	Conodoguinet Creek 7-B	Y
PA0044261 (SEW)	PA DCNR Canoe Creek State Park 205 Canoe Creek Road Hollidaysburg, PA 16648	Blair County Frankstown Township	New Creek 11-A	Y
PA0024350 (SEW)	Dauphin Borough 200 South Church Street PO Box 487 Dauphin, PA 17018	Dauphin County Dauphin Borough	Stoney Creek 7-C	Y
PA0020591 (SEW)	Mount Gretna Borough Authority 101 Chautauqua Drive PO Box 61 Mount Gretna, PA 17064	Lebanon County Mount Gretna Borough	Conewago Creek 7-G	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0261611 (SRSTP)	Robert Plank 1525 Fairfield Road Gettysburg, PA 17325	Adams County Cumberland Township	UNT to Willoughby Run 13-D	Y
PA0081311 (Sewage)	South Londonderry Colebrook STP 1267 Mt. Gretna Road Lebanon, PA 17042	Lebanon County South Londonderry Township	Conewago Creek 7-G	Y
PA0110931 (Sewage)	Shellbark Campground 166 Shellbark Road Manns Choice, PA 15550	Bedford County Napier Township	Dunning Creek 11-C	Y
PA0084883 (Sewage)	Broad Top City STP RT 913 Railroad Avenue Broad Top City, PA 16621	Huntingdon County Broad Top City Borough	Raystown Branch Juniata River 11-D	Y
PA0247910 (Sewage)	Bethel Township Municipal Authority PO Box 274 Bethel, PA 19507	Berks County Bethel Township	Little Swatara Creek 7-D	Y
PA0085910 (Sewage)	Beth A. Yohe 1059 Drager Road Columbia, PA 17512	Lancaster County Rapho Township	Little Chickies Creek 7-G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222771 (Industrial)	International Waxes Titusville 1007 E Spring Street Titusville, PA 16354-7808	Crawford County Titusville City	Oil Creek (16-E)	Yes
PA0101478 (Sewage)	SNPJj Recreation Center 270 Martin Road Enon Valley, PA 16120-4614	Lawrence County North Beaver Township	Unnamed Tributary to Sugar Creek (20-B)	Yes

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.

PA0056944, Storm Water, SIC Code 4613, **Sunoco Pipeline LP**, # 4 Hog Island Road, Philadelphia, PA 19153-3901. Facility Name: Sunoco Twin Oaks Pump Station. This existing facility is located in Upper Chichester Township, **Delaware County**.

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

The receiving stream(s), Unnamed Tributary to Marcus Hook Creek, is located in State Water Plan watershed 3-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an average stormwater flow as follows:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH	Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15.0	XXX	30.0

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

- A. Stormwater Requirements
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal

D. Requirements for Petroleum Marketing Terminals

E. Monitoring Requirements

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

The EPA Waiver is in effect.

PA0057061, Sewage, SIC Code 4952, **Upper Frederick Township**, PO Box 597, Frederick, PA 19435-0597. Facility Name: Ivy Ridge STP. This existing facility is located in Upper Frederick Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0215 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.2	XXX	0.45
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	4.5	7.2	XXX	25.0	40.0	50
May 1 - Oct 31	3.6	5.4	XXX	20.0	30.0	40
Biochemical Oxygen Demand (BOD ₅)						
Influent	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	3.6	5.4	XXX	20.0	30.0	40
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200.0	XXX	1,000.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	0.72	XXX	XXX	4.0	XXX	8
May 1 - Oct 31	0.54	XXX	XXX	3.0	XXX	6
Total Phosphorus	0.3	XXX	XXX	1.5	XXX	3

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

- Notification of responsible operator
- Operation and Maintenance Plan
- Sludge Disposal

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

The EPA Waiver is in effect.

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

PA0023183, Sewage, SIC Code 4952, **Mount Holly Springs Borough Authority**, 200 Harman Street, Mount Holly Springs, PA 17065-1339. Facility Name: Mount Holly Springs STP. This existing facility is located in Mount Holly Springs Borough, **Cumberland County**.

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

The receiving stream(s), Mountain Creek, is located in State Water Plan watershed 7-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV intensity (µw/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
CBOD ₅						
Nov 1 - Apr 30	125	200	XXX	25.0	40.0	50
May 1 - Oct 31	100	Wkly Avg 150	XXX	20.0	30.0	40
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	150	225	XXX	30.0	45.0	60
Total Suspended Solids		Wkly Avg				
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Geo Mean				Geo Mean		
Ammonia-Nitrogen						
Nov 1 - Apr 30	37.5	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	12.5	XXX	XXX	2.5	XXX	5.0
Total Phosphorus	10	XXX	XXX	2.0	XXX	4.0
Copper, Total	XXX	Report	XXX	XXX	Report	XXX
					Daily Max	

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen ³	Report	10,959	XXX	XXX	XXX	XXX
Net Total Phosphorus ³	Report	1,461	XXX	XXX	XXX	XXX

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

PA0024384, Sewage, SIC Code 4952, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1185. Facility Name: North Middleton Authority STP. This existing facility is located in North Middleton Township, **Cumberland County**.

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

The receiving stream(s), Conodoguinet Creek, is located in State Water Plan watershed 7-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 001 are based on a design flow of 1.3 MGD:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0 Max	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅						
May 1 - Oct 31	228	358	XXX	21.0	33.0	42
Nov 1 - Apr 30	271	434	XXX	25.0	40.0	50
BOD ₅						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	325	488	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	81	XXX	XXX	7.5	XXX	15
Nov 1 - Apr 30	173	XXX	XXX	16.0	XXX	32
Total Phosphorus	22	XXX	XXX	2.0	XXX	4.0
Cyanide, Free	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen ³	Report	16,895	XXX	XXX	XXX	XXX
Net Total Phosphorus ³	Report	2,253	XXX	XXX	XXX	XXX

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- Chesapeake Bay Nutrient Monitoring Requirements
- Stormwater Requirements
- Whole Effluent Toxicity Testing Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

PA0042269, Sewage, SIC Code 4952, **Lancaster Area Sewer Authority Lancaster County**, 130 Centerville Road, Lancaster, PA 17603. Facility Name: Lancaster Area Sewer Authority STP. This existing facility is located in Manor Township, **Lancaster County**.

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

The receiving stream(s), Dry Run, is located in State Water Plan watershed 7-J 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 permit is amended to revise a provision in the Permit that appears in Section C.III.A of the permit

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

PA0266396, Sewage, SIC Code 4952, **Scot D Riddell & Colleen E Riddell**, 2992 Dublin Mills Road, Hustontown, PA 17229. Facility Name: Riddell Residence SRSTP.

This proposed facility is located in Taylor Township, **Fulton County**.

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

The receiving stream(s), Dry Swale to Unnamed Tributary to Sideling Hill Creek, is located in State Water Plan watershed 12-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 0.0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

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

PA0232831, Sewage, SIC Code 4952, **South Creek Township**, P.O. Box 60, Gillett, PA 16925-0060. Facility Name: Gordon Property. This proposed facility is located in South Creek Township, **Bradford County**.

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

The receiving stream(s), South Creek, is located in State Water Plan watershed 4-B 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 0.0004 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

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

PA0264661, Sewage, SIC Code 8800, **Spear Proukou**, P.O. Box 327, Elysburg, PA 17824. Facility Name: Spear Proukou SRSTP. This proposed facility is located in Pine Grove Township, **Warren County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single family residence.

The receiving stream, Johnny Run, is located in State Water Plan watershed 16-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 Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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
- Requirement to Submit Annual Maintenance & Discharge Monitoring Reports
- Chlorine Minimization
- Solids Handling

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 364S19 A-3, Sewage, **Parker Area Authority Armstrong County**, PO Box 342, Parker, PA 16049.

This existing facility is located in Parker City, **Armstrong County**.

Description of Proposed Action/Activity: Converting chlorine gas disinfection to sodium hypochlorite disinfection.

WQM Permit No. 0216406, Sewage, **Edgeworth Borough Allegheny County**, 301 Beaver Road, Edgeworth, PA 15143.

This proposed facility is located in Leetsdale Borough, **Allegheny County**.

Description of Proposed Action/Activity: construction and operation of a low pressure sewer system.

WQM Permit No. WQG01041601, Sewage, **Thomas Meehan**, 128 Jody Lane, New Brighton, PA 15066.

This proposed facility is located in New Sewickley Township, **Beaver County**.

Description of Proposed Action/Activity: The Applicant proposes to construct a SFTF to replace an existing malfunctioning on-lot system, to serve the Meehan Lane Plan of Lots.

WQM Permit No. WQG01631601, Sewage, **Art McDermitt**, 285 McCready Road, Burgettstown, PA 15021.

This proposed facility is located in Jefferson Township, **Washington County**.

Description of Proposed Action/Activity: The Applicant proposes to construct a SRSTP to the McDermitt Property.

WQM Permit No. 1116407, Sewage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of sanitary sewer rehabilitation project to replace existing defective sewers in the Horner Street and Ohio Street Areas of the City of Johnstown.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. 1516407, Sewage, **West Goshen Sewer Authority**, 1025 Paoli Pike, West Chester, PA 19380.

This proposed facility is located in West Goshen Township, **Chester County**.

Description of Action/Activity: Improvements to chemical feed system at the chemical feed building of the wastewater treatment plant.

WQM Permit No. WQG02151608, Sewage, **Caln Township Municipal Authority**, 253 Municipal Drive, P.O. Box 72149, Thorndale, PA 19372.

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

Description of Action/Activity: Construction and operation of a sewer extension.

WQM Permit No. 0916401, Sewage, **Lower Bucks County Municipal Authority**, 7811 New Falls Road, Levittown, PA 19055.

This proposed facility is located in Bristol Township, **Bucks County**.

Description of Action/Activity: Installation of a new centrifuge and associated equipment.

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

WQM Permit No. 3916402, Sewage, **Glencrest Realty Co.**, 6000 Glencrest Road, Slatington, PA 18080.

This facility is located in Washington Township, **Lehigh County**.

Description of Proposed Action/Activity: The project is for the replacement of the existing chlorine contact tank at the wastewater treatment plant with a new combination tank that will achieve: aerated chlorine contact, final clarification, and post-aeration. The existing unused final sand filter will be removed. The existing 15,000 gallon equalization tank will be drained/inspected, and replaced in-kind if needed. A 3 hp grinder will be installed at the equalization tank inlet. Pumps, blowers and other appurtenances will be upgraded as part of the project.

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

WQM Permit No. 2105402 A8, Sewerage, **Shippensburg Borough Authority**, 111 North Fayette Street Shippensburg, PA 17257.

This proposed facility is located in Southampton Township, **Cumberland County**.

Description of Proposed Action/Activity: To construct a third biosolids storage pad which will be approximately 82 feet by 138 feet with 10 foot high retaining walls and an estimated storage capacity of approximately 195 dry tons.

WQM Permit No. 3616204, Sewerage, **Graywood Farms, LLC**, 225 Mason Dixon Road, Peach Bottom, PA 17563.

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

Description of Proposed Action/Activity: The construction of a manure storage structure, a new heavy use area, and a second heifer barn. This proposed heifer facility will have capacity to house up to 230 heifers, but no increase in animal numbers is proposed at this time. Manure will be handled as a liquid and stored in the proposed circular concrete manure storage structure which is 80 feet in diameter by 14 feet deep with 24 inches of freeboard and 380,000 gallons of usable volume.

WQM Permit No. 3192403, Sewerage, **Broad Top City Borough**, PO Box 220, Broad Top, PA 16621.

This proposed facility is located in the Borough of Broad Top City, **Huntingdon County**.

Description of Proposed Action/Activity: The replacement of the existing pumps and controls for the Raw Sewage Pump Station and Flow Equalization Pump Station; Installation of a vertical screen, immediately upstream of the raw sewage pump station to remove particles larger than 0.25"; The replacement of the existing blowers and control panel for the blowers; replacement of the sludge return pipes; replacement of the diffusers with new fine bubble diffusers.

WQM Permit No. 0616407, Sewerage, **Boro of Bally**, 425 Chestnut Street, Bally, PA 19503-0217.

This proposed facility is located in Washington Township, **Berks County**.

Description of Proposed Action/Activity: To reduce hydraulic restrictions in existing sanitary sewer conveyance system by replacing manholes and installing 8- & 10-inch conveyance lines to provide hydraulic relief before flow reaches WWTP.

WQM Permit No. 3616205, CAFO, **Clark Crest Dairy**, 754 Solanco Road Quarryville, PA 17566.

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

Description of Proposed Action/Activity: The construction of a 385 foot by 200 foot by 14 foot deep HDPE-lined manure storage pond, and the following manure handling and transfer facilities: a 72 foot x 200 foot hoop structure, a 72 foot x 300 foot hoop structure, a 50' by 472' pack barn with 35' by 472' feed alley, a 50' by 140' pack barn extension, and a 61' by 54' barn extension.

WQM Permit No. 6716201, CAFO, **Eric Gemmill Swine Operation**, 458 Gemmill Road Delta, PA 17314.

This proposed facility is located in Peach Bottom Township, **York County**.

Description of Proposed Action/Activity: The construction of a proposed swine finisher barn consisting of an 81' x 258' x 8' deep pit under barn manure storage facility.

WQM Permit No. 2216404, Sewerage, **Donna M. Stroup**, 1123 Shippen Dam Road, Millersburg, PA 17061.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow treatment facility to be shared by 2 dwellings.

WQM Permit No. 3192403, A1, Sewerage, **Borough of Broad Top City**, PO Box 220, Broad Top, PA 16621-0220.

This proposed facility is located in Broad Top City, **Huntingdon County**.

Description of Proposed Action/Activity: Seeking permit approval for upgrade to the existing sewage treatment plant.

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD230003	Falcone Brothers Builders, LLC 650 Painter Street Media, PA 19063	Delaware	Middletown Township	Ridley Creek HQ-TSF
PAD150006	Westlakes Lodging, LP 125 Strafford Avenue Suite 115 Wayne, PA 19087	Chester	Tredyffrin Township	Unnamed Tributary to Little Valley Creek EV
PAI011516021	APG The Valley, LP 606 Gordon Drive Exton, PA 19341	Chester	East Whiteland Township	Tributary to Valley Creek EV
PAI011516017	Schuylkill Township 111 Valley Park Road Phoenixville, PA 19460	Chester	Schuylkill Township	Unnamed Tributary to Pickering Creek HQ
PAD150005	Shelter Development, LLC 218 North Charles Street Suite 220 Baltimore, MD 21201	Chester	Tredyffrin Township	Little Darby Creek CWF-MF

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

Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown, PA 18104.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023916016	Rudy Amelio Pope Valley Properties, LLC 1348 Hamilton St. Allentown, PA 18102	Lehigh	Macungie Borough	Swabia Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI03360509RR	ECA Holdings, LP P.O. Box 121 Dresher, PA 19025	Lancaster	Colerain Township	West Branch Octoraro Creek (HQ-CWF, MF)
PAI030716002	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648	Blair	Hollidaysburg Borough	Beaverdam Branch, Juniata River (TSF) EV Wetlands
PAD360003	Scott Wagner 385 King Pen Road Quarryville, PA 17566	Lancaster	Little Britain Township	UNT McCreary Run/On-Site Wetlands and McCreary Run (HQ-TSF, MF-EV, HQ-TSF, MF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

PAG123838, CAFO, Hillandale Gettysburg, LP, 3910 Oxford Rd., Gettysburg, PA 17325.

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

Description of Size and Scope of Proposed Operation/Activity: 4,725 AEU/Poultry (Layers).

The receiving stream, South Branch Mud Run, classified for: WWF; in watershed 7-F.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PAG123840, CAFO, **Bellaire Farms, LLC**, 9192 Elizabethtown Road, Elizabethtown, PA 17022.

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

Description of Size and Scope of Proposed Operation/Activity: 262.55 AEU/Poultry (Broiler).

The receiving streams: Conoy Creek, classified for: TSF; UNT 08294 to Conoy Creek, classified for: TSF; & UNT 07971 of Little Chickies Creek, classified for: TSF; all in watershed 7-G.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PAG123837, CAFO, **Michael Wilt & Corey Wilt**, 1408 Pointer Road, Everett, PA 15537.

This existing facility is located in East Providence Township, **Bedford County**.

Description of Size and Scope of Proposed Operation/Activity: 890.39 AEU/Dairy/Swine (Grow-Finish).

The receiving streams: UNT 14174 to Raystown Branch Juniata River, classified for: WWF; UNT 14175 to Raystown Branch Juniata River, classified for: WWF; & Raystown Branch Juniata River, classified for: TSF; all in watershed 11-D.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PAG123839, CAFO, **Spring Valley Dairy, LLC**, 1611 Auction Road, Manheim, PA 17545.

This existing facility is located in Rapho Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 472.06 AEU/Dairy/Poultry (Pullet).

The receiving streams: Chickies Creek, classified for: WWF; Dellinger Run, classified for: WWF; & UNT 07982 to Chickies Creek, classified for: WWF; all in watershed 7-G.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PAG123725, CAFO, **Junbro Farm, LLC**, 14429 Path Valley Road, Willow Hill, PA 17271-9724.

This existing facility is located in Metal Township, **Franklin County**.

Description of Size and Scope of Existing Operation/Activity: 937.53 AEU/Swine (Finishing)/Poultry (Turkey)/Sheep.

The receiving streams: West Branch Conococheague Creek, classified for: CFW; UNT 70752 to West Branch Conococheague Creek, classified for: CFW; all in watershed 13-C.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Rodney Lane 1982 Harrison Fox Hill Road Harrison Valley, PA 16927	Potter	646.5	685.37	Swine/Beef	NA	New

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

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

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Application No. 5416502, Public Water Supply.

Applicant	Schuylkill County Municipal Authority 221 South Centre Street Pottsville, PA 17901
Municipality	Reilly and Frailey Townships
County	Schuylkill
Responsible Official	Patrick M. Caulfield, Executive Director Schuylkill County Municipal Authority
Type of Facility	PWS
Consulting Engineer	David L. Horst, P.E. Alfred Benesch & Company 400 One Norwegian Plaza Pottsville, PA 17901
Application Received Date	November 18, 2016
Description of Action	This application proposes the addition of sodium hypochlorite solution at the pressure booster pump station which is part of the Reilly Township Waterline Extension Project, in order to increase free residual chlorine.

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

Permit No. 2916501 MA, Minor Amendment, Public Water Supply.

Applicant **McConnellsburg Borough Municipal Authority**
 Municipality Todd Township
 County **Fulton**
 Responsible Official C. Diane Stenger, Secretary
 PO Box 218
 McConnellsburg, PA 17233
 Type of Facility Public Water Supply
 Consulting Engineer Jamie R. Shambaugh, P.E.
 Gannett Fleming, Inc.
 PO Box 67100
 Harrisburg, PA 17106-7100
 Application Received: 11/14/2016
 Description of Action Rehabilitation of Well No. 2 with the installation of a new pump.

Permit No. 6716510 MA, Minor Amendment, Public Water Supply.

Applicant **West Manchester Township Authority**
 Municipality West Manchester Township
 County **York**
 Responsible Official Kevin Gable, Chairman
 2115 Log Cabin Road
 York, PA 17408
 Type of Facility Public Water Supply
 Consulting Engineer Diana M. Young, P.E.
 Buchart-Horn, Inc.
 445 West Philadelphia Street
 York, PA 17401
 Application Received: 11/21/2016
 Description of Action West Manchester Township Authority Well No. 3 Chlorine Detention Pipe.

Permit No. 2816506, Public Water Supply.

Applicant **Martin's Famous Pastry Shoppe, Inc.**
 Municipality Guilford Township
 County **Franklin**
 Responsible Official Joseph A. Martin, VP of
 Production Operations
 1000 Potato Roll Lane
 Chambersburg, PA 17201
 Type of Facility Public Water Supply
 Consulting Engineer Lance S. Kegerreis, P.E.
 Dennis E. Black Engineering
 Inc.
 2400 Philadelphia Avenue
 Chambersburg, PA 17201
 Application Received: 11/3/2016

Description of Action Construction of a consecutive water system. Treatment facilities will consist of UV disinfection for the treatment finished water from the Guilford Water Authority.

Permit No. 0616514 MA, Minor Amendment, Public Water Supply.

Applicant **Pennsylvania-American Water Company**
 Municipality Reading and Saint Lawrence Borough
 County **Berks**
 Responsible Official David R. Kauffman
 800 West Hershey Park Drive
 Hershey, PA 17033
 Type of Facility Public Water Supply
 Consulting Engineer David M. Lentowski, P.E.
 Pennsylvania-American Water Company
 4 Wellington Boulevard
 Wyomissing, PA 19610
 Application Received: 11/3/2016
 Description of Action Woodvale booster pump station sodium hypochlorite chemical feed pump replacement and Mount Penn interconnect corrosion inhibitor chemical feed pump replacement.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 6516512—resubmittal, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] Avonmore Borough
 Responsible Official William Castelli, Distribution
 Facility Superintendent
 Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering
 Company, Inc.
 1004 Ligonier Street
 Latrobe, PA 15650
 Application Received Date November 4, 2016
 Description of Action Construction of a water storage tank with a mixing system.

Application No. 5306607, Public Water Supply.

Applicant **Stallion Oilfield Construction, LLC**
950 Corbindale
Suite 400
Houston, TX 77024

[Township or Borough] Carmichaels Borough

Responsible Official Judd McBride, Regional Vice President
Stallion Oilfield Construction, LLC
950 Corbindale
Suite 400
Houston, TX 77024

Type of Facility Water system

Consulting Engineer Penn Environmental & Remediation, Inc.
111 Ryan Court
Lower Level
Pittsburgh, PA 15205

Application Received Date November 10, 2016

Description of Action New bulk water hauler.

Application No. 3216505, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
602 Kolter Drive
Indiana, PA 15701

[Township or Borough] Montgomery Township

Responsible Official Michael Duffalo, Executive Director
Indiana County Municipal Services Authority
602 Kolter Drive
Indiana, PA 15701

Type of Facility Water system

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

Application Received Date November 23, 2016

Description of Action Addition of copper sulfate and post chlorination at the Authority's Arcadia system.

Application No. 3216506, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
602 Kolter Drive
Indiana, PA 15701

[Township or Borough] Canoe Township

Responsible Official Michael Duffalo, Executive Director
Indiana County Municipal Services Authority
602 Kolter Drive
Indiana, PA 15701

Type of Facility Water system

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

Application Received Date November 23, 2016

Description of Action Addition of copper sulfate at the Authority's Cherry Tree system.

MINOR AMENDMENT**Applications Received Under the Pennsylvania Safe Drinking Water Act**

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

Application No. 2616509MA—Minor Amendment.

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

[Township or Borough] South Huntingdon Township

Responsible Official Michael Kukura, Resident Manager
Municipal Authority of Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility Water system

Consulting Engineer Municipal Authority of Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Application Received Date November 17, 2016

Description of Action Installation of approximately 1,860 feet of waterline along Farm Road.

Permit No. 3016513MA—Minor Amendment.

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

[Township or Borough] Jefferson Township

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

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date November 17, 2016

Description of Action Installation of approximately 4,846 feet of waterline in the Dry Tavern area.

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.

Duncott Hose Company, 1332 Valley Road, Cass Township, **Schuylkill County**. Entech Engineering Inc., 500 North Centre Street, PO Box 389, Pottsville, PA 17901, on behalf of Duncott Hose Company, PO Box 86, Llewellyn, PA 17944, submitted a Notice of Intent to Remediate. The site has been found to contain soils contaminated with # 2 heating oil during a removal of a former oil tank. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Republican-Herald* on November 11, 2016.

Fiondi 1H, 916 Lane Road, Middletown Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company LLC, 917 SR 92 North, Tunkhannock, PA 18657, submitted a Notice of Intent to Remediate. An undetermined volume of brine was released at this site contaminating groundwater. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *The Susquehanna County Transcript, Inc.* on November 2, 2016.

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

Glidden Company Reading Paint Plant (Former), 1853 North 3rd Street, 1746 North 3rd Street, Reading, PA 19601, Reading City, **Berks County**. Liberty Environmental, 50 North 5th Street, Reading, PA 19601, on behalf of Anoread LLC, 1650 Des Peres Road, Suite 303, Saint Louis, MO 63131, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with VOCs, SVOCs and Inorganics. The site will be remediated to the Site Specific Standard. Future use of the site is expected to be redeveloped for commercial or industrial purposes. The Notice of Intent to Remediate was published in the *Reading Eagle* on November 3, 2016.

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

Former Mulach Steel (former Star City Cinema), 100 Hickory Grade Road, South Fayette Township, **Allegheny County**. American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 on behalf of South Fayette Hotel Associates, LP, 375 Southpointe Boulevard, Suite 410, Canonsburg, PA 15317 has submitted a Notice of Intent to Remediate to meet a combination of Statewide Health and Site-Specific standards concerning site soils and groundwater contaminated with arsenic and polynuclear aromatic hydrocarbons. Notice of the NIR was published in the *Tribune-Review* on October 14, 2016.

Reaxis, Inc., (formerly—Goldschmidt Industrial Chemical Corp., Pitt Metals and Chemicals, Inc., Pitt Processing and Manufacturing Company) 941 Robinson Hwy, Robinson Township, **Washington County**. SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Reaxis, Inc., 941 Robinson Hwy, McDonald, PA 15057 has submitted a Notice of Intent to Remediate (NIR) to meet the Statewide Health standard concerning site groundwater contaminated with metals. Future use of the property is non-residential. Notice of the NIR was published in the *Observer-Reporter* on October 20, 2016.

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

Park 10, 12th Street and North Main Street, Sellersville Borough, **Bucks County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Blvd, Suite 110, King of Prussia, PA 19406 on behalf of Robert White, Bucks County Redevelopment Authority, 216 Pons Street, Bristol, PA 19007 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of vocs. The proposed future use of the subject property is unknown at this time and could be non-residential or residential. The Notice of Intent to Remediate was published in the *New Herald* on October 11, 2016. PF813387.

Argus Property Group, 98-99 Church Road, East Whiteland Township, **Chester County**. Sarah Szyman-ski, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, Brenda Kellogg, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, Mike Ryan, APG the Valley, LP, 606 Gordon Drive, Exton, PA 19341 on behalf of Jamie Bartholomew Aller, Estate of Lydia H. Willits, et al, 145 Lucky Hill Road West Chester, PA 19382 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of lithium, boron, bromate, and bromide. The proposed future use of the site is for residential development. The Notice of Intent to Remediate was published in the *Daily Local News* on October 12, 2016. PF813233.

Schmalbach Property, 14 Constitution Avenue, Doylestown Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1402 East Mermaid Lane, Glenside, PA 19038 on behalf of Deborah Schmalbach, 14 Constitution Avenue, Doylestown, PA 18901 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The proposed future use of the property will remain the same. The Notice of Intent to Remediate was published in the *Intelligencer* on September 8, 2015.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application 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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit Application No. 301254. Clean Earth of Southeast Pennsylvania, LLC, 7 Steel Road East, Morrisville, PA 19067. This application for major permit modification proposes to increase the facility's maximum daily volume, storage volume, and add two treatment alternatives for petroleum hydrocarbon contaminated soils at Clean Earth of Southeast Pennsylvania facility, a residual waste processing facility, located in Falls Township, **Bucks County**. The application was received by the Southeast Regional Office on November 2, 2016.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

24-131R: SGL Carbon LLC (900 Theresia Street, St Marys, PA 15857), for the proposed construction of a new Chemical Vapor Deposition Reactor (# 16) and scrubber located in Building 500 CVD Operations in St Marys City, **Elk County**. This is a State Only facility.

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a **Plan Approval No. 48-00091A to Lower Mount Bethel Energy, LLC**. (835 Hamilton Street, Allentown, PA 18101), for their facility located in Lower Mount Bethel Township, **Northampton County**. The facility currently operates under Title V Operating Permit No. 48-00091. This plan approval will be incorporated into the Title V Operating Permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 48-00091A is for the revision of the permit limit for Volatile Organic Compounds (VOCs) emissions. The company has requested to change existing VOCs emissions limits from 55.5 tons per year to 49.00 tons per year making the facility minor for VOC emissions from a major VOC emitting facility. No other operational changes, modification or new equipment installation proposed by the company. The company has requested voluntary VOC emissions reduction in order for the facility to be designated as a Synthetic Minor and below major source thresholds to avoid RACT 2 applicability. The facility has two natural gas-fired combined cycle combustion turbines (CCCTs). Each CCCT consists of a combustion turbine that capable of generating 185 MW of electricity at design ambient conditions and a heat recovery steam generator (HRSG) that will produce steam to supply a common steam turbine generator. The steam turbine generator generates an additional 290 MW (145 MW from each HRSG) of electricity at the plant. The company has requested the Department to revise the

VOC limit to 0.0026 lb/MMBtu form each turbine and duct burner. Based on 8,760 hour per year operation, potential VOC emissions from the facility will be 49.0 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating in compliance with all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00091A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit is required.

A public hearing may be held, if the DEP, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P.E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

67-03177A: York Railway Co. (13901 Sutton Park Dr. South, Suite 125, Jacksonville, FL 32224) for an ethanol transloading operation located in West Manchester Township, **York County**. Plan Approval No. 67-03177A will authorize the rail car unloading at an existing railroad siding with a wheel mounted skid operation. The potential VOC emission from this operation is 2.8 tpy. Review by DEP of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into a State Only Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

31-05022A: AC Products, Inc.—Mt Union Plant (11823 Lenape Drive, Mt. Union, PA 17066) for the cabinet manufacturing facility in Shirley Township, **Huntingdon County**. The potential facility emissions

are 5.9 tons of carbon monoxide, 7.7 tons of nitrogen oxide (NO_x), 0.6 ton of particulate matter, 0.18 ton of sulfur dioxide, 49.2 tons of volatile organic compounds (VOCs), and 8.6 tons of HAPs. The facility is a State only operating permit facility. The Plan Approval will include emission limits (50 tons of VOCs, 10 tons of single HAP, and 25 tons of total HAPs) and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The 150 kW emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE). DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 25 Pa. Code § 123.13 Process Particulate Matter. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into a State Only Operating Permit.

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

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

17-00070A: Goble-Baronick Funeral Home, Inc. (211 South Main Street, DuBois, PA 15801) has submitted an application to DEP for plan approval to construct a human crematory at their facility located in the City of DuBois, **Clearfield County**. The proposed construction will include a Matthews International Power Pak I (model no. IE43-PP1) batch type human crematory equipped with primary and secondary combustion chambers. The company proposes to equip the stack for the source with instrumentation to monitor the opacity of the exhaust released to the atmosphere, as well as monitor and record the secondary combustion chamber temperature. The source is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. DEP's review of the information submitted by the facility indicates that the proposed construction will comply with all applicable air quality regulatory requirements, including the BAT requirements. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable air quality regulatory requirements.

The potential to emit calculations for the proposed crematory based on 3,120 hours of operation in any calendar year are as follows, 0.4 ton per year (tpy) for NO_x (expressed as NO₂), 1.2 tpy for CO, 0.3 tpy for SO_x (expressed as SO₂), 0.8 tpy for PM and PM₁₀, 0.4 tpy for VOCs and total organic compounds. The plan approval includes emission restrictions for PM and opacity. The PM standard established at 0.08 gr/dscf, corrected to 7% pursuant to BAT will assure compliance with the applicable State-wide standard as specified in 25 Pa. Code Section 123.12. The opacity standards is established to be equal to or greater 10% for period or periods aggregating more than 3 minutes in any one hour or no more than

30% at any time. The facility is required to continuously monitor opacity as well as continuously monitor and record the primary and secondary combustion chambers temperatures to assure the source is operated and maintained in accordance with good air pollution control practices.

Based on the findings presented above, the Department proposes to issue a plan approval for the proposed construction. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions including the specifications in the application, the plan approval will be incorporated into a State-Only operating permit which will be required to be filed no later than 120 days upon request by the Department. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's North Central Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

08-00057A: Gateway Cogeneration 1, LLC (6219 Squires Court Spring, Texas 77389) for the construction of a proposed 128 MW electric power generation station consisting of two dual-fuel Rolls Royce model Trent 60 WLE combustion turbines each rated 593 MMBtu/hr (natural gas) and 582 MMBtu/hr (diesel fuel) equipped with selective reduction catalysts (SCR) and oxidation catalysts; one 600 brake-horsepower diesel-fired Caterpillar model C18 emergency fire pump engine; one 1,006 brake-horsepower diesel-fired Caterpillar model C27 emergency generator; one 115,000-gallon diesel fuel tank (for combustion turbines); one 300-gallon diesel fuel tank (shared by the fire pump engine and generator); one 9,000 gallon ammonia tank (for SCR units); one mechanical-draft cooling tower; and various insignificant fugitive emissions at the proposed Gateway Bradford Plant facility located in Towanda Township, **Bradford County**. The facility will also include a 10.46 MMBtu/hr natural-gas fired Clayton Steam Generators model EG254-FMB combustion unit equipped with a low-nitrogen oxide burner authorized under GP1-08-396.

The Department of Environmental Protection's (Department) review of the information submitted by Gateway Cogeneration, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, testing, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Sections 63.6580—63.6675, the Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR Sections 60.4200—60.4219, Standards of Performance for Stationary Combustion Turbines, 40 CFR Sections 60.4300—60.4420, Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units, 40 CFR Sections 60.5508—60.5580, Greenhouse Gas Reporting 40 CFR Part 98, 25 Pa. Code Chapter 123, and the best available technology (BAT) requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from all proposed sources included in this project will not exceed the following limits: 58.08 TPY NO_x, 75.21 TPY CO, 10.80 TPY VOCs, 6.63 TPY SO_x, 49.44 TPY PM/PM₁₀/PM_{2.5}, 5.53 TPY HAPs, and 593,682 TPY CO_{2e}.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: limitations on NO_x, CO, SO_x, VOC, HAP, ammonia slip, and PM/PM₁₀/PM_{2.5} emissions ppmvd at 15% O₂, lb/hr, and tpy for both fuel-firing scenarios and operation; records of fuel usage, hours operated, hours of startups and shutdowns, source-level emissions calculations, and facility-wide emissions records; installation of pressure differential gauges and control device inlet temperature monitors; CEMS for NO_x and CO emissions; NO_x emissions limitations, records of hours of operation and emissions calculations for the fire pump engine and emergency engine. The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00057A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. 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.

41-00001C: Transcontinental Gas Pipe Line Company, LLC (PO Box 1396, Houston, TX 77251-1396) Plan Approval 41-00001B was proposed on October 31, 2016, to Transcontinental Gas Pipe Line Company, LLC (Transco) for construction of a 16,000 ISO horsepower natural-gas-fired combustion turbine and an emergency generator powered by a 1,065 bhp natural gas-fired reciprocating internal combustion engine at Compressor Station 520 located in Mifflin Township, **Lycoming County**. Pursuant to Section C, Condition # 016 in the proposed plan approval, the permittee shall purchase and apply 85.68 tons per year of nitrogen oxide (NO_x) emission reduction credits (ERCs) prior to the commencement of operation of new turbine and generator at the facility to offset the total of the net increase in potential to emit. On September 9, 2016, the Department received a plan approval application (41-00001C) from Transco to incorporate the ERCs, obtained via the shutdown of existing sources at their Compressor Station 195 located in **York County**, into a plan approval to make the ERCs Federally enforceable. The creation of the NO_x ERCs was approved by the Department's Southcentral Regional Office on June 3, 2015. The Department intends to issue Plan Approval 41-00001C to Transcontinental Gas Pipe Line Company, LLC to incorporate 85.68 tons of NO_x ERCs for Compressor Station 520 located in Mifflin Township, **Lycoming County**.

19-00007C: Transcontinental Gas Pipe Line Company, LLC (PO Box 1396, Houston, TX 77251-1396) Plan Approval 19-00007B was proposed on October 31, 2016, to Transcontinental Gas Pipe Line Company, LLC (Transco) for construction of a 16,000 ISO horsepower natural-gas-fired combustion turbine and an emergency generator powered by a 1,065 bhp natural gas-fired reciprocating internal combustion engine at Compressor Station 517 located in Jackson Township, **Columbia County**. Pursuant to Section C, Condition # 016 in the proposed plan approval, the permittee shall purchase and apply 70.38 tons per year of nitrogen oxide (NO_x) emission reduction credits (ERCs) prior to the commencement of operation of new turbine and generator at the facility to offset the total of the net increase in potential to emit. On Septem-

ber 9, 2016, the Department received a plan approval application (19-00007C) from Transco to incorporate the ERCs, obtained via the shutdown of existing sources at their Compressor Station 195 located in **York County**, into a plan approval to make the ERCs Federally enforceable. The creation of the NO_x ERCs was approved by the Department's Southcentral Regional Office on June 3, 2015. The Department intends to issue Plan Approval 19-00007C to Transcontinental Gas Pipe Line Company, LLC to incorporate 70.38 tons of NO_x ERCs for Compressor Station 517 located in Jackson Township, **Columbia County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

10-368E: MarkWest Liberty Bluestone, LLC (1515 Arapahoe St., Suite 1600, Denver, CO 80202) for construction of additional sources at their existing natural gas processing plant in Jackson Township, **Butler County**. This will be a Title V facility.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 10-368E to MarkWest Liberty Bluestone, LLC for the construction of additional sources at their existing Bluestone Gas Processing Plant facility located at 440 Hartmann Rd., Jackson Township, Butler County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-368E is for the construction of three (3) additional process heaters. Additionally, the facility proposes to modify the capacities of three (3) previously permitted process heaters and one (1) previously permitted storage tank. Based on the information provided by the applicant and DEP's own analysis, the subject facility will have the potential to emit approximately 107.5 tons of carbon monoxide, 80.5 tons of nitrogen oxides, 46.5 tons of volatile organic compounds (VOCs), 14.2 tons of particulate matter, 1.0 ton of sulfur oxides, and 4.4 tons of total Hazardous Air Pollutants (HAP) per year.

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

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan

Approval; No. 10-368D and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

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

16-148B: Robert V. Burns Crematorium, Inc. (638 Wood Street, Clarion, PA 16214), The Department of Environmental Protection intends to issue a plan approval to Robert V. Burns Crematorium for the modification of an existing source's method of operation at their facility located in Clarion Borough, **Clarion County**. This is an existing non-Title V facility. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

This plan approval application was submitted per the Department's instruction that those crematories which open their primary chamber's door during operation could do so no longer without direct authorization for the practice. The practice must be conditioned and authorized by a plan approval or must be discontinued. Robert V. Burns Crematorium has elected to apply for a plan approval rather than discontinue the opening of their door which they feel is necessary for economical and complete cremation cycles. Special conditions will be included in the plan approval which address door opening and its' impact on emissions and operation. The crematory will be required to meet all emission and temperature requirements while the door is opened and will have additional recordkeeping and monitoring requirements. Emissions are not expected to change as a result of this plan approval.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6940.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [16-148B: Robert V. Burns Crematorium] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting

a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Christina Nagy, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6411.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104.*

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

AMS IP16000217: Metro Crematory & Trade Inc. (6711 Frankford Ave, Philadelphia, PA 19135) to install a human crematory unit in the City of Philadelphia, **Philadelphia County**. The process will consist of a 150 pounds per hour cremation unit with one 0.5 MMBTU/hr primary burner and one 1.0 MMBTU/hr afterburner that fires natural gas. An opacity monitor will be installed to ensure compliance with opacity emissions limits. Emissions limits for Carbon Monoxide (CO), Sulfur Dioxide (SO₂), Particulate Matter (PM), and Hydrogen Chloride (HCl) from the facility included in the plan approval are based on the plan approval application. The facility's total potential emissions are as follows: 0.67 ton per year of Nitrogen Oxides (NO_x), 0.16 ton per year of Particulate Matter, 0.57 ton per year of Carbon Monoxide, and 0.27 ton per year of Sulfur Dioxide. The plan approval will contain operating, testing, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable 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.

46-00198: Blommer Chocolate Company, (1101 Blommer Drive, East Greenville, PA 18041) for a significant modification to the Title V Operating Permit for their location in Upper Hanover Township, **Montgomery County**. This Significant Permit Modification Application will follow the same procedures that apply to initial permit issuance in accordance with 25 Pa. Code §§ 127.542(b), 127.505 and 127.424. This modification is to address the incorporation of the Department's RACT II requirements found in 25 Pa. Code §§ 129.96—129.100. These RACT revisions will be submitted to EPA to add to the State implementation plan. The case-by-case RACT Phase II proposal includes compliance with existing emission limits and the use of good operating practices for three (3) roasters, three (3) grinders, a micronizer, and alkylation processes. The facility is a major source of VOC emissions. The modification of this operating permit does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

23-00003: Monroe Energy LLC (4101 Post Road, Trainer, PA 19061) for a significant modification to the Title V Operating Permit for their location in Trainer Borough, **Delaware County**. This Significant Permit Modification Application will follow the same procedures that apply to initial permit issuance in accordance with 25 Pa. Code §§ 127.542(b), 127.505 and 127.424. This modification is to address the incorporation of the Department's RACT II requirements found in 25 Pa. Code §§ 129.96—129.100. Monroe Energy LLC is a major facility for all regulated pollutants. The case-by-case RACT Phase II proposal includes the Fluidized Catalytic Cracking Unit, marine vessel ballasting, marine loading, cooling towers, railcar loading, and three heaters. The modification of this operating permit does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

23-00119: Sunoco Partners Marketing & Terminals (100 Green Street, Marcus Hook, PA 19061) for operation of a separation and storage petrochemical facility in Marcus Hook Borough, **Delaware County**. This Permit Modification Application will follow the same procedures that apply to initial permit issuance in accordance with 25 Pa. Code §§ 127.542(b), 127.505 and 127.424. This modification is to address the incorporation of the Department's RACT II requirements found in 25 Pa. Code §§ 129.96—129.100. These RACT revisions will be submitted to EPA to add to the State implementation plan. The affected sources for case-by-case RACT are: Three auxiliary boilers (Sources 031, 033, and 034), One Cooling tower (15-2 unit in Source 139), Marine Vessel Loading (Source 115), Vehicle Refueling (Source 368), Blind Changing (Source 402, NESHAP Fugitive Equipment (Source 800, and Fugitive Equipment (Source 801). There will be no changes in actual emissions of any air contaminant, nor will there be any new sources constructed or installed as a result of this action.

The Title V operating 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 Elmerston 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.

31-05011: US Silica Co. (12942 Oriskany Road, PA 17052), to issue a Title V Operating Permit renewal for US Silica in Brady Township, **Huntingdon County**. The actual 2015 emissions from the facility were 0.46 ton of VOCs, 5.6 tons of NO_x, 4.7 tons of CO, and 38.5 tons of PM₁₀. A new condition is added to keep the actual emissions of VOCs below 50 tpy and NO_x emissions below 100 tpy during any consecutive 12-month period. The facility is not subject to RACT II requirements for VOCs and NO_x. 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. The crushing operation is subject to 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plant. Also, the diesel engine pump is subject to NSPS Subpart IIII—Standards of Performance for CI RICE.

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

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

14-00003: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) for a significant permit modification pursuant to 25 Pa. Code § 127.541 for the University Park Campus located in College Township and State College Borough, **Centre County**. PSU has submitted a significant operating permit modification application for incorporating the terms and conditions of Plan Approval 14-00003E, relating to re-tubing of boilers at the East Campus Steam Plant into the Title V Operating Permit, as well as authorizing a one-year extension to the compliance deadline for the major source boiler MACT (40 CFR Part 60 Subpart DDDDD) for existing boilers at the facility. The major modification also includes an emissions limitation on sulfur oxides emissions from the West Campus Steam Plant and restricts hazardous air pollutants emissions from sources at the facility to area source (minor) levels. Furthermore, the modification also includes new sources previously determined to be of minor significance by the Department into the TVOP. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements pertaining to these sources have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. Several permit conditions have been derived from the applicable requirements of 40 CFR Part 63 and 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.

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.

15-00137: Johnson Matthey/Advanced Glass Technologies Division (498 Acorn Lane, Downingtown, PA 19335) located in Downingtown, **Chester County** for the renewal of a State-Only Operating Permit. This facility is classified as Synthetic Minor facility. Johnson Matthey manufactures enamel and silver conductive pastes for; glass (windshields) used in the automotive industry, decorative enamel pastes for ceramic glass decoration, and decorative precious metal products. There are no increases of Volatile Organic Compounds (VOCs) or Hazardous Air Pollutants (HAPS) with this renewal. The VOC emissions remain capped at 12.20 tons per year and the HAP emissions remain capped at 6.75 tons per year. The Operating Permit will contain monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

15-00021: Glasgow, Inc. (P.O. Box 1089, Glenside, PA) for renewal of the State Only Operating Permit for a stone crushing plant and a batch asphalt plant, known as the Catanach Quarry, located in East Whiteland Township, **Chester County**. The stone crushing plant com-

prises five crushers and six screens with particulate matter emissions controlled by wet suppression. Particulate emissions from the asphalt plant are controlled by a knock-out box and fabric filter. The sources are subject to (1) 25 Pa. Code § 123.1, (2) 25 Pa. Code § 123.13 and 40 CFR Part 60 Subpart I, (3) 25 Pa. Code § 123.21, and (4) fuel oil sulfur limitations of 25 Pa. Code § 123.22 (asphalt heater). The newest source in the crushing plant, the primary crusher and screen (Source ID 101A), is subject to the wet suppression system inspections of 40 CFR Section 60.674(b). The facility shall remain a synthetic minor facility with the following emissions limits in tons/year: nitrogen oxides (NO_x)—17.64, volatile organic compounds (VOC)—19.98, filterable particulate matter (PM)—220.94, particulate matter less than 10 microns (PM₁₀)—63.99, particulate matter less than 2.5 microns (PM_{2.5})—12.12. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

15-00152: Sunoco Pipeline LP (525 Fritztown Road, Sinking Spring, PA 19608) to issue a State Only Operating Permit for a Natural Gas Liquids pumping station located in Upper Uwchlan Township, **Chester County**. The operating permit includes work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

15-00153: Sunoco Pipeline LP (525 Fritztown Road, Sinking Spring, PA 19608) to issue a State Only Operating Permit for a Natural Gas Liquids pumping station located in West Goshen Township, **Chester County**. The operating permit includes work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

35-00004: Cascade Tissue Group PA Inc. (1 Main St, Ransom, PA 18653) intends to issue a State Only (Synthetic Minor) Operating Permit for their facility located in Ransom Township, **Lackawanna County**. The facility is currently operating under Title V Operating Permit 35-00004; however, the permittee has requested voluntary emissions caps in order for the facility to be designated as a Synthetic Minor and below major source thresholds to avoid RACT 2 applicability. The sources at the facility include two (2) natural gas-fired boilers, one (1) 49 MMBtu/hr and one (1) 43 MMBtu/hr, two (2) natural gas-fired hoods, one (1) 14 MMBtu/hr and one (1) 15 MMBtu/hr, two (2) felt washing processes, two (2) wire wash processes, and one (1) defoamer.

The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00001: Fairchild Semiconductor Inc., (125 Crestwood Road, Mountaintop, PA 18707). The Department intends to issue a renewal of a State Only (Synthetic Minor) Operating Permit for their Fairchild Semiconductor Plant located in Wright Township, **Luzerne County**. The facility is currently operating under SM Operating Permit 40-00001. The facility's main sources include boilers, emergency generators, implantation, etchers, and cleaners. The control devices are a thermal oxidizer and scrubbers.

The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

06-03049: Industrial Metal Plating, Inc. (153 Wagner Lane, Reading, PA 19601) to issue a State Only Operating Permit for the aluminum anodizing and bright dip facility located in Bern Township, **Berks County**. The potential emissions from the facility are estimated at 1.09 tpy of PM, 2.33 tpy of SO_x, 8.66 tpy of NO_x, 1.64 tpy of CO and 0.18 tpy of TOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart WWWW—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations and 40 CFR Part 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers Area Sources.

21-03118: Fogelsanger-Bricker Funeral Home (112-116 West King Street, Shippensburg, PA 17257) for construction of a human crematory controlled by an afterburner at the funeral home in Shippensburg Borough, **Cumberland County**. The facility has the following potential air emissions: 3.3 tons per year of CO, 1.0 ton per year of NO_x, 2.3 tons per year of PM, 0.8 ton per year of SO_x, and 1.0 ton per year of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

21-05050: Naval Support Activity (5450 Carlisle Pike, Bldg. 305, Mechanicsburg, PA 17050) to issue a State Only Operating Permit for operation of their Naval Support Activity Mechanicsburg facility in Hampden Township, **Cumberland County**. The subject facility has actual annual emissions based on year 2015: 5.98 tons of CO; 12.43 tons of NO_x; 0.035 ton of HAPs; 3.5 tons of PM₁₀; 0.1 ton of SO_x; & 0.67 ton of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52d, 40 CFR Part 63 Subpart JJJJJ—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, & 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

06-05005: Eastern Industries, Inc. (3580 Division Highway, East Earl, PA 17519) to issue a State Only Operating Permit for the stone crushing and batch asphalt plant located in Oley Township, **Berks County**. The potential emissions from the facility are 98.0 tons of CO, 29.4 tons of NO_x, 21.6 tons of SO_x, 6.6 tons of PM₁₀

and 2.0 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart I (Standards of Performance for Hot Mix Asphalt Facilities) and 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.

49-00040: Reagent Chemical & Research, Inc. (145 Happy Hollow Road, Coal Township, PA 17866-7733) to issue a State only operating permit for their facility located in Coal Township, **Northumberland County**. The facility is currently operating under State Only Operating Permit 49-00040. The facility's sources include a propane-fired hot oil heater, a biodegradable skeet target production line, a pitch skeet target production line and two parts washers. The facility has potential emissions of 1.07 ton per year of nitrogen oxides, 0.91 ton per year of carbon monoxide, 0.01 ton per year of sulfur oxides, 4.47 tons per year of particulate matter, 11.02 tons per year of volatile organic compounds. 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.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

OP-32-00432: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-9642), In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a State Only Operating Permit (SOOP-32-00432) to Rosebud Mining Company ("Rosebud") to authorize to operate a coal screening processing plant at their Coral Graceton Mine site located in Center Township, **Indiana County**.

The facility's air contamination sources consist of a pit conveyor, one double deck screen, one fine coal stacker, one oversize/refuse conveyor, one front-end loader, and two (2) emergency diesel generators rated at 732 bhp and 1,372 bhp. Particulate matter sources include paved and unpaved roadways, material handling, and storage piles. The fugitive emissions from these sources are controlled by water sprays, road paving, and adopting work practice requirements. Potential emissions from the facility are estimated to be 7.0 tons NO_x, 4.0 tons PM₁₀, 13.5 tons PM, 2.4 tons CO, and 0.4 ton SO_x.

This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and

work practice standards requirements. The emergency generators are subject to the applicable requirement of 40 CFR Part 60 Subpart IIII and NESHAP requirements under Subpart ZZZZ.

Rosebud State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Thomas Kaminski at tkaminski@pa.gov or 412.442.4097.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 32-00432) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Jesse Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, fax 412.442.4194).

26-00573: Johnson Matthey, Inc. (605 Mountain View Drive, Smithfield, PA 15478) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) renewal to Johnson Matthey, Inc. to authorize the operation of a facility located in Georges Township, **Fayette County**.

Johnson Matthey manufactures selective catalytic reduction (SCR) catalysts for automotive and heavy duty diesel truck engines and industrial emissions control applications. Catalysts are coated with different formulation depending on customer needs and specifications. The facility is consisting of dryers, oven, material storage and

handling, tanks, emergency generator and various emissions control units. Potential facility-wide emissions were estimated by the applicant to be 24.33 tpy of VOCs, 48.4 tpy of NO_x, 2.47 tpy of PM, and 9.43 tpy of CO.

The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145, the NSPS of 40 CFR Part 60 Subpart IIII.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (26-00573) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Johnson Matthey State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Johnson Matthey State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

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

03-00147: Asbury Graphite Mills, Inc./Kittanning Plant (280 Linde Road, Kittanning, PA 16201) for the operation of loading, unloading, crushing, milling, drying, and packaging petroleum coke and graphite located in the Township of North Buffalo, **Armstrong County**. The subject facility consists of 2 roller miller, 2 A/C mills, 3 jet mills, 1 blender, 1 magnetic separator, and 7.2 MMBtu/hr natural gas dryer. The facility has the potential emissions as follows: 48.33 tpy PM₁₀, 3.10 tpy NO_x, 2.5 tpy CO, and less than 1 tpy for all other criteria pollutants. 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.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

03-00104: M & M Lime Company, Inc./Ag. Lime Plant (215 Nicole Road, Worthington, PA 16262) for the operation of a limestone deep mine and an open pit mine to produce mainly riprap stone located in the Township of West Franklin, **Armstrong County**. The subject facility consists of various limestone processing equipment and diesel generators. The plant is limited to 5,000 hour per any consecutive 12-month period. The facility is not to exceed the following limits: 100 tpy CO; 100 tpy NO_x; 100 tpy SO_x; 50 tpy VOC; 100 tpy PM and 10 tpy 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.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

OP-65-00630: Mine Safety Appliances Company, LLC (1000 Cranberry Woods Drive, Cranberry Township, PA 16066), In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal State Only Operating Permit (SOOP-65-00630) to Mine Safety Appliances Company ("MSA") to authorize the continued operation of air rotation units, parts washer, paint booths, lens bonding and mask assembly units located at their Murrysville Plant in Murrysville Borough, **Westmoreland County**.

The facility's air contamination sources consist of five (5) air rotation units, a parts washer, pad print-ink dispensers, fifteen (15) lenses bonding and assembly units, and one emergency diesel generator rated at 85 kw. VOC sources at this facility include paint booths, cooling towers with non-contact cooling water, buffing stations, and ink-mix stations. Particulate matter sources include a phenolic splitter, band saws, sanders, and buffers. VOC emissions are controlled by a catalytic oxidation unit. The fugitive emissions are controlled by five (5) dust collectors four (4) of which exhaust indoors.

The facility is equipped with exhaust fans. Potential emissions from the facility are estimated to be 17.0 tons VOC, 4.9 tons HAP, 9.1 tons NO_x, 4.0 tons PM₁₀, 2.1 tons CO, and 0.1 ton SO_x. Actual emissions from the facility are much lower.

This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements. The emergency generator is subject to the applicable requirement of 40 CFR Part 63 Subpart ZZZZ.

MSA State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Thomas Kaminski at tkaminski@pa.gov or 412.442.4097.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests

for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 65-00630) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, fax 412.442.4194).

OP-03-00185: Vista Metals Inc. (1024 E. Smithfield Street, McKeesport, PA 15135-1031), In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal State Only Operating Permit (SOOP-03-00185) to Vista Metals Inc. to authorize the continued operation of manufacturing of high-strength tungsten carbide preforms located at their Kittanning Powder Plant located in East Franklin Township, **Armstrong County**.

The facility's main sources and controls include; four (4) Attritors, six (6) Ball Mills, one (1) In-Line Screen, two (2) Ross Dryers, one (1) underground Heptane Storage Tank, one (1) Package Boiler System with five modules each rated at 0.3 MMBtu/hr, two (2) Condensers to capture heptane, and one (1) Torit Fabric Dust Collector rated at 7,100 cfm for particulate matter control.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 49.92 tons of VOC, 0.10 ton of PM₁₀, 0.11 ton of NO_x, and 0.10 ton of CO. SO_x being minimal is not included. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the operating permit have been derived from the applicable requirements of RACT and 25 Pa. Code Chapters 121—145.

Vista Metals State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit renewal application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Jesse Parihar at jparihar@pa.gov or 412.442.4030.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing

such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 03-00185) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. (jparihar@pa.gov, fax 412.442.4194).

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-00944: PHB Die Casting, Inc., (7900 West Ridge Road, Fairview, PA 16415), The Department intends to issue a State Only Operating Permit renewal for the facility located in Fairview Township, **Erie County**. Potential emissions are as follows: 23.07 tpy NO_x; 24.08 tpy CO; 2.23 tpy PM; 0.13 tpy SO₂; 1.6 tpy VOCs. The facility is a Natural Minor. The primary sources at the facility include natural gas-fired zinc and aluminum melting furnaces, shot blasting operations, natural gas-fired boilers, and parts washers. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

37-00003: Essroc Cement Corporation/Bessemer Facility (3251 Bath Pike, Nazareth, PA 18064-8928) for intent to issue a renewal of the State Only Operating Permit for the cement wholesaler facility located in Bessemer Borough, **Lawrence County**. The facility serves as a terminal, receiving product, storing, and shipping product out. The sources at the facility include: Silos 29—38; North, Central and South bulk load-out; Miscellaneous natural gas sources (space and water heaters); the plant roadway, and a 500 gallon gasoline storage tank. The facility is a natural minor. The facility wide particulate, PM₁₀, and PM_{2.5} emissions are less than 5 TPY, respectively. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00195: Ram Forest Products/Shinglehouse (1716 Honeoye Rd., Shinglehouse, PA 16748-5504) for intent to issue a renewal of the State Only Operating Permit for the hardwood manufacturing facility located in Ceres Township, **McKean County**. The sources at the facility include a wood fired boiler controlled by multiclone collectors, sawmill, and kilns. The facility is a natural minor. The facility is an Area Source for MACT. The wood fired boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

61-00012: OMG Americas, Inc. (P.O. Box 111, Franklin, PA 16323) for a Synthetic Minor Permit to operate an industrial chemical manufacturing facility. The facility manufactures specialty chemicals, metal carboxylate, and cobalt and nickel salts using batch type processing manufacturing. The facility is located in Sugarcreek Borough, **Venango County**. The Synthetic Minor Operating Permit limits the emission of Volatile Organic Compound to 49.9 TPY (Tons per year) emissions of any single Hazardous Air Pollutants to 9.9 TPY, and emissions from all Hazardous Air Pollutants to 24.9 TPY. The emitting sources include a Kewanee Boiler rated at 37.7 mmbtu/hr, a Hurst Boiler rated at 37.6 mmbtu/hr, reactors for Carboxylate Manufacturing 7, reactors for the Light Color Process, reactors for the Cobalt Carboxylate Process, Packaging (filling drum), Pastillator 1, 2 & Hopper, Miscellaneous Natural gas usage, miscellaneous small sources, a Kohler emergency generator, two Clarke Detroit Diesel Fire Pump Engines, and Miscellaneous Cold Cleaning Degreasers. The 2014 actual emissions from the facility were: Ammonia: 1.29 TPY (Tons per year), CO: 3.8 TPY, NO_x: 1.9 TPY, PM₁₀: 0.3 TPY, SO_x: 0.027 TPY, VOC: 19.5 TPY, Cobalt Compound: 0.09 TPY, Glycol Ether: 0.17 TPY and Phenol: 0.05 TPY. The reactors are controlled by scrubbers and condensers. The emissions from the Pastillators and Hopper are controlled by fabric collectors. The two fire pump engines and the emergency generator engine are subject to 40 CFR Part 63, Subpart ZZZZ pertaining to NESHAPs for Stationary Reciprocating Internal Combustion Engines. All applicable conditions of Subpart ZZZZ have been included in the source level of the permit.

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104.*

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

OP16-000033: Septa Frankford (Frankford Ave & Bridge St., Philadelphia, PA 19124) for the operation of a bus repair and maintenance shop in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include six (6) boilers less than 5 MMBTU/hr firing natural gas or No. 2 Fuel Oil, One (1) 0.72 MMBTU/hr pressure washer firing natural gas, three (3) emergency generators less than 150 kW firing natural gas, one (1) 6,000 gallon gasoline storage tank with Stage 2 vapor recovery, and one (1) cold cleaning degreaser.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information

are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

OP-16000034: Septa Germantown Brake Shop (6725 Germantown Avenue, Philadelphia, PA 19119) for the operation of a bus repair and maintenance shop in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include five (5) 0.44 MMBTU/hr warm air furnaces firing natural gas or propane air mix, one (1) 0.44 MMBTU/hr pressure washer firing natural gas, one (1) 1,000 gal underground gasoline storage tank with Stage 2 vapor recovery, and one (1) Cold cleaning degreaser.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

The City of Philadelphia, Air Management Services (AMS) intends to reissue a Minor State Only Operating Permit for the following facility:

S15-013: Ryder Truck Rental, Inc. (9751 Blue Grass Road, Philadelphia, PA 19114) for the operation of truck renting and leasing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a paint booth, a Stage II vapor recovery system for an 8,000 gallon UST for gasoline, and a 300,000 BTU/hr warm air furnace firing natural gas.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are

based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Sandvik Inc.** (982 Griffin Pond Road, Clarks Summit, PA 18411) for their facility located in Scott and South Abington Twps., **Lackawanna County**. This **Plan Approval No. 35-00016A** will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 35-00016A is for the replacement of an existing baghouse which controls particulate emissions from auto cutoff saw with a newer more efficient baghouse. The existing auto cut off saw uses to cut stainless steel tube will not be changed. No other changes were proposed by the company. The facility is subject to 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The particulate emissions from the new baghouse shall not exceed the Best Available Technology (BAT) standard of 0.02 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 35-00016A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa,

Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

03801302 and NPDES No. PA0235385. Consol Mining Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the Margaret No. 7 Mine Water Treatment Plant in Plumcreek and Cowan-shannock Townships, **Armstrong County** and related NPDES permit for reclamation only.

No additional discharges. The application was considered administratively complete on November 17, 2016. Application received May 16, 2016.

30743711 and NPDES No. PA0033511. Cumberland Contura, LLC, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To transfer the permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley, Greene and Monongahela Townships, **Greene County** and related NPDES permit from Cumberland Coal Resources, L.P. No additional discharges. The application was considered administratively complete on November 17, 2016. Application received September 9, 2016.

30831303 and NPDES No. PA0013511. Cumberland Contura, LLC (formerly Cumberland Coal Resources, LP), (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Whiteley, Franklin, Perry, Center, Greene and Wayne Townships, **Greene County** and related NPDES permit to add pipelines and water handling features for the No. 5 Shaft and No. 2A Air Shaft surface facility sites. No additional discharges. The application was considered administratively complete on November 22, 2016. Application received June 29, 2015.

26081601 and NPDES No. PA0095117. Contura Pennsylvania Terminal, LLC, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To transfer the permit for the LaBelle Dock Site in Luzerne Township, **Fayette County** and related NPDES permit from Alpha PA Coal Terminal, LLC. The application was considered administratively complete on November 22, 2016. Application received September 8, 2016.

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

33100106 and NPDES Permit No. PA0259004. Strishock, LLC, (P.O. Box 1006, DuBois, PA 15801). Renewal of an existing bituminous surface mine and existing NPDES permit in Washington Township, **Jefferson County** affecting 257.5 acres. Receiving streams: Eight unnamed tributaries to Horm Run, three unnamed tributaries to Five Mile Run and Millcreek, both classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: November 16, 2016.

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

17110101 and NPDES PA0257516. A. W. Long Coal Company (127 Logan Street, Philipsburg, PA 16866). Permit renewal for continued operation and restoration of a bituminous surface mine located in Morris Township, **Clearfield County** affecting 302.8 acres. Receiving stream(s): Unnamed Tributaries to Emigh Run and Emigh Run; Unnamed Tributaries to Hawk Run and

Hawk Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 9, 2016.

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

65990101 and NPDES Permit No. PA0202428. Coal Loaders, Inc. (210 East Main Street, Ligonier, PA 15658). Revision application for land use change from pastureland/ land occasionally cut for hay to commercial/ industrial to an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 19 acres. Receiving stream: unnamed tributary to the Youghiogheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: November 17, 2016.

65060101 and NPDES Permit No. PA0250856. Coal Loaders, Inc. (210 East Main Street, Ligonier, PA 15658). Revision application for land use change from pastureland/ land occasionally cut for hay to commercial/ industrial to an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 23.2 acres. Receiving stream: unnamed tributary A to the Youghiogheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: November 17, 2016.

63120104 and NPDES Permit No. PA0252255. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Revision application for the relocation of discharge from SP5 to TP3 to an existing bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 212.5 acres. Receiving streams: unnamed tributaries to Fishpot Run and Black Dog Run, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: PA American Water/ Brownsville Borough. Application received: November 17, 2016.

03030104 and NPDES Permit No. PA0250392. Allegheny Mineral Corp. (P.O. Box 1022, Kittanning, PA 16201). Revision application to change approximate original contour to an existing bituminous surface mine, located in Manor Township, **Armstrong County**, affecting 100.3 acres. Receiving streams: unnamed tributaries to Rupp Run and Garrets Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: November 18, 2016.

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.

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

4773SM2 and NPDES PA0596680. Hanson Aggregates Pennsylvania LLC (7660 Imperial Way, Allentown, PA 18195). Permit boundary correction to add 3.0 acres to an existing large noncoal industrial minerals surface mine in Potter Township, **Centre County**, affecting 18.0 acres. Receiving streams: Unnamed Tributary to Cedar Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 17, 2016.

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

Permit No. 8074SM2C10 and NPDES PA0012904. Highway Materials, Inc. (409 Stenton Avenue, Flourtown, PA 19031), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Whitemarsh Township, **Montgomery County** affecting 272.49 acres, receiving stream: Lorraine Run and Plymouth Creek, classified for the following uses: trout stocking and warm water fishes. Application received: November 16, 2016.

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. PA0262358 (Mining Permit No. 56090103), Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530, revision of an NPDES permit for surface mining of coal in Brothersvalley Township, **Somerset County**, affecting 45.1 acres. Receiving streams: unnamed tributaries to Buffalo Creek, classified for the following use: cold water fishes. This receiving stream is included in the Buffalo Creek TMDL. Application received: November 2, 2016.

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

The outfalls listed below discharge to unnamed tributary "A" to Buffalo Creek:

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

The outfalls listed below discharge to unnamed tributary "B" to Buffalo Creek:

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

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

<i>Outfalls: 002 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	1.5	3.0	3.8
Aluminum (mg/l)	1.1	2.2	2.8
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 004, 005, 006 (Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	1.5	3.0	3.8
Aluminum (mg/l)	1.1	2.2	2.8
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 004, 005, 006 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

NPDES No. PA0279447 (Mining Permit No. 05160101), J&J Svonavec Excavating, Inc., 618 Samuels Road Somerset, PA 15501, new NPDES permit for discharge of water resulting from surface coal mining activities in Broad Top, Wells, & Wood Townships, **Bedford, Fulton, & Huntingdon Counties**, affecting 95.0 acres. Receiving streams: unnamed tributary to/and Great Trough Creek, classified for the following use: trout stock fishes. Application received: November 4, 2016.

The outfalls listed below discharge to Great Trough Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Sediment Pond 1)	Y
003 (Sediment Trap 1)	Y
004 (Treatment Facility 1)	Y
005 (Treatment Facility 3)	Y

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

<i>Outfalls: 004 & 005 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	Monitor Only		
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 001 & 003 (Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	Monitor Only		
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 001 & 003 (<=10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

Outfalls: 001 & 003 (>10-yr/24-hr Precip. Event)
 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 an unnamed tributary to Great Trough Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002 (Sediment Pond 2)	Y
006 (Treatment Facility 3)	Y

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

<i>Outfalls: 002 & 006 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.3	2.6	3.2
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

NPDES No. PA02792858 (Mining Permit No. 29160101), J&J Svonavec Excavating, Inc., 618 Samuels Road, Somerset, PA 15501, new NPDES permit for a bituminous surface mine in Broad Top and Wells Townships, **Bedford and Fulton Counties**, affecting 63 acres. Receiving stream: Great Trough Creek, classified for the following use: Trout Stocked fishes. Application received: November 1, 2016.

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

The outfalls listed below discharge to Great Trough Creek:

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

Noncoal NPDES Draft Permits

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

NPDES Permit No. PA0593915 on Surface Mining Permit No. 5376SM16. American Asphalt Paving Company, (500 Chase Road, Shavertown, PA 18706), renewal of an NPDES Permit for a sandstone and shale quarry operation in Jackson Township, **Luzerne County**, affecting 131.75 acres. Receiving stream: Brown's Creek, classified for the following use: cold water fishes. Application received: June 18, 2013.

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

The outfalls listed below discharge to Brown's Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Sedimentation Pond
003	No	Sedimentation Pond
004	No	Sedimentation Pond
005	No	Sedimentation Pond

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Total Oil & Grease	Monitor & Report			

¹ The parameter is applicable at all times.

NPDES Permit No. PA022235 on Surface Mining Permit No. 45020301. H & K Group, Inc. (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone quarry operation in Smithfield Township, **Monroe County**, affecting 61.9 acres. Receiving stream: Marshall Creek, classified for the following use: HQ—cold water fishes. Application received: December 7, 2012.

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

The outfalls listed below discharge to Marshall Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
DP-001	No	Sedimentation Basin/Stormwater
DP-002	No	Sedimentation Basin/Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0
Turbidity (NTU)		40.0	80.0	100.0

¹ The parameter is applicable at all times.

NPDES Permit No. PA0594130 on Surface Mining Permit No. 5273SM2. Hanson Aggregates PA, LLC, (7660 Imperial Way, Allentown, PA 18195), renewal of an NPDES Permit for a granite gneiss quarry operation in Middletown and Thornbury Townships, **Delaware County**, affecting 247.3 acres. Receiving stream: Chester Creek, classified for the following uses: trout stock and migratory fishes. Application received: December 18, 2013.

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

The outfalls listed below discharge to Chester Creek.

<i>Outfall No.</i>	<i>New</i>	<i>Outfall Y/N Type</i>
001	No	Pit Sump/Stormwater
002	No	Stormwater
003	No	Stormwater
004	No	Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Discharge (Outfall 001)		2.0 MGD		
Total Dissolved Solids	Monitor & Report			
Sulfates	Monitor & Report			
Oil & Grease	Monitor & Report			

¹ The parameter is applicable at all times.

NPDES Permit No. PA00220451 on Surface Mining Permit No. 4873SM1. Magnesita Refractories Company, (425 Salem Church Road, York, PA 17408), renewal of an NPDES Permit for a dolomite, limestone, shale and clay quarry operation in Manchester Township, **York County**, affecting 621.7 acres. Receiving streams: Codorus Creek (001, 002, 003, 004, 005, 006, 008) and unnamed tributary to Honey Run to Little Conewago Creek (007, 009), classified for the following uses: warm water fishes and trout stock fishes. Application received: April 14, 2014.

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

The outfalls listed below discharge to Codorus Creek:

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Sedimentation Basin/Stormwater
002	No	Sedimentation Basin/Stormwater
003	No	Sedimentation Basin/Stormwater
004	No	Sedimentation Basin/Stormwater
005	No	Sedimentation Basin/Stormwater
006	No	Sedimentation Basin/Stormwater
008	No	Sedimentation Basin/Stormwater

The outfalls listed below discharge to unnamed tributary to Honey Run to Little Conewago Creek:

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
007	No	Sedimentation Basin/Stormwater
009	No	Sedimentation Basin/Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Discharge (Total of all Outfalls)		3.5 MGD		
Total Suspended Solids		35.0	70.0	90.0
Oil and Grease		Monitor & Report		

¹ The parameter is applicable at all times.

NPDES Permit No. PA0224839 on Surface Mining Permit No. 66100301. Meshoppen Stone, Inc., (P.O. Box 127, Meshoppen, PA 18630), renewal of an NPDES Permit for a bluestone/shale quarry operation in Meshoppen Township, **Wyoming County**, affecting 220.2 acres. Receiving stream: unnamed tributary to Meshoppen Creek, classified for the following uses: cold water and migratory fishes. Application received: August 12, 2016.

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

The outfalls listed below discharge to unnamed tributary to Meshoppen Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
SPA	No	Sedimentation Pond
SPB	No	Sedimentation Pond
SPC	No	Sedimentation Pond

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

NPDES Permit No. PA0611883 on Surface Mining Permit No. 7776SM1. Martin Stone Quarries, Inc., (1355 North Reading Avenue, Bechtelsville, PA 19505), renewal of an NPDES Permit for a gneiss and quartzite quarry operation in Colebrookdale Township, **Berks County**, affecting 277.6 acres. Receiving stream: unnamed tributary to Swamp Creek, classified for the following uses: warm water and migratory fishes. Application received: July 31, 2012.

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

The outfalls listed below discharge to unnamed tributary to Swamp Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
002	No	Sedimentation Pond/Stormwater
004	No	Quarry Pit Sump
006	No	Stormwater
007	No	Stormwater
008 (not discharging)	No	Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

NPDES Permit No. PA0595381 on Surface Mining Permit No. 8275SM5. New Enterprise Stone & Lime Co., Inc. d/b/a Martin Limestone, Inc., (P.O. Box 550, Blue Bell, PA 17506), renewal of an NPDES Permit for a limestone quarry operation in East Cocalico Township, **Berks County**, affecting 149.5 acres. Receiving stream: Stony Run, classified for the following use: warm water fishes. Application received: April 30, 2012.

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

The outfall listed below discharge to Stony Run.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Pit Sump/Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable 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

Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 5, PO Box 8476, Harrisburg, PA 17105-8476.

E-5410-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, 400 Market Street, 13th Floor, P.O. Box 69205, Harrisburg, PA 17106-9205. New Gilberton Pump Station Project, in Gilberton Borough, **Schuylkill County**, (Shenandoah, PA Quadrangle Latitude: 40.799876, Longitude: -76.208350). The Department proposes to install a new pump station with appurtenances and more specifically: (1) construction of pumping equipment, controls and appurtenances on a concrete slab foundation within the flood fringe of the 100-year floodplain of Mahanoy Creek, (2) site work associated with project includes erosion and sediment control measures, grading, borehole drilling and connection to utilities, and (3) permanent operation and maintenance of pumping equipment and appurtenances by the Department. The project proposes to directly affect a total of approximately 0.01 acre of flood fringe within the 100-year floodplain and received previous authorization by the Department for the work under Emergency Permit EP-5410-001 issued on September 21, 2016.

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E46-1140. Towamencin Township, 253 Troxel Road, P.O. Box 303, Kulpsville, PA 19438, Towamencin Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a 12-foot wide Timber pedestrian Bridge situated along the Towamencin Creek (TSF, MF) and measuring approximately 40 feet in length

associated with the existing trail system in the Township. The project also includes the trail about 3,900 feet long within the floodway and floodplain and crossing two existing culverts to connect the existing trails.

The trail is located between Valley View Lane to existing trail at the Trumbauer Road intersection with Kriebel Road (Lansdale, PA USGS Quadrangle, Latitude: 40.217667; Longitude: -75.340006).

E46-1145. Horsham Water and Sewer Authority, 617 Horsham Road, Horsham, PA 19044, Horsham Township, Horsham, PA 19044, **Montgomery County**; ACOE Philadelphia District.

To perform the water obstruction and encroachment activities listed below within the floodway and floodplain of Pennypack Creek (WWF), as part of the Horsham Water and Sewer Authority (HWSA) PFC Treatment System Project for HWSA Well No. 20 as follows:

1. To demolish the existing Well 20 building and construct and maintain a new 24' × 40' PFC treatment building in its place.
2. To construct and maintain a new 12' diameter backwash holding tank on a concrete pad.
3. To construct and maintain a new water line and new gravity sewer line and sewer manhole.
4. To construct and maintain a new widened existing paved driveway.

The proposed project is located along Pennypack Creek on a HWSA property at 331 Summer Avenue in Horsham Township, Montgomery County. (USGS Quadrangle AMBLER PA—Latitude 40° 10' 40.7797"—Longitude 75° 7' 34.5726").

E46-1147. Horsham Water and Sewer Authority, 617 Horsham Road, Horsham, PA 19044, Horsham Township, Horsham, **Montgomery County**; ACOE Philadelphia District.

To perform the water obstruction and encroachment activities listed below within the floodway and floodplain of Park Creek, a tributary to Little Neshaminy Creek (WWF), as part of the Horsham Water and Sewer Authority (HWSA) PFC Treatment System Project for HWSA Well No. 19 as follows:

1. To construct and maintain a new 24' × 40' PFC treatment building.
2. To construct and maintain a new 12' diameter backwash holding tank on a concrete pad.
3. To construct and maintain a new water line and new gravity sewer line and sewer manhole.
4. To construct and maintain a new expanded paved driveway and parking area.

The proposed project is located along Park Creek on a HWSA property at 1028 Limekiln Pike in Horsham Township, Montgomery County. (USGS Quadrangle AMBLER PA—Latitude 40° 12' 05"—Longitude 75° 11' 10").

E15-879. Cannery Row Properties, LP, 649 West South Street, Kennett Square, PA 19348, Kennett Square Borough, **Chester County**, ACOE Philadelphia District.

To construct and maintain an underground storm water facility in and along a UNT to the West Branch of Red Clay Creek (TSF, MF) associated with the construction of mixed use development.

The site is located near an intersection of South Mill Road and West Cypress Street (Kennett Square, USGS map; Lat.: 39.8435; Long. -75.7211).

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E35-465. Scranton Sewer Authority, 312 Adams Avenue, Scranton, PA 18503, in City of Scranton, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a new underground pump station and an above ground generator building. The generator building will be on piers that will elevate it above the 100-year floodplain elevation. The project is located along Point Road (Scranton, PA Quadrangle, Latitude: 41°24'22"; Longitude: -75°38'19").

E40-783. Anthracite Scenic Trails Association, P.O. Box 212, Dallas, PA 18612, in Dallas Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with an 8-foot wide, 2,600-L.F. gravel walking trail as part of the Anthracite Scenic Trails Association:

- 1) A 25-foot long, 8-foot wide wooden bridge having a 2-foot underclearance crossing an Unnamed Tributary to Toby Creek (CWF, MF).
- 2) A 125-foot long, 8-foot wide wooden bridge having a 2-foot underclearance crossing EV wetlands and an Unnamed Tributary to Toby Creek (CWF, MF).
- 3) A 115-foot long, 8-foot wide wooden bridge having a 2-foot underclearance crossing EV wetlands.
- 4) A 40-foot long, 8-foot wide wooden bridge having a 2-foot underclearance crossing EV wetlands.

The project is located approximately 900 feet east of the intersection of S.R. 309 and Dorchester Road (Kingston, PA Quadrangle, Latitude: 41°19'50"; Longitude: -75°56'48").

E40-784. PPL Electric Utilities, Inc., 1639 Church Road, Allentown, PA 18104-9342, in Dennison Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the replacement and maintenance of an existing overhead electric utility line crossing of Reilly Creek (CWF, MF) and adjacent EV wetlands.

- 1) Remove two existing wooden electric utility monopole structures located within EV wetlands to replace the structures in-kind.
- 2) A wooden electric utility monopole structure within EV wetlands.
- 3) A temporarily crossing of 380-LF of EV wetlands and 20-LF of Reilly Creek (CWF, MF) with a ground-laid electric cable. Subsequent to the completion of an adjacent PennDOT bridge replacement project, this ground-laid cable will be removed the applicant will construct an overhead electric utility line crossing of 380-LF of EV wetlands and 20-LF of Reilly Creek (CWF, MF).

The project is located along the eastern shoulder of S.R. 437, approximately 0.1 mile southeast of the intersection of S.R. 437 and Dixon Lane (White Haven, PA Quadrangle, Latitude: 41°5'32.55"; Longitude: -75°49'0.76").

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

E22-629: Millersburg Borough, 101 West Street, Millersburg, PA 17061, Millersburg Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District. 1) Installation of approximately 242 feet of R-8 Riprap stream bank stabilization between Center St. and Union St., 2) installation of 70 linear feet of R-8 Riprap apron between Center St. and Union St., 3) installation of 69 feet of 51-inch by 48-inch concrete box culvert, 4) installation of 42 feet of 60-inch HDPE, 5) installation of 33 feet of 60-inch HDPE, 6) installation of 89 feet of 60-inch HDPE, 7) installation of 101 feet of 60-inch HDPE, 8) installation of 15 feet of 60-inch HDPE, 9) installation of 122 feet of 66-inch SRPE, 10) 18 feet of 60-inch HDPE, 11) installation of 83 feet of 60-inch HDPE 12) installation of 35 feet of 60-inch HDPE, 13) installation of 36 feet of 60-inch RCP, 14) construction of 179 feet of 66-inch SRPE and associated 36 L.F. R-7 riprap apron, 15) construction of a retaining wall and stilling basin just south of Center St., and 16) connection of 8 stormwater outfalls to the relocated stream enclosure in an unnamed tributary to Wiconisco Creek (CWF, MF) (Millersburg Quadrangle 40° 32' 23" N, 76° 57' 2" W). Total earth disturbance is less than one (1) acre. There are no wetlands located in the project area.

E22-630: Upper Paxton Township, 506 Berrysburg Road, Millersburg, PA 17061, Upper Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

1) Installation and maintenance of 190 feet of 60-inch HDPE pipe conveying an unnamed tributary to Wiconisco Creek (CWF, MF). The project is located southeast from the intersection of Chelton Ave. and Plum St. (Millersburg Quadrangle 40° 32' 22" N, 76° 57' 2" W). Total earth disturbance is less than one (1) acre. There are no wetlands located in the project area.

E21-453: UGI Utilities, Inc., 1301 AIP Drive, Middletown, PA 17057, in South Middletown Township and Carlisle Borough, **Cumberland County**, U.S. Army Corps of Engineers Baltimore District.

The application proposes to bore and maintain a 12.0-inch steel natural gas utility line under LeTort Spring Run (EV, MF) and associated wetlands, impacting 93.0 linear feet of stream, 0.1 acre of floodway, and 0.1 acre of Exceptional Value (EV) Palustrine Emergent (PEM) wetland, located southwest of the intersection of South Spring Garden Street and Interstate-81 in South Middletown Township and Carlisle Borough (Latitude: 40° 11' 16.78"; Longitude: -77° 11' 8.17") for the purpose of providing natural gas service to Carlisle and the surrounding area. No loss of wetland is proposed and therefore no compensatory wetland mitigation is required as part of this project.

E21-454: Plenary Walsh Keystone Partners, Lower Allen Township, **Cumberland County** & Fairview Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structures and to install and maintain 1) a two-span concrete spread box beam bridge, having a total span of 155.0 feet, a width varying from 42.0 feet to 43.65 feet, and an underclearance of 13.4 feet, all over Yellow Breeches Creek (CWF-MF) (Latitude 40°12'43.90", Longitude -76°54'23.91"), and 2) a 48.0-inch Reinforced Concrete Pipe with a length of 78.75 feet in a millrace located within the floodway of Yellow Breeches

Creek (Latitude 40°12'43.57", Longitude -76°54'25.79"), all along Spanglers Mill Road (SR 2031) in Lower Allen Township, Cumberland County and Fairview Township, York County. The project will permanently impact 0.14 acre of floodway and will temporarily impact 0.24 acre of floodway and 0.08 acre of Palustrine Emergent (PEM) wetland. The purpose of the project is to improve the roadway to current safety standards.

E50-260: Pennsylvania Game Commission (PGC), 2001 Elmerton Avenue, Harrisburg, PA 17110, in Rye Township, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain 25 linear feet of a 14 foot wide bridge, composed of 6 steel beams, pressure treated wood decking and concrete abutments, spanning an Unnamed Tributary to Fishing Run (WWF, MF), to accommodate an existing access drive on State Game Lands (Latitude: 40° 20' 11"N; Longitude: 77° 06' 49"W). No wetland impacts are proposed.

E44-151: Mifflin County, 20 North Wayne St., Lewistown, PA 17044, Bratton Township, **Mifflin County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain an asphalt parking area within the floodplain of the Juniata River (WWF, MF). The project proposes 0.22 acre of impact.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E18-501: Renovo Energy Center, LLC, 12011 Sunset Hills Road, Suite 100, Reston, VA 20190, Noyes, Chapman, and Leidy Townships; Renovo Borough, **Clinton County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16 inch diameter natural gas gathering line HDD crossing of Shintown Run (HQ-CWF, MF) impacting 30 square feet (Renovo West, PA Quadrangle 41.325708N, -77.814961W);

2) a temporary road crossing using an existing 20 foot long, 15 inch diameter HDPE pipe crossing an unnamed tributary to Swamp Draft (HQ-CWF, MF) impacting 165 square feet (Renovo West, PA Quadrangle 41.333744N, -77.804875W);

3) a 16 inch diameter natural gas gathering line HDD crossing of Drury Run (CWF, MF) impacting 44 square feet (Renovo West, PA Quadrangle 41.335903N, -77.783572W);

4) a 16 inch diameter natural gas gathering line HDD crossing of Brewery Run (HQ-CWF, MF) impacting 56 square feet (Renovo West, PA Quadrangle 41.340125N, -77.770583W);

5) a 16 inch diameter natural gas gathering line HDD crossing of an unnamed tributary to Brewery Run (HQ-CWF, MF) impacting 18 square feet (Renovo West, PA Quadrangle 41.341636N, -77.765922W);

6) a temporary road crossing using 20 foot long, 18 inch diameter corrugated metal pipe, and a 16 inch diameter natural gas gathering line crossing an unnamed tributary to Brewery Run (HQ-CWF, MF) impacting 266 square feet (Renovo West, PA Quadrangle 41.341631N, -77.764711W);

7) a temporary road crossing using 20 foot long, 18 inch diameter corrugated metal pipe, crossing an un-

named tributary to Brewery Run (HQ-CWF, MF) impacting 152 square feet (Renovo West, PA Quadrangle 41.342356N, -77.762356W);

8) a temporary road crossing using 20 foot long, 18 inch diameter corrugated metal pipe, and a 16 inch diameter natural gas gathering line crossing an unnamed tributary to the West Branch Susquehanna River (WWF, MF) impacting 279 square feet (Renovo West, PA Quadrangle 41.333464N -77.759264W);

9) a temporary road crossing using 20 foot long, 18 inch diameter corrugated metal pipe, and a 16 inch diameter natural gas gathering line crossing an unnamed tributary to the West Branch Susquehanna River (WWF, MF) impacting 125 square feet (Renovo West, PA Quadrangle 41.329836N, -77.755272W);

10) a temporary wood mat bridge crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 2,768 square feet (Renovo West, PA Quadrangle 41.342181N, -77.763525W);

11) a temporary wood mat bridge crossing an exceptional value palustrine emergent (EV-PEM) wetland impacting 1,484 square feet (Renovo West PA Quadrangle 41.342608N, -77.761461W);

12) an access road crossing of an unnamed tributary to Brewery Run (HQ-CWF, MF) temporarily impacting 154 square feet and permanently impacting 139 square feet (Renovo West, PA Quadrangle 41.343482N, -77.763591W);

13) an access road crossing of an unnamed tributary to Brewery Run (HQ-CWF, MF) temporarily impacting 51 square feet and permanently impacting 193 square feet (Renovo West, PA Quadrangle 41.342485N, -77.762577W);

14) a permanent electrical substation and corresponding berm impacting 731 square feet of an unnamed tributary to Brewery Run (HQ-CWF, MF) (Renovo West, PA Quadrangle 41.343124N, -77.762270W);

15) a permanent power plant impacting 2,340 square feet of an unnamed tributary to the West Branch Susquehanna River (WWF, MF) (Renovo West, PA Quadrangle 41.329527N, -77.755531W)

16) a permanent culvert replacing a channel created when an existing culvert collapsed of an unnamed tributary to the West Branch Susquehanna River (WWF, MF) impacting 6,625 square feet (Renovo West, PA Quadrangle 41.329069N, -77.747601W);

17) a permanent conversion of culvert flow to open channel flow of two different unnamed tributaries to the West Branch Susquehanna River (WWF, MF) impacting up to 5,435 square feet (Renovo West, PA Quadrangle 41.333479N, -77.759264W);

18) a culvert replacement improving culverts of two different unnamed tributaries to the West Branch Susquehanna River (WWF, MF) temporarily impacting 5,881 square feet (Renovo West, PA Quadrangle 41.329674N, -77.756198W);

19) a permanent intake and discharge structure, including associated piping in the West Branch Susquehanna River (WWF, MF) impacting 10,782 square feet;

20) an access road crossing a wetland in the floodplain of the West Branch Susquehanna River (WWF, MF) impacting 2,119 square feet of palustrine forested wetland and 1,760 square feet of palustrine scrub shrub wetland (Renovo West, PA Quadrangle 41.324459N, -77.755649W);

The project will result in 17,070 square feet (0.39 acre) of temporary stream impacts, 15,324 square feet (0.35

acre) of permanent stream impacts, 4,252 square feet (0.10 acre) of temporary wetland impacts, and 4,016 square feet (0.09 acre) of permanent conversion wetland impacts all for the purpose of installing natural gas gathering lines, associated access roadways, meter and pressure reducing valve pads, aerial transmission lines, switchyards, intake/discharge line, and power plant facility. Perennial streams (with Aquatic Life Use Designation) found within the study area include: Dry Run (High-Quality Cold Water Fishery), Shintown Run (High-Quality Cold Water Fishery), Drury Run (Cold Water Fishery), Brewery Run (High-Quality Cold Water Fishery), Twomile Run (Trout Stock Fishery), and West Branch Susquehanna River (Warm Water Fishery). All of these are also classified as Migratory Fish streams under the Chapter 93 designation.

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

E02-1585-A2, Pennsylvania American Water Company (PAWC), 800 West Hershey Park Drive, Hershey, PA 17033, Baldwin Borough and City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

The applicant is proposing to:

Amend permit number E02-1585 (which authorized Pennsylvania American Water to remove the existing structures in and along the Monongahela River; to construct and maintain a raw water intake structure consisting of two 60-inch passive screens and two 42-inch diameter water intake pipes in the Monongahela River; to operate and maintain the existing intake structure in the Monongahela River; to construct and maintain the new Becks Run Raw Water Pump Station in the floodplain of the Monongahela River and Becks Run; to construct and maintain two dolphins next to the new raw water intake in the Monongahela River and to construct and maintain a 36' discharge transmission main under Becks Run) to construct and maintain three (3) utility line stream crossings that will be accomplished by boring under existing concrete box culverts that carry Becks Run (WWF) and two unnamed tributaries to Becks Run (WWF) under Becks Run Road. These utility line stream crossings are associated with the replacement of approximately 6,500 linear feet of a 42-inch diameter raw water main replacement along Becks Run Road from its intersection with Agnew Avenue to approximately 400 feet southwest of its intersection with Bajo Street/Parkwood Road (Pittsburgh East, PA USGS Topographic Quadrangle; Latitude: 40° 24' 15"; Longitude: -79° 58' 33"; Pittsburgh ACOE District; Sub-basin 19A), in Baldwin Borough/City of Pittsburgh, Allegheny County. Boring under the culverts will impact approximately 15 linear feet of stream channel. The purpose of this project is to replace three (3) existing, 24-inch diameter raw water mains with a single, 42-inch diameter water main, to provide raw water to the Hays Mine Water Treatment Plant. The proposed 42-inch water main will connect to the existing water mains at both ends of the proposed alignment.

E02-1733, Frank Bryan, Inc., 100 South 3rd Street, Pittsburgh, PA 15219, City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

The applicant is proposing to:

Construct and maintain 385 LF of river retaining wall along 330 LF of the Monongahela River (WWF, N), with a maximum height of 10-feet above the normal water line. For the purpose of providing additional space for the

expansion of Frank Bryan, Inc.'s barge unloading operations and to increase the length of their existing wall for the safe mooring of barges at the landing, which is located along the southern shore of the Monongahela River just downstream of the Liberty Bridge (Pittsburgh East, PA USGS topographic quadrangle; Latitude 40°25'54.230"; Longitude -79°59'53.815"; Sub-basin 19A; Pittsburgh Corps District), in the City of Pittsburgh, Allegheny County. This project will permanently impact approximately 330 LF of watercourse.

E02-1745, Township of Moon, 1000 Beaver Grade Road, Moon Township, PA 15108-2984, Moon Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant is proposing to:

Construct, operate, and maintain three pedestrian bridge crossings and three temporary stream crossings along Meeks Run (TSF) and a UNT to Meeks Run (TSF) for the purpose of constructing a hiking trail that will connect Moon Park Trails to the Hollow Oak Land Trust trails. The project is located south of Downing Drive, in Moon Park (Quadrangle: Oakdale, PA; Latitude: 40° 29' 25"; Longitude: -80° 9' 42"; Sub-basin 20G; Chapter 93 Type: TSF), in Moon Township, Allegheny County. The project will cumulatively impact 30 LF of stream, and will temporarily impact 30 LF of stream.

E30-250, Center Township, 100 Municipal Drive P.O. Box 435, Rogersville, PA 15359, Center Township, **Greene County**, Pittsburgh ACOE District.

The applicant is proposing to:

Remove an existing 27 LF—72 in steel culvert, which conveys Claylick Run (HQ-WWF) underneath Muddy Hollow Road (T521), and to construct and maintain in its place a 67 LF—72 in aluminum arch culvert with an under clearance of 4 ft and a width of 10 ft, with an additional 10 feet of wingwalls and a rock apron; for the purpose of replacing a structurally deficient bridge and to widen Muddy Hollow Road. The project is located at the intersection of Muddy Hollow Road and Claylick Road (SR 3022) (Rogersville, PA U.S.G.S. Topographic Quadrangles; Latitude: 39° 52' 59.32"; Longitude: -80° 21' 25.4"; Sub-basin 20E), in Center Township, Greene County.

E63-686, Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275, Morris Township, **Washington County**, Pittsburgh ACOE District.

The applicant is proposing to:

1. Remove an existing 69'-1.5" long by 30'-4.5" wide, single span, steel beam bridge over Tenmile Creek (TSF), with an under clearance of 14'-8";

2. Construct & maintain a replacement, 95' long by 39'-9" wide, single span, pre-stressed concrete spread box beam bridge over Tenmile Creek, with an under clearance of 13'-3";

3. Construct and maintain rock slope protection in the floodway on the upstream and downstream side of the aforementioned structure, R-7 rock riprap scour protection chocked with R-4 rock along both abutments, and associated improvements to the guiderails and approach roads;

4. Remove and replace an existing 18" outfall pipe in the floodplain of Tenmile Creek; and

5. Place and maintain fill in 110 linear feet of an existing unnamed tributary to Tenmile Creek (aka

UNT-1) (TSF), and to construct and maintain 188 linear feet of new, relocated channel.

For the purpose of replacing the existing structurally deficient structure over Tenmile Creek. The project is located at State Route 0221, Segment 0080, Offset 2172, approximately 0.8 mile from the intersection between State Route 0018 & State Route 0221, in Prosperity, PA 15329. (Prosperity USGS Topographic Quadrangle, Latitude: 40° 02' 03", Longitude: -80° 15' 59"; Sub-basin: 19B; Pittsburgh Corps District), in Morris Township, Washington County. This project will impact approximately 151 linear feet of Tenmile Creek and 110 linear feet of UNT to Tenmile Creek.

E63-690, Washington County Planning Commission, Arden Road (T-586), Washington, PA 15301, Chartiers Township, **Washington County**, Pittsburgh ACOE District.

The applicant is proposing to:

1. Replace an existing 16' wide by 21' long, single span bridge over Arden Creek (WWF), with a 32' wide by 21' long, single span bridge over Arden Creek. Under clearance to remain the same from existing to proposed conditions;

2. Grade and repave the approach roads to the proposed bridge structure, widening the existing road to a width of 40'; and

3. Remove and relocate an 18" stormwater outfall pipe in the floodway of Arden Creek.

For the purpose of improving the existing bridge and entrance to the Washington County Fair Building over Arden Creek. The project is located on Arden Road approximately 0.1 mile from the intersection between Arden Road and North Main Street, in Washington, PA 15301. (Washington West USGS Topographic Quadrangle, Latitude: 40° 12' 30"; Longitude: -80° 15' 23"; Sub-basin 20-F; Pittsburgh Corps District), in Chartiers Township, Washington County. This project will impact approximately 72 linear feet of Arden Creek.

E65-984, Pennsylvania Turnpike Commission, 700 S. Eisenhower Blvd., Middletown, PA 17057, Municipality of Murrysville and Penn Township, **Westmoreland County**, Pittsburgh ACOE District.

The applicant is proposing to:

1. Construct and maintain a 92' 1" single span, pre-stressed concrete bridge with a minimum underclearance of 17' 3" to convey SR 4033 over Lyons Run (TSF);

2. Remove the existing 45' 9" single span steel beam structure (WB-500B) bridge that conveys SR 4033 over Lyons Run (TSF);

3. Replace and maintain an existing culvert with a 14' × 90' precast box culvert in a UNT to Lyons Run (aka S-68) (TSF);

4. Realign and maintain 107 LF of the aforementioned UNT to Lyons Run (TSF) to convey the stream through the proposed culvert;

5. Construct and maintain riprap bank stabilization of 80 LF of the aforementioned UNT to Lyons Run (TSF);

6. Construct and maintain two 18" pipe outfall replacements in the aforementioned UNT to Lyons Run (TSF);

7. Construct and maintain a 3.5' × 190' reinforced concrete pipe enclosure in a UNT to Lyons Run (aka S-67) (TSF);

8. Construct and maintain four 18" pipe outfalls and rock aprons to UNT to Lyons Run (aka S-15) (TSF);

9. Place and maintain fill and an outlet structure in 0.002 acre "Wetland W-17" (PEM) to facilitate construction of eastbound access ramp; and

10. Restore approximately 300 LF of the south streambank of Lyons Run (TSF) through bank grading and vegetative plantings as compensation for the stream loss associated with the project.

The proposed activity is associated with the realignment of SR 4033 to accommodate the proposed widening of the Pennsylvania Turnpike (I-76). The project is located north of the crossing of SR 4033 over the Pennsylvania Turnpike (Murrysville, PA Quadrangle; Latitude: 40° 24' 16" Longitude: -79° 42' 42") in Penn Township and the Municipality of Murrysville, Westmoreland County.

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

E25-784, Millcreek Township. **Joe's Gym Channel Dredging**, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42° 04' 31", W: -80° 10' 20").

To perpetually remove, at a minimum annual interval and as conditions warrant, accumulated sediment and

debris from the stream channel of an unnamed tributary to Wilkins Run to original stream channel contours for a distance of approximately 480 feet beginning at the inlet of the West 26th Street culvert, located approximately 2,000 feet east of the West 26th Street and Asbury Road intersection, upstream to the outlet of the West 28th Street culvert in Millcreek Township, Erie County.

ENVIRONMENTAL ASSESSMENTS

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

EA24-054, City of St. Mary's, 11 Lafayette Street, St. Mary's, PA 15857. **Elk Creek Railroad Bridge Removal Project**, in City of St. Mary's, **Elk County**, ACOE Pittsburgh District (St. Mary's, PA Quadrangle N: 41° 25', 44.93"; W: 78° 33', 20.84").

To completely remove an abandoned railroad bridge over Elk Creek (CWF) adjacent to the Cobblestone Hotel located in the City of St. Mary's, Elk County. Construction activities include the removal of the existing railroad ties, rails, steel bridge beams, concrete abutments and wing walls, grading of stream banks and stabilization of disturbed areas. This project is being reviewed as a restoration plan to be eligible for waiver of permit requirements under 105.12(a)(11).

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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0246760 (Sewage)	Franklin County General Authority 5000 Letterkenny Road Suite 230 Chambersburg, PA 17201	Greene Township Franklin County	Dry Swale to Unnamed Tributary of Conococheague Creek	Y
PA0260118 (Sewage)	Chesapeake Estates MHP of New Oxford 575 Kohler School Road New Oxford, PA 17350-9490	Mount Pleasant TWP Adams County	Chesapeake Bay	Y
PA0261378 (Sewage)	Sheetz Clark Ferry Store # 461 5700 Sixth Ave Altoona, PA 16602	Reed TWP Dauphin County	Susquehanna River in Watershed 6-C	Y

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?
PA0112275 (Industrial)	Con Lime Bellefonte Facility 965 E College Avenue Bellefonte, PA 16823	Centre County Benner Township	Buffalo Run (9-C)	Yes
PA0112704 (Sewage)	Susquehanna RV 2084 Route 522 Selinsgrove, PA 17870-8727	Columbia County Montour Township	Montour Run (5-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0030686 (Sewage)	Cross Creek Resort 3815 State Route 8 Titusville, PA 16354-7373	Venango County Cherrytree Township	Cherrytree Run (16-E)	Yes

II. NPDES Renewal Permit Actions

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

NPDES Permit No. PA0252921, Sewage, **Dana Mining Co. of PA LLC**, 103 Corporate Drive, Suite 102, Morgantown, WV 26501-4582, Dunkard Township, **Greene County**.

The following notice reflects changes to the notice published in the 46 Pa.B. 5110 (August 20, 2016):

Monitoring frequency for Dissolved Oxygen, pH and Total Residual Chlorine has been reduced from 1/day to 3/week.

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

NPDES Permit No. PA0026492, Sewage, SIC Code 4952, **Scranton Sewer Authority**, 312 Adams Avenue, Scranton, PA 18503.

This existing facility is located in Scranton City, **Lackawanna County**.

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

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

NPDES Permit No. PA0055328, Sewage, **New Morgan Landfill Co. Inc.**, 420 Quarry Road, P.O. Box 128, Morgantown, PA 19543-0128.

This proposed facility is located in New Morgan Borough, **Berks County**.

Description of Proposed Action/Activity: to discharge from a facility known as Conestoga Landfill, located in New Morgan Borough, Berks County, to the Conestoga River in Watershed(s) 7-J.

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

NPDES Permit No. PA0232777, CAFO, SIC Code 0252, **Roaring Creek Egg Farms LLC**, 190 Tyson School Road, Catawissa, PA 17820-8212.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new poultry facility.

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

NPDES Permit No. PA0264601, Sewage, SIC Code 8800, **William P Shaffer, Jr.**, 9660 Old Route 99, McKean, PA 16426.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0264741, Sewage, SIC Code 8800, **Frank D Malek**, PO Box 24, Spring Creek, PA 16436.

This proposed facility is located in Spring Creek Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0264610, Sewage, SIC Code 8800, **Dale L Hess**, 9625 Tileyard Road, Waterford, PA 16441.

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

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. 4616402, Sewage, **Towamencin Municipal Authority**, 2225 Kriebel Road, Lansdale, PA 19446.

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

Description of Action/Activity: Reconstruction of 6,293 feet of sanitary interceptor sewer.

WQM Permit No. 1599418, Sewage, Renewal, **East Whiteland Township**, 209 Conestoga Road, Frazer, PA 19355.

This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Action/Activity: Approval for renewal to allow continued operation of a sewage treatment plant with spray irrigation system.

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

WQM Permit No. 0115403, Sewerage, **Chesapeake Estates Mobile Home Park**, 575 Kohler School Rd. New Oxford PA 17350-9490.

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

Description of Proposed Action/Activity: Construction of a Modified Ludzack—Ettinger (MLE) treatment plant to serve existing 175 mobile homes and 119 future mobile homes in the Chesapeake Estate Mobile Home Park.

WQM Permit No. 2210401 A2, Sewerage, **Sheetz Clarks Ferry Store # 461**, 5700 Sixth Ave., Altoona, PA 16602.

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

Description of Proposed Action/Activity: This permit amendment approves the modification and operation of sewage facilities consisting of two 5,000 gallon flow equalization tanks, about 585 feet of 8-inch PVC gravity effluent line and a 2-inch force main and an effluent pump station (as backup).

WQM Permit No. 3616402, Sewerage, **East Cocalico Township Water Authority**, P.O. Box 402, Reamstown, PA 17567-0602.

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

Description of Proposed Action/Activity: Upgrade of the existing Stevens Pumping station.

WQM Permit No. 6716404, Sewerage, **Roundtop Mountain Resort**, 925 Roundtop Road, Lewisberry, PA 17739.

This proposed facility is located in Warrington Township, **York County**.

Description of Proposed Action/Activity:

- 1) One (1) 37,500 gallon cast in place concrete dual compartment septic tank
- 2) One (1) 1,000 gallon cast in place concrete dual compartment septic tank
- 3) One (1) 100,000 gallon cast in place concrete equalization tank
- 4) One (1) 10 feet × 12 feet Control building shed to house one blower and one booster pump.
- 5) Two (2) additional elevated sand mounds.
- 6) Three E-One pump stations to pump septic tank effluent to the equalization tank.

WQM Permit No. 2116406, Sewerage, **South Middleton Township Municipal Authority**, 345 Lear Lane, Boiling Springs, PA 17007.

This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: South Middleton TWP Municipal Authority (SMTMA) owns and operates the existing Pumping Station # 3. PS # 3 collects wastewater from sections of South Middleton TWP and pumps that wastewater to a gravity interceptor. The interceptor conveys flow to a wastewater treatment plant located in Mount Holly Springs Borough. Upgrade within existing PS # 3 such as replacement of pumps, comminutor, electrical and control upgrades.

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

WQM Permit No. 2516408, Sewage, SIC Code 8800, **William P Shaffer, Jr.**, 9660 Old Route 99, McKean, PA 16426.

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

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

WQM Permit No. 6216406, Sewage, **Frank D Malek**, PO Box 24, Spring Creek, PA 16436.

This proposed facility is located in Spring Creek Township, **Warren County**.

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

WQM Permit No. 4305403 A-1, Sewage, **Martha & Nathan Palm**, 134 N Maysville Road, Greenville, PA 16125-8632.

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

Description of Proposed Action/Activity: Amendment to install a dechlorinator at the Anderson MHP wastewater treatment plant.

WQM Permit No. 2516409, Sewage, **Dale L Hess**, 9625 Tileyard Road, Waterford, PA 16441.

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

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

WQM Permit No. 4316404, Sewage, **Susan First**, 1090 Linn-Tyro Road, Hadley, PA 16130-2832.

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

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

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01461001(5)	Jacqueline Siciliano 1120 Fairchild Street Horsham, PA 19044	Montgomery	Horsham Township	Park Creek WWF-MF
PAI014612002(2)	Montgomery County Planning Commission P.O. Box 311 Norristown, PA 19404	Montgomery	Norristown Municipality	Schuylkill River WWF-MF Sawmill Run WWF-MF
PAD150004	Immaculata University 1145 King Road Immaculata, PA 19345	Chester	East Whiteland Township	Valley Creek EV
PAI011516016	West Pikeland Township 1645 Art School Road Chester Springs, PA 19425	Chester	West Pikeland Township	Pickering Creek POI No. 2 HQ-TSF
PAI010915002(1)	Bucks County Industrial Development Authority 11 Weldon Drive Suite 100 Doylestown, PA 18901	Bucks	Sellersville Borough	East Branch Perkiomen Creek TSF-MF

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>
PAI025216004	Masthope Mountain POC 192 Karl Hope Blvd Lackawaxen, PA 18435	Pike	Lackawaxen Township	UNT to Delaware River (HQ-CWF, MF)
PAD450001	Falls Road Funding, LLC 8280 Greensboro Drive Suite 601 McLean, VA 22102 Piney Road Development, LLC 102 Wintergreen Lane Buck Hill Falls, PA 18323	Monroe	Barrett Township	Unnamed Tributary to Brodhead Creek (HQ-CWF, MF) Buckhill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033615009 Issued	Dale Bollinger 107 Center Road Quarryville, PA 17566	Lancaster	East Drumore Township	UNT to Conowingo Creek (HQ-CWF, 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>
PAI056314005	Eighty Four Land Company 614 Robinhood Lane Canonsburg, PA 15317	Washington County	Somerset Township	Opossum Run (HQ-WWF)

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

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

List of NPDES and/or Other General Permit Types

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

*General Permit Type—PAG-02**Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bryn Athyn Borough Montgomery County	PAG02004616064	Bryn Athyn College 2945 College Drive Bryn Athyn, PA 19009	Unnamed Tributary to Huntingdon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Pottsgrove Township Montgomery County	PAG02004616012	Hacker Properties, LLC 2478 Old Route 100 Barto, PA 19504	Sprogles Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAC090009	Upper Makefield HLDGS, LLC 4030 Skyron Drive Suite G Doylestown, PA 18902	Hough Creek WWF Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warwick Township Bucks County	PAC090003	Shihadeh Contracting, LLC 2357 Tohickon Lane Warrington, PA 18976	Tributary to Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Buckingham Township Bucks County	PAC090015	Zaveta Custom Homes, LLC 4030 Skyron Drive Doylestown, PA 18902	Pidcock Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Towamensing Township and Palmerton Borough Carbon County	PAG02001316003	Palmerton Area School District 680 Fourth St. Palmerton, PA 18071	Aquashicola Creek (TSF, MF) Mill Creek (CWF, MF)	Carbon County Conservation District 610-377-4894
Jessup Borough Lackawanna County	PAC350002	Kiewit Power Constructors Co. 9401 Renner Blvd. Lenexa, KS 66219	Grassy Island Creek (CWF, MF) UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
Jessup Township Susquehanna County	PAC580001	Frank Nickens Clearwater Technology LLC 646 Lake Avenue Montrose, PA 18810	East Branch Wyalusing Creek (CWF, MF)	Susquehanna County Conservation District 570-278-4600

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Londonderry Township Lebanon County Issued	PAG02003814016(1)	Jeffrey Shireman 1200 Grubb Road Palmyra, PA 17078	UNT Killinger Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Lebanon Township Lebanon County Issued	PAG02003816026	Stephen Martin 144 Mountain Road Newmanstown, PA 17073	UNT Tulpehocken Creek (CWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Clay Township Lancaster County Issued	PAG02003616099	Edwin Kurtz 535 Indian Run Road Ephrata, PA 17522	UNT Indian Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, ext. 5
East Cocalico Township Lancaster County Issued	PAG02003615110	Woodcrest Retreat Association 225 Woodcrest Drive Ephrata, PA 17522	Coover Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, ext. 5
West Donegal Township Lancaster County Issued	PAG02003616046	Michael Katzenmover One Masonic Drive Elizabethtown, PA 17022	Conoy Creek (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, x5
East Hempfield Township Lancaster County Issued	PAG02003616053	Philip Frey 1650 Crooked Oak Drive Suite 300 Lancaster, PA 17601	Swarr Run and UNT Little Conestoga Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, ext. 5
Colerain Township Lancaster County Issued	PAG02003616085	Amos Stoltzfus 1543 North Valley Road Quarryville, PA 17566	Bells Run (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, ext. 5
Fairview Township York County Issued	PAG02006716017	BNS, LLC Steven Krall 60 Yeager Road P O Box 59 Rossville, PA 17358	UNT Yellow Breeches (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County Issued	PAG02006716029	York County Board of Commissioners Michelle P. Hovis 28 East Market Street York, PA 17401	Kreutz Creek Tributary E1 (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Windsor Township York County Issued	PAG0200670603R-1	Chesapeake Holdings Frederick F. Potter 25 S. Charles St. 13th Floor Baltimore, MD 21202	Fishing Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North Hopewell Township York County Issued	PAG02006716041	Greg Innerst 5238 Deer Road Red Lion, PA 17356	North Branch Muddy Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township York County Issued	PAG02006716037	Quigley Motor Company, Inc. Angie Quigley 100 Sunset Drive Manchester, PA 17345	UNT Hartman Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Cornwall Township Lebanon County Issued	PAG02003816025	Mark Hershey Farms Inc. c/o Daryl Alger, CEO 479 Horseshoe Pike Lebanon, PA 17042	Bachman Run (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Annville Township Lebanon County Issued	PAG02003816024	Brent Copenhaver 901 Mount Pleasant Road Annville, PA 17003	Gingrich Run (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Jackson Township Lebanon County Issued	PAG02003816027	John T. Kennedy 2140 Herr Street Harrisburg, PA 17103	UNT Tulpehocken Creek (CWF, MF) Tulpehocken Creek (CWF, TST, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Annville Township North Annville Township Cleona Borough Lancaster County Issued	PAG02003816027	Michael Lantieri 2525 North 12th Street Suite 360 P O Box 12677 Reading, PA 19612	UNT Quittapahilla Creek (TSF, MF) UNT Swatara Creek (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Jackson Township Lancaster County Issued	PAG02003816023	Kirby Martin 123 Wintersville Road Myerstown, PA 17067	Owl Creek (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
East Donegal Township Lancaster County Issued	PAG02003614029(1)	Mike Brubaker 493 Musser Road Mount Joy, PA 17552	Donegal Creek (TSF, CWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, ext. 5
East Lampeter Township Lancaster County Issued	PAG02003613020(1)	SACK, LLC 233 Cliff Lane Elizabethtown, PA 17022	UNT Mill Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, ext. 5
West Cocalico Township Lancaster County Issued	PAG02003616087	Brandon Barry 655 Forest Road Denver, PA 17517	UNT Harnish Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361, ext. 5
Upper Paxton Township Dauphin County Issued	PAG02002216021	Smucker's Greenhouse 211 Phillips Road Millersburg, PA 17061	Wiconisco Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
West Hanover Township Dauphin County Issued	PAG02002216013	Sheetz Inc 5700 6th Avenue Altoona, PA 16602	Manada Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
City of Reading Berks County Issued	PAC06001/ PAG02000616032	Tony Balistrere Berks Catholic High School 955 East Wyomissing Boulevard Reading, PA 19611	Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Bern Township Berks County Issued	PAC060013/ PAG02000616020	Andrew Mele, TCNE Metro Development, Inc. 300 Conshohocken State Road Suite 250 West Conshohocken, PA 19428	Mill Creek (TSF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533
Bern Township Berks County Issued	PAC060014/ PAG02000616025	Kristin Sunday UGI Utilities, Inc. 225 Morgantown Road Reading, PA 19611	Tributary 02149 to Schuylkill River (WWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533
Todd Township Fulton County Issued	PAG02002916002	Fulton County Medical Center 214 Peach Orchard Road McConnellsburg, PA 17233	Big Cove Creek (CWF) UNT Big Cove Creek (CWF)	Fulton County Conservation District 216 North Second Street Suite 15 McConnellsburg, PA 17233 717.485.3547 x4
Everett Bourough Bedford County Issued	PAG02000516005	Borough of Everett Area Municipal Authority 100 Mechanic Street Everett, PA 15537	Raystown Branch of Juniata River (TSF, MF) UNT Raystown Branch of Juniata River (WWF, MF)	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900 x4
Halifax Township Dauphin County Issued	PAG02002216024	Flight Source Inc. 140 Rutter Road P O Box J Halifax, PA 17032	Powells Creek (TSF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAG02002216019	Hoffman Ford Sales, Inc 5200 Jonestown Road Harrisburg, PA 17112	Paxton Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAG02002216022	PA CVS Pharmacy LLC JC Bar Properties Inc 415 Fallowfield Road Suite 301 Camp Hill, PA 17011	Beaver Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Dublin Township Fulton County Issued	PAG02002916003	Melvin L. Bricker 8310 Fort McCord Road Chambersburg, PA 17202	UNT Licking Creek (CWF)	Fulton County Conservation District 216 North Second Street Suite 15 McConnellsburg, PA 17233 717.485.3547 x4

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>
Bradford Woods Borough Marshall Township	PAG02000216093	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	Brush Creek (WWF) Pine Creek (CWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Forward Township	PAG02000216005	EQT Production Company 2400 Zenith Ridge Road Suite 200 Canonsburg, PA 15317	UNT to Monongahela River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
City of Pittsburgh	PAG02000214042	Sports and Exhibition Authority 171 Tenth Street Pittsburgh, PA 15222	Monongahela River Basin (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Upper Saint Clair Township	PAG02000216081	Township of Upper Saint Clair 1820 McLaughlin Run Road Upper Saint Clair, PA 15241	Chartiers Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Neville Township	PAG02000214114	Neville Island Terminal Corporation P.O. Box 2621 Pittsburgh, PA 17105	Ohio River Basin (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Robinson Township	PAG02000216097	KTC 291, LLC 400 Water Street Suite 200 Excelsior, MN 55331	Montour Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Marshall Township	PAG02000215015	Michael Joseph Development Company 215 Executive Drive Suite 301 Cranberry Township, PA 16066-2178	Shenot Run (WWF) UNT to Brush Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Robinson Township	PAC020013	Drury Hotel Development 11331 Coker Loop East San Antonio, TX 78216	Campbells Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
City of Pittsburgh	PAG02000216104	# 1 Cochran Automotive 4520 William Penn Highway Monroeville, PA 15146	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
West Deer Township	PAG02000216056	Nord Sponda Properties LLC 70 Christonia Road Gibsonia, PA 15044	Deer Creek (CWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

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<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>
City of Pittsburgh	PAG02000216065	Bradley Street, LLP 306 Curry Hollow Road Pleasant Hills, PA 15236	Saw Mill Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Merion Township Montgomery County	PAR600117	Mr. George Henderson Sims Metal East, LLC 1 Linden Avenue East Camp Hill, PA 17011	Rock Run 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Falls Township Bucks County	PAG030045	Consolidated Rail Corp 1000 Howard Boulevard Suite 432 Mt. Laurel, NJ 08054	Rock Run 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
City of Philadelphia Philadelphia County	PAG030046	Consolidated Rail Corp 1000 Howard Boulevard Suite 432 Mt. Laurel, NJ 08054	Delaware River 3-J	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
City of Philadelphia Philadelphia County	PAG030047	Consolidated Rail Corp 1000 Howard Boulevard Suite 432 Mt. Laurel, NJ 08054	Frankford Creek 3-J	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Penn TWP York County	PAG033539	CSX Transportation Inc. 4724 Hollins Ferry Rd Baltimore, MD 21227	Oil Creek (Oil Creek Watershed TMDL)/WWF and MF/7H	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Brady TWP Huntingdon	PAG033532	Big Valley Concrete Inc. 629 East Rolling Ridge Drive Bellefonte, PA 16823-8135	Saddler Creek/ TSF and MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Earl TWP Lancaster County	PAG033535	NRB USA Inc. 191 Quality Circle New Holland, PA 17557	Unnamed Tributary to Mill Creek/WWF and MF/7J	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Swatara TWP Lebanon	PAG033533	Len's Concrete Service PO Box 870 Jonestown, PA 17038	Swatara Creek/WWF and MF	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Londonderry TWP	PAG033536	Zeager Brothers Inc. 4000 East Harrisburg Pike Middletown, PA 17057	Unnamed Tributary of Lynch Run (Conewago Creek Watershed TMDL)/TSF and MF/7G	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Connellsville Township Fayette County	PAG036151	Superior Mulch LLC PO Box 201 Connellsville, PA 15425	Mounts Creek—19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Export Borough Westmoreland County	PAR206128	Dura Bond Ind Inc. PO Box 518 2658 Puckety Drive Export, PA 15632-0518	Turtle Creek—19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-9

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Upper Nazareth Twp. Northampton County	PAG092211T	Yeska Septic Service LLC 829 Georgetown Rd Nazareth, PA 18064	2880 Blossom Hill Rd Nazareth, PA 18064	NERO 2 Public Square Wilkes-Barre, PA 18701-1915 (570) 826-2511

General Permit Type—PAG-12

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Spring Township Snyder County	PAG124804	Stones Hog Production, LLC 12547 Stage Road McClure, PA 17841-8274	Unnamed Tributary to Middle Creek— 6-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Beaver Township Snyder County	PAG124855	Ideal Family Farms, LLC PO Box 215 Selinsgrove, PA 17870-0215	Wetzel Run—6-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate

statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4616520, Public Water Supply.

Applicant **Schwenksville Borough Authority**
298 Main Street
P.O. Box 458
Schwenksville, PA 19473-0458

Borough Schwenksville

County **Montgomery**

Type of Facility PWS

Consulting Engineer Ebert Engineering, Inc.
P.O. Box 540
4092 Skippack Pike
Suite 202
Skippack, PA 19474

Permit to Construct Issued November 16, 2016

Operations Permit # 0915524 issued to: **Pediatric Specialties at Point Pleasant**, 90 Cafferty Road, Point Pleasant, PA 18950, [(PWSID)] Tincicum Township, **Bucks County** on November 15, 2016 for Certification of 4-Log Treatment of Viruses at Entry Point 100.

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Application No. 3516509MA, Public Water Supply.

Applicant **PA American Water**
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] Carbondale Township
Lackawanna County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Daniel Rickard, PE
PA American Water Company
4 Wellington Blvd.
Wyomissing, PA 19610

Permit Issued 11/15/2016

Application No. 4816504MA, Public Water Supply.

Applicant **PA American Water**
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] Palmer Township
Northampton County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Daniel Rickard, PE
PA American Water Company
4 Wellington Blvd.
Wyomissing, PA 19610

Permit Issued 11/07/2016

Permit No. 3480053, Public Water Supply.

Applicant **PA American Water**
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] Lower Mt. Bethel Township
Northampton County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility Public Water Supply

Consulting Engineer Mr. Jeremy Nelson, PE
PA American Water Company
100 N Pennsylvania Avenue
Wilkes-Barre, PA

Permit to Operate Issued 10/20/2016

PWS Permit No. 3480058, Public Water Supply.

Applicant **SPG, Inc.**
Whispering Hollow North MHP
139 Country Club Road
Northampton, PA 18067

[Township or Borough] Moore Township
Northampton County

Responsible Official Mr. Jared Surnamer
SPG, Inc.
Whispering Hollow North MHP
139 Country Club Road
Northampton, PA 18067

Type of Facility PWS

Consulting Engineer Angelika B. Forndran, P.E.
Cowan Associates, Inc.
120 Penn-Am Drive
Quakertown, PA 18951

Permit to Operation Issued 11/10/2016

Permit No. 3486401, Permit By Rule, Public Water Supply.

Applicant **H₂O to Go, Inc.**
12 East Elizabeth Street
P.O. Box 661
Maytown, PA 17550

[Township or Borough] City of Bethlehem
Lehigh County

Responsible Official Attention: Mr. Todd Miller

Type of Facility Drinking Water Vending Machine

Application Received Date November 15, 2016

Description of Action On November 15, 2016 the applicant was granted a permit by rule under chapter 109.1005 for the addition of One Vending Tanczos Beverages Inc., Entry Point 127.

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

Comprehensive Operation Permit No. 7010359 issued to: **John B. Peters, Inc. (PWS ID No. 7010359)**, Huntingdon Township, **Adams County** on 11/23/2016 for the operation of facilities at Pape Camp approved under Construction Permit No. 0116507MA.

Comprehensive Operation Permit No. 7360184 issued to: **Villas at Georgetown Homeowners Association, Inc. (PWS ID No. 7360184)**, Bart Township, **Lancaster County** on 11/18/2016 for the operation of facilities submitted under Application No. 7360184.

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

Permit No. 0216526, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Borough or Township] Fox Chapel Borough

County **Allegheny**

Type of Facility Delafield water storage tank

Consulting Engineer Utility Service Group, Inc.
535 Courtney Hodges Boulevard
Perry, GA 31069

Permit to Construct November 22, 2016
Issued

Permit No. 0216527, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Borough or Township] O'Hara Township

County **Allegheny**

Type of Facility RIDC water storage tank

Consulting Engineer Utility Service Group, Inc.
535 Courtney Hodges Boulevard
Perry, GA 31069

Permit to Construct November 22, 2016
Issued

Permit No. 0216517, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Borough or Township] Indiana Township

County **Allegheny**

Type of Facility North tank

Consulting Engineer Utility Service Group, Inc.
535 Courtney Hodges Boulevard
Perry, GA 31069

Permit to Construct November 22, 2016
Issued

Permit No. 0216518, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Borough or Township] O'Hara Township

County **Allegheny**

Type of Facility Wise Hill water storage tank

Consulting Engineer Utility Service Group, Inc.
535 Courtney Hodges Boulevard
Perry, GA 31069

Permit to Construct November 22, 2016
Issued

Permit No. 0216519, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Borough or Township] Fox Chapel Borough

County **Allegheny**

Type of Facility South tank

Consulting Engineer Utility Service Group, Inc.
535 Courtney Hodges Boulevard
Perry, GA 31069

Permit to Construct November 22, 2016
Issued

Operations Permit issued to: **Excela Health Group**, 532 West Pittsburgh Street, Greensburg, PA 15601, **(PWSID # 5650441)** City of Greensburg, **Westmoreland County** on November 16, 2016 for the operation of facilities approved under Construction Permit # 6516502.

Operations Permit issued to: **Latrobe Municipal Authority**, 104 Gueirrier Road, Latrobe, PA 15650, **(PWSID # 5650060)** Derry Township, **Westmoreland County** on November 21, 2016 for the operation of facilities approved under Construction Permit # 6515508MA.

Operations Permit issued to: **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, **(PWSID # 5020043)** Franklin Park Borough and Marshall Township, **Allegheny County** on November 21, 2016 for the operation of facilities approved under Construction Permit # 0216511MA.

Operations Permit issued to: **Municipal Authority of the Borough of Somerset**, 347 West Union Street, PO Box 71, Somerset, PA 15501, **(PWSID # 4560042)** Somerset Borough and Somerset Township, **Somerset County** on November 21, 2016 for the operation of facilities approved under Construction Permit # 5615506MA.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, **(PWSID # 5320109)** Cherryhill Township, **Indiana County** on November 21, 2016 for the operation of facilities approved under Construction Permit # 3215517.

Operations Permit issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701, **(PWSID # 5320042)** Cherryhill Township, **Indiana County** on November 21, 2016 for the operation of facilities approved under Construction Permit # 3215515MA.

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

Applicant **Borough of Springdale**
325 School Street
Springdale, PA 15144

[Borough or Township] Springdale Borough

County **Allegheny**

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Permit to Operate November 16, 2016
Issued

Permit No. 6516507MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of the Borough of Derry**
620 North Chestnut Street
Derry, PA 15627

[Borough or Township] Derry Township

County **Westmoreland**

Type of Facility Water system

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

Permit to Operate Issued November 16, 2016

WATER ALLOCATIONS

Actions taken on 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.

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

WA-09-1009, Water Allocations. **Warminster Municipal Authority**, 415 Gibson Avenue, Warminster, PA 18974, Warminster Township, **Bucks County**. Granting the right to purchase 3.0 million gallons per day of water, based on a 30-day average, from the North Wales Water Authority, in Bucks County.

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

WA 06-643B, Water Allocations. **Western Berks Water Authority (PWS ID No. 3060066)**, Berks County. Water allocation application for a withdraw of up to 6.0 million gallons per day either from Blue Marsh Lake or Tulpehocken Creek. Permittee Contact: Leonard E. Bilger II, Manager, Western Berks Water Authority, 91 Water Road, Sinking Spring, PA 19608. Consulting Engineer: Darryl E. Jenkins SSM Groupm, Inc, PO Box 6307, Reading, PA 19610-0307. Permit Issued: 11/18/2016.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

Southwest Regional Office, Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Sewickley Twp.	Sewickley Township Supervisors Ms. Susan Leukhardt, Secretary 2288 Mars Hill Road P.O. Box 28 Irwin, PA 15642	Westmoreland

Plan Description: The project is located in the Sewickley Creek Watershed, and will address the sewage disposal needs of a new Industrial Park, the Westinghouse Electric Company Property and the

Menasha Paper facilities for a total of 400 EDUs in Sewickley Township, Westmoreland County.

This Special Study consists of two phases. Phase 1 facilities are located in Sewickley Township, Westmoreland County and will consist of the construction of two new sewage pumping stations and approximately 13,400 lineal feet of force main. The proposed flow will be conveyed to an existing gravity sewer and receive treatment at the New Stanton Sewage Treatment Plant. This phase will serve the proposed Waltz Mill Industrial Park and the existing Westinghouse Electric Company property and the Mensasha Paper facilities.

Phase two which has not been adopted by South Huntingdon Township provides two alternatives to provide sanitary sewers to the Village of Yukon in South Huntingdon Township, Westmoreland County. One alternative proposes the construction of a sanitary collection system in the Village of Yukon and treatment at a proposed Wastewater Treatment Facility adjacent to the Village of Yukon at a cost of \$8,056,672. The second alternative includes the construction of a sanitary collection system in the Village of Yukon and conveying the flow via pump station(s) to the facilities constructed in Phase 1 at a cost of \$6,827,789.

The Department's review of the sewage facilities update plan has not identified any significant environmental impacts results from this proposal.

Any required WQM Permits must be obtained in the name of the Municipal Authority of Westmoreland County as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Cumru Township	1775 Welsh Rd. Mohnton, PA 19540	Berks

Plan Description: Approval of a revision to the official plan of Cumru Township, Berks County. The project is known as the Sorin Danciu proposal. The plan revision consists of the use of a new small flow treatment facility as a replacement for the holding tank that currently serves a single family residence. Proposed sewage flows are 400 gallons per day to be discharged to Angelica Creek. The project is located on the west side of New Holland Pike, at the junction with Weaver Lane. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06928-300-3S and the APS Id is 921929. Any permits must be obtained in the name of the property owner.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
York Township	190 Oak Road Dallastown, PA 17313	York

Plan Description: Approval of a revision to the official plan of York Township, York County. The project is known as the Clair and Joanne Spangler development. The plan provides for the proposal of a Small Flow Treatment Facility (SFTF) to replace a malfunctioning on-lot disposal system serving an existing single-family residential dwelling on 1.58 acre with total estimated sewage flows of 400 gpd. There will be a proposed discharge tributary to

an un-named tributary to the East Branch of the Codorus Creek. The proposed development is located at 2725 Water Street in York Township, York County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-67971-668-3s and the APS Id is 911810. Any permits must be obtained in the name of the property owner.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Under the Pennsylvania Sewage Facilities Act

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

Plan Location:

Borough or Township	Borough or Township Address	County
Lower Heidelberg Township	720 Brownsville Rd. Sinking Spring, PA 19608	Berks

Plan Description: The planning module for the Leibman Subdivision, DEP Code No. A3-06940-101-2, APS Id 926778, is disapproved. The purpose of this subdivision is to create one new single family residential building lot that will use an individual onlot sewage disposal system. The project is located along State Hill Road, northwest of the junction with Evans Hill Road. The application is denied because it is lacking a complete and up-to date preliminary hydrogeologic study. Furthermore, the municipality must complete section Q of the module to indicate their chosen method of providing long-term sewage disposal.

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 circum-

stances, 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.

Fiondi 1H, 916 Lane Road, Middletown Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company LLC, 917 SR 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of site groundwater contaminated with aluminum, barium, strontium, chloride, and sulfate. The report is intended to document remediation of the site to meet the Statewide Health and Background Standards.

Ridgeview Healthcare & Rehabilitation Center, 200 Pennsylvania Avenue, West Mahanoy Township, **Schuylkill County**. Lender Consulting Services, Inc., 40 LaRiviere Drive, Suite 120, Buffalo, NY 14202 and Environmental Products & Services of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Ridgeview Propco LLC, 600 Broadway Street, East Lynbrook, NY 11563, submitted a Final Report concerning remediation of site soil contaminated with benzene, 1,2-dibromoethane, 1,2-dichloroethane, ethylbenzene, isopropylbenzene, methyl tert-butyl ether, naphthalene, toluene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Solanick 5H Well Pad, 820 Stoney Mountain Road, Washington, **Wyoming County**. Moody and Associates, Inc., 685 Broad Street Extension, Waverly, NY 14892, on behalf of Carrizo (Marcellus) LLC, 251 Drain Lick Road, Drifting, PA 16834, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and oil-based drilling mud. The report is intended to document remediation of the site to meet the Statewide Health and Background Standards.

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

Dolores Dowd Residence, 1857 & 1859 Rockvale Road, Lancaster, PA 17602 West Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Dolores Dowd, 1859 Rockvale Road, Lancaster, PA 17602, and Amr A. Shafshak, 1857 Rockvale Road, Lancaster, PA 17602, submitted a Final Report concerning remediation of site site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Stuckey Ford, 609 Broad Street, Hollidaysburg, PA 16648, Blair Township, **Blair County**. P. Joseph Lehman,

Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Matthew Stuckey, P.O. Box 489, Hollidaysburg, PA 16648, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with used motor oil and leaded gasoline. The report is intended to document remediation of the site to meet the Site Specific Standard.

509 East Plank Road Site, 509 East Plank Road, Altoona, PA 16602, City of Altoona, **Blair County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Rebekah Evey, 903 Garber Street, Hollidaysburg, PA 16648, submitted a Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The combined report is intended to document remediation of the site to meet the Site Specific Standard.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Yankee Freight Project, Mifflin Township, **Columbia County**. Northridge Group, Inc., P O Box 231, Northumberland, PA 17857, on behalf of Yankee Freight, 12161 S. Central Avenue, Suite 203, Alsip, IL, 60803, has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LVIV Trucking LTD Route 15 S Diesel Fuel Cleanup, Clinton Township, **Lycoming County**. Northridge Group, Inc., P O Box 231, Northumberland, PA 17857, on behalf of LVIV Trucking, LTD, 3 Renoak Dr, Toronto, Canada M2R3E-1, has submitted a 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.

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

Vista Resources Pleasantville Release, Neiltown Road, Harmony Township, **Forest County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Vista Resources, 61 McMurray Road, Suite 300, Pittsburgh, PA 15241, submitted a Final Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzene, cyclohexane, ethylbenzene, isopropylbenzene (cumene), naphthalene, sec-butylbenzene, tert-butylbenzene, toluene, total xylenes, 1-1-biphenyl, 2-methylnaphthalene, acenaphthene, anthracene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, chrysene, fluoranthene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene, pyrene, phenol, aluminum, barium, boron, iron, lithium, manganese, selenium, vanadium, strontium, and zinc. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Metallurgical Company of America (METCO) Site, 8347 Mercer Street, Pulaski Township, **Lawrence County**. R.A.R. Engineering Group, Inc., 1135 Butler Avenue, New Castle, PA 16101, on behalf of Pulaski Industrial Corporation, P.O. Box 332, 8347 Mercer Street, Pulaski, PA 16143, submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with arsenic, cadmium, manganese, mercury, and site groundwater contaminated with antimony, cadmium, lead, manganese, and molybdenum. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

309 East Prospect Avenue, 309 East Prospect Avenues, North Wales Borough, **Montgomery County**. Bruce Middleman, PG, Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of George Horvat, PG, Peco Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103 has submitted a 90 day Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF813232.

US Steel Corporation KIPC BP NT-4 Area, Falls Township **Bucks County**. John A. Garges, GHD, 410 Eagleview Blvd, Suite 110, Exton, PA 19341 on behalf of Michael H. Leon, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 has submitted a Remedial Investigation/Risk Assessment and Final Report concerning remediation of site soil contaminated with vocs, svocs, metals and pcbs. The report is intended to document remediation of the site to meet the Site Specific Standard. PF809297.

76 Carriage Company, City of Philadelphia, **Philadelphia County**. Andrew Basehoar, TTI Environmental, 1253 North Church Street, Moorestown, NJ 08057 on behalf of Michael Slocum, 1350 Schuylkill, LP, 1350 Schuylkill Avenue, Philadelphia, PA 19146 has submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with benzene. The report is intended to document remediation of the site to meet the Site Specific Standard. PF650744.

Harvard Seven LC Lot 2, Harvard and Columbia Road, Haverford Township, **Delaware County**. Thomas Petrecz Penn & ER, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin Hillsinger, Harvard Seven, LLC, 1305 Catfish Lane, Audubon, PA 19403 has submitted a Remedial Investigation/Risk Assessment/Cleanup Plan/Final Report concerning remediation of site soil contaminated with no. 1, 2, 4, 5 and no. 6 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF 811568.

Sears Logistics Service Terminals Freight, City of Philadelphia, **Philadelphia County**. Heidi Gahnz, Resources Control Consultants, LLC, P.O. Box 180, Moorestown, NJ 08057 on behalf of Scott Taylor, Sears Holding Management Corporation, Department 766X, 3333 Beverly Road, B5-335A, Hoffman Estates, IL 60179 has submitted a Remedial Investigation 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/Site Specifics Standard. PF619022.

Drexeline Dry Cleaners, 4998 State Road, Upper Darby Township, **Delaware County**. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335, H. David Seegul, Drexeline Shopping Center, Inc., 5100 State Road, Suite E500, Drexel Hill, PA 19026 on behalf of P. David Bramble, MCBH Drexeline Plaza, LP, 2701 North Charles Street, Baltimore, PA 212108 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with tetrachloroethylene. The report is intended to document remediation of the site to meet the Site Specific Standard. PF779752.

Harvard Seven LC Lot 4, Harvard and Columbia Road, Haverford Township, **Delaware County**. Thomas Petrecz Penn & ER, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin Hillsinger, Harvard Seven, LLC, 1305 Catfish Lane, Audubon, PA 19403 has submitted a Remedial Investigation/Risk Assessment/Cleanup Plan/Final Report concerning remediation of site soil contaminated with no. 1, 2, 4 5 and no. 6 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF811570.

Biddle Residence, 2803 Diamond Street, Hilltown Township, **Bucks County**. Kevin Burns, CB&I, 200 Horizon Center Blvd, Trenton, NJ 08691, Gary Ecott, Petro Heating Oil Services, 650 Knowles Avenue, Southampton, PA 18966 on behalf of Larry Biddle, 2803 Diamond Street, Hilltown, PA 18972 has submitted a Final Report concerning remediation of site soil contaminated with fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF716036.

Hellberg Tract, 332 North Main Street, Chalfont Borough, Bucks County. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Robert White, Redevelopment Authority of **Bucks County**, 216 Pond Street, Bristol, PA 19007 has submitted a Final Report concerning remediation of site soil contaminated with dieldrin, arsenic and lead. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF813017.

528-540 North 34th Street, 528-540 North 34th Street, City of Philadelphia, **Philadelphia County**. James R. Burke, Pl. G., Monridge Construction, Inc., P.O. Box 26, Lenni, PA 19052 on behalf of William Loonstyn, 528-40 North 34th Street, L.P. 2048A Fairmount Avenue, Philadelphia, PA 19130 has submitted a Remedial Investigation Report and Final Report concerning remediation of site groundwater and soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF736589.

Preserved Open Space, 1100 Ashbourne Drive, Cheltenham Township, 1100 Ashbourne Drive, **Cheltenham County**. Michael Potts, Ramboll Environ US Corporation, 101 Carnegie Center, Princeton, NJ 0840 on behalf of Kenneth Griffin, Matrix Ashbourne Associates, L.P, Forsgate Drive, CN 400, Cranbury, NY 08512 has submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil contaminated with arsenic, lead, mercury and chlordan. The report is intended to document remediation of the site to meet the Site Specific Standard. PF813019.

Ashbourne Meadows, 1100 Ashbourne Drive, Cheltenham Township, 1100 Ashbourne Drive, **Cheltenham County**. Michael Potts, Ramboll Environ US Corporation, 101 Carnegie Center, Princeton, NJ 0840 on behalf of Kenneth Griffin, Matrix Ashbourne Associates, L.P, Forsgate Drive, CN 400, Cranbury, NY 08512 has submitted a Remedial Investigation/Risk Assessment and Cleanup Plan concerning remediation of site soil contaminated with arsenic, lead, mercury and chlordan. The report is intended to document remediation of the site to meet the Site Specific Standard. PF784188.

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.

Bethlehem Greenway, rail line south of the Lehigh River, Bethlehem City, **Northampton County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite

A23, Allentown, PA 18106, on behalf of City of Bethlehem, 10 East Church Street, Bethlehem, PA 18018, submitted a Final Report concerning the remediation of site soils contaminated with lead, benzo(a)anthracene, benzo(a)pyrene, and benzo(b)fluoranthene. The Final Report demonstrated attainment of the Site Specific and Statewide Health Standard, and was approved by the Department on November 22, 2016.

Locklin Oil Company, State Route 590 & Cemetery Road, Salem Township, **Wayne County**. Pennsylvania Tectonics, Inc., 723 Main Street, Archbald, PA 18403, on behalf of Locklin Oil Company, PO Box 177, Hamlin, PA 18427, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with Benzene, Ethylbenzene, Naphthalene, Toluene, 1,3,5-TMB, 1,2,4-TMB, and EDB. The Final Report demonstrated attainment of the Statewide Health and Site-Specific Standards, and was approved by the Department on November 23, 2016.

Saadzoi Property, 730 N. Fountain Street, Allentown City, **Lehigh County**. Taylor GeoServices, 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Yah Yah Saadzoi, 1041 Hawthorn Road, Allentown, PA 18103, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, MTBE, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Cumene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on November 21, 2016.

Solanick 5H Well Pad, 820 Stoney Mountain Road, Washington, **Wyoming County**. Moody and Associates, Inc., 685 Broad Street Extension, Waverly, NY 14892, on behalf of Carrizo (Marcellus) LLC, 251 Drain Lick Road, Drifting, PA 16834, submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel and oil-base drilling mud. The Final Report demonstrated attainment of the Statewide Health and Background Standard, and was approved by the Department on November 18, 2016.

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

Max-Mile Car Care Center, 145 Guy Street, Hallam, PA 17406, Hallam Borough, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Jump Start Garage, 2739 Black Bear Road, Needmore, PA 17238, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on November 21, 2016.

Former Kemp Foods, Inc., 1801 Hempstead Road, Lancaster, PA 17601, City of Lancaster, **Lancaster County**. B & B Diversified Enterprises, Inc., P.O. Box 70, Barto, PA 19504, on behalf of HP Hood LLC, Six Kimball Lane, Lynnfield, MA 01940, submitted a Remedial Investigation, Risk Assessment, and Final Report concerning remediation of site soils and groundwater contaminated with PCBs, PAHs, VOCs and SVOCs. The combined Final Report demonstrated attainment of the Residential Statewide Health and Site Specific Standards, and was approved by the Department on November 23, 2016.

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

Former ELG Metals Scrapyard Property, Intersection of Crestview Drive and 4th Street—Lot # 1 of GRDC Lot 6A Subdivision, Pymatuning Township, **Mercer County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Greenville-Reynolds Development Corporation, 301 Arlington Drive, Greenville, PA 16125, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with antimony, chromium, cobalt, iron, lead, manganese, molybdenum, nickel, selenium and groundwater contaminated with arsenic, iron and manganese. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan was approved by the Department on November 17, 2016.

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

BWXT Parks Township Site (former Babcock & Wilcox Parks Township facility, NUMEC), 2992 River Road, Parks Township, **Armstrong County**. RBR Consulting, Inc., 650 Shady Drive, Beaver Falls, PA 15010 on behalf of BWTX Government Group, Inc., 2016 Mount Athos Road, Lynchburg, VA 24504 submitted a Final Report concerning the remediation of site soil contaminated with trichloroethylene & polychlorinated biphenyls and groundwater contaminated with cis-1,2-dichloroethene & trichloroethene. The Final report demonstrated attainment of the Site-Specific standard for soil and groundwater and was approved by the Department on November 18, 2016.

5301 Butler Street Property, 5301 Butler Street, City of Pittsburgh—10th Ward, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Schreiber Real Estate, 5840 Ellsworth Avenue, Pittsburgh, PA 15232 submitted a Cleanup Plan and Final Report (CP/FR) concerning site soils contaminated with petroleum related constituents from underground storage tanks and prior use of the property as a gasoline station. The CP/FR demonstrated attainment of a Site Specific standard for soil and was approved by the Department on November 18, 2016.

2939 & 2959 Fitzsimmons Lane, Municipality of Murrysville, **Westmoreland County**. Bruce E. Dice & Associates, P.C., 787 Pine Valley Drive, Suite E, Pittsburgh, PA 15239 on behalf of Ronald D. Anderson, Jr., 5901 Bollinger Road, Export, PA 15632 submitted a Final Report concerning site soils contaminated with # 2 home heating oil from a ruptured underground storage tank. The Final Report demonstrated attainment of the residential Statewide Health standard for soils and was approved by the Department on November 21, 2016.

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

28 North Cannon Avenue, 28 North Cannon Avenue, Lansdale Borough, **Montgomery County**. Gilbert J. Marshall, LG, Marshall Geoscience, Inc., 170 East First Avenue, Collegetown, PA 19426-2360 on behalf of Walters S. Smerconish, 120 Athens Avenue Associates, LLC, 1574 Easton Road, PA 18976 has submitted a Final Report concerning the remediation of site soil and groundwater

contaminated with gasoline heating oil and lead. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 22, 2016. PF784243.

309 East Prospect Avenue, 309 East Prospect Avenues, North Wales Borough, **Montgomery County**. Bruce Middleman, Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of George Horvat, PECO Energy Company, 2301 Market Street, S&-2, Philadelphia, PA 19103 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with PCB. The 90 day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 15, 2016. PF813232.

Global Advanced Metals USA Inc., 650 County Line Road Douglas Township, **Montgomery County**. Kevin Frysinger, PG, Environmental Standards Inc., 1140 Valley Forge, PA 19482 on behalf of Joe Atkinson, Global Advance Metal, USA, Inc., 650 County Line Road, Boyertown, PA 19512 has submitted a Final Report concerning the remediation of site groundwater contaminated with vocs. The Final report did not demonstrate attainment of the Site Specific Standard and was disapproved by the Department on November 1, 2016. PF780184.

Sunoco Inc., R&M Philadelphia AOI-1, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tiffani Doerr, Evergreen Resources Management Operations, 2 Right Parkway, Suite 200, Wilmington, DE 19803, Charles Barksdale, Philadelphia Energy Solutions Refining and Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 on behalf of Colleen Costello, GHD Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 has submitted a Remedial Investigation Report concerning the remediation of site groundwater and soil contaminated with petroleum compound. The Remedial Investigation was approved by the Department on November 1, 2016. PF778374.

3509 Spring Garden Street, 3509-3513 Spring Garden, City Philadelphia, **Philadelphia County**. William F. Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Jonathan Chase, 3509 Spring Garden, LP, 3201 Arch Street, # 420, Philadelphia, PA 19104 has submitted a Remedial Investigation/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with Voc's. The Remedial Investigation/Cleanup Plan/Final Report was approved by the Department on October 31, 2016. PF785063.

Springhouse Village Shop Center, 111 North Bethlehem Pike, Lower Gwynedd Township, **Montgomery County**. Staci Cottone, J&J Environmental, P.O. Box 370, Blue Bell, PA 19422 on behalf of TJ Miller, Florida Penn Realty, LP c/o Stoltz MGMT, 725 Conshohocken, State Road, Bala Cynwyd, PA 19004 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 2, 2016. PF813133.

1301 Powell Street, 1301 Powell Street, Norristown Borough, **Montgomery County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 190406 on behalf of Francis Vargas, Elon Development Company, Ink, 24 New York Drive, Suite 1, Fort Washington, PA 19034 has

submitted a Final Report concerning the remediation of site soil and groundwater contaminated with fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 15, 2016. PF813134.

Zipperien Residence, 13 Washington Lane, City of Chester, **Chester County**. Amanda Michelone, B.S., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Carole Zipperien, 13 Washington Lane, Coatesville, PA 19320 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 15, 2016. PF769625.

Sunoco Inc., Philadelphia Refinery AO1-10, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Tiffani Doerr, Evergreen Resources Management Operations, 2 Right Parkway, Suite 200, Wilmington, DE 19803, Charles Barksdale, Philadelphia Energy Solutions Refining and Marketing, LLC, 3144 Passyunk Avenue, Philadelphia, PA 19145 on behalf of Colleen Costello, GHD Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 has submitted a Risk Assessment Report concerning the remediation of site groundwater and soil contaminated with petroleum compound. The Risk Assessment Report was approved by the Department on November 10, 2016. PF72074.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

Hazardous Waste Transporter License Reissued

Ferrick Construction Co., Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. License No. PA-AH 0473. Effective Nov 29, 2016.

Renewal Applications Received

Conservative Environmental Services, Inc., PO Box 745, Mechanicsburg, PA 17055. License No. PA-HC 0224. Effective Nov 21, 2016.

Ferrick Construction Co., Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. License No. PA-AH 0473. Effective Nov 29, 2016.

Ross Transportation Services, Inc., 36790 Giles Road, Grafton, OH 44044. License No. PA-AH 0133. Effective Nov 21, 2016.

RESIDUAL WASTE GENERAL PERMITS

Permit Issued for Determination of Applicability under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904) and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application No. WMGR082D003. Impact Environmental Consulting, Inc., 170 Keyland Court, Bohemia, NY 11716.

General Permit No. WMGR082D003. The renewal is under Residual Waste General Permit WMGR082 for Impact Environmental Consulting, Inc. located in the City of Allentown, **Lehigh County**. This General Permit is for the processing and beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag ("slag") as a construction material. The authorized processing is limited to magnetic separation of metallics and mechanical sizing and separation. Uses of slag as a construction material under this permit are limited to the following: as an ingredient in bituminous concrete; as aggregate; as base course; as subbase; and as antiskid material. This permit was reissued by Central Office on November 10, 2016.

General Permit No. WMGR082 has been amended reflecting following changes to the Permit:

1. Correct errors in Section C. (Operating Conditions), Permit Condition 2b, and 2c to reference the limitations in 2a.
2. Re-organization of the general permit for overall clarity and ease of use.
3. Included a standard permit condition requiring the use of an accredited environmental laboratory to perform analytical testing required by the permit.
4. Clarification of the procedures to renew the general permit.
5. Added definitions of hazardous waste and accumulated speculatively to Section C. (Operating Conditions) Permit Conditions 5 and 7.
6. Removed the requirement for bonding worksheets in Section F. (Renewal).

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, 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.

REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

Registration(s) Withdrawn Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

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

General Permit Application Number WMGR097R031. CRS Reprocessing LLC, 569 Industrial Drive, Lewisberry, PA 17339 in **York County**. General Permit Number WMGR097 authorizes research and development projects. The proposed project is for reclamation of silicon powder generated during slicing of silicon ingots into wafers to be used by the solar and semiconductor industry. The application was withdrawn by Central Office on November 21, 2016 at the request of CRS Reprocessing LLC.

Persons interested in reviewing the application and withdrawal may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Approved 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.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No.101634. Roy W. Chapin, Sr., Chapin Sewage Disposal, 200 Academy Street, Stillwater, PA 17878. A permit renewal for the continued operation of this municipal waste transfer facility in New Columbus Borough, **Luzerne County**. The application was approved by the Regional Office on November 18, 2016.

Permit Application No.101587-A161. County Waste of Pennsylvania, LLC, 4 Enterprise Avenue, Clifton Park, NY 12065, West Mahanoy Township, **Schuylkill County**. A permit reissuance to transfer the permit for the North Schuylkill Transfer Station to County Waste of Pennsylvania, LLC. The application was approved by the Regional Office on November 29, 2016.

Persons interested in reviewing the permit may contact Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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.

GP3-46-0141: Harleysville Materials LLC (P.O. Box 587, Berlin, NJ 08009) On November 22, 2016 for the operation of a portable non-metallic mineral processing plant in Lower Salford Township, **Montgomery County**.

GP11-46-0081: Harleysville Materials LLC (P.O. Box 587, Berlin, NJ 08009) On November 22, 2016 for the operation of a non-road diesel fired internal combustion engine in Lower Salford Township, **Montgomery County**.

GP3-46-0140: The H&K Group, Inc. (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474) On November 22, 2016 for the operation of a portable non-metallic mineral processing plant in Upper Providence Township, **Montgomery County**.

GP9-46-0093: The H&K Group, Inc (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474) On November 22, 2016 for the operation of a portable diesel fired internal combustion engine in Upper Providence Township, **Montgomery County**.

GP3-09-0145: Eureka Stone Quarry: (800 Lower State Road, Warrington, PA 18914) On November 22, 2016 for the installation and operation of a portable crusher at an existing facility in Warrington Township, **Bucks County**.

GP3-46-0142: Highway Material Inc. (1750 Walton Road, Blue Bell, PA 19422) On November 22, 2016 for relocation of a portable nonmetallic mineral processing plant in Marlborough, **Montgomery County**.

GP9-46-0094 Highway Material Inc. (1750 Walton Road, Blue Bell, PA 19422) On November 22, 2016 for relocation of a fuel-fired internal combustion engine, in Marlborough, **Montgomery County**.

GP1-46-0251: Arkema Inc. (900 First Avenue, King of Prussia, PA 19406) On November 8th 2016 for the installation and operation of a Cleaver-Brooks (CBEX-700-600-200St) 25.1 MMBtu/hr Gas-Fired Boiler in Upper Merion Township, **Montgomery County**.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP9-58-046: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA, 18630) on November 7, 2016, for the construction and operation of Engines at the SWN WR-92 Bolles South Well Pad site at their facility in Franklin Township, **Susquehanna County**.

GP3-58-046: Meshoppen Stone, Inc. (PO Box 127, Meshoppen, PA, 18630) on November 7, 2016, for the construction and operation of rock crushing equipment at the SWN WR-92 Bolles South Well Pad site at their facility in Franklin Township, **Susquehanna County**.

GP3-48-015: Highway Materials, Inc. (409 Stenton Avenue, Flourtown, PA 19031) on November 21, 2016, for the operation of a portable stone crushing plant at the facility located in Upper Nazareth Twp., **Northampton County**.

GP9-48-015: Highway Materials, Inc. (409 Stenton Avenue, Flourtown, PA 19031) on November 21, 2016, for the operation of I C Engines at the facility located in Upper Nazareth Twp., **Northampton County**.

GP1-64-002: Federal Bureau of Prisons/U.S. Penitentiary Canaan (3057 Easton Turnpike, Waymart, PA 18472) on June 29, 2016 to operate a natural gas/No. 2 oil fired boiler in Canaan Township, **Wayne County**.

GP3-64-006A: E.R. Linde Construction Corporation (9 Collan Park, Honesdale, PA 18431) on July 1, 2016 to construct and operate a portable crushing operation with water sprays at their Middle Creek quarry in Palmyra Township, **Wayne County**.

GP3-64-009: Wayco Inc. (198 O'Connell Road, Waymart, PA 18472) on July 11, 2016 to construct and operate a portable crushing operation with water sprays at their Diddy Ridge Quarry in Palmyra Township, **Wayne County**.

GP9-64-009: Wayco Inc. (198 O'Connell Road, Waymart, PA 18472) on July 22, 2016 to install and operate two (2) Diesel I/C engines at their Diddy Ridge Quarry in Palmyra Township, **Wayne County**.

GP3-45-008: Eureka Stone Quarry Inc. (800 Lower State Road, Chalfont, PA 18914) on August 18, 2016 to construct and operate a portable crushing operation with water sprays at their Pocono Quarry in Hamilton Township, **Monroe County**.

GP9-45-008: Eureka Stone Quarry Inc. (800 Lower State Road, Chalfont, PA 18914) on August 18, 2016 to install and operate two (2) Diesel I/C engines at their Pocono Quarry in Hamilton Township, **Monroe County**.

GP14-45-002: Bolock Funeral Home and Crematory Inc. (6148 Paradise Valley Road, Cresco, PA 18326) on August 30, 2016 to install and operate a human crematory at their facility in Paradise Township, **Monroe County**.

GP13-58-001: Pennsy Supply Inc. (1001 Paxton Street, Harrisburg, PA 17104) on September 30, 2016 to operate a hot mix asphalt plant in Middletown Township, **Susquehanna County**.

GP1-39-007: Pratt Industries (USA) Inc. (7533 Industrial Parkway, Macungie, PA 18062) on September 22, 2016 to operate a natural gas/No. 2 oil fired boiler in Lower Macungie Township, **Lehigh County**.

GP3-35-003A: Bell Mountain Land Development Corporation (859 Enterprise Street, Dickson City, PA 18519) on September 30, 2016 to construct and operate a Portable Crushing Operation with water sprays at their commerce Boulevard Site in Dickson City Borough, **Lackawanna County**.

GP9-35-003A: Bell Mountain Land Development Corporation (859 Enterprise Street, Dickson City, PA 18519) on October 6, 2016 to install and operate eight (8) Diesel I/C engines at their Bell Mountain Borrow Pit in Dickson City Borough, **Lackawanna County**.

GP3-35-015: Terra Technical Services, LLC (600 Brandywine Avenue, Downingtown, PA 19335) on October 11, 2016 to construct and operate a Portable Crushing Operation with water sprays at their Viewmont Mall Site in the City of Scranton, **Lackawanna County**.

GP9-35-015: Terra Technical Services, LLC (600 Brandywine Avenue, Downingtown, PA 19335) on October 11, 2016 to install and operate one (1) Diesel I/C engines at their Viewmont Mall Site in the City of Scranton, **Lackawanna County**.

GP3-35-014: Commonwealth Equipment Corporation (36 Hazleton Street, Ashley, PA 18706) on October 7, 2016 to construct and operate a Portable Crushing Operation with water sprays at their Jessup Power Plant Site in Jessup Borough, **Lackawanna County**.

GP11-35-014: Commonwealth Equipment Corporation (36 Hazleton Street, Ashley, PA 18706) on October 7, 2016 to operate one (1) nonroad engine at their Jessup Power Plant Site in Jessup Borough, **Lackawanna County**.

Southcentral Region: Air Quality Program, 909 Elmerston 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.

GP3-21-03125: TMT Gravel & Contracting, Inc. (8792 Route 549, Millerton, PA 16936) on November 16, 2016, for portable nonmetallic mineral processing equipment, under GP3, at the Fry Drive Warehouse Site, in Silver Spring Township, **Cumberland County**.

GP11-21-03125: TMT Gravel & Contracting, Inc. (8792 Route 549, Millerton, PA 16936) November 16, 2016, for four non-road engines, under GP11, to power portable nonmetallic mineral processing equipment, at the Fry Drive Warehouse Site, in Silver Spring Township, **Cumberland County**.

GP3-36-05101B: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422-2303) on November 23, 2016, for portable nonmetallic mineral processing equipment to be re-located to the Lititz Asphalt Plant in Warwick Township, **Lancaster County**.

GP9-36-05101B: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422-2303) on November 23, 2016, for two diesel fuel-fired internal combustion engines to be re-located to the Lititz Asphalt Plant in Warwick Township, **Lancaster County**.

GP14-06-03172: Kuhn Funeral Home, Inc. (739 Penn Avenue, West Reading, PA 19611-1089) on November 15, 2016, for one (1) human crematory and one (1) animal crematory, under GP14, at the facility located in Muhlenberg Township, **Berks County**.

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

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

GP5-41-675: Regency Marcellus Gas Gathering LLC (101 West Third Street, Williamsport, PA 17701) on October 26, 2016, for authorization to continue operation of one (1) compressor engine, one (1) dehydration process including reboiler and enclosed flares, two (2) produced water storage tanks, as well as ancillary equipment such as pneumatic controllers, connectors, flanges, etc. pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compressor and/or Processing Facilities (BAQ-GPA/GP-5) at their Rouppe Compressor Site located in Mifflin Township, **Lycoming County**.

GP9-49-327B: Herndon Reload Company. (386 Pennsylvania Avenue, Herndon, PA 17830) on November 2, 2016, to construct and operate a 1995 manufactured 12.7 liter model 6067GK60 Detroit Diesel S/N 06RO344247 rated at 485 bhp equipped with a DCL MINE-X Model DC18 oxidation catalyst for carbon monoxide (CO) control pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at the Herndon Reload facility located in the Borough of Herndon, **Northumberland County**. The authorization is pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9). If the Department determines that the source was constructed and is operating in compliance with the general plan approval and general operating permit conditions of the application, then Herndon Reload will be required to include the source in a State Only operating permit in accordance with 25 Pa. Code Subchapter F.

GP5-59-199C: SWEPI, LP (150 North Dairy Ashford, Houston, TX 77079) on October 31, 2016, for the continued operation of the following sources: one 1,340 bhp Caterpillar G3516 TALE natural gas-fired compressor engine equipped with a 2-way catalyst; two 1,380 bhp Caterpillar G3516B LE natural gas-fired compressor engines, each equipped with a 2-way catalyst; one 30 MMscfd dehydration unit equipped with a 250,000 Btu/hour reboiler; one 60 MMscfd dehydration unit equipped with a 500,000 Btu/hour reboiler; one 4,000 gallon condensate tank; various fugitive emissions, including adja-

cent pigging operation pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Krause Compressor Station located in Sullivan Township, **Tioga County**.

GP3-59-245: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 9, 2016, to relocate and operate a Terex Pegson XA400S, a Terex Pegson 1000 Maxtrak crusher, a Terex Finlay C-1550P crusher, a Powerscreen Chieftain 2100 screener, a Powerscreen Chieftain 1800 screener, a Terex Finlay 694+ screener and three (3) Telestacker TC421 conveyor-stackers with associated water spray dust suppression system pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at DeCristo's Armenia Mountain Quarry located in Sullivan Township, **Tioga County**.

GP9-59-245: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 9, 2016, to relocate and operate a 300 bhp Caterpillar C-9 diesel-fired engine, a 345 bhp Scania DC9 diesel-fired engine, a 540 bhp Caterpillar C15 diesel-fired engine, a 129.4 bhp Caterpillar C4.4 diesel-fired engine, a 131.4 bhp Caterpillar C4.4 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at DeCristo's Armenia Mountain Quarry located in Sullivan Township, **Tioga County**.

GP5-17-21B: Alliance Petroleum Corporation (4150 Belden Village Avenue NW, Suite 410, Canton, OH 44718) for new authorization due to change of ownership, which permits continued operation of 225-hp compressor engine, the France Refractories 001 gas well, as well as ancillary equipment such as valves, flanges, connectors, etc. pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compressor and/or Processing Facilities (BAQ-GPA/GP-5) at their Grampian Compressor Station site located in Penn Township, **Clearfield County**.

GP5-17-437B: Alliance Petroleum Corporation (4150 Belden Village Avenue NW, Suite 410, Canton, OH 44718) on November 8, 2016, for the operation of the following sources: one 330 bhp Caterpillar G379NA natural gas-fired compressor engine, equipped with a 3-way catalyst; one 1.2 MMscfd TEG dehydration unit equipped with a 150,000 Btu/hour reboiler; one 3,150 gallon condensate tank; various fugitive emissions pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Lynn Robbins Compressor Station located in Knox Township, **Clearfield County**.

GP5-17-07F: Alliance Petroleum Corporation (4150 Belden Village Avenue NW, Suite 410, Canton, OH 44718) on November 8, 2016, for the operation of the following sources: one 512 bhp Waukesha F3521G compressor engine equipped with a 3-way catalyst; one 1.5 MMscfd NATCO TEG dehydration unit equipped with a 125,000 Btu/hour reboiler; one 8,820 gallon condensate tank; various fugitive emissions pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Kewanee Deemer Compressor Station located in Brady Township, **Clearfield County**.

GP5-41-632A: Anadarko Marcellus Midstream, LLC (1201 Lake Robbins Drive, The Woodlands, TX 77380) on November 21, 2016, for the continued operation of the following sources: four 1,380 bhp Caterpillar

G3516TA-ULB natural gas-fired compressor engines each equipped with a 2-way catalyst; two 40 MMscfd dehydration units each equipped with a 750,000 Btu/hour reboiler; seven storage tanks; various fugitive emissions, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the COP Tract 685 Compressor Station located in Cummings Township, **Lycoming County**.

GP3-17-515: Kinkead Aggregates, LLC (2311 Route 56 Hwy E, Homer City, PA 15748) on November 17, 2016, to operate a 250 tons per hour (tph) Hewitt Robins Electric model 30 × 42 Grizzly King stone crusher, one 200 tph JCI model 1400 LS stone crusher, one 250 tph Deister model BTF02616 vibratory screen, one 250 tph JCI model 6203-32LP vibratory screen, and one 100 tph Tyler model 5 × 12 vibratory screen with associated conveyors and water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Buena Vista Mine located in Bell Township, **Clearfield County**.

GP9-17-515: Kinkead Aggregates, LLC (2311 Route 56 Hwy E, Homer City, PA 15748) on November 17, 2016, to authorize the continued operation of two 749 bhp Volvo Penta model TAD1642GE diesel-fired engines, one 22 bhp Kubota model 5KBXL01.5BCC diesel-fired engine, and one 53 bhp Deutz model F3L913 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 Fuel-fired Internal Combustion Engines (BAQ-GPA/GP9) at their Buena Vista Mine located in Bell Township, **Clearfield County**.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

GP14-32-00439: Furever Companion Pet Crematory, LLC (829 Salt Street, Saltsburg, PA 15618) on October 6, 2016, for construction and operation of a propane gas-fired animal crematory incinerator at its facility in Saltsburg Borough, **Indiana County**.

GP14-11-00537: Moriconi Funeral Home, Inc. d/b/a Cremation Solutions (1212 Kennedy Avenue, PO Box 490, Northern Cambria, PA 15714) on November 21, 2016, for construction and operation of a propane gas-fired human crematory incinerator at its facility in Northern Cambria Borough, **Cambria County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

GP5-10-400B: ETC Northeast Pipeline, LLC—Galaxy Compressor Station (7000 Stonewood DR., Suite 351, Wexford PA 15090) on November 3, 2016, for the authority to construct new emissions sources at its existing natural gas compression facility (BAQ-GPS/GP5) located in Parker Township, **Butler County**.

GP9-10-377B: Westinghouse Electric Co. (1000 Westinghouse Dr., Cranberry Township, PA 16066) on November 22, 2016, for the authority to operate four (4) existing diesel or No. 2 fuel fired internal combustion engines (Caterpillar model C15, Detroit Diesel model 12V4000G43, Detroit Diesel model 550XCDT3 (2)) (BAQ-GPS/GP9) located at their facility in Cranberry Township, **Butler County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

39-00064A: Cera-Met LLC (2175 Avenue C, Bethlehem, PA 18017) on November 15, 2016 for the installation of new ovens and RTO's at the site located in Bethlehem, **Lehigh County**.

48-00089B: Spray Tek LLC (3010 Avenue B, Bethlehem, PA 18017) on June 15, 2016 for the installation and operation of one (1) new spray dryer system at their facility in the City of Bethlehem, **Northampton County**.

48-00052A: New Enterprise Stone & Lime Co., Inc. dba Eastern Industries Inc. (3724 Crescent Ct., West, Suite 200, Whitehall, PA 18052) on July 29, 2016 for the construction and operation of a hot mix asphalt plant fueled by natural gas/# 2 oil/waste derived liquid fuel including one (1) baghouse as an air pollution control device at their facility in the City of Bethlehem, **Northampton County**.

48-00095C: Ecopax, LLC (3600 Glover Road, Easton, PA 18040) on October 21, 2016 for the installation of four (4) reclaim polystyrene fluff silos, one (1) polystyrene foam scrap repelletizer, one (1) polystyrene extrusion line, and expansion of the foam curing room at their facility in Forks Township, **Northampton County**.

39-00081A: Insulation Corporation of America (2571 Mitchell Avenue, Allentown, PA 18103) on October 27, 2016 for the installation of one (1) polystyrene pre-expander and one (1) polystyrene block mold at their facility in the City of Allentown, **Lehigh County**.

35-00056A: P.A. Hutchinson Company (400 Penn Avenue, Mayfield, PA 18433) on November 3, 2016 for the installation of one (1) heat set web printing press and one (1) natural gas dryer at their facility in Mayfield Borough, **Lackawanna County**.

39-00004A: Mack Trucks, Inc. (700 Alburtis Road, Macungie, PA 18062) on November 3, 2016 for the installation and operation of one (1) paint spray booth and one (1) natural gas fired curing oven at their facility in Lower Macungie Township, **Lehigh County**.

35-00003A: Scranton Army Ammunition Plant (156 Cedar Avenue, Scranton, PA 18506) on November 22, 2016 for the installation of a RTO at the site located in Scranton, **Lackawanna County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

22-05024C: Penn State University/Milton S. Hershey Medical Center (500 University Drive, Hershey, PA 17033) on November 21, 2016, for the construction of a Combined Heat & Power (CHP) project at the Medical Center located in Derry Township, **Dauphin County**.

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

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

55-00005B: Wood-Mode, Inc. (One Second Street, Kreamer, PA 17833) on November 3, 2016, for the installation of two fabric collectors and combustion changes to two existing natural gas/woodwaste-fired boilers at the company's Kreamer facility located in Middlecreek Township, **Snyder County**. If the Department determines that the sources are operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 55-00005B, the terms and conditions of the plan approval will subsequently be incorporated via administrative amendment into Title V Operating Permit 55-00005 in accordance with 25 Pa. Code § 127.450.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-269A: American Tinning and Galvanizing (552 W 12th Street, Erie, PA 16501) on November 3, 2016 issued a Plan Approval to construct/modify/rebuild various tanks constructed/modified/rebuilt after 1972 at their facility in the City of Erie, **Erie County**.

37-349A: Garner Energy, LLC (358 N Shore Dr., North Shore Place 1, Ste. 201, Pittsburgh, PA 15212) on November 4, 2016 issued a Plan Approval to construct and operate three large natural gas fired electrical generator engines at their facility in Pulaski Township, **Lawrence County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

46-0142C: Custom Process Services LLC (461 State Street, East Greenville, PA 18041-1701) On November 7, 2016 for the installation of a Micro Milling Station with Dust Collector in East Greenville Borough, **Montgomery County**.

46-0020K: Superior Tube Co Inc. (3900 Germantown Pike, Collegeville, PA 19426-3112) On November 7, 2016 to install a new lubrication station (Source ID No. 170) in Lower Providence Township, **Montgomery County**.

23-0119C: Sunoco Partners Mkt & Term LP/ Marcus Hook (100 Green Street, Marcus Hook, PA 19061-4800) On November 20, 2016 for the extension of the installation of a 30,000 gallon per minute cooling tower in Marcus Hook Borough, **Delaware County**.

15-0009D: AGC Chemicals America Inc (255 S Bailey Road, Downingtown, PA 19335-2033) On November 21, 2016 to extend the transition of a pilot plant installed under RFD No. 3808 to production in Caln Township, **Chester County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

01-05037B: Gettysburg Energy & Nutrient Recovery Facility, LLC (71 Old Mill Bottom Road North, Suite 101, Annapolis, MD 21409) on November 8, 2016, for the construction and temporary operation of an energy and nutrient recovery facility utilizing egg layer manure located in Tyrone Township, **Adams County**. The plan approval was extended, with a revised compliance schedule.

06-05069V: East Penn Manufacturing Co., Inc. (P.O. Box 147, Lyon Station, PA 19536) on November 23, 2016, for modifying the Industrial Facility production lines at the lead-acid battery assembly plant located in Richmond Township, **Berks County**. Plan Approval 06-05069V is for installation and startup of pieces of equipment controlled by fabric filters and mist eliminators. The plan approval was extended.

06-05007P: Carpenter Technology Corp. (P.O. Box 14662, Reading, PA 19612-4662) on November 23, 2016, to replace a steel coil cleaning line in their specialty steel alloy manufacturing facility located in the City of Reading, **Berks County**. The new line will include salt baths for descaling coils with a scrubber to control emissions; salt bath natural gas fired process heaters; HCl acid baths controlled by a scrubber; nitric and sulfuric acid baths controlled by a scrubber; rinse and coating tanks without controls; natural gas fired furnaces for drying coils; and a natural gas fired air makeup unit. Plan Approval 06-05007P also incorporates the requirements of 40 CFR 63 Subpart DDDDD for the facility. The plan approval was extended.

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

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

59-00005J: Dominion Transmission, Inc. (5000 Dominion Blvd., Glen Allen, VA 23060) on November 8, 2016, to extend the authorization for the construction of a 12.07 million Btu per hour ETI model THE-1207 natural-gas fired salt bath heater (Source ID 044) and a 3.0 million Btu per hour Ajax model WRFG-3000 natural-gas fired boiler (Source ID 045) at the Sabinsville Compressor Station located in Clymer Township, **Tioga County** to May 7, 2017. The plan approval has been extended.

18-00009F: Clinton County Solid Waste Authority (P.O. Box 209, McElhattan, PA 17748) on November 9, 2016, for the construction and operation of the Northside municipal solid waste landfill expansion located in Wayne Township, **Clinton County**. The plan approval has been extended until May 26, 2017.

08-00045B: Panda Liberty, LLC (151 Liberty Lane, Towanda, PA 18848) on November 18, 2016, to extend the authorization for the construction of the natural gas-fired power plant at their Panda Liberty Power Project facility located in Asylum Township, **Bradford County** to May 18, 2017. The plan approval has been extended.

08-00045A: Panda Liberty, LLC (151 Liberty Lane, Towanda, PA 18848) on November 18, 2016, to extend the authorization for the construction of the natural gas-fired

power plant at their Panda Liberty Power Project facility located in Asylum Township, **Bradford County** to May 18, 2017. The plan approval has been extended.

08-00048A: Beaver Dam Energy, LLC (North Shore Place I, 358 North Shore Drive, Suite 201, Pittsburgh, PA 15212) on November 21, 2016, to extend the plan approval expiration date to May 29, 2017 to allow continued operation of five natural gas-fired reciprocating engines at their electric generating facility in Canton Township, **Bradford County**.

14-00003G: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) on November 18, 2016, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 24, 2016 to May 23, 2017, at their University Park Campus located in College Township and State College Borough, **Centre County**. The plan approval has been extended.

41-00001A: Transcontinental Gas Pipe Line Company, LLC. (PO Box 1396, Houston, TX 77251-1396) on November 18, 2016, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 25, 2016 to May 24, 2017, at their Compressor Station 520 located in Mifflin Township, **Lycoming County**. The plan approval has been extended.

18-00021B: Avery Dennison Performance Polymers (171 Draketown Road, Mill Hall, PA 17751) on November 14, 2016, extended the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 9, 2016, to May 8, 2017, at their facility located in Bald Eagle Township, **Clinton County**. The plan approval has been extended.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

PA-03-00244A: Dominion Transmission, Inc. (5000 Dominion Blvd—2NW Glen Allen, VA 23060) on November 2, 2016, plan approval PA-03-00244A, modification issued to replace the old boiler with a new boiler rated at 5.25 MMBtu/hr equipped with a low NO_x burner at their Rural Valley Compressor Station located in Valley Township, **Armstrong County**.

PA-56-00319A: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201) plan approval extension effective on October 29, 2016, for construction and temporary operation of air contamination sources and controls associated with a coal preparation plant at its Stoneycreek Mine in Quemahoning Township, **Somerset County**.

PA-26-00500C: Contura Pa Coal Terminal (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370) Plan Approval extension issuance date effective October 28, 2016, to prepare and submit operating permit application for their LaBelle facility located in Luzerne Township, **Fayette County**.

65-00986A: Tiger Door, LLC (1181 Garden Street, Greensburg, PA 15601-6417) Plan Approval Extension effective on November 28, 2016, with an expiration date of May 28, 2017, to extend the period of temporary operation of sources and controls at the Tiger Door Manufacturing Plant located in Hempfield Township, **Westmoreland County**.

30-00072I: Consol Pennsylvania Coal Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) plan approval extension effective on November 28, 2016, with an expiration date of May 28, 2017, to extend the period of temporary operation of sources and controls associated with the Enlow Fork Overland Conveyor located in Richhill Township, Greene County and East Finley Township, **Washington County**.

30-00072H: Consol Pennsylvania Coal Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) plan approval extension effective on November 28, 2016, with an expiration date of May 28, 2017, to extend the period of temporary operation of sources and controls associated with the Bailey Prep Plant expansion located in Richhill Township, **Greene County**.

30-00194A: EQM Gathering Opco, LLC (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) plan approval extension effective on November 28, 2016, with expiration date of May 28, 2017, to extend the period of temporary operation of sources and controls at the Callisto Compressor Station located in Morris Township, **Greene County**.

30-00195: Equitrans, LP (625 Liberty Avenue, Suite 1700, EQT Plaza, Pittsburgh, PA 15222) Plan Approval Extension effective on November 28, 2016, with expiration date of May 28, 2017, to extend the period of temporary operation of sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**.

63-00936F: MarkWest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202) on November 22, 2016, to extend the period of temporary operation of the Houston Gas Plant located in Chartiers Township, **Washington County**. The new expiration date is May 28, 2017.

65-00629A: CBC Latrobe Acquisition, LLC (100 33rd Street, Latrobe, PA 15650-1474) on November 22, 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 May 28, 2017.

PA-63-00990B: Donora Dock LLC (11 Lloyd Ave, Suite # 200, Latrobe, PA 15650-1711), on November 21, 2016, plan approval 180-day extension issued for continued operation at their coal handling facility located in Carroll Township, **Washington County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

62-017W: United Refining Company (PO Box 780, Warren, PA 16365) on November 16, 2016, effective November 30, 2016, will issue a plan approval extension for the construction of a new 10 MMsctd steam methane reformer (SMR) hydrogen plant at their facility in **Warren County**. This will expire on May 31, 2017. This is a Title V facility.

62-017X: United Refining Company (PO Box 780, Warren PA 16365) on November 16, 2016, effective November 30, 2016, will issue a plan approval extension for installation of a 180 mmBtu/hr capacity natural gas & refinery gas-fired boiler, with flue gas recirculation and low-NO_x burners at their facility in **Warren County**. This will expire on May 31, 2017. This is a Title V facility.

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

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

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

39-00016: Buckeye Energy Services, LLC, Macungie Terminal (PO Box 368, 5002 Buckeye Road, Emmaus, PA 18049-0368). On November 18, 2016, the Department issued a renewal of the Title V Operating Permit for the petroleum bulk stations and terminals facility in Lower Macungie Township, **Lehigh County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The sources consist of a Loading Racks and Gasoline and Distillate Storage Tanks. The control devices are a Vapor Collection System (VCU) and a Vapor Recovery System (VRU). The Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00019: Buckeye Pipe Line Co, LLC, Macungie Station (PO Box 368, 5002 Buckeye Road, Emmaus, PA 18049-0368). On November 18, 2016, the Department issued a renewal of the Title V Operating Permit for the refined petroleum pipelines facility in Lower Macungie Township, **Lehigh County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The sources consist of Pumps, and Gasoline and Distillate Tanks. The Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00028: Buckeye Terminals, LLC, Macungie Terminal (PO Box 368, 5002 Buckeye Road, Emmaus, PA 18049-0368). On November 18, 2016, the Department issued a renewal of the Title V Operating Permit for the petroleum bulk stations and terminals facility in Lower Macungie Township, **Lehigh County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The sources consist of a Loading Rack and Gasoline Storage Tanks. The control device is a Vapor Collection System (VCU). The Title V Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

67-05016: R. H. Sheppard Co, Inc. (101 Philadelphia Street, PO Box 877, Hanover, PA 17331-0877) on November 21, 2016, for the gray and ductile iron foundry located in Hanover Borough, **York County**. The Title V permit was renewed.

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.

15-00141: Tin Technology and Refining (905 Fern Hill Road, West Chester, PA 19380; Attn: Mr. Ara Aposhian), On November 8, 2016 for a Non-Title V Facility, State-Only, Synthetic Minor Operating Permit in West Goshen Township, **Chester County**.

15-00145: The Vanguard Group, Inc. (800 Vanguard Blvd, Malvern, PA 19355) On November 15, 2016 for the operation of one (1) diesel-fired emergency generator at their facility in Tredyffrin Township, **Chester County**.

15-00144: The Vanguard Group, Inc. (1000 Vanguard Blvd, Malvern, PA 19355) November 16, 2016 for the operation of six (6) diesel-fired emergency generator sets at their facility in Tredyffrin Township, **Chester County**.

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

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

40-00052: Pioneer Aggregates, Inc. (215 E. Saylor Ave., Wilkes-Barre, PA 18702-2758) on 10/17/16, issued a State-Only Operating Permit renewal for operation of mining and rock crushing operation in Jenkins Township, **Luzerne County**. The Operating Permit includes applicable emission limits and work practice standards along with applicable monitoring, recordkeeping and reporting requirements to ensure the facility complies with the air quality regulations.

Southcentral Region: Air Quality Program, 909 Elmerston 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.

22-05058: Martins Creek LLC (835 Hamilton Street, Suite 150, Allentown, PA 18101-2400) on November 16, 2016, for the electric peaking station located in Harrisburg City, **Dauphin County**.

28-03013: Grove Bowersox Funeral Home, Inc. (50 S. Broad Street, Waynesboro, PA 17268-1611) on November 23, 2016, for the human crematory facility located in Waynesboro Borough, **Franklin County**. The State-only permit was renewed.

67-03172: Panebaker Funeral Home, Inc. (311 Broadway, Hanover, PA 17331-2505) on November 23, 2016, for a human crematory facility located in Heidelberg Township, **York County**.

67-03154: Service Tire Truck Center, Inc. (2800 Concord Road, York, PA 17402-7012) on November 22, 2016, for the tire retreading facility located in Springettsbury Township, **York 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.

14-00016: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875) on November 1, 2016, to issue the State Only Operating Permit for their elementary and intermediate school and the junior and senior high school buildings located in Penn Township, **Centre County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

17-00043: Kitko Wood Products, Inc. (PO Box 3, Glen Hope, PA 16645-0003) issued on November 18, 2016, the renewal State Only Operating Permit NMOP 17-00043 for their facility located in Glen Hope Borough and **Clearfield County**. All applicable federal and state regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 17-00043.

17-00050: GKN Sinter Metals Inc. (PO Box 1047, 1 Tom Mix Drive, DuBois, PA 15801), on November 9, 2016, for their DuBois facility located in City of DuBois, **Clearfield County**. All applicable federal and state regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 17-00050.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

16-00124: Allegheny Valley Connector LLC Truittsburg Station (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222), the Department on November 8, 2016 issued a Natural Minor Permit to operate a natural gas transmission and distribution station in Redbank Township, **Clarion County**. The sources at the facility include 2 natural gas compressor engines, a tri-ethylene glycol dehydration system, an emergency generator, miscellaneous process equipment, a parts washer, and a methanol storage tank. One of the engines is subject to the work practice standards in 40 CFR 63 Subpart ZZZZ pertaining to NESHAPs for Stationary Reciprocating Internal Combustion Engines. The other compressor engine and the emergency generator are subject to 40 CFR 60 Subpart JJJJ. The Triethylene Glycol dehydrator is subject to 40 CFR 63 Subpart HH. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. This facility was previously a Title V Facility but reduced emissions to below the major source thresholds with the removal of an older compressor engine. The potential emissions from the facility are: 30.73 TPY CO, 92.99 TPY NO_x, 3.43 TPY PM₁₀/PM_{2.5}, 0.07 TPY SO_x, 32.16 TPY VOC, 3.61 TPY Formaldehyde, 5.99 TPY Total HAPs, and 16,428 TPY GHGs (CO₂e).

25-00983: Rupp Auto Livery (303 East 32nd Street, Erie, PA 16504). On November 1, 2016, the Department renewed a State Only Operating Permit for the human remains crematory located in the City of Erie, **Erie County**. The facility is a Natural Minor. The primary

source at the facility is a human crematory. Potential emissions are as follows: 0.096 tpy NO_x; 0.0 tpy CO; 0.027 tpy PM; 0.018 tpy SO_x; 0.018 tpy VOC. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00280: Chevron, Inc./Miller Industries (2755 Kirila Blvd, Hermitage, PA 16148-9019). On November 1, 2016, the Department renewed a State Only Operating Permit for the facility located in Lackawannock Township, **Mercer County**. The facility is a Synthetic Minor. The primary sources at the facility are 3 spray paint booths. Potential emissions are as follows: 0.64 tpy NO_x; 0.54 tpy CO; 23.7 tpy VOC; 9.8 tpy MIBK; 9.8 tpy glycol ethers; 9.8 tpy xylene; and 15.0 tpy all HAPs combined. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00321: Northeast Industrial Manufacturing, Inc. (640 Keystone Road, Greenville, PA 16125). On November 8, 2016, the Department issued a State Only Operating Permit renewal for Northeast Industrial's roll-off container manufacturing facility located in Hempfield Township, **Mercer County**. The facility is a Natural Minor. The primary sources at the facility are 2 spray paint booths. Potential VOC emissions are 14.96 tons per year. Actual facility-wide VOC emissions for the calendar year 2015 were 4.88 tons. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00133: Collins Pine Company/Kane Hardwood Division (95 Hardwood Drive, PO Box 807, Kane, PA 16735) on November 17, 2016, issued a renewal of the State Only Operating Permit for the sawmill located in Wetmore Township, **McKean County**. The sources at the facility include a wood fired boiler controlled by a cyclone, sawmill, dimension mill, kilns and a degreaser. The facility is a natural minor. The facility is an Area Source for MACT. The wood fired boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

61-00185: Heath Oil, Inc. (PO Box 1128, Oil City, PA 16301-0628) on November 23, 2016, the Department issued the Natural Minor Operating Permit to operate a petroleum product storage and distribution facility located in Clinton Township, **Venango County**. The emitting sources include: 1) Large and small oil heaters, 2) Internal floating roof tanks, 3) Fugitives from equipment leaks, 4) Two distillation columns, 5) Petroleum recovery system, 6) Tank wagon loading rack and 7) CNG Public Access Fueling System. The emission of pollutants from the facility is less than the Title V threshold-limits. Thus, the facility is natural minor. The facility is Subject to 40 CFR Part 63, SubpartBBBBB. The facility is also subject to 40 CFR Part 60 Subpart Kb. The permit contains the previous plan approval requirements, applicable Federal requirements, emission restrictions, testing, monitoring, recordkeeping, reporting, work practice, and additional requirements.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215 685 9476.

The City of Philadelphia, Air Management Services (AMS) issued a Minor State Only Operating Permit for the following facility:

OP16000014: Fox Chase Cancer Center (7701 Burholme Avenue, Philadelphia, PA 19111) issued November 22, 2016 for the operation of a hospital and research facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include the following: three (3) 5.5 MMBTU/hr boilers firing natural gas; one (1) 8.5 MMBTU/hr boiler firing natural gas; one (1) 17.0 MMBTU/hr boiler firing natural gas; two (2) boilers rated 3.188 MMBTU/hr or less firing No. 2 fuel oil or natural gas; four (4) emergency generators firing natural gas, each at 350 kilowatt or less; and three (3) emergency generators firing diesel fuel, each rated at 750 kilowatt or less.

The facility is proposing to amend the testing time of its emergency generators to include an additional 4 hour test every 3 years to meet the requirements of NFPA 110 Section 8.4.9.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

23-00047: Evonik Corp. (1200 W. Front St., Chester, PA 19013) On November 8, 2016 an Administrative Amendment to incorporate the conditions of Plan Approval 23-0047F for a Spray Dryer, Silo, and a Granular System with a baghouse as control. The permit includes monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirement located in City of Chester, **Delaware County**.

46-00035: GlaxoSmithKline, LLC. (709 Swedeland Road, King of Prussia, PA 19406) On November 22, 2016, for a minor modification of a Title V Operating Permit restricting the facility wide NO_x emission limit to less than 100 tons per year to opt out of the additional RACT II requirements for major sources of NO_x emissions codified in 25 Pa. Code §§ 129.96 to 129.100 at the facility located in Upper Merion Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmerston 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.

36-05118: Donnelley Financial LLC (391 Steel Way, PO Box 3780, Lancaster, PA 17601-3153) on November 23, 2016, for the printing facility located in Lancaster City, **Lancaster County**. The State-only permit was administratively amended in order to reflect a change of name.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

65-00235: Arconic, Inc. (100 Technical Drive, New Kensington, PA 15069) on November 9, 2016 an administrative amendment to change the name of the company from Alcoa, Inc. to Arconic, Inc. and also to revise the current State Only Operating Permit. The facility is located in Upper Burrell Township, **Westmoreland County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-00987: Hanes Erie Manufacturing (7601 Klier Drive South, South Fairview Business Park, Fairview, PA 16415-2449) on November 9, 2016 issued an administrative amendment to the State Operating Permit for the facility located in Fairview Township, **Erie County**. The amendment incorporates the requirements of plan approval 25-987F.

33-00002: Owens Brockway Glass Container Plant 19 (3831 Route 219, Brockport, PA 15823). On November 7, 2016 issued an administrative amendment to the Title V Operating Permit to change the responsible official, permit contact, and mailing address. The facility is located in Snyder Township, **Jefferson County**.

33-00033: Owens Brockway Glass Container Plant 18 (1260 Cherry Street, Brockway, PA 15824). On November 8, 2016 issued an administrative amendment to the Title V Operating Permit to change the responsible official, permit contact, and mailing address. The facility is located in Brockway Borough, **Jefferson County**.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.

The City of Philadelphia, Air Management Services (AMS) administratively amended operating permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices for the following facilities:

OP16-000037/S15-011: National Publishing Company (11311 Roosevelt Blvd., Philadelphia, PA 19154) administratively amended on November 8, 2016 to incorporate a change of ownership and a name change to LSC Communications, Inc. The SMOP operating permit (S15-011) was originally issued on July 22, 2016.

S13-001: Plains Products Terminal, LLC. (1630 South 51st Street, Philadelphia, PA 19143) administratively amended on November 8, 2016 to incorporate a change of ownership and a name change to PBF Logistic Products Terminals, LLC. The Synthetic Minor operating permit was originally issued on August 26, 2013.

V10-025: Plains Products Terminal LLC. (6850 Esington Avenue, Philadelphia, PA 19153) administratively amended on November 8, 2016 to incorporate a change of ownership and a name change to PBF Logistic Products Terminals, LLC. The Title V operating permit was originally issued on May 24, 2011.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

65-00767: Westmoreland Sanitary Landfill, LLC (11 Conner Lane, Belle Vernon, PA 15012) on October 5, 2016, for conditioned approval of de minimis emissions increase pursuant to 25 Pa. Code § 127.449 for annual emissions increases of up to 0.43 ton of PM₁₀, 0.15 ton of SO_x, 0.07 ton of CO, 0.53 ton of NO_x, and 0.02 ton of VOC, resulting from the installation and operation of a METSO Lokotrak LT106 250-tph portable crushing plant equipped with a 300-bhp Caterpillar C9.3 Tier 4i-compliant diesel engine for up to 1,000 hours per consecutive 12-month period at its facility located in Rostraver Township, **Westmoreland County**. To date, no other de minimis emissions increases have occurred at the facility during the term of its current Title V Operating Permit (TV-65-00767).

OP-11-00531: Sunoco Pipeline, L.P. (535 Fritztown Road, Sinking Spring, PA 19608). Per Title 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increases at the Sunoco Pipeline, L.P., Ebensburg Station, located in Cambria Township, **Cambria County**:

A. Project to update emissions estimates for the existing equipment associated with the Mariner East 1 pipeline:

1) Emissions from the facility have been recalculated based on as-built Piping and Instrumentation Diagrams (P&IDs) for fugitive emissions resulting in an increase of 0.02 tpy VOC and sources to the flare during Standard Operating Scenario (SOS) exclude process relief valves.

Total emissions from this project will not exceed -1.24 tpy NO_x, 0.04 tpy CO, and -0.26 tpy VOC.

B. Project to install the following new equipment associated with the Mariner East 2 pipeline:

1) A John Zink Company LLC enclosed ZTOF model flare rated at 30.0 mmbtu/hr controlling emissions from the following new sources:

- Standard Operating Scenario continuous emission sources which will include two (2) mainline booster pumps (4,500 hp) rated at 0.21 scf/hr.

- Maintenance Operations Scenario emission sources which will include two (2) Filters, one (1) Prover, one (1) 20-in. Pig Launcher, and one (1) 20-in. Pig Receiver.

This unit replaces the existing 10 mmbtu/hr enclosed flare at this facility which is presently controlling emissions from equipment associated with the Mariner East 1 pipeline.

2) A Knockout Tank (Pressure Vessel) for the collection of entrained liquid material prior to the vapors flowing to the flare. The tank will not have any associated working or breathing losses.

3) Fugitive Emission Sources which will include fugitive VOC and HAP emissions resulting from leaks of sealed surfaces associated with equipment such as valve stems, flanges, and other miscellaneous component types.

Total emissions from this project will not exceed 0.03 tpy NO_x, 0.15 tpy CO, and 0.94 tpy VOC₃.

Total emissions from both projects combined will not exceed -1.21 tpy NO_x, 0.19 tpy CO, and 0.68 tpy VOC.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County** and related NPDES permit to revise 246.0 currently permitted underground acreage and subsidence control plan area for longwall mining. No additional discharges. The application was considered administratively complete on August 12, 2016. Application received March 1, 2016. Permit issued November 21, 2016.

30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES permit to install 2 degas boreholes. No additional discharges. The application was considered administratively complete on April 19, 2016. Application received December 14, 2015. Permit issued November 21, 2016.

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

Permit No. 32960103 and NPDES No. PA0213331. Forcey Coal, Inc., 475 Banion Road, Madera, PA 16661 renewal for reclamation only of a bituminous surface and auger mine in Green Township, **Indiana County**, affecting 329.7 acres. Receiving streams: unnamed tributaries to Little Mahoning Creek, unnamed tributaries to East Run to Little Mahoning Creek and unnamed tributaries to North Branch of Two Lick Creek classified for the follow uses: high quality cold water fishes, cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 24, 2016. Permit issued: November 16, 2016.

Permit No. 32120101. NPDES No. PA0268976 and General Permit GP-12-32120101, Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, revision of an

existing bituminous coal surface mining site to obtain coverage for coal processing under air quality general permit GP-12 in East Wheatfield Township, **Indiana County**, affecting 210.2 acres. Receiving streams: unnamed tributary to/and Mardis Run to Blacklick Creek, classified for the following uses: cold water fishes and trout stocked fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 4, 2016. Permit issued: November 23, 2016.

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

16090102. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) Revision to an existing bituminous surface and auger mine to change the post-mining land use from forestland to unmanaged natural habitat on the Raymond Shreckengost property in Porter Township, **Jefferson County**. Receiving streams: Three unnamed tributaries to Leisure Run and one unnamed tributary to Long Run. Application received: September 12, 2016. Permit Issued: November 14, 2016.

33150103 and NPDES Permit No. PA0259659. P. and N. Coal Co., Inc. (P.O. Box 332, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous surface and auger mine and associated NPDES permit in Winslow Township, **Jefferson County**, affecting 109.6 acres. Receiving streams: Unnamed tributaries to Soldier Run. Application received: February 11, 2016. Permit Issued: November 17, 2016.

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

17140102 and NPDES PA0269689. River Hill Coal Company, Inc. (P.O. Box 141, Kylertown, PA 16847). Commencement, operation, and restoration of a bituminous surface and auger mine with a General Permit 7 Minor Road Crossing located in Burnside Township, **Clearfield County** affecting 386.0 acres. Receiving stream(s): Deer Run and Unnamed Tributaries to Deer Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 17, 2015. Permit issued: November 22, 2016.

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

65100201 and NPDES Permit No. PA0251976. Alverda Enterprises, Inc. (P.O. Box 245, Alverda, PA 15710). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 19 acres. Receiving stream: McGee Run. Application received: June 27, 2016. Renewal permit issued: November 17, 2016.

26090102 and NPDES Permit No. PA0251615. Piccolomini Contractors, Inc. (P.O. Box 78, Waltersburg, PA 15488). Permit renewed for continued operation and reclamation of an existing bituminous surface mine, located in Franklin Township, **Fayette County**, affecting 60.6 acres. Receiving stream: unnamed tributary to Redstone Creek. Application received: May 26, 2015. Renewal permit issued: November 17, 2016.

GP12-65140102. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Approval for portable coal crusher authorized under General Permit BAQ-GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-65140102 for an existing bituminous surface mine, located in East

Huntingdon Township, **Westmoreland County**. Application received: September 1, 2015. Permit issued: November 23, 2016.

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

Permit No. 40840206R6. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Plains Township, **Luzerne County** affecting 125.2 acres, receiving stream: Mill Creek. Application received: September 18, 2015. Renewal issued: November 18, 2016.

Permit No. 40840206C4. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to update the post-mining land use of an existing anthracite coal refuse reprocessing and preparation plant operation in Plains Township, **Luzerne County** affecting 125.2 acres, receiving stream: Mill Creek. Application received: September 18, 2015. Correction issued: November 18, 2016.

Permit No. PAM112082R. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40840206 in Plains Township, **Luzerne County**, receiving stream: Mill Creek. Application received: September 18, 2015. Renewal issued: November 18, 2016.

Permit No. 40663023R6 and NPDES Permit No. PA0225207. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation and NPDES Permit for discharge of treated mine drainage in Hazle Township, **Luzerne County** affecting 640.0 acres, receiving stream: Hazle Creek. Application received: January 19, 2016. Renewal issued: November 21, 2016.

Permit No. 40663023C15. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to update the post-mining land use of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Hazle Township, **Luzerne County** affecting 640.0 acres, receiving stream: Hazle Cree. Application received: January 19, 2016. Correction issued: November 21, 2016.

Permit No. PAM116051. Wargo Mining, LLC, (209 N. Kennedy Drive, McAdoo, PA 18237), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Permit Waiver No. 40161101 in Kline and Hazle Townships, **Schuylkill and Luzerne Counties**, receiving stream: Catawissa Creek via Jeansville Mine pool. Application received: November 15, 2016. Permit issued: November 22, 2016.

Permit No. 35090101R and NPDES Permit No. PA0225258. Maco Associates, Inc., (400 Mill Street, Dunmore, PA 18512), renewal of an existing anthracite surface mine and coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Fell Township and City of Carbondale, **Lackawanna County** affecting 1,693.0 acres, receiving stream: Coal Brook. Application received: July 18, 2014. Renewal issued: November 23, 2016.

Permit No. 40850201R6. Hazleton Shaft Corporation, (PO Box 435, Hazleton, PA 18201), renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Hazle Township, **Luzerne**

County affecting 180.67 acres, receiving stream: Catawissa Creek. Application received: October 17, 2014. Renewal issued: November 23, 2016.

Permit No. PAM111105R. Hazleton Shaft Corporation, (PO Box 435, Hazleton, PA 18201), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40850201 in Hazle Township, **Luzerne County**, receiving stream: Black Creek. Application received: October 17, 2014. Renewal issued: November 23, 2016.

Permit No. 40663029R6. Northampton Fuel Supply Co., Inc., (1 Horwith Drive, Northampton, PA 18067), renewal of an existing anthracite surface mine, coal refuse reprocessing and preparation plant operation in Foster Township and Jeddo Borough, **Luzerne County** affecting 595.6 acres, receiving stream: Black Creek. Application received: January 22, 2016. Renewal issued: November 23, 2016.

Permit No. PAM111045R, Northampton Fuel Supply Co., Inc., (1 Horwith Drive, Northampton, PA 18067), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40663029 in Foster Township and Jeddo Borough, **Luzerne County**, receiving stream: Black Creek. Application received: January 22, 2016. Renewal issued: November 23, 2016.

Permit No. 40-305-001GP12R2. Northampton Fuel Supply Co., Inc., (1 Horwith Drive, Northampton, PA 18067), renewal of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40660329 in Foster Township and Jeddo Borough, **Luzerne County**. Application received: January 22, 2016. Renewal issued: November 23, 2016.

Permit No. 40663028R6. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine, refuse reprocessing and refuse disposal operation in Hazle Township, **Luzerne County** affecting 536.0 acres, receiving stream: Black Creek. Application received: February 2, 2016. Renewal issued: November 23, 2016.

Permit No. 40663028C16. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to update the post-mining land use of an existing anthracite surface mine, refuse reprocessing and refuse disposal operation in Hazle Township, **Luzerne County** affecting 536.0 acres, receiving stream: Black Creek. Application received: February 2, 2016. Renewal issued: November 23, 2016.

Permit No. PAM112001R. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40663028 in Hazle Township, **Luzerne County**, receiving stream: Black Creek. Application received: February 2, 2016. Permit issued: November 23, 2016.

Noncoal Permits Issued

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

61090802. Jeffrey Lynn Day (5683 State Route 308, Kennerdell, PA 16374-2205). Final bond release for a small industrial minerals surface mine in Irwin Township, **Venango County**. Restoration of 1.5 acre completed. Receiving streams: Unnamed tributary to North

Branch Slippery Rock Creek. Application Received: September 30, 2016. Final bond release approved: November 14, 2016.

62162801. C & G Moore Enterprises (9973 Route 337, Tidioute, PA 16351) Commencement, operation and restoration of a small industrial minerals mine in Limestone Township, **Warren County**, affecting 7.0 acres. Receiving streams: Allegheny River. Application received: March 2, 2016. Permit Issued: November 21, 2016.

PAM616004. C & G Moore Enterprises (9973 Route 337, Tidioute, PA 16351) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 62162801 in Limestone Township, **Warren County**. Receiving streams: Allegheny River. Application received: March 2, 2016. Permit Issued: November 21, 2016.

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

08120302. Bishop Brothers Construction Company, Inc. (P.O. Box 289, Ulster, PA 18850). Transfer of an existing large noncoal surface mining permit from New Enterprise Stone & Lime, Inc. dba Eastern Industries, Inc. and application for 08120302GP-104 to replace NPDES PA0257443 located in Sheshequin Township, **Bradford County** affecting 77.38 acres. Receiving stream(s): Susquehanna River classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: May 5, 2016. Permit issued: November 8, 2016.

PAM216004. Bishop Brothers Construction Company, Inc., P.O. Box 289, Ulster, PA 18850 hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with Large Noncoal Permit No. 08120302 to the following surface water(s) in Sheshequin Township, **Bradford County**. Receiving stream(s): Susquehanna River. Application received: May 5, 2016. Permit issued: November 8, 2016.

4773SM5 and NPDES PA0115533. Hanson Aggregates Pennsylvania LLC (7660 Imperial Way, Allentown, PA 18195). Renewal of an NPDES permit located in Muncy Creek Township, **Lycoming County**. Receiving stream(s): Unnamed Tributary to Wolfe Run and Unnamed Tributaries to Muncy Creek. Application received: May 2, 2016. Permit issued: November 15, 2016.

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

Permit No. 66160801. Zane G. Salsman, (924 Lacey Street, Laceyville, PA 18623), commencement, operation and restoration of a quarry operation in Braintrim Township, **Wyoming County** affecting 5.0 acres, receiving stream: Susquehanna River. Application received: February 22, 2016. Permit issued: November 21, 2016.

Permit No. PAM116007. Zane G. Salsman, (924 Lacey Street, Laceyville, PA 18623), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66160801. Application received: February 22, 2016. Permit issued: November 21, 2016.

Permit No. 66160802. Zane G. Salsman, (924 Lacey Street, Laceyville, PA 18623), commencement, operation and restoration of a quarry operation in Braintrim Township, **Wyoming County** affecting 5.0 acres, receiving stream: Susquehanna River. Application received: February 22, 2016. Permit issued: November 21, 2016.

Permit No. PAM116008. Zane G. Salsman, (924 Lacey Street, Laceyville, PA 18623), General NPDES

Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66160802. Application received: February 22, 2016. Permit issued: November 21, 2016.

Permit No. PAM11082R. Total Recycling Corp. d/b/a Total Recycling Resources, (P.O. Box 90674, Allentown, PA 18109), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 7874SM1 in Hanover Township, **Lehigh County**, receiving stream: Lehigh River. Application received: October 19, 2016. Renewal issued: November 22, 2016.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 36164171. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Pine Hill Manufacturing parking area in Earl Township, **Lancaster County** with an expiration date of December 30, 2016. Permit issued: November 22, 2016.

Permit No. 38164119. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Stony Bank Farm chicken house in South Lebanon Township, **Lebanon County** with an expiration date of December 30, 2016. Permit issued: November 22, 2016.

Permit No. 38164120. M & J Explosives, LLC, (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Rutters 68 in Annville Township, **Lebanon County** with an expiration date of November 15, 2017. Permit issued: November 22, 2016.

Permit No. 46164116. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Francesco A. Mascaro Memorial Field in Lower Providence Township, **Montgomery County** with an expiration date of November 30, 2017. Permit issued: November 22, 2016.

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

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

E28-382: Greene Township Municipal Authority, 4182 Sunset Pike, Chambersburg, PA 17202 in **Franklin County**, U.S. Army Corps of Engineers, Baltimore District.

To replace approximately 2.75 miles of existing 15-inch main interceptor with a new 24-inch sanitary sewer between manholes 507 and 554 along Conococheague Creek (CWF, MF). Activity also impacts Cold Spring Run (HQ-CWF, MF). Replacement activity will result in ten (10) stream encroachments and seven (7) Exceptional Value (EV) wetland encroachments. Pipe impacts will result in seven (7) stream impacts and three (3) EV wetland impacts. Total areal and linear stream impacts of 5,605 square feet (0.129 acre) and 802 feet respectively. Total areal wetland impacts of 12,522 square feet (0.287 acre). Total floodplain impacts to Conococheague Creek of 9.97 acres. Project is centered on Cold Spring Road (Latitude: 39° 54' 59.1"N, Longitude: 77° 32' 51.9"W) in Greene Township, Franklin County (Scotland, PA quadrangle).

E38-196: North Lebanon Township, 265 North Hershey Road, Harrisburg PA, 17112 in **Lebanon County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain approximately 450 cubic yards of fill in the floodway of an unnamed tributary to Quitapahilla Creek (TSF, MF) for the purpose of constructing a hotel and its associated parking lot. The project is located at the intersection of East Cumberland Street and

North 15th Avenue (Latitude: 40° 21' 10.4"N; Longitude 76° 23' 8.5"W) in North Lebanon Township, Lebanon County.

E06-707: County of Berks, 633 Court Street, Reading, PA 19601 in **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing bridge and to install and maintain a 214 ft. long × 48.3 ft. wide two-span composite spread box beam bridge over Manatawny Creek (CWF, MF) with R-4 and R-7 riprap scour protection. The project proposes to permanently and temporarily impact 0.01 acre of exceptional value PEM/PSS wetlands. The project is located in Oley Township, Berks County (40° 20' 52" N, 75° 44' 38.2" W).

E50-256: Newport Borough Municipal Authority, 231 Market Street, Newport, PA 17074 in **Perry County**, U.S. Army Corps of Engineers, Baltimore District.

To 1) remove of the clarigester, drying beds, chlorine storage building, chlorine contact tank, and other ancillary structures of the waste water treatment plant located in the floodplains of the Juniata River (WWF, MF) and Little Buffalo Creek (CWF, MF), 2) modify, repurpose, and maintain the existing contact stabilization tanks and process building in the floodplains of the Juniata River (WWF, MF) and Little Buffalo Creek (CWF, MF), 3) construct and maintain a new process building, biological treatment tanks, post equalization/post-aeration tank, and other ancillary structures needed to treat wastewater and improvements to the existing access drive, parking areas, and storm water management facilities, in the floodplains of Little Buffalo Creek (CWF, MF) and the Juniata River (WWF, MF), 4) construct and maintain a 24-inch diameter outfall pipe with an R-6 rip rap apron in the Little Buffalo Creek (CWF, MF), and 5) abandon the existing 12-inch diameter wastewater treatment discharge outfall pipe in and along the Juniata River (WWF, MF) and in and along Little Buffalo Creek (CWF, MF). The project is located approximately 300 feet south of the intersection of South Penn and Mulberry Streets along the east side of South Penn Street (Newport, PA Quadrangle; Latitude: 40° 28' 34", Longitude: -77° 7' 40") in Newport Borough, Perry County.

E36-956: Ephrata Borough Authority, 124 South State Street, Ephrata, PA 17522 in **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To remove existing structures and to construct and maintain 1.) a sewage pumping station and associated parking area; and 2.) a 12 inch diameter ductile iron sewage force main, all in the floodplain of Cocalico Creek (WWF, MF) (Latitude: 40°11'15.03"; Longitude: -76°10'47.15"W) in Ephrata Borough and East Cocalico Township, Lancaster County.

E07-457: Dawn Thompson, 402 North 16th Avenue, Altoona, PA 16601 in **Blair County**, U.S. Army Corps of Engineers, Baltimore District.

To 1) remove the existing bridge structure and install and maintain in its place a 12-foot wide bridge with a 24.5-foot clear span with rip rap scour protection and fill placed in the bridge approaches in the floodway in and across Homer Gap Run (WWF, MF) and 2) construct and maintain an outfall channel with riprap in the floodway of Homer Gap Run (WWF, MF) all for the purpose of constructing a residential home South of Homer Gap Road and Ponderosa Drive (Altoona, PA Quadrangle; Latitude: 40° 33' 26"N; Longitude: 78° 22' 47.4"W).

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

E02-1724, Drury Southwest, Inc., 101 Farrar Drive, Cape Girardeau, MO 63701, Robinson Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Place and maintain fill in a deminimus amount (0.03 acre) of PEM wetland (aka Wetland 1) in association with the construction of the Drury Hotel, two (2) eating establishments, parking areas, and other support/ancillary facilities, such as utility lines and stormwater management facilities. The project is located within the Campbells Run Watershed (WWF), near the intersection of Ridge Road and Chestnut Ridge Drive (Oakdale, PA USGS topographic quadrangle; Latitude: 40° 26' 13"; Longitude: -80° 9' 4.5"; Pittsburgh Corps District; Sub-basin: 20F), in Robinson Township, Allegheny County.

E02-1729, Pennsylvania Turnpike Commission, 700 South Eisenhower Boulevard, Harrisburg, PA 17057-7676, South Fayette Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain a 846' × 4' culvert in an Unnamed Tributary (UNT) to Millers Run (aka Millers Run UNT 12) (WWF);

2. Construct and maintain an 877' × 4' culvert in a UNT to Millers Run (aka Millers Run UNT 15) (WWF);

3. Place and maintain fill in 364 LF of a UNT to Millers Run (WWF);

4. Place and maintain fill in 0.11 acre of PEM wetlands in the Millers Run Watershed (WWF);

5. Construct and maintain temporary stream crossings in the Millers Run watershed (WWF) that cumulatively impact 142 LF of stream;

6. Install and maintain road associated stormwater facilities and outfalls in the Millers Run watershed (WWF).

In association with constructing a new 0.65 mile section (Section 55B) of the Pennsylvania Turnpike in South Fayette Township, Allegheny County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 21' 77.3" Longitude: -80° 13' 15.6"; and ending at Latitude: 40° 21' 37.1" Longitude: -80° 12' 66.5"), as a component of the overall construction of a new 13.3 mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S Route 22, and Interstate 79 (a.k.a. The Southern Beltway project).

The structures and activities requiring authorization for Section 55B in Allegheny County will permanently impact a total of approximately 1,931 linear feet (LF) of various watercourses and 0.11 acre of wetland, and temporarily impact a total of approximately 1,025 LF of various watercourses. Two mitigation projects will compensate for the cumulative total of impacts to watercourses from this portion of Section 55B, as well as for impacts from several future subprojects associated with the overall Southern Beltway Project. Although final plans for future projects are not available, the Pennsylvania Turnpike Commission estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately 27,257 LF, and temporarily impact approximately 700 LF, of various watercourses.

To compensate for impacts from the Southern Beltway Project, the stream mitigation plan includes the reconstruction, rehabilitation, and enhancement of approximately 15,672 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County and is authorized by this permit (West Middletown, PA Quadrangle; Latitude: 40° 8' 34" Longitude: -80° 25' 10"). As compensation for 7.27 acres of permanent wetland impacts associated with the overall Southern Beltway Project, the applicant will construct approximately 8.3 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

E63-625-A1, Washington Investments, LLC, 6200 Mid-Atlantic Drive, Morgantown, WV 26508, North Strabane Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

1. Operate and maintain fill in a 0.02 ac PEM wetland (aka "Wetland B");
2. Operate and maintain fill in a 0.03 ac PEM wetland (aka "Wetland C");
3. Operate and maintain a 48" corrugated HDPE pipe in 100 linear feet (LF) of an Unnamed Tributary to Chartiers Creek (aka "Stream 1");
4. Operate and maintain fill in 60 LF of another UNT to Chartiers Creek (aka "Stream 2");
5. Operate and maintain fill in 30 LF of the floodway of another UNT to Chartiers Creek (aka "Stream 3");
6. Operate and maintain fill in 75 LF of another UNT to Chartiers Creek (aka "Stream 4");
7. Operate and maintain a 24" corrugated HDPE pipe in 186 LF of another UNT to Chartiers Creek (aka "Stream 7");
8. Operate and maintain fill in 95 LF of another UNT to Chartiers Creek (aka "Stream 8");

For the purpose of constructing apartments, townhouses and two commercial pads for future sale and development within a 34-acre land parcel which will include site grading, installation of paved areas and the construction of buildings. The project will cumulatively result in 0.05 acre of permanent wetland impact and 466 linear feet of permanent stream impact. Mitigation for these permanent impacts includes 179 linear feet of onsite stream restoration on a UNT to Chartiers Creek (aka Stream 1) and approximately 950 linear feet of offsite stream restoration and streambank fencing along and within an Unnamed Tributary of Buffalo Creek (HQ-WWF) (Buffalo Township). The project is located near the intersection of Racetrack Road and State Route 19 (Quadrangle: Washington East, PA; Latitude: 40° 12' 48"; Long: -80° 11' 27"; Sub-basin: 20F; Chapter 93 Type: WWF) in North Strabane Township, Washington County.

E63-684, Pennsylvania Turnpike Commission, 700 South Eisenhower Boulevard, Harrisburg, PA 17057-7676, Mount Pleasant Township and Cecil Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain a 111' x 4' culvert in an Unnamed Tributary (UNT) to Robinson Run (aka UNT 8 to Robinson Run) (WWF);

2. Construct and maintain a 86' x 4' culvert in a UNT to Robinson Run (WWF);

3. Construct and maintain a 846' x 4' culvert in UNT's to Millers Run (aka Millers Run UNT Stream B and UNT 12 to Millers Run) (WWF);

4. Construct and maintain a 877' x 4' culvert in UNT's to Millers Run (aka UNT 15 to Millers Run and UNT to Millers Run) (WWF);

5. Place and maintain fill in 254 linear feet (LF) of a UNT to Robinson Run (WWF);

6. Relocate and maintain 260 LF of a UNT to Robinson Run (WWF);

7. Place and maintain fill in 228 LF of a UNT to Robinson Run (WWF);

8. Reconstruct and maintain 124 LF of a UNT to Robinson Run (WWF);

9. Reconstruct and maintain 131 LF of a UNT to Robinson Run (WWF);

10. Place and maintain fill in 106 LF of a UNT to Millers Run (WWF);

11. Place and maintain fill in 0.04 acre of PEM wetland in the Robinson Run watershed (WWF);

12. Install and maintain road associated stormwater facilities and outfalls in the Millers Run and Robinson Run watersheds (WWF);

In association with constructing a new 2.46 mile section (Section 55B) of the Pennsylvania Turnpike, between Noblestown Road and Hallam Road, as a component of the overall construction of a new 13.3 mile section (aka The Southern Beltway Project) of the Pennsylvania Turnpike, between U.S Route 22, and Interstate 79 (a.k.a. The Southern Beltway project). The structures and activities requiring authorization for Section 55B in Mount Pleasant and Cecil Townships, Washington County (Canonsburg, PA Quadrangle; starting at Latitude: 40° 21' 60" Longitude: -80° 15' 35.5"; and ending at Latitude: 40° 21' 77" Longitude: -80° 13' 15.6") will permanently impact a total of approximately 2,224 linear feet (LF) of various watercourses and 0.04 acre of wetland, and temporarily impact a total of approximately 2,462 LF of various watercourse and 0.023 acre of wetland.

Two mitigation projects will compensate for the cumulative total of impacts to watercourses from this portion of Section 55B, as well as for impacts from several future subprojects associated with the overall Southern Beltway Project. Although final plans for future projects are not available, the applicant estimates that the aforementioned future subprojects and the current project will permanently affect a cumulative total of approximately 27,257 LF, and temporarily impact approximately 700 LF, of various watercourses. To compensate for the cumulative total of impacts from the Southern Beltway Project, the stream mitigation plan includes the reconstruction, rehabilitation, and enhancement of approximately 15,672 LF of various tributaries in the Buck Run watershed, in Donegal Township, Washington County and is authorized by this permit (West Middletown, PA Quadrangle; Latitude: 40° 8' 34" Longitude: -80° 25' 10"). As compensation for 7.27 acres of permanent wetland impacts associated with the overall Southern Beltway Project, the applicant will construct approximately 8.3 acres of wetlands, at a site approximately 0.5 mile west of the intersection of S.R. 18, and Joffre Bulger Road, in Smith Township, Washington County (Clinton, PA Quadrangle; Latitude: 40° 23' 16" Longitude: -80° 22' 24").

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

E4129-106: Anadarko Marcellus Midstream, LLC, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cascade Township, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) two 6-inch gas pipelines, a 12-inch temporary water pipeline, and a timber mat bridge impacting 1,795 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41° 27' 17" N 76° 54' 17" W);

2) two 6-inch gas pipelines, a 12-inch temporary water pipeline, and a timber mat bridge impacting 736 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41° 27' 17" N 76° 54' 19" W);

3) two 6-inch gas pipelines, a 12-inch temporary water pipeline, and a timber mat bridge impacting 262 linear feet of unnamed tributaries to Slacks Run (HQ-CWF) and 24,107 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41° 27' 16" N 76° 54' 23" W);

4) two 6-inch gas pipelines, a 12-inch temporary water pipeline, and a timber mat bridge impacting 55 linear feet of and unnamed tributary to Slacks Run (HQ-CWF), 1,534 square feet of floodway of an unnamed tributary to Slacks Run (HQ-CWF), and 15,485 square feet of adjacent palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41° 27' 16" N 76° 54' 30" W);

5) a 12-inch temporary above-ground water pipeline and a timber mat bridge impacting 74 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41° 27' 16" N 76° 54' 35" W).

The project will result in a total of 0.97 acre of wetland impacts and 317 linear feet of stream impacts all for the purpose of installing natural gas gathering line, temporary water line, and access roadway for Marcellus well development.

E5929-054: 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 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 769 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 78 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Morris, PA Quadrangle 41° 34' 04" N, 77° 16' 15" W);

2) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 55 linear feet of an unnamed tributary to Harrison Run (EV) (Morris, PA Quadrangle 41° 33' 49" N, 77° 16' 14" W);

3) A temporary road crossing using timber mats, a 20 inch diameter natural gas pipeline, and a 16 inch diameter waterline impacting 62 linear feet of an unnamed tributary to Harrison Run (EV) (Morris, PA Quadrangle 41° 33' 47" N, 77° 16' 18" W).

The project will result in 117 linear feet of temporary stream impacts, 769 square feet (0.02 acre) of temporary wetland impacts, and 78 square feet (0.01 acre) of permanent wetland impacts all for the purpose of installing a natural gas gathering line in Morris Township, Tioga County.

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.

E5929-057: SWEPI LP, 2100 Georgetown Drive, Suite 400, Sewickley, PA 15143, Richmond Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a wood mat bridge and an 8 inch diameter natural gas gathering line impacting 1,890 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41° 47' 38" N, 77° 09' 06" W);

2) a temporary road crossing using a wood mat bridge and an 8 inch diameter natural gas gathering line impacting 1,398 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41° 47' 44" N, 77° 09' 06" W);

3) a temporary road crossing using 20 foot long, 24 inch diameter corrugated metal pipes and an 8 inch diameter natural gas gathering line impacting 64 linear feet of an unnamed tributary to North Elk Run (CWF) (Crooked Creek, PA Quadrangle 41° 47' 48" N, 77° 09' 06" W);

4) a temporary road crossing using a wood mat bridge and an 8 inch diameter natural gas gathering line impacting 877 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Crooked Creek, PA Quadrangle 41° 47' 52" N, 77° 09' 05" W);

5) a temporary road crossing using 20 foot long, 21 inch diameter corrugated metal pipe and an 8 inch diameter natural gas gathering line impacting 73 linear feet an unnamed tributary to North Elk Run (CWF) (Crooked Creek, PA Quadrangle 41° 47' 38" N, 77° 09' 06" W).

The project will result in 137 linear feet of temporary stream impacts and 7,347 square feet (0.17 acre) of temporary wetland impacts all for the purpose of installing a natural gas gathering line in Richmond Township, Tioga County.

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

ate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESX11-125-0012
Applicant Name CNX Gas Company LLC
Contact Person Erika Whetstone
Address 200 Evergreene Drive
City, State, Zip Waynesburg, PA 15370-6000
County Washington County
Township(s) Morris Township
Receiving Stream(s) and Classification(s) UNT to Tenmile Creek (TSF) Secondary—Tenmile Creek

ESCGP-2 # ESG16-129-0018
Applicant Name Apex WML Midstream LLC
Contact Person JD McNally
Address 6041 Wallace Road Extension, Suite 100
City, State, Zip Wexford, PA 15090
County Westmoreland County
Township(s) Salem Township
Receiving Stream(s) and Classification(s) Trib 43013 to Beaver Run, Beaver Run (HQ), Secondary—Kiskiminetas River

ESCGP-2 # ESX13-129-0003
Applicant Name Andrew Kinter
Contact Person CNX Gas Company LLC
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317-6506
County Westmoreland County
Township(s) Bell Township and Washington Township
Receiving Stream(s) and Classification(s) Trib 42946, Trib 42945 to Beaver Run, Kiskiminetas River

ESCGP-2 # ESX16-059-0044
Applicant Name Vantage Energy Appalachia II LLC
Contact Person Scott Sweder
Address 480 Johnson Rd, Suite 100
City, State, Zip Washington, PA 15301
County Greene
Township(s) Gilmore
Receiving Stream(s) and Classification(s) UNT to Bloody Run (WWF); Bloody Run (WWF); UNT to Pennsylvania Fork Fish Ck (WWF)
Secondary—Pennsylvania Fork Fish Ck and Garrison Fork

ESCGP-2 # ESX16-059-0045
Applicant Name Vantage Energy Appalachia II LLC
Contact Person Scott Sweder
Address 480 Johnson Rd, Suite 100
City, State, Zip Washington, PA 15301
County Greene

Township(s) Richhill
Receiving Stream(s) and Classification(s) UNT to Whithorn Run (TSF) and Whitehorn Run (TSF)
Secondary—North Fork Dunkard Fork

ESCGP-2 # ESG14-125-0008
Applicant Name Mark West Liberty Midstream & Resources LLC
Contact Person Rick Lowry
Address 4600 J Barry Court, Suite 500
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Buffalo
Receiving Stream(s) and Classification(s) UNT to Buffalo Ck (HQ-CWF)

ESCGP-2 # ESX16-125-0037
Applicant Name Mark West Liberty Midstream & Resources LLC
Contact Person Rick Lowry
Address 4600 J Barry Court, Suite 500
City, State, Zip Canonsburg, PA 15317
County Washington & Allegheny
Township(s) Robinson & Findlay
Receiving Stream(s) and Classification(s) UNTs to Raccoon Ck (WWF)
Secondary—Raccoon Ck (WWF)

ESCGP-2 # ESX16-125-0038
Applicant Name EQT Production Co
Contact Person Todd Klaner
Address 2400 Ansys Dr, Suite 202
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Fallowfield
Receiving Stream(s) and Classification(s) UNTs to Maple Ck (WWF); Maple Ck (WWF)
Secondary—Maple Ck (WWF); Monongahela River (WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX29-015-16-0015
Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Bradford
Township(s) Troy
Receiving Stream(s) and Classification(s) UNT to Mudd Ck (TSF, MF); Canfield Run (TSF, MF)
Secondary—Sugar Ck

ESCGP-2 # ESG29-105-16-0008
Applicant Name JKLM Energy LLC
Contact Person TGP Meter Site
Address 2200 Georgetowne Dr, Suite 500
City, State, Zip Sewickley, PA 15143
County Potter
Township(s) Ulysses
Receiving Stream(s) and Classification(s) UNTs to Cushing Hollow (HQ-CWF)
Secondary—Cushing Hollow (HQ-CWF)

ESCGP-2 # ESG29-015-16-0022
Applicant Name Appalachia Midstream Services LLC
Contact Person Josh Brown
Address 400 Ist Center, Suite 404
City, State, Zip Horseheads, NY 14845
County Sullivan

Township(s) Cherry
 Receiving Stream(s) and Classification(s) UNT to Lick Ck
 (EV, MF); UNT to Black Ck (EV, MF)
 Secondary—Lick Ck; Black Ck and Little Loyalsock Ck

ESCGP-2 # ESX29-115-16-0020
 Applicant Name Bluestone Pipeline Co of PA LLC
 Contact Person Michael Spangenberg
 Address 1429 Oliver Rd
 City, State, Zip New Milford, PA 18334-7516
 County Susquehanna
 Township(s) Harmony
 Receiving Stream(s) and Classification(s) Wildcat Run
 (CWF-MF) and a tributary thereto; Starrucca Ck (CWF-
 MF)

ESCGP-2 # ESG29-115-16-0038
 Applicant Name SWN Production Co LLC
 Contact Person Justin Moore
 Address 917 SR 92 N
 City, State, Zip Tunkhannock, PA 18657
 County Susquehanna
 Township(s) Lenox
 Receiving Stream(s) and Classification(s) UNTs to E
 Branch Tunkhannock Ck (CWF)
 Secondary—E Branch Tunkhannock Ck (CWF)

ESCGP-2 # ESX29-115-16-0022(01)
 Applicant Name Cabot Oil & Gas Corp
 Contact Person Kenneth Marcum
 Address 2000 Park Lane, Suite 300
 City, State, Zip Pittsburgh, PA 15275-1121
 County Susquehanna
 Township(s) Brooklyn
 Receiving Stream(s) and Classification(s) UNTs to Hop
 Bottom Ck (CWF)
 Secondary—Hop Bottom Ck (CWF)

ESCGP-2 # ESX10-081-0078(01)
 Applicant Name Range Resources—Appalachia LLC
 Contact Person Chris Waddell
 Address 80 Health Dr
 City, State, Zip Lock Haven, PA 17745
 County Lycoming
 Township(s) Cummings
 Receiving Stream(s) and Classification(s) UNT to First
 Fork Larrys Ck (EV); Tarkiln Run (EV)
 Secondary—First Fork Larrys Ck (EV)

ESCGP-2 # ESG29-081-16-0026
 Applicant Name Anadarko E & P Onshore LLC
 Contact Person Stephen Barondeau
 Address 33 W Third St, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Cummings
 Receiving Stream(s) and Classification(s) Lower Pine Bot-
 tom Run (HQ-CWF); Bull Run (HQ-CWF)
 Secondary—Pine Ck (EV)

ESCGP-2 # ESGX12-081-0013(01)
 Applicant Name Anadarko E & P Onshore LLC
 Contact Person Stephen Barondeau
 Address 33 W Third St, Suite 200
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Cummings
 Receiving Stream(s) and Classification(s) UNT to Carson
 Run (EV); Carson Run (EV)
 Secondary—Carson Run (EV); English Run (EV)

SPECIAL NOTICES

Air Quality; Alternative Compliance Schedule Petition

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

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

48-00003: Keystone Cement Co. (PO Box A, Routes 329 and 987, Bath, PA 18014) on June 29, 2016 submitted to the Department an alternative compliance schedule petition. Keystone is proposing an interim emission limit of 3.03 pounds of NO_x per ton of clinker until installation of a SNCR system around September 1, 2017. This interim limit and extension is authorized under 25 Pa. Code § 129.97(k)—(m) for their facility in East Allen Township, **Northampton County**.

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

*Contact: Raymond Kempa, New Source Review Chief—
 Telephone: 570-826-2531.*

48-00003: Keystone Cement Co. (PO Box A, Routes 329 and 987, Bath, PA 18014) on June 29, 2016 submitted to the Department an alternative compliance schedule petition. Keystone is proposing an interim emission limit of 3.03 pounds of NO_x per ton of clinker until installation of a SNCR system around September 1, 2017. This interim limit and extension is authorized under 25 Pa. Code § 129.97(k)—(m) for their facility in East Allen Township, **Northampton County**.

48-00011: Talen Energy (6605 Foul Rift Rd, Bangor, PA 18013) on September 22, 2016 submitted to the Department an alternative compliance schedule petition for Unit 3 and Unit 4. Talen Energy is proposing an interim emission limit of 0.25 lbs. NO_x/MMBTU burning Natural Gas and 0.31 lbs. NO_x/MMBTU burning oil until installation of Separated Over Fired Air and Flue Gas Recirculation. Unit 3 operation of the control equipment will commence by June 2018 and operation of control equipment on Unit 4 will commence by June 2019. This interim limit and extension is authorized under 25 Pa. Code § 129.97(k)—(m) for their facility in Lower Mount Bethel Township, **Northampton County**.

Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permits 53-00005, 18-00005, 53-00004, 18-00006, 49-00007, 41-00013, 59-00004

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

*Contact: Muhammad Q. Zaman, Program Manager;
 570-327-3648.*

Operating Permits 53-00005:

Approval of a Reasonably Available Control Technology (RACT II) plan for **Dominion Transmission, Inc.** located in Stewardson Township, **Potter County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the Greenlick Compressor Station owned and operated by Dominion Transmission, Inc. in Stewardson Township, Potter County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit 53-00005 for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal includes the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
P01—Fugitive Emissions	Volatile Organic Compounds. The permittee will implement a monthly Audio Visual Olfactory (OVA) and an annual Leak Detection and Repair (LDAR) inspections.

Operating Permit 18-00005:

Approval of a Reasonably Available Control Technology (RACT II) plan for **Dominion Transmission, Inc.** located in Leidy Township, **Clinton County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the Finnefrock Compressor Station owned and operated by Dominion Transmission, Inc. in Leidy Township, Clinton County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit 18-00005 for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal includes the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
P01—Fugitive Emissions	Volatile Organic Compounds. The permittee will implement a monthly Audio Visual Olfactory (OVA) and an annual Leak Detection and Repair (LDAR) inspections.

Operating Permit 53-00004:

Approval of a Reasonably Available Control Technology (RACT II) plan for **Dominion Transmission, Inc.** located in Harrison Township, **Potter County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the Harrison natural gas transmission/storage facility owned and operated by Dominion Transmission, Inc. in Harrison Township, Potter County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (53-00004) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal include the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
Site Level	Volatile organic compounds ≤ 2.64 TPY (§ 129.99(f)); monthly audio, visual, and olfactory (AVO) inspection program with appropriate recordkeeping requirements.

Operating Permit 18-00006:

Approval of a Reasonably Available Control Technology (RACT II) plan for **Dominion Transmission, Inc.** located in Leidy Township, **Clinton County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the Leidy natural gas transmission/storage facility owned and operated by Dominion Transmission, Inc. in Leidy Township, Clinton County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (18-00006) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal include the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
Site Level	Volatile organic compounds ≤5.76 TPY (§ 129.99(f)); monthly audio, visual, and olfactory (AVO) inspection program with appropriate recordkeeping requirements.

Operating Permit 49-00007:

Approval of a Reasonably Available Control Technology (RACT II) plan for **Cherokee Pharmaceuticals, LLC** located in Riverside Borough, **Northumberland County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the Riverside Boro. Plant owned and operated by Cherokee Pharmaceuticals, LLC in Riverside Borough, Northumberland County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (49-00007) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal include the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
Wastewater treatment plant	For volatile organic compounds: emission limit of 15 tons per 12 consecutive month period; maximize the biodegradation of the dissolved volatiles in the wastewater; maintain covers for select vessels; maintain good operating practices; maintain appropriate records.

Operating Permit 41-00013:

Approval of a Reasonably Available Control Technology (RACT II) plan for **JW Aluminum Co.** located in the City of Williamsport, **Lycoming County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the aluminum rolling mill owned and operated by JW Aluminum Co. in the City of Williamsport, Lycoming County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (41-00013) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal include the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
Cold Roll Mill # 1 (P101)	VOC emissions not to exceed 30.5 pounds per hour. VOC emissions from Source ID P101 and P102 shall not exceed 225.0 tons per 12 consecutive month period. Emissions shall be controlled by a impingement vane separator; maintain good operating practices; maintain appropriate records.
Cold Roll Mill # 2 (P102)	VOC emissions not to exceed 30.5 pounds per hour. VOC emissions from Source ID P101 and P102 shall not exceed 225.0 tons per 12 consecutive month period. Emissions shall be controlled by a impingement vane separator; maintain good operating practices; maintain appropriate records.
Cold Roll Mill # 3 (P103)	VOC emissions not to exceed 2.0 pounds per hour and 8.0 tons per 12 consecutive month period. Emissions shall be controlled by a Busch PPS filter system and a 4.4 million Btu per hour, natural gas fired, Trinity horizontal regenerative thermal oxidizer; maintain good operating practices; maintain appropriate records.

<i>Source</i>	<i>RACT II Requirement</i>
Cold Roll Mill # 4 (P101)	VOC emissions not to exceed 6.0 pounds per hour and 26.28 tons per 12 consecutive month period. Emissions shall be controlled by a two-stage Busch filtration system; maintain good operating practices; maintain appropriate records.

Operating Permit 59-00004:

Ward Manufacturing, LLC (P.O. Box 9, Blossburg, PA 16912-0009) a Title V operating permit renewal for the Blossburg Plants 1—3 located in Blossburg Borough, **Tioga County**. In accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility.

The subject facility has the following potential emissions: 280.20 TPY of CO; 39.16 TPY of NO_x; 110.87 TPY of SO_x; 229.70 TPY of PM/PM₁₀; 203.66 TPY of VOCs; 12.69 TPY of total HAPs; and 123,794 TPY of CO_{2e}. The facility's sources include a scrap metal cupola, molding lines, core machines, annealing ovens, grinders, sanders, Tumbblast machines, finishing operations, molding and casting operations, wastewater evaporators, parts washers, emergency generator engines and miscellaneous combustions sources, which have the potential to emit major quantities of carbon monoxide (CO), volatile organic compounds (VOCs), sulfur oxides (SO_x) and particulate matter (PM/PM₁₀). The facility has the potential to emit nitrogen oxides (NO_x) and hazardous air pollutant (HAP) emissions below the major emission thresholds. 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 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.

Additionally, this Title V operating permit renewal also includes Approval of a Reasonably Available Control Technology (RACT II) plan for Blossburg Plants 1—3.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for Blossburg Plants 1—3.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into this Title V operating permit renewal. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal includes the provisions of the Department's presumptive Reasonably Available Control Technology (RACT II) re-

quirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement for volatile organic compounds</i>
Cupola	Emission limit of 20 ppmv VOHAPs; processing limit of 37.78 tons per hour of malleable gray iron and 226,680 tons per 12 consecutive month period of iron poured; control VOC emissions with an afterburner with a minimum outlet temperature of 1,300°F; maintain appropriate records.
Core machines	Emission limit of 72.66 TPY; mandatory use of lower VOC-containing binders; natural gas/propane firing; maintain appropriate records.
Core machines	Emission limit of 8 TPY; mandatory use of lower VOC-containing binders; natural gas/propane firing; maintain appropriate records.
Scrap handling operations	Follow facility's scrap certification, selection and inspection plans; maintain appropriate records.
Molding and casting operations	Emission limit of 109.5 TPY; permanent shutdown of one molding line; use of mold vent ignitors; maintain appropriate records.

Public hearing:

A public hearing will be held if requested for any of the above listed proposed operating permits by December 20, 2016, to accept oral comments on revision and the proposed SIP revision for the operating permits. The hearing will be held, if requested, on December 27, 2016, at 10:00 AM at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Daniel T. Spadoni at 570-327-3659. The last day to pre-register to speak at a hearing, if one is held, will be December 20, 2016.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <http://www.dep.pa.gov/About/Regional/North-central-Regional-Office/Pages/default.aspx>.

We ask that you contact Daniel T. Spadoni at 570-327-3659 or monitor our Web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Daniel T. Spadoni at 570-327-3659 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

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 Muhammad Q. Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. A 30-day comment period from November 26, 2016 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 RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Appointments for scheduling a review may be made by calling the Department at 570-327-0550.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel T. Spadoni at 570-327-3659 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

Individual Site Permit; Tentative Decision to Deny

The Department of Environmental Protection (Department) has made a tentative decision to deny an application for the renewal of an individual site permit, **No. PABIS-9901**, submitted by **WeCare Organics, LLC**, 9293 Bonta Bridge Road, Jordan, NY 13080. The application seeks to continue permit coverage for the beneficial use of Class B biosolids for a deep row hybrid poplar ("DRHP") experimental trenching project at the Blackwood site, located in Reilly Township, **Schuylkill County**.

Written comments may be submitted by interested persons within 30 days from the publication of this notice, which will be retained by the Department and considered in making a final determination. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Comments may be submitted to the Bureau of Clean Water, Rachel Carson State Office Building, 400 Market Street, PO Box 8774, Harrisburg, PA 17105-8774.

The Department will provide an opportunity for the applicant, any affected State, any affected interstate agency, the Administrator or any interested agency, person or group of persons to request or petition for a public hearing with respect to the application. The request or petition for public hearing filed within the 30-day period allowed for filing of written comments must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is a significant public interest, including the filing of requests or petitions for the hearing.

Any person may request to review the permit application or supporting documents by contacting the Department's file review coordinator at (717) 705-4700.

Proposed State Water Quality Certification Required by Section 401 of the Clean Water Act for the Equitrans Expansion Project

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Rita A. Coleman, 412-442-4000.

WQ05-001, Equitrans, L.P. (Applicant), 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222. Equitrans Expansion Project (Project), in Forward Township, **Allegheny County**, Franklin, Jefferson and Morgan Townships **Greene County**, and Union Township, **Washington County**, ACOE Pittsburgh District. The proposed H-318 Pipeline segment of the EEP Project starts Applegate Gathering system located in Forward Township, Allegheny County, PA (Glassport, PA Quadrangle N: 40° 15' 15.28"; W: 79° 57' 45.02"). The proposed H-316 Pipeline segment of the EEP Project starts at the proposed Redhook Compressor Station located in Franklin Township, Greene County, PA (Waynesburg, PA Quadrangle N: 39° 55' 00.79"; W: 80° 07' 42.70"). The proposed Redhook Compressor Station is located in Franklin Township, Greene County, PA (Waynesburg, PA Quadrangle: Centroid—N: 39° 54' 59.88"; W: 80° 07' 44.16"). The proposed M-80 Pipeline segment of the EEP Project starts at Equitrans' existing M-80 pipeline located north of the Pratt Compressor Station (Waynesburg, PA Quadrangle 39° 54' 49.68"; W: 80° 07' 51.17") The proposed H-305 Pipeline segment of the EEP Project starts at the proposed Redhook Compressor Station (Waynesburg, PA Quadrangle 39° 54' 59.88"; W: 80° 07' 44.16").

On October 27, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP16-13-000). This application may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; CP16-13).

On October 28, 2015, Applicant requested a state water quality certification from the Pennsylvania Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The H-318 Pipeline segment of the EEP Project, as proposed, includes approximately 4.6 miles, of 20-inch pipeline for the purpose of transporting natural gas from the EQT Gathering, LLC (EQT Gathering) Applegate Gathering system located in Forward Township, Allegheny County, PA to Equitrans' existing H-148 pipeline, in Union Township, Washington County, PA. This portion of the project also involves the installation of permanent aboveground facilities at the existing Applegate Site and new Hartson Launcher/Receiver Facilities which include approximately 0.48 acre of disturbance. The H-318 Pipeline portion of the EEP Project, as proposed, will require approximately 74.1 acres of earth disturbance, and impacts to 80 linear feet of Lobbs Run—WWF (aka S-BB1), 106 linear feet of UNT to Lobbs Run—WWF (aka S-BB1(a)), 99 linear feet of UNT to Lobbs Run—WWF (aka S-BB2), 891 linear feet of Monongahela River—WWF (aka S-BB5), 75 linear feet of Bunola Run—WWF (aka S-BB4), 16 linear feet of Bunola Run—WWF (aka S-BB4 (for workspace)), 75 linear feet of Kelly Run—WWF (aka S-BB3), with a total of 1,342 linear feet of stream impacts

to WWF, 1.5 acre of floodway, 0.01 acre of temporary wetland impacts to W-BB3 (PEM), 0.014 acre of temporary wetland impacts to W-BB10 (PFO), 0.016 acre of temporary wetland impacts to W-BB9 (PFO), 0.041 acre of permanent wetland impacts to W-BB3 (PEM), 0.372 acre of permanent wetland impacts to W-BB7 (PEM) for which a Joint Permit Application has been submitted, 0.070 acre of permanent wetland impacts to W-BB6 (PEM), 0.01 acre of permanent wetland impacts to W-BB12-WP (PFO/PSS). Temporary impacts to wetlands on the H-318 pipeline segment of EEP total 0.10 acre, while permanent impacts total 0.51 acre, of that total the H-318 pipeline segment will require permanent impacts converting a total 0.028 acre of PSS or PFO wetland to PEM wetland.

The H-316 Pipeline segment of the EEP Project, as proposed, includes approximately 2.9 miles, of 30-inch pipeline for the purpose of transporting natural gas from the proposed Redhook Compressor Station located in Franklin Township, Greene County, PA to Equitrans' existing H-302 pipeline for delivery to Texas Eastern infrastructure located in Jefferson Township, Greene County, PA or south on Equitrans' existing H-302 pipeline to the proposed Mountain Valley Pipeline (MVP) located in West Virginia (WV). This portion of the project also involves the installation of permanent aboveground facilities at the new H-302 Tap and Launcher/Receiver Facility which includes approximately 0.11 acre of disturbance. The above ground facilities will be located within the same project footprint of the proposed H-316 pipeline construction. The H-316 pipeline portion of the EEP Project, as proposed, will require approximately 56 acres of earth disturbance, and impacts to 118 linear feet of S-AA3 (UNT to South Fork Tenmile Creek—WWF), 106 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA4), 80 linear feet of UNT to UNT 23572 to South Fork Tenmile Creek—WWF (aka S-AA8), 189 linear feet of UNT to UNT 23572 to South Fork Tenmile Creek—WWF (aka S-AA9), 81 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA10), 113 linear feet of UNT to Ruff Creek—WWF (aka S-AA11), 75 linear feet of Ruff Creek—WWF (aka S-AA12), 147 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA13), 83 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA14), 123 linear feet of South Fork Tenmile Creek—WWF (aka S-AA15), 6 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (aka S-AA24), 9 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (aka S-AA23), 7 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (aka S-AA22), 4 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (S-AA21), 2.5 linear feet of UNT to UNT 26514 to South Fork Tenmile Creek—WWF (aka S-AA20), 12 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA17), 2.5 linear feet of UNT to UNT 26514 to South Fork Tenmile Creek—WWF (aka S-AA18), with a total of 1,158 linear feet of stream impacts to WWF, 2.75 acres of floodway, 0.035 acre of temporary wetland impacts to W-AA4 (PEM), 0.023 acre of temporary wetland impacts to W-AA8 (PEM), 0.0007 acre of temporary wetland impacts to W-AA10 (PEM), 0.059 acre of permanent wetland impacts to W-AA4 (PEM), 0.074 acre of permanent wetland impacts to W-AA7 (PEM), and 0.0007 acre of permanent wetland impacts to W-AA10 (PEM). Temporary impacts to wetlands on the H-316 pipeline segment of EEP total 0.06 acre, while permanent impacts total 0.13 acre.

The Redhook Compressor Station is a proposed natural gas compressor station facility which will be located in

Franklin Township, Greene County, PA. The Project, as proposed, will require approximately 17.25 acres of earth disturbance and will not impact any wetlands or streams. A proposed permanent access road for the Redhook Compressor Station is anticipated to permanently impact 0.25 acre of floodway for stream UNT to UNT 81118 to South Fork Tenmile Creek—WWF (aka S-N2).

The M-80 Pipeline segments of the EEP Project is located in the same right-of-way as H-158 pipeline, and as proposed, includes an approximately 1,175 foot extension, of 6-inch pipeline (M-80 pipeline) and a 12-inch pipeline (H-158 pipeline) located in Franklin Township, Greene County, PA. The pipeline currently moves gas to the existing Pratt Compressor station, but will be required to be extended to move gas to the aforementioned proposed Redhook Compressor Station located in Franklin Township, Greene County, PA. The M-80 Pipeline portion of the EEP Project, as proposed, will require approximately 11.47 acres of earth disturbance, and impacts to 105 linear feet of UNT 81118 to South Fork Tenmile Creek—WWF (aka S-AA1) and 165 linear feet of UNT to South Fork Tenmile Creek—WWF (S-AA2), with a total of 270 linear feet of stream impacts to WWF, 2.25 acres of floodway, and no temporary or permanent wetland impacts.

The H-158 Pipeline segment of the EEP Project is located in the same right-of-way as M-80 pipeline, and as proposed, includes an approximately 1,175 foot extension, of 12-inch pipeline located in Franklin Township, Greene County, PA. The pipeline currently moves gas to the existing Pratt Compressor station, but will be required to be extended to move gas to the proposed Redhook Compressor Station located in Franklin Township, Greene County, PA. The H-158 Pipeline portion of the EEP Project, as proposed, will be installed within the same construction right-of-way as M-80, so will not require any additional acres of disturbance. Impacts from this segment are coupled with and are referenced in the discussion of the M-80 pipeline segment aquatic resource impacts.

The H-305 Pipeline segment of the EEP Project, as proposed, includes an approximately 504 foot extension, of 24-inch pipeline for the purpose of transporting natural gas from the proposed Redhook Compressor Station to Equitrans' existing H-305 pipeline located at the existing Braden Run Interconnect with Texas Eastern in Franklin Township, Greene County, PA. The H-305 Pipeline portion of the EEP Project, as proposed, will require approximately 0.28 acre of earth disturbance, and impacts to 167 linear feet of stream UNT to UNT 81118 to South Fork Tenmile Creek—WWF (aka S-N1), 0.36 acre of floodway, and no temporary or permanent wetland impacts.

The project will cumulatively impact 2,937 linear feet of stream, 7.11 acres of floodways of associated watercourses, 0.16 of temporary wetland impacts and 0.64 acre of permanent wetland impacts.

The Department anticipates issuing a state water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursu-

ant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southwest Regional Office, Rita A. Coleman, 400 Waterfront Drive, Pittsburgh, PA 15222.

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final state water quality certification, the Department will consider all relevant and timely comments, suggestions or objections submitted to the Department within 30 days of this notice. Comments should be directed to Rita A. Coleman, Program Manager, Waterways and Wetlands Program, at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

[Pa.B. Doc. No. 16-2124. Filed for public inspection December 9, 2016, 9:00 a.m.]

Coal Mining Reclamation Fee Amount for 2017

The Department of Environmental Protection (Department) announces the amount of the per acre Reclamation Fee for 2017. This notice is required by 25 Pa. Code § 86.17 (relating to permit and reclamation fees). Effective January 1, 2017, the per acre Reclamation Fee will be \$0 due to a settlement and State budget appropriation. The fee amount is recalculated each year in accordance with 25 Pa. Code § 86.17(e)(4). Refer to this section of the regulations for further information about the process.

Annual adjustments to the per acre Reclamation Fee are based on a fiscal year report that contains a financial analysis of the revenue and expenditures from the Reclamation Fee O & M Trust Account for Fiscal Year (FY) 2015-2016. The report also provides projections for FY 2016-2017. The report was reviewed with the Department's Mining and Reclamation Advisory Board on October 20, 2016.

The final fiscal year report is available at <http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Reports/Pages/default.aspx>.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-2125. Filed for public inspection December 9, 2016, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
Crozer-Keystone Surgery Center at Brinton Lake	28 Pa. Code § 557.3 (relating to Quality Assurance and Improvement Program) 28 Pa. Code § 555.3 (relating to requirements for membership and privileges)
Children's Surgery Center of Malvern, LLC	28 Pa. Code § 553.31(a) (relating to administrative responsibilities) 28 Pa. Code § 559.2 (relating to director of nursing)
Children's Surgery Center, LLC	28 Pa. Code § 553.31(a) 28 Pa. Code § 559.2
OSS Ambulatory Surgery Center, LP	28 Pa. Code § 553.3 (relating to governing body responsibilities) 28 Pa. Code § 553.4 (relating to other functions) 28 Pa. Code § 555.3 28 Pa. Code § 555.4 (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners) 28 Pa. Code § 557.2 (relating to plan) 28 Pa. Code § 557.3 28 Pa. Code § 563.2 (relating to organization and staffing) 28 Pa. Code § 567.2 (relating to committee responsibilities) 28 Pa. Code § 567.3 (relating to policies and procedures)

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-2126. Filed for public inspection December 9, 2016, 9:00 a.m.]

Ambulatory Surgical Facilities; Requests for Exceptions; Correction

The following entry was incorrectly recorded in the notice entitled "Hospitals; Requests for Exceptions" published at 46 Pa.B. 7394 (November 19, 2016).

<i>Facility Name</i>	<i>Regulation</i>
Thomas Jefferson University Hospitals	28 Pa. Code § 571.2(d) (relating to modifications to HHS requirements) (hospital type elevators)

This exception should have been published under a notice for "Ambulatory Surgical Facilities; Requests for Exceptions" under the facility name indicated as follows.

<i>Facility Name</i>	<i>Regulation</i>
Jefferson Surgical Center	28 Pa. Code § 571.2(d) (relating to modifications to HHS requirements) (hospital type elevators)

The previously listed ambulatory surgical facility (ASF) has filed a request for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The previous request for exception relates to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-2127. Filed for public inspection December 9, 2016, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospitals have filed a request for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exception relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Butler Memorial Hospital	28 Pa. Code § 51.23 (relating to positron emission tomography)
Curahealth Heritage Valley, LLC	28 Pa. Code § 103.31 (relating to the chief executive officer) 28 Pa. Code § 103.33(b)(1) (relating to responsibilities)
Curahealth Pittsburgh, LLC	28 Pa. Code § 103.31 28 Pa. Code § 103.33(b)(1)
Holy Redeemer Hospital	28 Pa. Code § 107.61 (relating to written orders)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Conemaugh Memorial Medical Center	2.2-3.4.3.3	Radiography/fluoroscopy room	2014
Temple University Hospital, Inc.	2.2-2.2.6.13	Examination rooms	2014
UPMC Horizon	2.1-3.2.2.2(1)	Examination lights (room features)	2014
	2.1-3.2.2.2(2)	Storage for supplies (room features)	2014
	2.1-3.2.2.2(3)	Accommodations for written or electronic documentation (room features)	2014
	2.1-3.2.2.2(5)	Hand-washing stations (room features)	2014
	2.1-7.2.2.2(3)	Ceiling heights (secure holdings rooms)	2014
UPMC Mercy	2.2-3.1.4.3(2)	Maximum wall lengths (secure holding rooms)	2014
	2.2-3.1.4.3(3)(d)	Patient room doors (secure holding rooms)	2014
UPMC Mercy	2.1-8.5.3.2	Size (TDRs)	2014
Waynesboro Hospital	2.2-3.12.2.2(1)(c)	Area (space requirements)	2014
Washington Hospital	2.2-3.5.2.1(1)	Space requirements	2014

All previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-2128. Filed for public inspection December 9, 2016, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.25(a) (relating to kitchen):

The Manor at St. Luke Village
1711 East Broad Street
Hazleton, PA 18201
FAC ID # 195202

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-2129. Filed for public inspection December 9, 2016, 9:00 a.m.]

Recognized Lifeguard Certifying Authorities for 2017

The Department of Health (Department) has determined that the following lifeguard certifying authorities meet the requirements in 28 Pa. Code § 18.42 (relating to certified lifeguards) and are recognized by the Department as lifeguard certifying authorities for 2017: The American Red Cross; Jeff Ellis and Associates; Lifeguard-Pro; YMCA; The Boy Scouts of America; Starfish Aquatics Institute; and National Aquatic Safety Company.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Susan Jones, Limited English Proficiency Coordinator, Department of Health, Bureau of Community Health Systems, Room 628, Health and Wel-

fare Building, Harrisburg, PA 17120, (717) 787-4366. Speech and/or hearing impaired persons should dial 711 to place a relay call.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-2130. Filed for public inspection December 9, 2016, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Additional Class of Disproportionate Share Hospital Payments

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying acute care general hospitals that serve the indigent population of cities in this Commonwealth with an average per capita income significantly below the Statewide average. These payments are intended to provide additional financial support to hospitals that serve an inordinate amount of low-income individuals and Medical Assistance beneficiaries in impoverished areas of this Commonwealth. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$14.494 million (\$6.989 million in State general funds and \$7.505 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1091. (1) General Fund; (2) Implementing Year 2016-17 is \$6,989,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2131. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying Medical Assistance (MA) enrolled acute care general hospitals. These payments are intended to provide additional support for the operation of academic medical programs through the medical education of health care professionals needed to treat the MA population. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$3.216 million (\$1.550 million in State general funds and \$1.666 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1083. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2016-17 is \$1,050,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; 2013-14 Program—\$17,431,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2016-17 is \$500,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16

Program—\$9,571,000; 2014-15 Program—\$9,071,000; 2013-14 Program—\$9,071,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2132. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals which provide a high volume of inpatient services to MA eligible and low income populations. These payments are intended to promote access to medically necessary inpatient services for MA eligible and low income persons. The Department does not intend to otherwise change the qualifying criteria or payment methodology for this payment.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$0.723 million (\$0.349 million in State general funds and \$0.374 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1097. (1) General Fund; (2) Implementing Year 2016-17 is \$349,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2133. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for disproportionate share hospital payments to qualifying acute care general Medical Assistance (MA) hospitals in Fiscal Year (FY) 2015-2016. These payments support the hospitals' continued participation in the MA Program and are intended to promote the availability of professional medical services for MA populations in less urbanized areas of this Commonwealth by supporting medical education and academic medical programs. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 2474 (May 14, 2016). The Department received no public comments during the 30-day comment period and will implement the change as described in its notice of intent.

Fiscal Impact

The FY 2015-2016 impact as a result of these payments is \$1.667 million (\$0.800 million in State general funds and \$0.867 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1095. (1) General Fund; (2) Implementing Year 2015-16 is \$800,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000; 2012-13 Program—\$12,618,000; (7) MA—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2134. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2015-2016 disproportionate share hospital payments to qualifying Medical Assistance enrolled acute care general hospitals that participate in an academic medical program. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to continue funding these payments at 46 Pa.B. 1957 (April 16, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in its notice of intent.

Fiscal Impact

The FY 2015-2016 impact as a result of these payments is \$4.168 million (\$2.000 million in State general funds and \$2.168 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1098. (1) General Fund; (2) Implementing Year 2015-16 is \$2,000,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$17,431,000; 2013-14 Pro-

gram—\$16,831,000; 2012-13 Program—\$12,618,000; (7) Medical Assistance—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2135. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2015-2016 disproportionate share hospital payments to qualifying Medical Assistance (MA) enrolled acute care general hospitals which provide a high volume of inpatient services to MA eligible and low income populations. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 1958 (April 16, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2015-2016 impact as a result of the funding allocation for these payments is \$0.726 million (\$0.348 million in State general funds and \$0.378 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1096. (1) General Fund; (2) Implementing Year 2015-16 is \$348,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; 2012-13 Program—\$718,947,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2136. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation and increase to this funding allocation for Fiscal Year (FY) 2015-2016 disproportionate share hospital (DSH) payments to qualifying Medical Assistance (MA) enrolled acute care general hospitals. These payments are intended to promote access to hospital services for MA eligible persons in this Commonwealth by providing additional support for the operations of academic medical programs through the medical education of health care professionals needed to treat the MA population. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department initially published notice of its intent to allocate funding for these payments at 46 Pa.B. 1958 (April 16, 2016), and published notice of its intent to increase funding for these DSH payments at 46 Pa.B. 3346 (June 25, 2016). The Department received no public

comments during either 30-day comment period and will implement the change as described in both notices of intent.

Fiscal Impact

The total FY 2015-2016 impact as a result of the funding allocation for these payments is \$2.709 million (\$1.300 million in State general funds and \$1.409 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1099. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2015-16 is \$800,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000; 2012-13 Program—\$12,618,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2015-16 is \$500,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$9,071,000; 2013-14 Program—\$9,071,000; 2012-13 Program—\$7,937,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2137. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to certain Medical Assistance (MA) acute care general hospitals which, in partnership with an independent facility listed as a Cleft and Craniofacial Team by the American Cleft Palate-Craniofacial Association, provide surgical services to patients with cleft palate and craniofacial abnormalities. These payments are intended to promote access to inpatient hospital services for MA eligible and uninsured persons in this Commonwealth with cleft palate and craniofacial abnormalities. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$0.311 million (\$0.150 million in State general funds and \$0.161 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider all comments received within 30 days in determining the final payment methodology for these payments.

ing, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1092. (1) General Fund; (2) Implementing Year 2016-17 is \$150,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2138. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals that provide a high volume of services to MA and low-income populations. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$1.643 million (\$0.792 million in State general funds and \$0.851 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider all comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1094. (1) General Fund; (2) Implementing Year 2016-17 is \$792,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22

are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2139. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its increase to the funding for Fiscal Year (FY) 2015-2016 disproportionate share hospital (DSH) payments to qualifying acute care general hospitals that serve the indigent population of cities in this Commonwealth with a per capita income significantly below the Statewide average for this Commonwealth. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to increase funding for these DSH payments at 46 Pa.B. 3346 (June 25, 2016). The Department received no public comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The total FY 2015-2016 impact as a result of this increase in the allocation for the additional class of DSH payments is \$14.563 million (\$6.989 million in State general funds and \$7.574 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1103. (1) General Fund; (2) Implementing Year 2015-16 is \$6,989,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; 2012-13 Program—\$718,947,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2140. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Academic Medical Centers

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2015-2016 disproportionate share hospital payments to Medical Assistance enrolled acute care general hospitals that qualify as academic medical centers. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 1957 (April 16, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2015-2016 impact as a result of the funding allocation for these payments is \$23.611 million (\$11.331 million in State general funds and \$12.280 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1101. (1) General Fund; (2) Implementing Year 2015-16 is \$11,331,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000; 2012-13 Program—\$12,618,000; (7) Medical Assistance—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2141. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments for Burn Centers

The Department of Human Services (Department) is providing final notice of its funding allocation for disproportionate share hospital payments to qualifying Medical Assistance enrolled acute care general hospital burn centers for Fiscal Year (FY) 2015-2016. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 3033 (June 11, 2016). The Department received no public comments during the 30-day comment period and will implement the change as described in its notice of intent.

Fiscal Impact

The FY 2015-2016 impact as a result of the funding allocation for these payments is \$7.880 million (\$3.782 million in State general funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1104. (1) General Fund; (2) Implementing Year 2015-16 is \$3,782,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$3,782,000; 2013-14 Program—\$3,782,000; 2012-13 Program—\$3,782,000; (7) Hospital-Based Burn Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2142. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Burn Centers

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying Medical Assistance enrolled acute care general hospital burn centers. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$7.844 million (\$3.782 million in State general funds and \$4.062 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider any comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1089. (1) General Fund; (2) Implementing Year 2016-17 is \$3,782,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$3,782,000; 2014-15 Program—\$3,782,000; 2013-14 Program—\$3,782,000; (7) Hospital-Based Burn Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2143. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Certain Academic Medical Centers

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to Medical Assistance enrolled acute care general hospitals that qualify as academic medical centers. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$23.499 million (\$11.331 million in State general funds and \$12.168 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human

Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1087. (1) General Fund; (2) Implementing Year 2016-17 is \$11,331,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000; (7) Medical Assistance—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2144. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Critical Access and Qualifying Rural Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying Medical Assistance enrolled critical access hospitals and qualifying rural hospitals. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$21.147 million (\$10.197 million in State general funds and \$10.950 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1088. (1) General Fund; (2) Implementing Year 2016-17 is \$10,197,000; (3) 1st Suc-

ceeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$5,676,000; 2014-15 Program—\$3,876,000; 2013-14 Program—\$6,776,000; (7) Medical Assistance—Critical Access Hospitals; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2145. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Qualifying Disproportionate Share Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying acute care Medical Assistance (MA) hospitals. These payments are intended to promote the availability of professional medical services to MA populations in less urbanized areas of this Commonwealth by supporting medical education and academic medical programs. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$3.733 million (\$1.800 million in State general funds and \$1.933 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1084. (1) General Fund; (2) Implementing Year 2016-17 is \$1,800,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; 2013-14 Program—\$16,831,000; (7) MA—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2146. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Qualifying Teaching Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2015-2016 disproportionate share hospital payments to qualifying teaching hospitals that provide psychiatric services to Medical Assistance (MA) beneficiaries. These payments are intended to assist in supporting the medical education of psychiatrists in hospitals providing psychiatric care to MA beneficiaries and uninsured persons. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 46 Pa.B. 1962 (April 16, 2016). The Department received no comments during the 30-day comment period and will implement the change as described in its notice of intent.

Fiscal Impact

The FY 2015-2016 impact as a result of the funding allocation for these payments is \$0.500 million (\$0.240 million in State general funds and \$0.260 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1102. (1) General Fund; (2) Implementing Year 2015-16 is \$240,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; 2012-13 Program—\$718,947,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2147. Filed for public inspection December 9, 2016, 9:00 a.m.]

Additional Class of Disproportionate Share Payments to Qualifying Teaching Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying teaching hospitals that provide psychiatric services to Medical Assistance (MA) beneficiaries. These payments are intended to help offset medical education costs of psychiatrists which are incurred by hospitals providing assistance to MA beneficiaries and uninsured persons. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$0.500 million (\$0.241 million in State general funds and \$0.259 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider all comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1093. (1) General Fund; (2) Implementing Year 2016-17 is \$241,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2148. Filed for public inspection December 9, 2016, 9:00 a.m.]

Disproportionate Share Hospital Payments for Obstetrical and Neonatal Health Services

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to qualifying Medical Assistance enrolled acute care general hospitals providing obstetrical and neonatal health care services. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of these payments is \$13.856 million (\$6.681 million in State general funds and \$7.175 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1105. (1) General Fund; (2) Implementing Year 2016-17 is \$6,681,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$3,681,000; 2014-15 Program—\$3,681,000; 2013-14 Program—\$6,681,000; (7) Medical Assistance—Obstetric and Neonatal Services; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2149. Filed for public inspection December 9, 2016, 9:00 a.m.]

Disproportionate Share Hospital Payments for Trauma Services

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2016-2017 disproportionate share hospital (DSH) payments to Medical Assistance enrolled acute care general hospitals qualifying as trauma centers. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$17.952 million (\$8.656 million in State general funds and \$9.296 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1090. (1) General Fund; (2) Implementing Year 2016-17 is \$8,656,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$8,656,000; 2014-15 Program—\$8,656,000; 2013-14 Program—\$8,656,000; (7) Trauma Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2150. Filed for public inspection December 9, 2016, 9:00 a.m.]

Medical Assistance Supplemental Payment

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2016-2017 supplemental payments to qualifying acute care general hospitals (hospitals) that provide a high volume of services to Medical Assistance (MA) and low-income populations in medically underserved areas. These payments are intended to promote the hospitals' continued participation in the MA Program. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

Fiscal Impact

The FY 2016-2017 impact as a result of the funding allocation for these payments is \$3.114 million (\$1.500 million in State general funds and \$1.614 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1085. (1) General Fund; (2) Implementing Year 2016-17 is \$1,500,000; (3) 1st Succeeding Year 2017-18 through 5th Succeeding Year 2021-22 are \$0; (4) 2015-16 Program—\$9,571,000; 2014-15 Program—\$9,071,000; 2013-14 Program—\$9,071,000; (7) MA—Physician Practice Plans; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2151. Filed for public inspection December 9, 2016, 9:00 a.m.]

Pharmacy Prior Authorization

The Department of Human Services (Department) announces it will add Pituitary Suppressive Agents, LHRH designated as preferred on the Department's Preferred Drug List (PDL), Nplate and Promacta to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Human Services Code (62 P.S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of all prescriptions for Pituitary Suppressive Agents, LHRH designated as preferred on the PDL, Nplate and Promacta. These prior authorization requirements apply to prescriptions dispensed on or after January 24, 2017.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for each of the medications previously listed.

Fiscal Impact

These changes are estimated to result in minimal savings in the MA Fee-for-Service Program.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1086. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-2152. Filed for public inspection December 9, 2016, 9:00 a.m.]

Supplemental Payments to Hospitals Providing a High Volume of Services

The Department of Human Services (Department) is providing final notice of its establishment of an additional class of supplemental payments for qualifying acute care general hospitals (hospitals) that provide a high volume of services to Medical Assistance (MA) and low-income populations in medically underserved areas. These payments are intended to promote the hospitals' continued participation in the MA Program. The Department also is providing final notice of its Fiscal Year (FY) 2015-2016 funding allocation for this additional class of supplemental payments.

The Department published notice of its intent to establish this additional class of supplemental payments and to allocate funding for these payments at 46 Pa.B. 3347 (June 25, 2016). The Department received no comments during the 30-day comment period and will implement the changes as described in its notice of intent.

Fiscal Impact

The FY 2015-2016 impact as a result of these payments is \$3.111 million in total funds (\$1.500 million in State general funds and \$1.611 million in Federal funds).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-1100. (1) General Fund; (2) Implementing Year 2015-16 is \$1,500,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$9,071,000; 2013-14 Program—\$9,071,000; 2012-13 Program—\$7,937,000; (7) MA—Physician Practice Plans; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-2153. Filed for public inspection December 9, 2016, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Consumer Price Index Adjustment of Base Amounts on Bids Effective January 1, 2017

Each year the Department of Labor and Industry (Department) is required by the following statutes to publish changes to the base amounts triggering the requirement for public bids, telephonic bids or separate bids, or both, for certain contracts. The Department is required to announce the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U): All Items for the United States City Average for the 12-month period ending September 30 of each year. The Department utilizes the most current nonseasonally adjusted series, as published by the United States Bureau of Labor Statistics (BLS), which at present uses 1982—1984 as the index base period (set equal to 100). The percentage change for the 12-month period ending September 30, 2016, is 1.5%.

The change to the base rate is determined as follows:

1) Calculate the percentage change in CPI-U (I) from September 2015 to September 2016. This is derived as $I = (CPI_{16} - CPI_{15}) / CPI_{15}$, where the subscripts refer to September 2016 and 2015 values of CPI-U. As reported by the BLS these values are $(241.428 - 237.945) / 237.945 = +3.483 / 237.945 = +1.4638\%$, which when rounded to 1 decimal place = 1.5%. (This was also reported as 1.5% in

Table A of the BLS news release on the Consumer Price Index Summary for September 2016.)

2) The legislation puts a floor of 0 and a cap of 3% on the percentage change to be utilized in the calculations (technically these restrictions are on the Preliminary Adjusted Base (PAB), defined in step 4, however this is mathematically equivalent). The truncated value of the percentage change to be used in the adjustment formula is denoted as PC, resulting in:

- a) $PC = I$, for $0 \leq I \leq 3\%$,
- b) $PC = 0$, for $I < 0$ and
- c) $PC = 3\%$ for $I > 3\%$.

3) The base value (either original for new legislation or the prior year's PAB) is designated as B and the product of B and PC (determined previously) is P. (There are different values of the base depending on the entity and the type of bid, so technically B could be designated with two subscripts. For illustration purposes, the subscripts are omitted.) Then $P = B * PC$. A common value for the base amount in 2016 for a public bid is \$19,421.08. (The other two prior PABs, which are this year's bases for a variety of bid types, were \$10,497.88 and \$26,244.70.) For example, using $B = \$19,421.08$, results in $P = \$19,421.08 * 1.5\% = \291.32 .

4) Then the Preliminary Adjusted Base, $PAB = P + B$, which reduces to $\$291.32 + \$19,421.08 = \$19,712.40$.

5) The Final Adjusted Base Amount, FAA (which is used as the limit for the next year that is 2017), is the PAB rounded to the nearest 100. Therefore, the $FAA = \$19,700.00$.

Final Adjusted Base Amount for Use in 2017

<i>Entity and Legislation</i>	<i>Public Bid</i>	<i>Written / Telephonic Bid</i>	<i>Separate Bids</i>	<i>Concessions</i>
The County Code (16 P.S. §§ 1801—1803, 2317)	\$19,700	\$10,700	\$19,700	
Second Class County Code (16 P.S. §§ 3112, 5001, 5511-A and 5517)	\$19,700	\$10,700	\$19,700	
Public School Code (24 P.S. §§ 1-120, 7-751 and 8-807.1)	\$19,700	\$10,700	\$19,700	
Public School Code, Thaddeus Stevens College of Technology (24 P.S. § 19-1913.1-B)	\$19,700			
Public School Code, State System of Higher Education (24 P.S. §§ 20-2003-A.1 and 20-2010-A)	\$19,700			
Prevention and Control of Floods, Flood Control Districts (32 P.S. §§ 662 and 662.1)	\$19,700			
Housing Authorities (35 P.S. § 1551)	\$19,700	\$10,700		
Intergovernmental Cooperation (53 Pa.C.S. §§ 2308, 2311 and 2312)	\$19,700	\$10,700		
General Municipal Law, Flood Control (53 P.S. § 2863)	\$19,700	\$10,700		
Political Subdivisions Joint Purchases Law (53 P.S. § 5432)	\$19,700	\$10,700		
Parking Authorities (53 Pa.C.S. § 5511)	\$26,600	\$10,700		
Municipal Authorities (53 Pa.C.S. § 5614)	\$19,700	\$10,700		
Public Auditorium Authorities Law (53 P.S. § 23851; HB 2324)	\$19,700	\$10,700		

Final Adjusted Base Amount for Use in 2017

<i>Entity and Legislation</i>	<i>Public Bid</i>	<i>Written/ Telephonic Bid</i>	<i>Separate Bids</i>	<i>Concessions</i>
Third Class City Code (11 Pa.C.S. §§ 11901.1, 11901.2, 11901.4, 11902, 11903.1 and 11909)	\$19,700		\$19,700	
The Borough Code (53 P.S. §§ 46402 and 46405)	\$19,700	\$10,700	\$19,700	
Incorporated Towns (53 P.S. §§ 53202, 53202.1, 53203, 53203.1 and 53205)	\$19,700	\$10,700	\$19,700	
First Class Township Code (53 P.S. §§ 56802, 56803 and 56805)	\$19,700	\$10,700	\$19,700	
Second Class Township Code (53 P.S. §§ 68102 and 68107)	\$19,700	\$10,700	\$19,700	
Economic Development Financing Law (73 P.S. § 382)	\$19,700	\$10,700		
Metropolitan Transportation Authorities (74 Pa.C.S. § 1750)	\$26,600			\$19,700

KATHY M. MANDERINO,
Secretary

[Pa.B. Doc. No. 16-2154. Filed for public inspection December 9, 2016, 9:00 a.m.]

Maximum Pennsylvania Workers' Compensation Payable

Based upon the Statewide Average Weekly Wage, as determined by the Department of Labor and Industry for the fiscal year ending June 30, 2016, the maximum compensation payable under sections 105.1 and 105.2 of the Workers' Compensation Act (77 P.S. §§ 25.1 and 25.2) shall be \$995 per week for injuries occurring on and after January 1, 2017. For purposes of calculating the update to payments for medical treatment rendered on and after January 1, 2017, the percentage increase in the Statewide Average Weekly Wage is 1.7%.

KATHY M. MANDERINO,
Secretary

[Pa.B. Doc. No. 16-2155. Filed for public inspection December 9, 2016, 9:00 a.m.]

**DEPARTMENT
OF REVENUE**

Rates of Tax on Aviation Gasoline and Jet Fuel for 2017; Oil Company Franchise Tax Rate for 2017; Alternative Fuels Tax Rates for 2017

I. Aviation Gasoline and Jet Fuels

A. Aviation Gasoline Rate for 2017

Under 74 Pa.C.S. § 6121(b) (relating to tax on aviation fuels), the Secretary of Revenue (Secretary) announces that for calendar year 2017 the rate of tax on aviation gasoline and all other liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in propeller-driven piston engine aircraft or

aircraft engines will remain at the rate of 5.5¢¹ per gallon or fractional part thereof.

B. Jet Fuel Rate for 2017

Under 74 Pa.C.S. § 6131(b) (relating to tax on jet fuels), the Secretary announces that for calendar year 2017 the rate of tax on jet fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine-propeller jet, turbojet and jet-driven aircraft and aircraft engines will remain at the rate of 1.6¢ per gallon or fractional part thereof.

C. Calculating the 2017 Aviation Gasoline and Jet Fuel Rates

The rate of tax on aviation gasoline is adjusted annually beginning on January 1, 1985, and each January 1 thereafter.

The rate of tax on jet fuels is adjusted annually beginning on January 1, 1986, and each January 1 thereafter. Under 74 Pa.C.S. §§ 6121(b) and 6131(b) the rate of each tax increases or decreases 0.1¢ per gallon for each 10% increase or decrease in the producer price index for jet fuel as determined by the United States Department of Labor, Bureau of Labor Statistics, for the most recent 12-month period available as of November 1, 2016, subject to a maximum rate of 6.0¢ per gallon for aviation gasoline and 2.0¢ per gallon for jet fuels.

On October 20, 2016, the most recently available 12-month period was September 2015 to September 2016, as reported in the Bureau of Labor Statistics, United States Department of Labor, Producer Price Index, September 2016, USDL-16-1993, released October 14, 2016, for which the percentage change was -8.1%. Accordingly, the aviation gasoline tax rate will remain at the rate of 5.5¢ per gallon; the jet fuel tax rate also will remain at the rate of 1.6¢ per gallon.

¹The rate of 5.5¢ per gallon consists of the 1.5¢ per gallon tax imposed by the Liquid Fuels and Fuels Tax Act, 75 Pa.C.S. § 9004(c)(1), and the 4.0¢ per gallon additional tax imposed by 74 Pa.C.S. § 6121(a). As limited by 74 Pa.C.S. § 6121(b), the combined rate of these two component taxes may never exceed 6¢ per gallon or be less than 3¢ per gallon.

II. Oil Company Franchise Tax

A. Transportation Funding Act of 2013

Governor Corbett signed into law the act of November 25, 2013 (P.L. 974, No. 89) which amended 75 Pa.C.S. (relating to Vehicle Code) to both eliminate the inflationary cap on the Oil Company Franchise Tax and the fixed 12¢ per gallon Liquid Fuels and Fuels tax. Specifically, 75 Pa.C.S. § 9002 (relating to definitions) provides for the future removal of the cap and specific wholesale prices for use in the interim years. Accordingly, the statutorily fixed average wholesale price for 2017 is \$2.99.

B. Calculating the 2017 Oil Company Franchise Tax Rate

The rate of the oil company franchise tax imposed under 75 Pa.C.S. Chapter 95 (relating to taxes for highway maintenance and construction), 75 Pa.C.S. § 9502 (relating to imposition of tax), and collected under 75 Pa.C.S. Chapter 90 (relating to Liquid Fuels and Fuels Tax Act), 75 Pa.C.S. § 9004(b) (relating to imposition of tax, exemptions and deductions), is determined annually by the Department of Revenue (Department) and announced by each December 15 for the following calendar year. The tax rate is determined on a “cents per gallon equivalent basis,” which is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price per gallon multiplied by the decimal equivalent of any tax imposed by section 9502 (relating to imposition of tax), the product of which is rounded to the next highest tenth of a cent per gallon. The rate of tax shall be determined by the Department of Revenue on an annual basis beginning on every January 1 and shall be published as a notice in the *Pennsylvania Bulletin* no later than the preceding December 15. In the event of a change in the rate of tax imposed by section 9502, the department shall redetermine the rate of tax as of the effective date of such change and give notice as soon as possible.

“Average wholesale price” as used previously is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price of all taxable liquid fuels and fuels, excluding the Federal excise tax and all liquid fuels taxes, shall be as follows:

(1) After December 31, 2013, and before January 1, 2015, the average wholesale price shall be \$1.87 per gallon.

(2) After December 31, 2014, and before January 1, 2017, the average wholesale price shall be \$2.49 per gallon.

(3) After December 31, 2016, the average wholesale price shall be as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set. In no case shall the average wholesale price be less than \$2.99 per gallon.

For the 12-month period ending September 30, 2016, the Department has determined that the average wholesale price of liquid fuels and fuels was \$1.42 per gallon, which was less than the statutory minimum; therefore, the average wholesale price for 2017 is set at the floor of \$2.99 per gallon.

The oil company franchise tax imposed under 75 Pa.C.S. § 9502 is separated into two portions: mills per

gallon not subject to discount (NSTD) and mills per gallon subject to discount (STD). The following table details the underlying calculations:

Composition of Oil Company Franchise Tax (OCFT)

OCFT Per Gallon NSTD

Imposed By:	Liquid Fuels	Fuels
75 Pa.C.S. § 9502(a)(1)	60.0	60.0
75 Pa.C.S. § 9502(a)(2)	55.0	55.0
75 Pa.C.S. § 9502(a)(3)	38.5	38.5
75 Pa.C.S. § 9502(a)(4)	00.0	55.0
NSTD Mills per Gallon:	153.5	208.5

Decimal Equivalent:	0.1535	0.2085
Average Wholesale Price:	× \$2.99	× \$2.99
Product:	45.89¢	62.34¢
OCFT per Gallon, NSTD, rounded to next highest tenth per 75 Pa.C.S. § 9002:	45.9¢	62.4¢

OCFT Per Gallon STD

Imposed By:	Liquid Fuels	Fuels
75 Pa.C.S. § 9502(a)(5)	41.0	41.0

STD Mills per Gallon:	41.0	41.0
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Decimal Equivalent:	0.0410	0.0410
Average Wholesale Price:	× \$2.99	× \$2.99
Product:	12.26¢	12.26¢
OCFT per Gallon, STD, rounded to next highest tenth per 75 Pa.C.S. § 9002:	12.3¢	12.3¢

Total OCFT per Gallon, rounded to next highest tenth

	Liquid Fuels	Fuels
Total OCFT = NSTD + STD:	58.2¢	74.7¢

C. Imposition of Oil Company Franchise Tax on Liquid Fuels and Fuels

The act of April 17, 1997 (P.L. 6, No. 3) provides that the oil company franchise tax as previously computed is imposed when liquid fuels or fuels are used or sold and delivered in this Commonwealth. Accordingly, the tax imposed upon the use or sale and delivery of 1 gallon of liquid fuels (primarily gasoline) shall be 58.2¢, and the tax imposed upon the use or sale and delivery of one gallon of fuels (primarily undyed diesel fuel) shall be 74.7¢.

III. Alternative Fuels Tax Rates for 2017

Under 75 Pa.C.S. § 9004(d) the Secretary is required to compute the rate of tax applicable to each alternative fuel on a gallon-equivalent-basis. Under 75 Pa.C.S. § 9002 “gallon-equivalent-basis” is defined as the “amount of any alternative fuel as determined by the department to contain 114,500 BTU’s.” The amount determined on a “gallon-equivalent-basis” for each alternative fuel is subject to the oil company franchise tax currently imposed on 1 gallon of gasoline. The rate of tax on 1 gallon of gasoline during the period of this notice is 58.2¢ which is equal to the Oil Company Franchise Tax.

The 2017 tax rates for Compressed Natural Gas and Hydrogen are calculated by utilizing the unit of measurement referred to as the gasoline gallon equivalent (GGE). A GGE is the amount of alternative fuel it takes to equal

the energy content of 1 liquid gallon of gasoline. A GGE is the most common form of measurement for gaseous fuels at the retail level. By measuring in GGEs one may make energy and cost comparisons with gasoline.

The Secretary announces that the 2017 tax rates for alternative fuels are as follows:

<i>Alternative Fuel (Liquids)</i>	<i>Rate of Conversion (BTU/Gal of Alternative Fuel)</i>	<i>Tax Rate per Gallon of Alternative Fuel</i>
Ethanol	76,330	\$0.388
Methanol	57,250	\$0.292
Propane/LPG	84,250	\$0.429
E-85	82,056	\$0.418
M-85	65,838	\$0.335
Liquefied Natural Gas	75,714	\$0.386
Electricity	3,414 BTU/kWh	\$.0174/kWh
<i>Alternative Fuels under GGE Formula (Gaseous)</i>	<i>GGE Equivalent to One Gallon of Gasoline</i>	<i>Tax Rate per GGE</i>
Compressed Natural Gas	1	\$0.582
Hydrogen	1	\$0.582

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-2156. Filed for public inspection December 9, 2016, 9:00 a.m.]

GAME COMMISSION

Extension of Elk Hunting Season in Elk Hunt Zones 1 and 5

Executive Order

Whereas, The Pennsylvania Game Commission (PGC) conducted the 2016 regular elk hunting season from October 31, 2016 through November 5, 2016; and

Whereas, The PGC has historically observed a higher incidence of human-elk conflict within Elk Hunt Zone 5 as an evident result of the growth of the elk population in this area; and

Whereas, The PGC has attempted to reduce populations in Elk Hunt Zone 5 over the past four years by maintaining increased elk license allocations for this area; and

Whereas, The PGC has observed that elk harvest rates in Elk Hunt Zone 5 have varied over past four years, but harvest rates were poor in 2015 and exceptionally poor in 2016; and

Whereas, The PGC has calculated that at the close of the 2015 regular elk hunting season only 8 of 20 cow hunters (40%) and 3 of 3 bull hunters (100%) assigned to Elk Hunt Zone 5 had successfully harvested an elk; and

Whereas, The PGC has calculated that at the close of the 2016 regular elk hunting season only 6 of 20 cow hunters (30%) and 3 of 4 bull hunters (75%) assigned to Elk Hunt Zone 5 had successfully harvested an elk; and

Whereas, The PGC has determined that evidence suggests that hunters in Elk Hunt Zone 5 were unable to consistently locate elk that were remaining in forested areas and rarely venturing into many of the more traditional open areas and/or were unable to gain access to elk from private landowners, thus resulting in a significant underharvest of elk in Elk Hunt Zone 5 during the 2016 regular elk hunting season; and

Whereas, The PGC has determined that an extension of the elk hunting season within Elk Hunt Zone 5 is necessary to address these recent poor harvest rates and elevated rates of human-elk conflict; and

Whereas, The PGC has further determined that an extension of the elk hunting season within Elk Hunt Zone 1, which is typically open to all licensed elk hunters during the regular elk hunting season, will similarly assist in the continued control of elk populations and human-elk conflict mitigation in this borderland area; and

Whereas, The PGC has identified a total of 15 licensed elk hunters (14 cow/1 bull) from Elk Hunt Zone 5 that were unsuccessful during the 2016 regular elk season that would benefit from an extension of elk season in Elk Hunt Zones 1 and 5; and

Whereas, The PGC has concluded that an extension of the elk hunting season in Elk Hunt Zones 1 and 5 will improve its ability to meet its elk management goals within these areas, increase its rapport with landowners in these areas and increase rapport with previously unsuccessful Elk Hunt Zone 5 hunters; and

Whereas, The Game and Wildlife Code (Code) (34 Pa.C.S. §§ 101 et seq.) and regulations promulgated thereunder (58 Pa. Code §§ 131.1 et seq.) collectively provide broad authority to the PGC to regulate activities relating to the protection, preservation, and management of game and wildlife, including elk; and

Whereas, 58 Pa. Code § 139.3 provides specific authority to the Executive Director of the PGC to extend hunting or trapping seasons in designated areas when a certain species is available in sufficient number the designated area or it is determined that inclement weather conditions or other factors resulted in an underharvest of certain species of wildlife in the designated area.

Now Therefore, I, R. MATTHEW HOUGH, Executive Director of the Pennsylvania Game Commission, pursuant to the authority vested in me by the Code and regulations promulgated thereunder, do hereby order and direct the following:

1. The PGC will open an extended elk season in Elk Hunt Zones 1 and 5 from January 7, 2017 through January 14, 2017.

2. Any person licensed to hunt in Elk Hunt Zone 5 during the 2016 regular elk season who was unsuccessful and currently possesses a valid, unfulfilled elk harvest tag is eligible to participate during the above described extended season in Elk Hunt Zones 1 and 5, but will remain subject to the sex (antlered/antlerless or bull/cow) limitations of their original harvest tag.

3. Written descriptions of the boundaries of Elk Hunt Zones 1 and 5 are as set forth below and are more graphically illustrated on the map titled "2016 Elk Hunt Extended Season Map" and incorporated by reference herein. Should any discrepancy exist between the below-listed written boundaries and map of depicting Elk Hunt Zones 1 and 5, the written descriptions shall prevail.

a. *Elk Hunt Zone 1*: Cameron, Centre, Clearfield, Elk, Jefferson and McKean, counties, bounded and described as follows: From intersection of U.S. 219 and U.S. 6 near Mt. Jewett, follow U.S. 6 to Rt. 155. Rt. 155 south to Rt. 120. Rt. 120 west to Rt. 255. Rt. 255 south to Cleveland

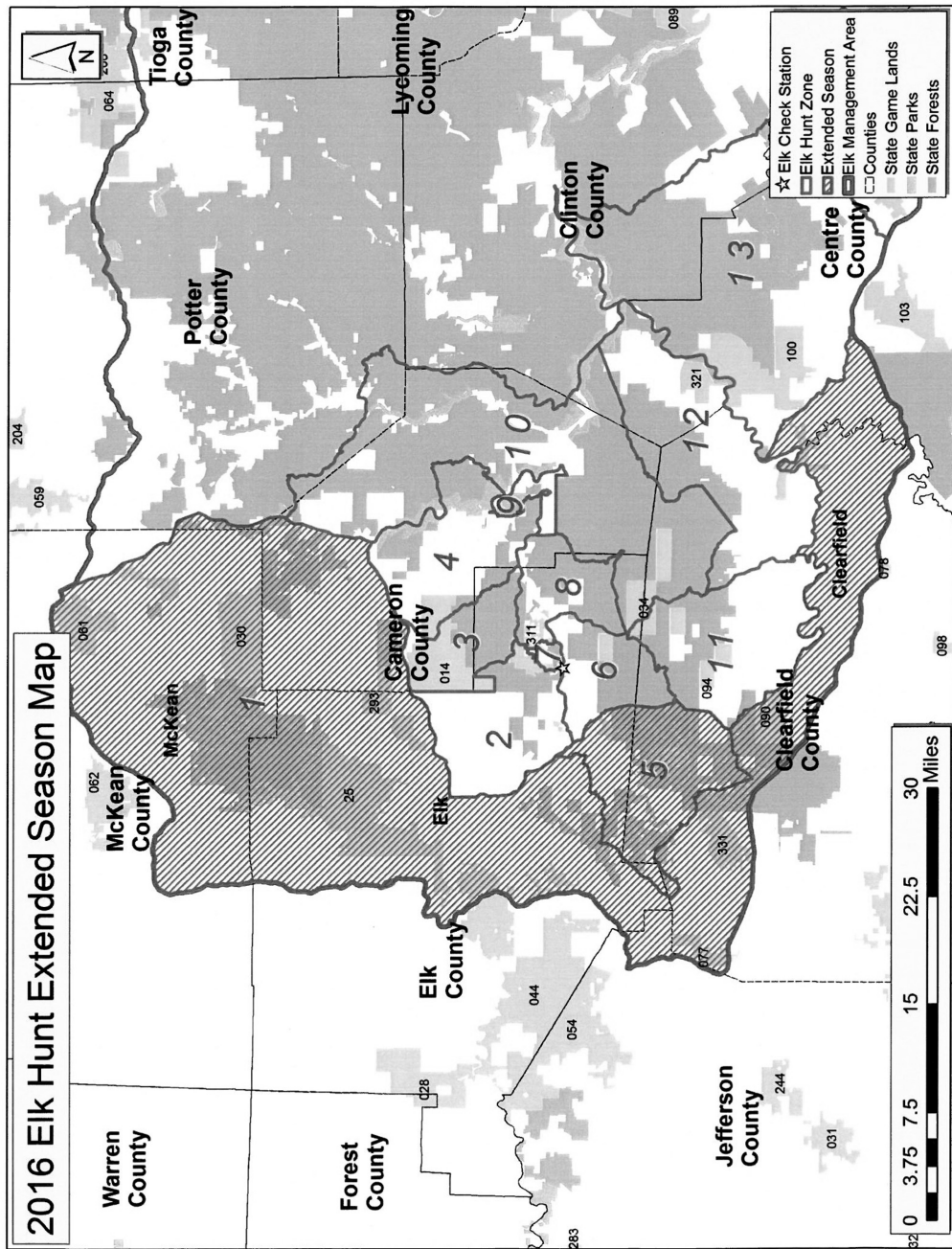
St. near Byrnedale. Cleveland St. west to Byrnedale Rd. Byrnedale Rd. west to Gardner Hill Rd. Gardner Hill Rd. west to Clear Cut Rd. Clear Cut Rd. west to Boone Mountain Rd. Boone Mountain Rd. south across Rt. 153 to Fire Tower Rd. Fire Tower Rd. south to Sierra Heights Rd. Sierra Heights Rd. east to Kiehlmeier Rd. Kiehlmeier Rd. east to Mountain Run Rd. Mountain Run Rd. east to Rt. 255. Rt. 255 south to Bark Camp Rd. Bark Camp Rd. east to Rt. 153. Rt. 153 south to Four Mile Rd. Four Mile Rd. east to McGeorge Rd. McGeorge Rd. south to Goshen Rd. Goshen Rd. east to Rt. 970 at Shawville. Rt. 970 south to West Branch Susquehanna River. West Branch Susquehanna River east to Rt. 879 near Karthaus. Rt. 879 south to Rt. 144 near Moshannon. Rt. 144 east to Interstate 80 interchange near Snowshoe. Interstate 80 west to U.S. 219 near Dubois. U.S. 219 north to U.S. 6 near Mt. Jewett.

b. *Elk Hunt Zone 5*: Clearfield and Elk counties, bounded and described as follows: From the intersection of Rt. 255 and Caledonia Rd., then Caledonia Rd. south-east to Rt. 555. Rt. 555 east to Caledonia Pike. Caledonia Pike south to McGeorge Rd. McGeorge Rd. south to Four Mile Rd. Four Mile Rd. west to Rt. 153. Rt. 153 north to Bark Camp Rd. Bark Camp Rd north to Rt. 255. Rt. 255 north to Mountain Run Rd. Mountain Run Rd. west to Kiehlmeier Rd. Kiehlmeier Rd. west to Sierra Heights Rd. Sierra Heights Rd. west to Fire Tower Rd. Fire Tower Rd. north across Rt. 153 to Boone Mountain Rd. Boone Mountain Rd. north to Clearcut Rd. Clearcut Rd. east to Gardner Hill Rd. Gardner Hill Rd. east to Byrnedale Rd. to Cleveland Rd. Cleveland Rd. east to Rt. 255 at Byrnedale. Rt. 255 north to intersection with Caledonia Rd.

4. This Order is effective immediately and shall remain in effect until it reaches its natural expiration on January 14, 2017 or it is otherwise rescinded or modified by subsequent order.

Given under my hand and seal of the Pennsylvania Game Commission on this 21st day of November, 2016.

R. MATTHEW HOUGH,
Executive Director



[Pa.B. Doc. No. 16-2157. Filed for public inspection December 9, 2016, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

2017 Public Meeting Schedule

The Independent Regulatory Review Commission (Commission) will hold public meetings in 2017 as follows:

January 26, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
February 16, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
March 16, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
April 20, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
May 18, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
June 15, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
July 13, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
August 24, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
September 14, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
October 12, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
November 16, 2017	10 a.m.	14th Floor Conference Room 333 Market Street
December 7, 2017	10 a.m.	14th Floor Conference Room 333 Market Street

Individuals who are planning on attending or speaking at a public meeting should notify the Commission no later than 72 hours prior to the date of the meeting. For any changes to the meeting schedule, refer to the Commission web site at www.irrc.state.pa.us. If an executive session is deemed necessary, it shall be held immediately following the close of the public meeting in the 14th Floor Conference Room, 333 Market Street, Harrisburg, PA. Persons in need of special accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Cheryl Yohn at (717) 772-3455.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-2158. Filed for public inspection December 9, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Transamerica Life Insurance Company; ID No. AEGJ-130596697; Doc. No. RT16-11-013

Under sections 307—315 of the Accident and Health Filing Reform Act (40 P.S. §§ 3301.307—3801.315), Transamerica Life Insurance Company has filed an application for a hearing seeking review of the disapproval of its rate increase filing. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for December 22, 2016, at 10 a.m. Each

party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before December 20, 2016. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102 or before December 9, 2016. Answers to petitions to intervene, if any, shall be filed on or before December 20, 2016.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2159. Filed for public inspection December 9, 2016, 9:00 a.m.]

**Appeal of Transamerica Life Insurance Company;
ID No. AEGJ-130596759; Doc. No. RT16-11-012**

Under sections 307—315 of the Accident and Health Filing Reform Act (40 P.S. §§ 3801.307—3801.315), Transamerica Life Insurance Company has filed an application for a hearing seeking review of the disapproval of its rate increase filing. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for December 22, 2016, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before December 20, 2016. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102 on or before December 9, 2016. Answers to petitions to intervene, if any, shall be filed on or before December 20, 2016.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2160. Filed for public inspection December 9, 2016, 9:00 a.m.]

Application for Renewal of Designation as a Certified Reinsurer

Arch Reinsurance Company Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on November 8, 2016, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2161. Filed for public inspection December 9, 2016, 9:00 a.m.]

Application for Renewal of Designation as a Certified Reinsurer

Münchener Rückversicherungs-Gesellschaft Aktiengesellschaft in München (Munich Re) has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on November 29, 2016, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2162. Filed for public inspection December 9, 2016, 9:00 a.m.]

Application for Renewal of Designation as a Certified Reinsurer

Swiss Reinsurance Company, Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on October 4, 2016, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2163. Filed for public inspection December 9, 2016, 9:00 a.m.]

Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On November 23, 2016, the Insurance Department received from the Coal Mine Compensation Rating Bureau (Bureau) a filing for a loss cost level change for workers' compensation insurance. This filing was made in accordance with section 705 of the act of July 2, 1993 (P.L. 190, No. 44).

The Bureau requests an overall 3.7% decrease in loss costs, effective April 1, 2017, on a new and renewal basis. Additionally, the Bureau has calculated the Employer Assessment Factor effective April 1, 2017, to be 2.32%, compared to the currently approved provision of 1.70%.

The entire April 1, 2017, loss cost filing is available for review on the Bureau's web site at www.cmcrbpa.com under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2164. Filed for public inspection December 9, 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 December 27, 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-2016-2575197. Skyhop Global, LLC (1170 Lee Wagener Boulevard, Suite 203, Fort Lauderdale, FL 33315) in airport transfer service, from points in the City and County of Philadelphia, to the Philadelphia International Airport.

A-2016-2575594 (Amended). Class I Bus Company, Inc. (13420 Damar Drive, Unit M, Philadelphia, Philadelphia County, PA 19116) for the right to transport as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers,

including the driver, between points in Jenkintown Borough, Montgomery County, and Philadelphia County, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2576715. PHN Charitable Foundation, t/a CF Transportation Solutions (55 Pitt Street, Sharon, Mercer County, PA 16146) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Mercer, Crawford and Lawrence, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* William A. Gray, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh PA 15219-2383.

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-2016-2570990. Closetbox Storage Worldwide, LLC (4100 East Mississippi Avenue, Suite 1000, Denver, CO 80246) for the right to arrange for the transportation of household goods in use, between points in Pennsylvania. *Attorney:* Andrew K. Light, 10 West Market Street, Suite 1500, Indianapolis, IN 46204.

Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2016-2576312. Chester County Moving & Storage, LLC (64 Pottstown Pike, Chester Springs, Chester County, PA 19425) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, at A-8912775, authorizing the transportation of household goods in use, from points in Chester and Delaware Counties, and sections of Lancaster and Montgomery Counties, within 10 miles of the usually traveled highways of the limits of Chester and Delaware Counties, to points in Pennsylvania, and return.

A-2016-2576314. Central Pocono Ambulance Association, Inc. (2884 Route 611, Tannersville, Monroe County, PA 18372) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, at A-6412702, authorizing the transportation of persons, in paratransit service, in vehicles equipped with a wheelchair lift, from points in Monroe County to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2165. Filed for public inspection December 9, 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 December 27, 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. Jaraso Freight, LLC; Docket No. C-2016-2572224

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Jaraso Freight, LLC, (respondent) is under suspension effective October 02, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 61 North York Street, Pottstown, PA 19464-5474.
3. That respondent was issued a Certificate of Public Convenience by this Commission on December 08, 2015, at A-8918092.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918092 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/26/16

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2166. Filed for public inspection December 9, 2016, 9:00 a.m.]

Telecommunications

A-2016-2576963. The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and BCN Telecom, Inc. Joint petition of The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and BCN Telecom, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and BCN Telecom, Inc., by their counsel, filed on November 23, 2016, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of The United Telephone Company of Pennsylvania, LLC d/b/a CenturyLink and BCN Telecom, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2167. Filed for public inspection December 9, 2016, 9:00 a.m.]

Telecommunications

A-2016-2577324. Verizon North, LLC and Broadvox-CLEC, LLC. Joint petition of Verizon North, LLC and Broadvox-CLEC, LLC for approval of an Amendment No. 1 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Broadvox-CLEC, LLC, by their counsel, filed on November 23, 2016, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an Amendment No. 1 to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address. Copies of the Verizon North, LLC and Broadvox-CLEC, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2168. Filed for public inspection December 9, 2016, 9:00 a.m.]

Telecommunications

A-2016-2577325. Verizon Pennsylvania, LLC and Broadvox-CLEC, LLC. Joint petition of Verizon Pennsylvania, LLC and Broadvox-CLEC, LLC for approval of Amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Broadvox-CLEC, LLC, by their counsel, filed on November 23, 2016, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of Amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Verizon Pennsylvania, LLC and Broadvox-CLEC, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2169. Filed for public inspection December 9, 2016, 9:00 a.m.]

Telecommunications Services

A-2016-2572847. North Penn Long Distance Corporation d/b/a Empire Access Services. Application of North Penn Long Distance Corporation d/b/a Empire Access Services for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of Citizens Telecommunications Company of New York, Inc. d/b/a Frontier Communications of New York and Frontier Communications of Canton, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 27, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: North Penn Long Distance Corporation d/b/a Empire Access Services

Through and By Counsel: Thomas Anderson, Esq., Harter, Secrest & Emery, 1600 Bausch and Lomb Place, Rochester, NY 14604-2711

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2170. Filed for public inspection December 9, 2016, 9:00 a.m.]

Transfer of Control

A-2016-2577555, A-2016-2577621, A-2016-2577622, A-2016-2577623, A-2016-2577624 and A-2016-2577625. Business Telecom, LLC, Choice One Communications of Pennsylvania, Inc., CTC Communications Corporation, DeltaCom, LLC, EarthLink Business, LLC, Lightship Telecom, LLC, EarthLink Holdings Corporation and Windstream Holdings, Inc. Joint application of Business Telecom, LLC, Choice One Communications of Pennsylvania, Inc., CTC Communications Corporation, DeltaCom, LLC, EarthLink Business, LLC, Lightship Telecom, LLC, EarthLink Holdings Corporation and Windstream Holdings, Inc. for approval to transfer control of authorized telecommunications providers.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 27, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicants: Business Telecom, LLC; Choice One Communications of Pennsylvania, Inc.; CTC Communications Corporation; DeltaCom, LLC; EarthLink Business, LLC; Lightship Telecom, LLC; EarthLink Holdings Corporation; Windstream Holdings, Inc.

Through and By Counsel: Thomas T. Niesen, Esquire, Charles E. Thomas, III, Esquire, Charles E. Thomas, Jr., Esquire, Thomas, Niesen & Thomas, LLC, Suite 600, 212 Locust Street, Harrisburg, PA 17101; Anthony C. DeCusatis, Esquire, Catherine G. Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; and Russell Blau, Esquire, Jeffrey Strenkowski, Esquire, Brett P. Ferencsak, Esquire, Morgan, Lewis & Bockius, LLP, 2020 K Street, N.W., Washington, DC 20006

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2171. Filed for public inspection December 9, 2016, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Notice of Cancellation of Sales of Wheelchair Accessible Taxicab Medallions

The Philadelphia Parking Authority's (Authority) Board Order No. 16-001 (Authority Order), published at 46 Pa.B. 3776 (July 9, 2016), directed the Taxicab and Limousine Division (TLD) to administer the sale of 41 Philadelphia taxicab medallions, each of which are designated as wheelchair accessible vehicle (WAV) taxicab medallions. This notice included the date, time and location of the bid openings for each of these medallions. To date, the Authority has sold five of those WAV medallions. The remaining WAV medallions were listed to be sold as follows:

<i>Scheduled Sale Dates</i>	<i>Medallion Nos.</i>
November 30, 2016	WP-1622, WP-1623, WP-1626, WP-1628, WP-1632, WP-1633, WP-1634, WP-1635, WP-1636, WP-1637, WP-1638, WP-1639, WP-1640, WP-1641, WP-1642, WP-1643, WP-1644, WP-1647, WP-1648, WP-1649, WP-1651, WP-1652, WP-1653, WP-1654, WP-1655 and WP-1656
December 7, 2016	WP-1657, WP-1658, WP-1661, WP-1665, WP-1666, WP-1667, WP-1668, WP-1669, WP-1670 and WP-1671

However, under the Authority Order under Paragraph No. 10, the TLD Director exercised his discretion to remove the remaining aforementioned 36 WAV medallions from being sold as scheduled on the bid opening dates of November 30, 2016, and December 7, 2016. The TLD will request that the Authority's Board cancel these sales until the TLD Director, at his discretion, places any of the aforementioned medallions before the Authority for a new sale authorization, under the terms and conditions as the Authority may then impose.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 16-2172. Filed for public inspection December 9, 2016, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project No. 16-143.1, On-Call Roofing Investigation and Repairs at PRPA Facilities, until 2 p.m. on Thursday, January 12, 2017. Information (including mandatory preproposal information) can be obtained from www.philaport.com under "Our Port," then "Procurement" or call (215) 426-2600.

JEFF THEOBALD,
Executive Director

[Pa.B. Doc. No. 16-2173. Filed for public inspection December 9, 2016, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 17-001.S, Design and Program Management for Port Development Plan, until 2 p.m. on Friday, December 30, 2016. Information (including mandatory preproposal information) can be obtained from www.philaport.com/procurement or call (215) 426-2600.

JEFF THEOBALD,
Executive Director

[Pa.B. Doc. No. 16-2174. Filed for public inspection December 9, 2016, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. William M. Dickun, Jr., RN, LPN; File No. 13-51- 12554; Doc. No. 0010-51-14

On September 22, 2016, William M. Dickun, Jr., RN, LPN, Pennsylvania license Nos. RN330523L and PN103820L, of Mansfield, TX, was indefinitely suspended and issued a \$500 civil penalty based on findings that he had disciplinary action taken against his license by another state and failed to disclose this discipline to the State Board of Nursing (Board).

Individuals may obtain a copy of the adjudication by writing to 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 Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-2175. Filed for public inspection December 9, 2016, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Teresa Wright Hankins, LPN; File No. 13-51- 08247; Doc. No. 0216-51-14

On September 30, 2016, Teresa Wright Hankins, LPN, license No. PN076928L, last known of Lansdale, Montgomery County, had her license revoked based on her pleading guilty to multiple counts of crimes of moral turpitude.

Individuals may obtain a copy of the adjudication by writing to Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-2176. Filed for public inspection December 9, 2016, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Wendy Renee Loria, LPN; File No. 14-51-07086; Doc. No. 1537-51-2014

On September 23, 2016, Wendy Renee Loria, LPN, Pennsylvania license No. PN285308, last known of Sarasota, FL, was indefinitely suspended and assessed a \$500 civil penalty based on disciplinary action taken 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. 16-2177. Filed for public inspection December 9, 2016, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Donald Wood Richie, RN; File No. 13-51-12737; Doc. No. 0157-51-14

On September 29, 2016, Donald Wood Richie, RN, Pennsylvania license No. RN573051, last known of Johnson City, TN, had his registered nurse license indefinitely

suspended until at least his California license to practice professional nursing is reinstated to unrestricted status, but no less than 1 year of active suspension, and required him to complete 16 hours of education, 8 hours of education in ethics and 8 hours of education in medication administration, based on receiving disciplinary action by the proper licensing authority of another state.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-2178. Filed for public inspection December 9, 2016, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Christopher Scarberry, LPN; File No. 13-51-
07321; Doc. No. 1510-51-13**

On September 22, 2016, Christopher Scarberry, LPN, Pennsylvania license No. PN270750, last known of Fenwick, WV, had his practical nurse license revoked based on receiving disciplinary action by the proper licensing authority of three other states.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-2179. Filed for public inspection December 9, 2016, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from October 1, 2016, through October 31, 2016.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals by Rule Issued Under 18 CFR 806.22(f)

1. Talisman Energy USA, Inc., Pad ID: 02 113 Reinfried C, ABR-201109004.R1, Warren Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 5, 2016.

2. Chesapeake Appalachia, LLC, Pad ID: Circle Z BRA, ABR-201203031.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 5, 2016.

3. Chesapeake Appalachia, LLC, Pad ID: Floydie, ABR-201203019.R1, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 5, 2016.

4. Chesapeake Appalachia, LLC, Pad ID: Hattie BRA, ABR-201203030.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 5, 2016.

5. Chesapeake Appalachia, LLC, Pad ID: Maggie, ABR-201203020.R1, Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 5, 2016.

6. Chesapeake Appalachia, LLC, Pad ID: R&N, ABR-201203014.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 5, 2016.

7. EOG Resources, Inc., Pad ID: WOLFE Pad, ABR-201110033.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 6, 2016.

8. EOG Resources, Inc., Pad ID: WALLACE Pad, ABR-201110032.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 6, 2016.

9. EOG Resources, Inc., Pad ID: PRUYNE 1H Pad, ABR-201110034.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 6, 2016.

10. SWN Production Company, LLC, Pad ID: CSB, ABR-201108013.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 11, 2016.

11. Cabot Oil & Gas Corporation, Pad ID: WilliamsD P1, ABR-201110018.R1, Brooklyn Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: October 11, 2016.

12. SWN Production Company, LLC, Pad ID: CHILSON-JENNINGS, ABR-201201012.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 13, 2016.

13. Chesapeake Appalachia, LLC, Pad ID: Manning, ABR-201204009.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 17, 2016.

14. Chesapeake Appalachia, LLC, Pad ID: Freed, ABR-201204014.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 17, 2016.

15. Chesapeake Appalachia, LLC, Pad ID: Reilly, ABR-201204015.R1, Colley Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 17, 2016.

16. EOG Resources, Inc., Pad ID: ASHBY Pad, ABR-201110031.R1, Athens and Smithfield Townships, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 17, 2016.

17. SWN Production Company, LLC, Pad ID: Carty-Wisemen Well Pad, ABR-201109006.R1, Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 17, 2016.

18. SWN Production Company, LLC, Pad ID: Kass North Well Pad, ABR-201109007.R1, Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 17, 2016.

19. SWN Production Company, LLC, Pad ID: Robinson Well Pad, ABR-201109009.R1, Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 17, 2016.

20. SWN Production Company, LLC, Pad ID: HDK Pad, ABR-201112001.R1, Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 17, 2016.

21. Chief Oil & Gas LLC, Pad ID: Leh Drilling Pad # 1, ABR-201204002.R1, Burlington Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: October 19, 2016.

22. Talisman Energy USA, Inc., Pad ID: 03 078 Bellows L, ABR-201610001, Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 21, 2016.

23. SWN Production Company, LLC, Pad ID: HOWLAND-LENT, ABR-201112032.R1, Herrick Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 21, 2016.

24. Chesapeake Appalachia, LLC, Pad ID: Rainbow BRA, ABR-201203033.R1, Terry Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 24, 2016.

25. Inflection Energy (PA), LLC, Pad ID: Ultimate Warrior, ABR-201111036.R1, Upper Fairfield Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 27, 2016.

26. Range Resources—Appalachia, LLC, Pad ID: Bobst Unit # 34H—# 37H, ABR-201111004.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: October 31, 2016.

27. Range Resources—Appalachia, LLC, Pad ID: Sechrist, Mark—# 1H—# 3H, ABR-201111005.R1, Anthony Township, Lycoming County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: October 31, 2016.

28. Range Resources—Appalachia, LLC, Pad ID: Red Bend B Unit—# 1H—# 8H, ABR-201111006.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: October 31, 2016.

29. Range Resources—Appalachia, LLC, Pad ID: Red Bend C Unit—# 1H—# 5H, ABR-201111007.R1, Cogan

House Township, Lycoming County, PA; Consumptive Use of Up to 1.0000 mgd; Approval Date: October 31, 2016.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: November 28, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-2180. Filed for public inspection December 9, 2016, 9:00 a.m.]

Projects Rescinded for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has rescinded the following projects from October 1, 2016, through October 31, 2016.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, being rescinded for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

Rescinded ABRs Issued

1. Chesapeake Appalachia, LLC, Pad ID: A&M, ABR-201501005, Wilmot Township, Bradford County, PA; Rescind Date: October 27, 2016.

2. Chesapeake Appalachia, LLC, Pad ID: Dingo, ABR-201401008, Cherry Township, Sullivan County, PA; Rescind Date: October 27, 2016.

3. Chesapeake Appalachia, LLC, Pad ID: Kintner, ABR-201309016, Wilmot Township, Bradford County, PA; Rescind Date: October 27, 2016.

4. Chesapeake Appalachia, LLC, Pad ID: Three D Acres, ABR-201301009, Monroe Township, Bradford County, PA; Rescind Date: October 27, 2016.

5. Chesapeake Appalachia, LLC, Pad ID: Windswept, ABR-201407002, Auburn Township, Susquehanna County, PA; Rescind Date: October 27, 2016.

6. Chesapeake Appalachia, LLC, Pad ID: Packard, ABR-2011050122.R1, Sheshequin Township, Bradford County, PA; Rescind Date: October 31, 2016.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: November 28, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-2181. Filed for public inspection December 9, 2016, 9:00 a.m.]

