

PENNSYLVANIA BULLETIN

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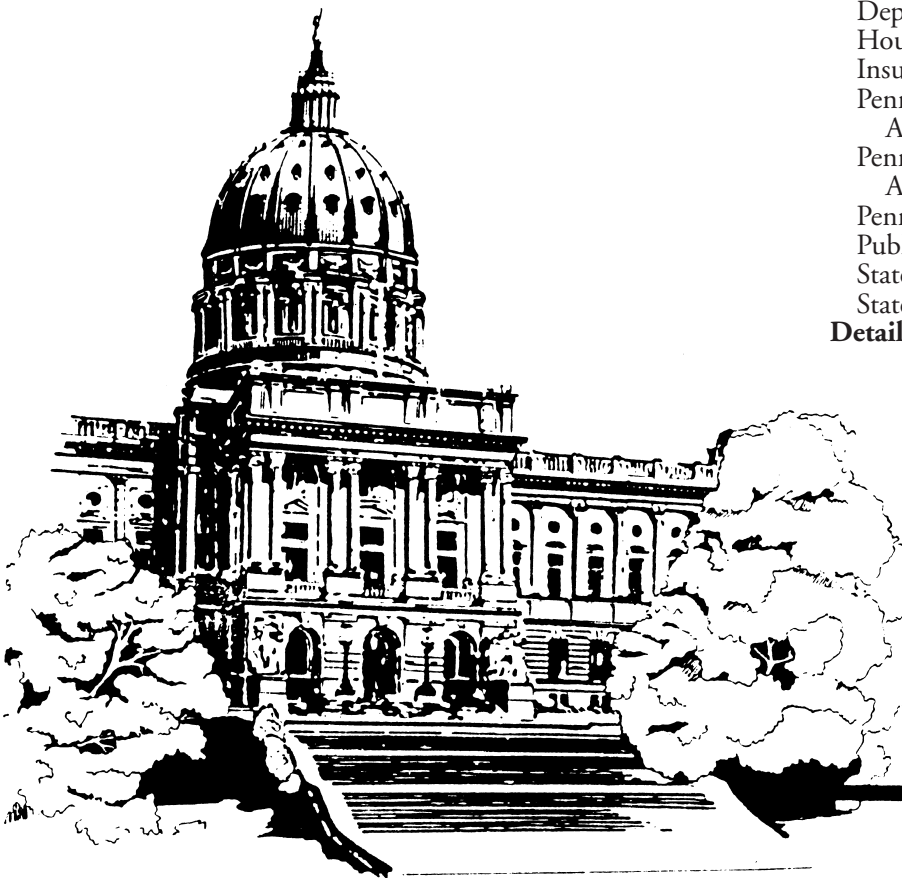
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Public School Employees' Retirement Board

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State Conservation Commission

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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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List of Pa. Code Chapters Affected

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

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CHS. 1, 5, 6 AND 7]

[EXECUTIVE ORDER NO. 2016-08]

Rescission of Executive Orders

December 5, 2016

Whereas, several Executive Orders have become obsolete without being specifically rescinded; and

Whereas, a list of current Executive Orders is contained in the Index of Issuances, Manual 210.3, issued through the Directives Management System.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, rescind the following Executive Orders.

1. 1977-04, Compliance with Section 504 of the Rehabilitation Act of 1973 (4 Pa. Code §§ 1.181—1.183).
2. 1978-19, Access by Handicapped Individuals to Meeting Locations (4 Pa. Code § 1.183).
3. 1979-10, Commonwealth Child Development Committee (4 Pa. Code §§ 5.201—5.204).
4. 1980-04, Golden Keystone Discount Card Program (4 Pa. Code §§ 7.261—7.265).
5. 1980-05, Task Force on Employment Services to Displaced Homemakers (4 Pa. Code §§ 5.251—5.254).
6. 1980-07, Small Business Service Center (4 Pa. Code §§ 7.271—7.274).
7. 1981-04, Federal Program Coordination (4 Pa. Code §§ 1.81—1.84).
8. 1981-06, Pennsylvania Department of Health Advisory Board of Arthritis (4 Pa. Code §§ 5.301—5.310).
9. 1981-13, Governor's Committee on Employment of the Handicapped (4 Pa. Code §§ 5.351—5.356).
10. 1986-05, Standby Allocations of the Volume Cap Under the Tax Reform Act of 1986 (4 Pa. Code §§ 7.321—7.329).
11. 1987-01, 1987 Allocations of the Unified Volume Cap Under the Tax Reform Act of 1986 (4 Pa. Code §§ 7.331—7.338).
12. 1987-08, Pennsylvania Emergency Response Commission (4 Pa. Code §§ 5.381—5.389).
13. 1987-12, Cultural Advisor to the Governor (4 Pa. Code §§ 7.401—7.402).
14. 1987-19, Delegation to Department of Environmental Resources Compliance with Federal Low-Level Radioactive Waste Policy Amendments Act (4 Pa. Code §§ 7.411—7.413).
15. 1989-08, Municipal Waste Reduction and Planning Program (4 Pa. Code §§ 7.471—7.476).
16. 1990-01, Municipal Waste Transportation Enforcement Program (4 Pa. Code §§ 7.491—7.492).
17. 1990-04, UNITED STATES BRIG NIAGARA—"Flagship of Pennsylvania" (4 Pa. Code § 7.521).

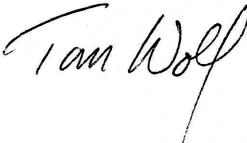
18. 1991-05, Environmental Training Partnership (4 Pa. Code §§ 5.651—5.657).
19. 1994-02, Governor's Office of PennPORTS (4 Pa. Code §§ 7.621—7.624).
20. 1994-04, Governor's Committee on Education Standards and Assessment (4 Pa. Code §§ 5.791—5.799).
21. 1994-05, Nursing Home Loan Agency's Authorization to Sell Loans (4 Pa. Code §§ 7.641—7.643).
22. 1995-02, As Amended, Drug Policy Planning Coordination (4 Pa. Code §§ 5.391—5.396).
23. 1995-06, Governor's Community Partnership for Safe Children (4 Pa. Code §§ 5.811—5.816).
24. 1995-07, Governor's Executive Council on Recycling Development and Waste Reduction (4 Pa. Code §§ 5.861—5.865).
25. 1995-08, Governor's Advisory Commission on Public School Finance (4 Pa. Code §§ 5.841—5.845).
26. 1995-10, Governor's Sports and Exposition Facilities Task Force (4 Pa. Code §§ 5.871—5.875).
27. 1996-02, Implementation of the IMPACCT Commission Recommendations (4 Pa. Code §§ 5.891—5.897).
28. 1996-05, Municipal Waste Facilities Review Program (4 Pa. Code §§ 5.901—5.906).
29. 1996-06, Governor's Advisory Commission on Academic Standards (4 Pa. Code §§ 5.921—5.925).
30. 1996-07, Pennsylvania Center for Environmental Education (4 Pa. Code §§ 5.931—5.935).
31. 1997-01, Governor's Travel and Tourism Council (4 Pa. Code §§ 5.941—5.946).
32. 2000-02, Pennsylvania Workforce Investment Board (4 Pa. Code §§ 5.191—5.200a).
33. 2002-02, As Amended, Governor's Task Force on Early Childhood Care and Education (4 Pa. Code §§ 6.61—6.69).
34. 2002-08, Governor's Interagency Task Force on Energy (4 Pa. Code §§ 5.991—5.997).
35. 2003-12, Governor's Cabinet on Children and Families (4 Pa. Code §§ 6.111—6.116).
36. 2004-03, Pennsylvania Business Tax Reform Commission (4 Pa. Code §§ 6.191—6.198).
37. 2004-03, Revision No. 1, Pennsylvania Business Tax Reform Commission (4 Pa. Code §§ 6.191—6.198).
38. 2004-07, Financial Education and Literacy (4 Pa. Code §§ 6.201—6.204).
39. 2004-11, Pennsylvania Election Reform Task Force (4 Pa. Code §§ 6.291—6.296).
40. 2006-07, Governor's Pandemic Advisory Council (4 Pa. Code §§ 6.321—6.326).
41. 2006-11, Governor's Dog Law Advice Group
42. 2007-05, Chronic Care Management, Reimbursement and Cost Reduction Commission (4 Pa. Code §§ 6.401—6.407).
43. 2008-02, As Amended, Sustainable Water Infrastructure Task Force (4 Pa. Code §§ 6.331—6.335).
44. 2008-04, Pennsylvania All-Hazard Incident Management (PA-IMT3) (4 Pa. Code §§ 6.351—6.353).

45. 2011-07, Pennsylvania Dairy Leadership Council (4 Pa. Code §§ 6.461—6.467).

46. 2011-08, Interagency Coordination Advisory Group for Economic Development (4 Pa. Code §§ 1.581—1.587).

47. 2014-06, Interoperable Public Safety and Emergency Communications Governance (4 Pa. Code §§ 6.561—6.568).

Effective Date. This Executive Order is effective immediately.



Governor

Fiscal Note: GOV-16-08. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter E. (Reserved)

§§ 1.81—1.84. (Reserved).

Subchapter O. (Reserved)

§§ 1.181—1.183. (Reserved).

Subchapter WW. (Reserved)

§§ 1.581—1.587. (Reserved).

CHAPTER 5. COUNCILS AND COMMITTEES

Subchapter R. (Reserved)

§§ 5.191—5.200. (Reserved).

§ 5.200a. (Reserved).

Subchapter S. (Reserved)

§§ 5.201—5.204. (Reserved).

Subchapter X. (Reserved)

§§ 5.251—5.254. (Reserved).

Subchapter BB. (Reserved)

§§ 5.301—5.310. (Reserved).

Subchapter GG. (Reserved)

§§ 5.351—5.356. (Reserved).

Subchapter JJ. (Reserved)

§§ 5.381—5.389. (Reserved).

Subchapter KK. (Reserved)

§§ 5.391—5.395. (Reserved).

Subchapter WW. (Reserved)

§§ 5.651—5.657. (Reserved).

Subchapter DDD. (Reserved)

§§ 5.791—5.799. (Reserved).

Subchapter EEE. (Reserved)

§§ 5.811—5.816. (Reserved).

Subchapter GGG. (Reserved)**§§ 5.841—5.845. (Reserved).****Subchapter HHH. (Reserved)****§§ 5.861—5.865. (Reserved).****Subchapter III. (Reserved)****§§ 5.871—5.875. (Reserved).****Subchapter JJJ. (Reserved)****§§ 5.891—5.897. (Reserved).****Subchapter KKK. (Reserved)****§§ 5.901—5.906. (Reserved).****Subchapter LLL. (Reserved)****§§ 5.921—5.925. (Reserved).****Subchapter MMM. (Reserved)****§§ 5.931—5.935. (Reserved).****Subchapter NNN. (Reserved)****§§ 5.941—5.946. (Reserved).****Subchapter RRR. (Reserved)****§§ 5.991—5.997. (Reserved).****CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES****Subchapter G. (Reserved)****§§ 6.61—6.69. (Reserved).****Subchapter I. (Reserved)****§§ 6.111—6.116. (Reserved).****Subchapter L. (Reserved)****§§ 6.191—6.198. (Reserved).****Subchapter M. (Reserved)****§§ 6.201—6.204. (Reserved).****Subchapter V. (Reserved)****§§ 6.291—6.296. (Reserved).****Subchapter Y. (Reserved)****§§ 6.321—6.326. (Reserved).****Subchapter Z. (Reserved)****§§ 6.331—6.335. (Reserved).****Subchapter BB. (Reserved)****§§ 6.351—6.353. (Reserved).****Subchapter FF. (Reserved)****§§ 6.401—6.407. (Reserved).****Subchapter KK. (Reserved)****§§ 6.461—6.467. (Reserved).****Subchapter UU. (Reserved)****§§ 6.561—6.568. (Reserved).**

CHAPTER 7. MISCELLANEOUS PROVISIONS

Subchapter T. (Reserved)

§§ 7.261—7.265. (Reserved).

Subchapter U. (Reserved)

§§ 7.271—7.274. (Reserved).

Subchapter X. (Reserved)

§ 7.321. (Reserved).

§ 7.323. (Reserved).

§ 7.323a. (Reserved).

§ 7.323b. (Reserved).

§ 7.323c. (Reserved).

§ 7.325. (Reserved).

§§ 7.327—7.329. (Reserved).

§§ 7.331—7.338. (Reserved).

Subchapter CC. (Reserved)

§ 7.401. (Reserved).

§ 7.402. (Reserved).

Subchapter DD. (Reserved)

§§ 7.411—7.413. (Reserved).

Subchapter HH. (Reserved)

§§ 7.471—7.476. (Reserved).

Subchapter II. (Reserved)

§ 7.491. (Reserved).

§ 7.492. (Reserved).

Subchapter KK. (Reserved)

§ 7.521. (Reserved).

Subchapter PP. (Reserved)

§§ 7.621—7.624. (Reserved).

Subchapter QQ. (Reserved)

§§ 7.641—7.643. (Reserved).

[Pa.B. Doc. No. 16-2238. Filed for public inspection December 23, 2016, 9:00 a.m.]

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 7]

Amendment of Rule 704 of the Rules of Judicial Administration; No. 471 Judicial Administration Doc.

Order

Per Curiam

And Now, this 5th day of December, 2016, it is *Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 704 of the Rules of Judicial Administration is amended in the following form.

To the extent that notice of proposed rulemaking would otherwise be required by Pa.R.J.A. No. 103, the immediate promulgation of the amendments is found to be in the interests of justice and efficient administration.

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

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 7. ASSIGNMENT OF JUDGES

SUPERVISION AND ASSIGNMENT OF JUDGES

Rule 704. Judicial leave.

(A) *Policy statement.* It is the policy of the Unified Judicial System that jurists are required to devote the necessary time and attention to their judicial duties. Absences due to a judge's illness or **physical or mental disability** shall not be abused and are subject to the review of the Supreme Court as part of the Court's constitutionally mandated responsibility to oversee the Unified Judicial System.

(B) *General rule.*

(1) *Initial report of illness or **physical or mental disability.*** Any judge who, because of **his or her** illness or physical or mental disability, is unable to substantially perform his or her duties for a period of fifteen (15) days or more within any thirty-day period shall provide a written report to the President Judge and to the Court Administrator [of Pennsylvania] on a **Rule 704 Report form supplied by the Administrative Office.**

(a) *Content of the report.* The report shall include a description of the nature of the illness or **physical or mental disability**, the **start date and** expected length of the absence, and a certification from the treating physician, psychiatrist, or psychologist [of the judge's inability] **explaining how the illness or physical or mental disability renders the judge unable to** substantially perform his or her duties.

(b) *Time for filing the report.* The report shall be submitted within ten (10) days of the date the judge becomes aware he or she will be absent for fifteen (15) days or more, but in any event no later than ten (10) days after the fifteenth day of the judge's absence.

(2) *Subsequent reporting of continuing illness or **physical or mental disability.*** If a judge is unable to substantially perform his or her duties for thirty additional days beyond an initial fifteen-day period, the judge shall file, within ten (10) days after the thirty-day period, an updated report, on a **Rule 704 Report form supplied by the Administrative Office**, containing the information required in (B)(1)(a), except that the healthcare professional's certification shall **also** state that the illness or **physical or mental disability** persists and provide a medical opinion as to the judge's anticipated return to service. Thereafter, the judge shall continue to file reports every thirty (30) days for as long as the illness or **physical or mental disability** persists.

(3) *Report of return to service.* When a judge's illness or physical or mental disability no longer persists, the judge shall, within ten (10) days of returning to service, report to the President Judge and the Court Administrator that he or she is able to substantially perform his or her duties. If the judge will have any restrictions upon returning, he or she must submit a Rule 704 Report that includes a physician's explanation of how such restrictions may impact the judge's ability to substantially perform his or her duties.

Official Note: If a President Judge is unable to substantially perform his or her duties, or returns to service, as described in subparagraph (B), the President Judge shall submit the required reports to the Court Administrator.

[(3)] (4) *Duties of President Judge.*

[(a)] If a President Judge is unable to substantially perform his or her duties for a period of fifteen (15) days or more within any thirty-day period, the President Judge shall submit reports to the Court Administrator pursuant to (B)(1) and (2).

(b)] (a) If a President Judge is aware of a judge who has been unable to substantially perform his or her duties for at least fifteen (15) days within any thirty-day period but has not filed a report as required by this Rule, the President Judge shall communicate by letter to the judge that a report must be submitted within ten (10) days of the date of the letter. A copy of that letter shall be provided to the Court Administrator. If no response is received from the judge, the Court Administrator shall report the lack of response to the Supreme Court for appropriate action.

If the illness or **physical or mental disability** is of such a nature that the judge cannot submit any of the reports required by this Rule, the President Judge shall make reasonable inquiry into the nature of the illness or **physical or mental disability** and report the findings to the Court Administrator, who shall inform the Supreme Court of those findings.

[(c)] (b) If a President Judge believes that a judge is suffering from [a mental or physical disability] an illness or physical or mental disability that renders him or her incapable of substantially performing his or her judicial duties, and that immediate action is warranted, the President Judge, after consultation with the Court Administrator, may place the judge on administrative leave. The Court Administrator shall promptly advise the Supreme Court of any placements on administrative leave.

[(d)] (c) When a President Judge is unable to substantially perform his or her duties, the Court Administrator shall perform the duties prescribed in [(B)(3)(b) and (c)] (B)(4)(a) and (b).

[(4)] (5) *Reporting to the Supreme Court.* The reports of any jurist who is unable to substantially perform his or her duties for a cumulative period of at least ninety days in any twelve-month period shall be forwarded by the Court Administrator to the Supreme Court for appropriate action.

[(5)] (6) *Request for Independent Examination.*

(a) A President Judge may request that a judge who is unable to substantially perform his or her duties submit to an independent physical, psychiatric, or psychological examination. Such request shall be made in writing to the Court Administrator and shall explain the reasons for an independent examination.

If the Court Administrator agrees that an independent examination is justified, the President Judge shall inform the judge of the name of the physician, psychiatrist, or psychologist who will conduct the examination, and the judge shall submit to the examination within thirty (30) days of receiving notice from the President Judge and must agree to waive confidentiality protections so that the President Judge, Court Administrator and Supreme Court can be provided with the results of the examination.

(b) The Court Administrator may direct a jurist who is unable to substantially perform his or her duties to submit to an independent examination. The Court Administrator shall inform the jurist of the name of the physician, psychiatrist, or psychologist who will conduct the examination, and the jurist shall submit to the examination within thirty (30) days of receiving notice from the Court Administrator and must agree to waive confidentiality protections so that the President Judge, Court Administrator and Supreme Court can be provided with the results of the examination.

(C) *Confidentiality.* Any reports submitted pursuant to this Rule shall be confidential and subject to disclosure only to necessary judicial, administrative or disciplinary personnel.

(D) *Definitions.* For the purposes of this Rule:

(1) *Day* means a calendar day.

(2) *Judge* means a judge of a court of common pleas, Philadelphia Municipal Court, [**Philadelphia Traffic Court,**] the Superior Court of Pennsylvania, the Commonwealth Court of Pennsylvania, or a magisterial district judge. **For purposes of this Rule, judge does not include a senior judge.**

(3) *Jurist* means both a judge and a President Judge.

(4) *President Judge* means the President Judge of a judicial district or, in the case of the Superior Court of Pennsylvania, the Commonwealth Court of Pennsylvania, or Philadelphia Municipal Court, [**or Philadelphia Traffic Court,**] the President Judge of the court.

(5) *Substantially perform* means to carry out on a full-time basis the essential and assigned responsibilities required of the judicial office.

Official Note: The time periods provided in the Rule are only the minimum periods of absence that trigger the reporting requirements of the Rule. A jurist may be unable to substantially perform his or her duties even if

he or she reports to work in excess of the time periods provided, which would also require the filing of the reports mandated by the Rule. The key to an assessment of substantial performance is whether the jurist is carrying out the assigned duties of his or her position to the same extent as other jurists in the same or comparable position. A judge may be presumed to be unable to substantially perform his or her duties if, for example, the judge has been unable to work more than three hours in a day for a total of fifteen (15) days in a thirty-day period.

[Pa.B. Doc. No. 16-2239. Filed for public inspection December 23, 2016, 9:00 a.m.]

[201 PA. CODE CH. 40]

Amendment of Rules 4001—4016 of the Rules of Judicial Administration; No. 466 Judicial Administration Doc.

Amended Order

Per Curiam

And Now, this 12th day of August, 2016, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 4001—4016 of the Pennsylvania Rules of Judicial Administration are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 1, 2017, except in the First Judicial District and Fifth Judicial District, in which it shall be effective July 1, 2017. For the period from January 1, 2017 through July 1, 2017, the First Judicial District and Fifth Judicial District shall be governed by Pa.R.J.A. Nos. 5000.1—5000.13, which are rescinded as to all other judicial districts as of January 1, 2017.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 40. UNIFORM RULES GOVERNING COURT REPORTING AND TRANSCRIPTS

Rule 4001. Scope of Rules[.] and Policy.

(A) These rules shall govern the making, preserving and transcribing of the record of proceedings [**before any trial court of record**] in the judicial districts within the Unified Judicial System.

(B) Because complete and verbatim notes of testimony and transcripts are integral to the official record of court proceedings, it is the policy of the Unified Judicial System to ensure that (1) qualified court reporting services are available in each judicial district and that court reporters are fairly compensated, (2) transcripts are timely produced and are affordable to all litigants, and (3) efficient technologies are employed to reduce litigation costs and conserve public resources.

Comment

These rules are promulgated pursuant to the administrative and supervisory authority granted to the Supreme Court by Article V, § 10 of the Pennsylvania Constitution. *See also* 42 Pa.C.S.A. § 1724(a)(10).

Pursuant to Order No. 466 Judicial Administration Docket (August 12, 2016), Pa.R.J.A. Nos. 4001—4016 shall become effective in the First Judicial District and the Fifth Judicial District on July 1, 2017. For the period from January 1, 2017 through July 1, 2017, the First Judicial District and Fifth Judicial District shall be governed by Pa.R.J.A. Nos. 5000.1—5000.13, which are rescinded as to all other judicial districts as of January 1, 2017.

Rule 4002. Definitions.

Condensed transcript means a miniaturized copy of the original transcript printed in such a way as to place more than one page of transcript on a single sheet of paper.

Court Administrator means the Court Administrator of Pennsylvania.

Court recorder means an individual employed, contracted or utilized by a court to record testimony by electronic means (audio or audio-visual).

Court reporter means an individual employed, contracted or utilized by a court to record testimony whether through use of a stenotype machine, stenomask equipment, written symbols, or otherwise.

Court reporter's dictionary is a computer file that matches a court reporter's steno strokes with English text. A court reporter's personal dictionary is an essential part of a computer aided transcription (CAT) system.

Court reporting personnel includes court reporters, court recorders, transcriptionists and any other personnel whether employed or contracted who make the court record for use in any Pennsylvania court.

Daily transcript means a transcript delivered within eighteen (18) hours of an official request, not including weekends or official court holidays. For the purposes of additional payment, a transcript is a daily transcript only if it is in fact delivered within the above time limit.

Digital audio files are those files created by digital recording systems and saved in a format that allows storage and playback through computer applications.

District Court Administrator means the County Court Administrator.

Electronic transcript means an official transcript delivered in an electronic, non-paper medium.

Expedited transcript means a transcript delivered within seventy-two (72) hours of an official request, not including weekends or official court holidays. For the purposes of additional payment, a transcript is an expedited transcript only if it is in fact delivered within the above time limit.

Filing office refers to an office without regard to title that has the responsibility and function in each judicial district to maintain the official dockets and case files of the court.

[Financial institution account identifiers means financial institution account numbers, credit card numbers, debit card numbers, PINS or passwords to secure accounts, and other account identifying information.]

Notes of testimony means the official recording of an oral proceeding made whether through use of an electronic device, stenomask equipment, stenotype machine, written symbols, or otherwise; and includes the dictionary, media storage files, and other documentation needed to prepare a transcript.

Ordinary transcript means a transcript [ordered for delivery within the time limits set forth in Rule 4011] necessary for an appeal or to otherwise advance litigation and required under a time frame set by a Pennsylvania Rule of Court regarding the delivery of court transcripts or by court order. An example of a non-ordinary transcript is one requested by a litigant when no matters are open before the court or where the transcript is ordered by a third party.

President Judge means the president judge in each judicial district, his or her designee, or any judicial officer recognized by the Court Administrator as having administrative authority.

Rough draft transcript (computer diskette, hard paper copy, or electronically distributed) is an unedited and uncertified transcript that may contain untranslated or mistranslated stenotype symbols. This also includes notes that appear on paper, unedited electronic data, tapes or other media in the original state in which they existed when they were taken at the time of testimony.

Same day delivery means transcripts delivered within 6 hours of the close of the court session, divided by morning and afternoon with the line of demarcation being lunch or mid-day recess.

Transcript means a certified, written, verbatim record of a proceeding.

Transcriptionist means any person employed, contracted or utilized by a court to prepare a transcript of a proceeding from an electronic or other recording. A court recorder and a court reporter may also serve as a transcriptionist.

Rule 4003. Committee on Court Reporting and Transcripts.

(A) The Committee on Court Reporting and Transcripts shall consist of the following members appointed by the Supreme Court of Pennsylvania, one of whom shall be designated as Chair and one of whom shall be designated as Vice-Chair:

- (1) One representative of the Superior Court of Pennsylvania;
- (2) One representative of the Commonwealth Court of Pennsylvania;
- (3) Two president judges of the courts of common pleas chosen from among the judicial districts of the Commonwealth;
- (4) **Two members of the County Commissioners Association of Pennsylvania;**

[(4)] (5) The district court administrator of the Philadelphia County Court of Common Pleas;

[(5)] (6) The district court administrator of the Allegheny County Court of Common Pleas;

[(6)] (7) Two district court administrators chosen from among the judicial districts of the Commonwealth other than Philadelphia and Allegheny;

[(7)] (8) Two providers of court reporting services representing the various methods currently in usage within Pennsylvania; and

[(8)] (9) Two members of the Pennsylvania Bar.

(B) Initial appointments shall be for one-, two- or three-year terms, and these members may serve one

additional three-year term. Thereafter appointments shall be for three years and members shall serve no more than two consecutive three-year terms. A replacement appointee shall serve for the balance of the unexpired term.

(C) The Committee shall review current rules and practices, and, upon concurrence of the Court Administrator, recommend revisions to the Uniform Rules Governing Court Reporting and Transcripts as may be necessary to effectuate the policy of these rules.

(D) The Administrative Office shall provide staff support to the Committee.

Rule 4004. Qualifications [and Certification] of Court Reporters and Court Recorders.

(A) No person shall be employed or utilized by a court as a court reporter or court recorder unless **[certified] approved** by the president judge or his or her designee as meeting the minimum criteria set forth in subdivision (B)(1), (B)(2), or (C) except

(1) those persons already employed or utilized by a court at the time of the adoption of these rules or

(2) those court reporters who hold and maintain a professional certification.

(B) The minimum criteria for **[certification] qualification** of a court reporter, **for both stenographic and voice writing**, are the following:

(1) stenographic requirements: the court reporter is capable of recording proceedings at a 95% accuracy level at the following speeds:

(a) literary at 180 w.p.m.

(b) jury charge at 200 w.p.m.

(c) testimony and question and answer at 225 w.p.m.

(2) voice writing requirements: the court reporter is capable of recording proceedings at a 95% accuracy level at the following speeds:

(a) literary at 200 w.p.m.

(b) jury charge at 225 w.p.m.

(c) two-voice question and answer at 250 w.p.m.

(C) The minimum criteria for **[certification] qualification** of a court recorder are the following:

(1) full familiarity with the controls of the electronic audio or audio-visual equipment;

(2) adequate hearing acuity to assure a high quality recording;

(3) insistence on clarity of the recording;

(4) ability to quickly diagnose and correct routine malfunctions;

(5) proficiency in note taking; and

(6) understanding of courtroom procedures and vocabulary.

(D) All persons employed or utilized by a court as a court reporter or court recorder, including those employed or utilized prior to the adoption of these rules, shall be **[recertified] requalified** as meeting the above criteria at least every three (3) years.

(1) Court reporters shall be **[recertified] requalified every three (3) years** upon completion of thirty (30) hours of continuing professional education **[every three (3) years] which has been properly accredited**

or certified by the National Court Reporters Association. Proof of attendance shall be submitted to the president judge or his or her designee.

(2) Court recorders shall be **[recertified] requalified** every three (3) years. The president judge may rely upon reports of the district court administrator and the judicial district's judges and quasi-judicial officers to determine whether the requirements set forth in subdivision (C) are satisfactorily met. Those reports must be based on recent courtroom experience and a review of work products (e.g., lists, log notes, CD recordings) for accuracy, timeliness and quality.

(E) Any person who fails to meet the minimum criteria at the time of **[recertification] requalification** shall be given six months to comply. Anyone who fails to comply with this subdivision shall be prohibited from serving as a court reporter or court recorder.

[(F) The president judge shall verify annually to the Court Administrator compliance with this rule on forms developed by the Administrative Office.]

Rule 4005. Approval of Transcriptionists.

No person or organization shall be employed or utilized by a court as a transcriptionist unless approved by the president judge.

[Comment

The American Association of Electronic Reporters and Transcribers (AAERT) recommends the following criteria for transcriptionists: (a) scores at least 70% on an examination with a timed, 100-question, written examination on technical aspects of electronic reporting, courtroom procedures, and vocabulary; and (b) scores at least 98% accuracy on at least ten text pages produced during a half-hour AAERT-prepared audiotape in ASCII, Word, WordPerfect, or WordStar.]

Rule 4006. Employment and Duties of Court Reporting Personnel.

(A) The president judge or his or her designee shall select, appoint, and supervise court reporting personnel for the district. The number of court reporting personnel in any district shall be adequate to support the full and unrestricted operation of the courts.

(B) The president judge or his or her designee shall assign court reporting personnel in a manner as to

(1) cover all proceedings and timely produce all transcripts; and

(2) substantially equalize the workload of recording testimony, and of transcript production and generating fees.

(C) All court reporting personnel are officers of the court with a duty to comply with all court regulations and orders and to maintain the highest standards of professional and ethical conduct.

(D) No court reporting personnel shall work outside his or her official duties **[unless in full compliance with all rules regarding timeliness of transcripts] unless such work is permitted under the Code of Conduct For Employees of the Unified Judicial System (see Section VI (F)) and he or she is in substantial compliance with these rules regarding timeliness of transcripts as determined by the president judge.**

(E) [All court reporters using computer-aided transcription are required to submit to the president judge or his or her designee a copy of the reporter's dictionary upon employment or contractual engagement. An updated dictionary must be provided to the president judge or his or her designee at least quarterly.] All court reporters must ensure that the court will have access and the ability to obtain the notes of testimony and all other record proceedings of the court in the event of the inability, unavailability, or unwillingness of the court reporter to do so within the time frame established by these rules.

Comment

The Committee recommends that court reporters assure, in the event of unavailability or incapacity, that the court is able to access court reporter notes or work product so that all transcripts can be recovered. The Committee recommends that each court reporter should provide certification every 6 months that at a minimum, the court reporter has provided one of the following methods or mechanisms for recovering transcripts:

(1) contracting with an available scopist capable of translating the court reporter's notes;

(2) generating court reporter notes on a software program recognized by the court/district court administrator;

(3) providing the district court administrator with a current copy of the court reporter's dictionary; and/or

(4) providing translated steno notes in ASCII format.

(F) Court reporters, court recorders and transcriptionists shall file a monthly report with the district court administrator of all ordered or requested transcripts **for matters on appeal**, in chronological order indicating the date of each order or request, the case name and number, whether the transcript requires rapid completion (e.g., a Children's Fast Track appeal), the approximate length of the record to be transcribed, the status of the transcription, and the expected date of the filing of the transcript. A court reporter, court recorder or transcriptionist must coordinate **with** the district court administrator or his or her designee whenever courtroom coverage must be arranged in order to timely deliver the transcript.

(G) [The district court administrator shall prepare a summary statistical report of the number of transcripts requested, delivered and pending, as well as the age of all pending transcripts, which shall be forwarded to the Administrative Office quarterly on forms designed by the Court Administrator.] The president judge shall determine the internal procedure in his or her judicial district for tracking the timely fulfillment of all other requests and orders for transcript of court proceedings in matters not under appeal. It is the duty of each president judge or his or her designee to assure compliance with the timely delivery of all transcripts as required by these rules.

(H) The district court administrator shall prepare a summary statistical report of all cases under appeal including the number of transcripts requested, delivered and pending, as well as the age of all pending transcripts, which shall be forwarded

to the Administrative Office quarterly on forms designed by the Court Administrator.

[(H)] (I) All court reporting personnel and county administrative personnel are required to comply with all standing and special requests of the Administrative Office for information, including information on transcript cost and fee payments and data relative to transcript production, delivery, and delay.

Rule 4007. Requests for Transcripts.

(A) All requests for transcripts shall be set forth on a standardized form provided by the Court Administrator. The form shall indicate the current rates authorized to be charged for transcripts under these rules.

(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 **district court administrator or other** appropriate filing office of the court. [Copies of the formal request shall be delivered] The requesting party shall also serve copies of the formal request to:

(1) the judge presiding over the matter;

(2) the court reporter, court recorder or transcriptionist;

(3) the district court administrator or his or her designee (if not filed with the district court administrator); and

(4) opposing counsel, but if not represented, the opposing party.

(C) In courts where daily, expedited, **same day** or rough draft transcripts are available, requests for these transcripts shall be filed in writing in the appropriate filing office at least 10 days prior to the proceeding. Copies of the written request shall be delivered as required by subsection (B). In the event of an emergency, a party may request by oral motion a daily, expedited or rough draft transcript.

(D) When a [private litigant who is responsible for the costs] litigant requests a transcript,

(1) the litigant ordering a transcript shall make partial payment [of the estimated cost of the transcript to the court's designee] in an amount established by local rule. Deposit checks are to be made payable to the judicial district or county, as set by local rule, and shall be delivered to the district court administrator or other court designee.

(2) the court reporter or transcriptionist shall prepare the transcript upon direction of the court's designee.

(3) the court reporter, court recorder or transcriptionist shall notify the ordering party and the court's designee of the completion of the transcript and deliver a copy of the transcript to the judge presiding over the matter. Checks for the final balance are to be made payable to the judicial district or county.

(4) upon payment of any balance owed, the court reporter, court recorder or transcriptionist shall deliver the original transcript to the appropriate filing office and copies to the parties. Checks for the final balance are to be made payable to the judicial district or county, as set by local rule, and shall be delivered to the district court administrator or other court designee.

(E) 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 Rule 4008(B). In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the court. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate reasonable need before the court shall waive or adjust the cost of obtaining the transcript.

[(E)] (F) When a transcript is requested for which the court or county is responsible for the cost, the court reporter, court recorder or transcriptionist shall prepare the transcript [upon receipt of the request] without the necessity of a deposit.

Comment

Nothing in this rule prevents a local court from adopting an electronic filing request procedure provided the request is effectively communicated to the listed persons.

Within the framework of these rules, the particular methods and logistics for receiving and accounting for costs is left to the discretion of the president judge and district court administration. Note, however, that deposit checks and final payment checks are to be made payable to the judicial district or county, not to the individual court reporter or transcriptionist preparing the transcript.

It is anticipated that court reporters shall continue to be compensated for the preparation of transcripts pursuant to local rule or practice. It is not contemplated that this rule shall interfere with or otherwise limit the income of court reporters. In this regard, the Committee recognizes that in certain jurisdictions, court reporters earn a substantial portion of their income through the preparation of transcripts. It shall remain the duty of the president judge and district court administrator to assure that the implementation of these rules does not unfairly limit the ability of court reporters to be properly compensated for their professional services.

The rule also recognizes that unreasonable demands for free or reduced-cost transcripts can result in a significant economic burden on the court system; for this reason, the rule attempts to distinguish necessary and nonessential requests.

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

(A) Costs

(1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for [an electronic] a transcript in an electronic format shall not exceed:

- (a) for an ordinary transcript, [\$2.25] \$2.50 per page;
- (b) for an expedited transcript, [\$3.25] \$3.50 per page; [and]
- (c) for a daily transcript, [\$4.25] \$4.50 per page [.]; and
- (d) for same day delivery, \$6.50 per page.

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

Comment

The rules encourage the use of electronic transcripts which will result in reduced costs for preparing and distributing transcripts. No-cost, user-friendly software is available for converting text files into PDF format (see Rule 4010(B)). Unlike paper transcripts, electronic transcripts can offer features such as keyword searches, copy and paste functions, and speedy transmission. Moreover, the ability to store transcripts and reporters' notes on disks and networks should greatly reduce the courts' storage costs. Electronic systems support the business trend of moving toward paperless operations and also respond to ecological concerns by reducing paper waste.

Many [judges] attorneys/litigants prefer to read paper transcripts, including condensed transcripts, and these rules do not inhibit the practice. However, when a condensed paper transcript is ordered by a party, the surcharge of \$0.25 per page in Rule 4008(A)(2) shall refer to \$0.25 per sheet of paper, regardless of the number of pages of transcript on the sheet.

(B) Economic hardship—minimum standards

(1) Transcript costs for ordinary transcripts **in matters under appeal or where 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 [below] 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) [The court shall advise litigants of the procedure for requesting a waiver or reduction of costs.] Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, rough draft or same day transcripts may be waived at the court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown.

(4) The application to waive 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.

Comment

Transcript costs can be quite expensive. By establishing minimum standards, subdivision (B) is intended to ensure that costs do not effectively deny access to the court system to impoverished persons and persons of limited financial means when further proceedings necessitate a transcript. The rule also recognizes that unreasonable demands for free or reduced-cost transcripts can result in a significant economic burden on the court system; for this reason, the rule attempts to distinguish necessary and nonessential requests.

Procedures for waiving or reducing transcripts costs must be published by the court and clearly communicated to litigants.

Litigants who have been approved for representation by legal aid services are not required to prove economic hardship. Legal aid clients shall be entitled to obtain ordinary transcripts for no cost.

(C) *Assignment and allocation of transcript costs*

(1) *Assignment of costs.* The requesting party, or 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) *Allocation of costs.* 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.

(D) *Copies of transcript*

[(1) An electronic copy of the transcript shall be provided without charge to all parties other than the requesting party. A paper copy may be purchased at the surcharge rate specified in Rule 4008(A)(2).

(2) The cost of copies prepared for the court or filing office are included in the costs set forth in Rule 4008(A) and shall not be charged to any party.

(3) The cost charged to the public for a copy of a transcript that has been filed of record shall not exceed \$0.25 per page.]

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 electronic copy.

Comment

[As no additional effort is needed to produce a copy of an electronic transcript, no copy charges may be levied upon the parties. With respect to a non-party (i.e., general public) request for a photocopy of a transcript, Rule 4007(D)(4) anticipates that the filing offices of the judicial district are the proper custodians of court case records and transcripts. Rule 4008(D)(3) provides that the cost charged to the public for a transcript copy that has been filed of record shall not exceed \$0.25 per page, regardless of the form or location in which the transcript is filed or stored. At this time, the rules do not require the sale of electronic transcripts to the public.]

With respect to a non-party (i.e., general public) request for a photocopy of a transcript, Rule 4007(D)(4) anticipates that the filing offices of the judicial district are the proper custodians of court case records and transcripts. Rule 4008(D) provides that the cost charged to the public for a transcript copy that has been filed of record shall not exceed \$0.75 per page, regardless of the form or location in which the transcript is filed or stored.

(E) *Additional Costs*

No transcript or related costs may be charged to the parties or the public other than those listed in subdivisions (A), (B) and (D) without the written approval of the

Court Administrator, **except that a judicial district may enact a local rule that permits a trial judge to 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.**

Comment

Pursuant to local rule, a reasonable fee may be charged for a secure electronic feed which instantaneously delivers the translated notes from the court reporter to a laptop, tablet, phone, or other portable electronic device via cable, wifi, router, or Bluetooth to parties, the media, or other interested individuals. There shall be no fee charged to the court for such a connection.

(F) *Requests for Rate Increases*

The president judge of a judicial district may request an increase in the rates prescribed in subdivision (A) **or (D)** by submitting a written request to the Committee on Court Reporting and Transcripts. The request shall only be approved where it is established that the judicial district faces an economic hardship caused by the current rates and that the requested rates are reasonable. If the Committee approves the request by majority vote, it shall be forwarded to the Court Administrator for review. If the Court Administrator determines that the increase is necessary, the request shall be forwarded to the Supreme Court.

Comment

These rules do not supersede any existing Pennsylvania Rule of Court regarding the delivery of court transcripts. If there appears to be a conflict with an existing Pennsylvania Rule of Court, such rule remains in full force and effect. However, if there appears to be a conflict with any local rule of court for the delivery of transcripts, these rules take precedence.

Rule 4009. Fees [Payable to the Court Reporter or Transcriptionist by the Judicial District] and Procedures. Local Rule.

Each judicial district shall promulgate and publish a local rule establishing the fees to be paid **[to court reporters and transcriptionists for all court reporting products] for all court reporting products, and the procedure for requesting a transcript, and the procedure for requesting a full or partial fee waiver pursuant to Rule 4008(B).**

Official Note: For rules governing the promulgation of local rules, see Pa.R.J.A. No. **[103(c)] 103.**

[Comment

By local rule, each judicial district shall set forth a comprehensive schedule of fees to be paid to court reporting personnel for all transcript products. While the maximum costs that may be charged to litigants or the public is fixed by Rule 4008, and may not be exceeded, a judicial district has the discretion to pay court reporters and transcriptionists a differing amount. In sum, these rules provide that litigants pay the transcript costs to the court according to the statewide schedule set forth in Rule 4008. The court, in turn, pays transcript fees to the court reporting personnel according to the fee schedule set by the judicial district.

The fee schedule of a judicial district must specify the fees that court reporters and transcriptionists are paid for both transcripts requested by litigants and transcripts requested by the Commonwealth or a subdivision thereof. Therefore, at a minimum, the local rule required in Rule 4009 must include the fees payable to court reporters and transcriptionists for (1) private-party transcripts, (2) transcripts ordered by governmental entities, (3) indigency and economic hardship cases, and (4) accelerated delivery surcharges.]

Rule 4010. Format of Transcript.

(A) The format of paper transcripts shall be as follows:

[(1) *Size.* Paper size shall be 8 1/2 x 11 inches.

(2) *Paper.* Paper shall be opaque, white, archival quality paper, at least 13 pounds for both originals and copies.

(3) *Preprinted Marginal Lines.* Pages shall contain preprinted solid left and right marginal lines. Preprinted top and bottom marginal lines are optional.

(4) *Line Numbers.* Each page shall bear numbers indicating each line of transcription on the page.

(5) *Number of Lines per Page.* Each page shall contain 25 lines of text. The last page may contain fewer lines if it is less than a full page of transcription. Page numbers or notations (e.g., page headers) shall not be considered part of the 25 lines of text.

(6) *Margins.* Typing shall begin on each page at the 1 3/4 inch left margin and continue to the 3/8 inch right margin.

(7) *Type Size.* The letter character size is to be 12 point with 10 letters to the inch. This type size provides for approximately 63 characters to each line. Courier 12 point type is recommended.

(8) *Spacing.* Lines of text shall be double spaced.

(9) *Indentations.*

(a) *Q and A.* All "Q" and "A" designations shall begin at the left margin. The statement following the "Q" and "A" shall begin on the fifth space from the left margin. Subsequent lines shall begin at the left margin. Since depositions read at a trial have the same effect as oral testimony, the indentations for "Q" and "A" should be the same as described above. In the transcript, each question and answer read should be preceded by a quotation mark. At the conclusion of the reading, a closing quotation mark should be used.

(b) *Colloquy.* Speaker identification shall begin on the tenth space from the left margin followed directly by a colon. The statement shall begin on the third space after the colon. Subsequent lines shall begin at the left margin.

(c) *Quotations.* Quoted material other than depositions shall begin on the tenth space from the left margin, with additional quoted lines beginning at the tenth space from the left margin, with appropriate quotation marks used.

(d) *Interruptions of Speech and Simultaneous Discussions.* Interruptions of speech shall be denoted by the use of a dash at the point of interruption, and again at the point the speaker resumes speaking.

(e) *Page Heading (also known as "Headers").* A page heading is brief descriptive information noted to aid in locating a person and/or event in a transcript. Page headings shall appear above line 1 on the same line as the page number. This information shall not be counted as a line of transcript.

(f) *Parentheses.* Parenthetical notations shall be marked by parentheses. They shall begin with an open parenthesis on the fifth space from the left margin, with the remark beginning on the sixth space from the left margin. Parentheses are used for customary introductory statements such as call to order of court or swearing in a witness. Parentheses are also used for indicating non-verbal behavior, pauses, and readback/playback.]

(1) No fewer than 25 typed lines on standard 8-1/2 x 11 paper.

(2) No fewer than nine or 10 characters to the typed inch.

(3) Left-hand margin to be set at no more than 1-3/4 inches.

(4) Right-hand margin to be set at no more than 3/8 inch.

(5) Each question and answer to begin on a separate line.

(6) Each question and answer to begin no more than five spaces from the left-hand margin with no more than five spaces from the Q and A to the text.

(7) Carry-over Q & A lines to begin at the left-hand margin.

(8) Colloquy material to begin no more than 15 spaces from the left-hand margin, with carry-over colloquy to the left-hand margin.

(9) Quoted material to begin no more than 15 spaces from the left-hand margin, with carry-over lines to begin no more than 10 spaces from the left-hand margin.

(10) Parentheticals and exhibit markings to begin no more than 15 spaces from the left-hand margin, with carry-over lines to begin no more than 15 spaces from the left-hand margin.

(B) Electronic transcripts shall comply with the format standards set forth in Rule 4010(A)(3) through [(9)] (10) for paper transcripts and, in addition, shall be in PDF format with the following settings:

(1) *functions disabled:* content changes; and

(2) *functions enabled:* search, select, copy, paste and print.

Comment

Rule 4010 standards for both paper and electronic transcripts, which [**closely follow federal court standards**] follow the standards of the National Court Reporters Association, assure that all transcripts of proceedings before the Pennsylvania courts are formatted in the same way, whether prepared by official court reporters or transcriptionists, contract or per diem personnel, or by transcription companies.

Rule 4011. Deadline for Delivery of Transcript.

(A) [The] Unless otherwise ordered by the court, the court reporter or transcriptionist shall deliver the transcript [**within 30 calendar days of receiving**

notice to prepare the transcript as provided by Rule 4007, unless an accelerated timeframe is mandated by law] for those cases under appeal within 14 days of receiving notice from the district court administrator or the court's designee, as required by Pa.R.A.P. 1922(a). [The court reporter or transcriptionist, upon a showing of good cause to the president judge or his or her designee, may request an extension of the deadline for a period of time not to exceed an additional 30 days. In no case shall more than one extension be granted.]

(B) The court reporter or transcriptionist shall deliver transcripts for all other requests within 30 calendar days of receiving notice from the district court administrator or the court's designee, as provided by Rule 4007, unless an accelerated time frame is mandated by court order, law or local rule.

(C) For requests made by a party required to post a deposit under Rule 4007, the 30-day period for delivery of the transcript shall not commence until the Rule 4007 deposit is received by the court. In those cases involving economic hardship under Rule 4008, the 30-day period for delivery of the transcript shall not commence until disposition of the application for waiver or reduction of costs. In cases where a reduction of costs is granted, the time frame commences once the reduced deposit is received by the court.

(D) The court reporter or transcriptionist, upon a showing of good cause to the president judge, may request an extension of the deadline for a period of time not to exceed an additional 30 days. In no case shall more than one extension be granted.

[(B)] (E) Transcripts prepared pursuant to the Children's Fast Track Appeal program shall be given priority.

Official Note: For rules governing children's fast track appeals, see Pa.R.A.P. 102 *et seq.*

(F) Requests for transcripts unrelated to cases under appeal or in cases where no court order has been entered directing transcription shall not be given priority. However, in any event such transcripts shall be filed and delivered within 45 days, absent an extension for good cause approved by the President Judge.

Comment

These rules do not supersede any existing Pennsylvania Rule of Court regarding the delivery of court transcripts. If there appears to be a conflict with an existing Pennsylvania Rule of Court, such Rule remains in full force and effect. However, if there appears to be a conflict with any local rule of court for the delivery of transcripts, these Rules take precedence.

Rule 4012. Sanctions for Delayed Transcript.

(A) The president judge may take disciplinary action [, including reassignment, reduction of fees, contempt of court, or decertification] against any court reporter, court recorder, or transcriptionist [who impedes the prompt administration of justice, whether by protracted delinquency in a single case or by engaging in a pattern of delinquency in a number of cases] where noncompliance with these Rules impedes the prompt administration of justice,

whether by protracted delinquency in a single case or by engaging in a pattern of delinquency in a number of cases.

[(B) The failure of a court reporter or transcriptionist to complete the notes within the time imposed by these rules or by court order, which delays transmission of the complete record to the appellate court, interferes with the reviewing court's proceedings. The appellate court may enter an order to compel the preparation, filing and transmission of the notes and may take disciplinary action including contempt of court or reduction of fees.

(C) A district court administrator or his or her designee may cause a transcript to be prepared by another court reporter or transcriptionist from notes in the event of the inability, unavailability, or unwillingness of the individual who took the notes to do so within the time ordered by the court.

(D) [(B) The Court Administrator shall notify the Supreme Court of Pennsylvania of instances of unreasonable delay in preparing transcripts. The Court Administrator may recommend imposition of sanctions, including [decertification] disqualification of individual court reporters or transcriptionists.

[(E)] (C) The president judge shall ensure that the number, proficiency and organization of court reporting personnel in any district are adequate to support the full and unrestricted operation of the courts. When transcript delay is caused by an insufficient supply of qualified court reporters or other staff resources, or inefficient management of the court reporting operation, the Supreme Court may direct the president judge to take immediate corrective actions.

Rule 4013. Certification of Transcript.

Court reporting personnel who take the notes, record or transcribe a proceeding shall certify that the transcript of proceedings is true and correct and meets the format specifications established by the Supreme Court of Pennsylvania in Rule 4010. When more than one person was engaged in the production of the transcript, each shall certify as to his or her contribution.

Rule 4014. Redaction of Personal Data Identifiers.

(A) On its own motion, or upon motion of any party, the court may order the court reporter or transcriptionist preparing the transcript to redact [the following personal data identifiers:] confidential, personal and/or financial data and other identifiers.

- [(1) Social Security numbers;
- (2) financial institution account identifiers;
- (3) dates of birth;
- (4) names of minor children;
- (5) home addresses and telephone numbers; and
- (6) other identifiers as privacy and security may require.]

(B) Information that is redacted shall, unless otherwise directed by the court, appear in transcripts that are provided to the court and to the parties, but not in any transcript filed in the appropriate filing office or provided to any other requestor.

Rule 4015. Ownership of Notes.

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 any transcriptions thereof, are the exclusive property of the judicial district.

Comment

Nothing in these rules prohibits someone who has lawfully obtained a transcript from making a copy.

The ownership of court reporting software and equipment, when purchased by the court reporter, shall remain the property of the court reporter, unless the terms of employment with the district court provide otherwise.

Rule 4016. Storage and Retention.

(A) Each judicial district shall make provision for the archiving, storage and retention of transcribed and untranscribed notes of testimony, rough draft transcripts, reporter and recorder log notes, tapes, other electronic or digital audio files, and any hardware, software, tools or dictionaries necessary for proper transcription.

(B) Notes of testimony and other materials specified in subdivision (A) shall be retained in compliance with the *Record Retention and Disposition Schedule with Guidelines* adopted by the Supreme Court.

Comment

Each judicial district is responsible for the preservation of the transcript production materials listed in Rule 4016(A) in a form that guarantees their accuracy, authenticity, and accessibility. These materials must be protected from loss arising from personnel turnover in the court, environmental hazards, or unsecured access.

[Exhibits admitted into evidence are part of the court record and must be maintained with the official court record in the appropriate filing office. Excluded here are drugs, weapons, and other dangerous materials kept in secure locations by law enforcement for production on appeal or for a new trial, or pending forfeiture or destruction order of the court. Original materials shall not be maintained in the personal files of court reporting personnel.]

[Pa.B. Doc. No. 16-2240. Filed for public inspection December 23, 2016, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

[204 PA. CODE CH. 31]

Pennsylvania Continuing Judicial Education; No.
719 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 9th day of December, 2016, a continuing judicial education program is hereby established on the following terms:

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 31. CONTINUING JUDICIAL EDUCATION PROGRAM

Sec.	
31.1.	Overview.
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31.4.	Minimum Continuing Judicial Education Requirements.
31.5.	Waivers, Extensions and Deferrals.
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31.10.	Accreditation of a Single Course or CJE Activity by a Provider.
31.11.	Reporting.
31.12.	Compliance.
31.13.	Confidentiality.

§ 31.1. Overview.

(a) *General Requirement.* As of January 1, 2017, commissioned judges serving the Philadelphia Municipal Court, the Courts of Common Pleas, the Commonwealth Court of Pennsylvania, the Superior Court of Pennsylvania, and the Supreme Court of Pennsylvania and certified senior judges must complete a program of continuing judicial education.

(b) *Exceptions and Exemptions.* There shall be no exceptions to or exemptions from this requirement, except in limited instances with approval of the Continuing Judicial Education Board of Judges established in this chapter.

§ 31.2. General.

(a) *Purpose.* The continuing judicial education program is adopted to assure that judicial officers continue their education to have and maintain the requisite knowledge and skill to fulfill their judicial responsibilities.

(b) *Definitions.* The following words and phrases, when used in these rules, shall have, unless the context clearly indicates otherwise, the following meanings:

“*Alternative Education Activity.*” A learning opportunity which is not otherwise specifically addressed herein, but which harmonizes with the scope and purposes of this chapter.

“*Board.*” The Continuing Judicial Education Board of Judges established by this chapter.

“*CJE.*” Continuing judicial education to be provided under this chapter.

“*Judge.*” A commissioned jurist in the Commonwealth Unified Judicial System who is a Justice of the Supreme Court of Pennsylvania, a judge of an intermediate appellate court, a judge of a court of common pleas, or a judge of the Philadelphia Municipal Court. The term also includes certified senior judges.

§ 31.3. Continuing Judicial Education Board of Judges.

(a) *Establishment.* The Supreme Court hereby establishes the Continuing Judicial Education Board of Judges.

(b) *Purpose.* The primary purpose of the Board is to guide development and delivery of continuing judicial education to Judges serving the Commonwealth’s Unified Judicial System.

(c) *Composition.*

(i) *Membership.* The Board shall consist of twelve (12) members appointed by the Supreme Court. Eight (8) shall be jurists serving one of the Commonwealth's courts governed by this rule.

(ii) *Chair and Vice Chair.* The Supreme Court shall appoint from the members of the Board a chair and a vice chair.

(iii) *Other Officers and Committees.* The Board may designate such other officers and form such other committees as it deems appropriate.

(d) *Term of Board Members.*

(i) *Regular Terms.* The regular term of members of the Board shall be for three (3) years, and no member may serve for more than two (2) consecutive three (3) year terms.

(ii) *Initial Terms.* The terms of the first Board shall be staggered so that four (4) members shall be appointed for three (3) year terms, four (4) members for two (2) year terms, and four (4) members for one (1) year terms.

(e) *Action by the Board.* Seven (7) Board members shall constitute a quorum. The Board shall act only with the concurrence of not less than seven (7) Board members. The Board may adopt rules providing for the holding of teleconference meetings.

(f) *Responsibilities of the Board.*

(i) *Accreditation Decisions.* The Board shall make accreditation decisions consistent with the purpose and standards set forth.

(ii) *Noncompliance Appeals.* The Board shall hear and decide noncompliance appeals.

(iii) *Waiver, Extension, Deferment.* The Board shall hear and decide requests from Judges for waiver, extension, or deferment from the requirements set forth.

(iv) *Incidental Responsibilities.* The Board shall undertake all incidental tasks attendant to the above, including affording essential notices and recordkeeping activities.

(v) *Pennsylvania Rules for Continuing Judicial Education.* The Board shall prepare a set of rules governing continuing judicial education for review and approval by the Supreme Court, to replace this chapter.

(g) *Compensation and Expenses.* Board members shall receive no compensation for services provided under these rules, but they shall be reimbursed by the Board for their reasonable and necessary expenses in attendance at meetings and in otherwise fulfilling their responsibilities.

(h) *Immunity.* The Board, and its members, employees and agents are immune from all civil liability for conduct and communications occurring in the performance of their official duties relating to the administration of the continuing judicial education requirements.

§ 31.4. Minimum Continuing Judicial Education Requirements.

(a) *General Requirement.* Commencing January 1, 2017, every Judge, annually, shall complete a minimum of three (3) hours of continuing education in judicial ethics and a minimum of nine (9) hours of continuing education in judicial practice and related areas as defined by the Board.

(b) *Fulfillment.*

(i) *Course Attendance and Alternatives.* The CJE requirement shall be fulfilled by attending the required

number of CJE courses delivered by the Administrative Office of Pennsylvania Courts' Judicial Education Department or accredited providers, or by completing a CJE activity approved by the Board as sufficient to meet the CJE general requirement.

(ii) *Courses Offered by the Judicial Education Department.* Four (4) of the annual CJE requirement shall be earned through courses offered by the Administrative Office of Pennsylvania Courts' Judicial Education Department. This requirement shall be waived for 2017.

(iii) *Distance Learning Courses.* Four (4) of the annual CJE requirement may be earned through approved computer-based or distance education courses.

(iv) *Teaching or Alternative Educational Activity.* Four (4) of the annual CJE requirement may be earned through Board approved teaching or alternative education activities.

(c) *Newly Elected or Appointed Judges.* Every newly elected or appointed Judge serving the Commonwealth's Courts of Common Pleas and the Philadelphia Municipal Court shall attend New Judge School administered by the Administrative Office of Pennsylvania Courts' Judicial Education Department in its entirety at his or her first opportunity. This requirement shall be in addition to the annual CJE requirements described herein.

§ 31.5. Waivers, Extensions and Deferrals.

(a) *Waiver.* The Board may waive the CJE requirements for a period of not more than one (1) year upon a finding by the Board of undue hardship or circumstances beyond the control of the Judge which prevent him or her from complying in any reasonable manner with the CJE requirement.

(b) *Extensions of Waivers.* A waiver may be extended upon application to the Board and Board approval. Upon termination of the waiver, the Board may make such additional CJE requirements as it deems appropriate.

(c) *Deferrals.* Deferment is available to any Judge eligible for senior status but not so certified. Upon senior judge certification, the Judge shall complete the CJE requirement by the deadline of the current year and will have until the following compliance deadline to complete the standard requirement plus the deferred CJE requirements, not to exceed two (2) times the current annual requirement.

(d) *Members of the Armed Forces.*

(i) *Waiver.* Upon written request, the CJE requirement will be waived in their entirety for any compliance period in which members of the Armed Forces serve on active duty.

(ii) *Termination of Active Duty.* Within thirty (30) days after termination of active duty, the Judge must notify the Board and will be required to comply with CJE requirements for the forthcoming year.

§ 31.6. Standards for Approved CJE Activities.

(a) *General Standards.* All CJE activities approved for credit shall meet the following standards:

1. The activity shall have significant intellectual or practical content, the primary objective of which is to improve a Judge's professional competence and ethical behavior.

2. The activity shall be an organized program of learning to deal with matters directly related to subjects that satisfy the objectives of these rules.

3. Each CJE activity shall be open to all Judges interested in the subject matter and there shall be no attendance restrictions, except as may be permitted by the Board, upon application from a provider, where:

attendance is restricted based on objective criteria for a bona fide educational objective to enhance the CJE activity; or

membership in the provider organization is open to all interested Judges, on reasonable non-discriminatory basis and cost.

4. The program leaders or lecturers shall be qualified with the practical and/or academic experience necessary to conduct the program effectively.

5. Each attendee shall be provided with thorough, high quality and carefully prepared written course materials before or at the time of the activity. Although written materials may not be appropriate to all courses, they are expected to be utilized whenever possible.

6. The course or activity must be presented in a suitable setting to create a positive educational environment.

7. The Board will take into consideration the special needs of disabled and incapacitated Judges in gaining access to and participation in CJE activities. The Board shall require providers to make reasonable accommodations for disabled and incapacitated Judges.

(b) *Distance Education.* Distance learning courses including computer-based and teleconference programs may be approved for credit provided that they meet interactive, technical and accreditation standards set forth by the Board, as well as the following terms and conditions:

1. Seminars viewed at remote sites by electronic transmission, will receive credit if a moderator is present and interaction available.

2. Only distance learning courses pre-approved for credit or conducted by accredited providers may be taken for credit.

3. Courses must provide mechanisms to ensure interactivity.

§ 31.7. Credit for CJE Activities.

(a) *Accreditation or Approval.* Credit will be given only for completion of CJE activities which are accredited or approved by the Board.

(b) *Course Length.* No course of instruction less than sixty (60) minutes shall be considered eligible for CJE credit.

(c) *Credit.* One (1) hour of credit will be awarded for each sixty (60) minutes of instruction.

(d) *Credit Increments.* Credit will be recorded in thirty (30) minute increments beyond the first sixty (60) minutes. One-half hour credit shall be awarded for courses scheduled at least thirty (30) minutes but less than sixty (60) minutes beyond the initial sixty (60) minutes and for each half hour scheduled thereafter.

(e) *Approval of CJE Activities Conducted by Non-accredited Providers, Alternative Education Activities, and Teaching Activities.*

(i) *General Statement.* Courses offered by a provider which is not an accredited continuing judicial education provider, Alternative Education Activities, and teaching activities which harmonize with the scope and purposes of

this chapter may qualify for CJE credit, subject to the following terms and conditions:

(ii) *Individual Approval Required.* All CJE activities conducted by a provider which has not been accredited by the Board, alternative education activities and teaching activities must be individually approved by the Board for credit.

(iii) *Requests for Approval.* A Judge should request Board approval for continuing judicial education activities conducted by a non-accredited provider, alternative education activities, or teaching activities sixty (60) days prior to the activity, but in all events a Judge must request such approval no more than thirty (30) days after completing the activity in order for the request to be considered.

(iv) *Form of Application.* The application shall be in the form and with such documentation required by the Board.

(v) *Additional Information.* Upon request by the Board, the applicant shall submit to the Board information concerning the course or activity, including the brochure describing the activity and the qualifications of anticipated speakers, the method or manner of presentation of materials, and, if requested, a set of the materials.

(vi) *Courses Pertaining to Non-Judicial Subjects.* If a course does not bear entirely on judicial ethics or judicial practice, or the method of presenting the course is below minimum standards, the Board may determine that such course is entitled to no credit or may assign such partial credit as it deems appropriate.

(vii) *Teaching Activities.* The following additional terms and conditions apply to credit for teaching activities:

1. Credit will be given on the basis of two hours credit for each hour of presentation where the applicant has prepared quality written materials for use in the presentation.

2. Credit for repeat presentations or presentations without such written materials will be given only for the actual time of presentation.

(f) *Excess Credits for Judicial Ethics.* CJE credits for judicial ethics in excess of the annual requirement may be applied toward remaining annual CJE requirements.

(g) *Carry Forward Credits.* A Judge may carry forward a balance of credit hours in excess of the current annual CJE requirement including satellite, computer based and distance learning credits, which shall retain their character as such for the succeeding reporting year, subject to the following terms and conditions.

(i) *Credit Limitation.* No more than one (1) times the current annual CJE requirement may be carried forward into the succeeding reporting year.

(ii) *Time Limitation.* No CJE credit may be carried forward more than one (1) succeeding reporting year.

(iii) *Credit Attributes.* Carry forward credits retain the same attributes (judicial ethics, distance learning, etc.) which they would have had if used in the year in which they were earned.

(h) *Local Education Activities*

(i) *Approval.* Local education activities will be subject to approval by the Board for credit upon submission of appropriate documentation.

(ii) *Accreditation.* Local education programs may be accredited by the Board according to the standards set forth and upon submission of appropriate documentation.

(i) *Teleconferences, Electronic Presentations and Distance Learning Programs.* Computer based and distance learning programs may be approved for CJE credit providing they meet interactive, technical and accreditation standards set forth by the Board. Seminars viewed at remote sites by electronic transmission will receive credit if a moderator is present or available for interaction.

(j) *Law School and Graduate Level Courses.* Law school and graduate school courses may qualify for CJE credit, computed in accordance with these standards, subject to the following terms and conditions:

1. Courses must otherwise qualify for credit, and the law school or graduate level courses in question cannot be required to qualify for the awarding of a basic degree.

2. Courses offered towards graduate or advance degrees may receive credit, upon submission of appropriate documentation to the Board.

3. One (1) hour of CJE credit may be given for each approved graduate credit hour awarded by the school (or the non-credit equivalent).

4. The school offering the course shall be a law school accredited by the American Bar Association or college or university accredited by the Middle States Commission on Higher Education or other regional equivalent.

(k) *Self-Study.* Self-study will not be approved for credit.

§ 31.8. Accreditation of Continuing Judicial Education Providers.

(a) *Application.* Application may be made for accreditation as an Accredited Continuing Judicial Education Provider by submitting the appropriate form to the Board.

(b) *Evaluations.* The provider shall develop and implement methods to evaluate its course offerings to determine their effectiveness and the extent to which they meet the needs of Judges and, upon a request from the Board, provide course evaluations by the attendees on such forms as the Board shall approve.

(c) *Period of Accreditation.*

(i) *General Rule.* The grant of accreditation shall be effective for a period of two (2) years from date of the grant.

(ii) *Continuation of Accreditation.* The accreditation may be continued for an additional two (2) year period by application with the Board before the end of the provider's accreditation period.

(iii) *Status Pending Action on Application for Continuation.* If an application for continuation is timely filed, the accredited status shall continue until the Board acts on the application for continuation.

(d) *Conditional Accreditation.* The Board shall determine if there are pending or past breaches of these rules, and the Board, at its discretion, may condition continuation upon the provider meeting additional requirements specified by the Board.

(e) *Termination.* If an application for continuation is not filed before the end of the provider's accreditation period, the provider's accredited status will terminate at the end of the period. Any application received thereafter shall be considered by the Board as an initial application for accredited provider status.

(f) *Revocation.* Accredited Continuing Judicial Education Provider status may be revoked by the Board if the requirements of the Board are not met or if, upon review of the provider's performance, the Board determines that content of the course material or the quality of the CJE activities or provider's performance does not meet the standards set forth in the rules and these regulations.

§ 31.9. Standards for Accredited Continuing Judicial Education Provider Status.

Accredited Continuing Judicial Education Provider status may be granted at the discretion of the Board to applicants satisfying one of the following requirements:

1. The provider has presented, within the past two (2) years, five (5) separate programs of CJE which meet the standards of quality set forth in these rules;

2. The provider has demonstrated to the Board that its CJE activities have consistently met the standards of quality set forth in the rules and these regulations; or

3. The provider is an American Bar Association accredited law school.

§ 31.10. Accreditation of a Single Course or CJE Activity by a Provider.

A provider of CJE activities which has not qualified as an Accredited Continuing Judicial Education Provider may apply for accreditation of a single CJE activity in a form provided by the Board, subject to the following terms and conditions:

1. The Board may require submission of a detailed description of the provider, the course, the course materials and the lectures.

2. Application by a provider for accreditation of a single CJE activity should be submitted prior to the date of presentation of the activity. Application for retroactive approval must be made within thirty (30) days of the event or activity.

3. The CJE activity must meet the standards set forth in the rules and these regulations.

§ 31.11. Reporting.

(a) *Reporting Responsibility.* Reporting shall be the responsibility of the individual Judge.

(b) *Form of Reporting of CJE Activities.* Judges shall report accredited CJE activities to the Board in fashion approved by the Board.

(c) *Time for Reporting.* Judges should report accredited continuing judicial activities within thirty (30) days of completing the activity.

(d) *Annual Compliance Reporting.* All commissioned Judges shall report CJE compliance in writing within thirty (30) days of the end of each calendar year.

§ 31.12. Compliance.

(a) Records.

(i) *Recordkeeping by the Board.* The Board shall maintain current records of CJE attendance for each Judge to whom the rules and these regulations apply. These records shall be made available as the Board shall determine.

(ii) *Recordkeeping by Judges.* Each active Judge shall maintain records sufficient to establish compliance with the CJE requirement in the event of a dispute.

(b) *Annual Status Notifications.* The Board will notify each Judge of his or her CJE status three (3) months prior to the final day of the calendar year and will provide a final compliance notice within sixty (60) days after the end of the calendar year. The final compliance notice shall include the hours earned during the calendar year which have been reported and carryover hours if present.

(c) Noncompliance and Compliance Disputes.

(i) *Notification.* If a Judge shall fail to comply with these rules, or if a Judge is determined by the Board to be deficient in his or her CJE requirement, such Judge shall be so notified in writing by the Board of the nature of such noncompliance and shall be given one hundred eighty (180) days from the date of the notice to remedy such noncompliance.

(ii) *Evidence of Compliance or Hearing Request.* Within thirty (30) days of the date of the notice, the Judge shall either file evidence of compliance or request a hearing.

(iii) *Hearing.* If, in response to the notice of noncompliance, the Judge timely files a request for a hearing, the Board shall schedule a hearing. The hearing shall be held at least ten (10) days after written notice to the Judge.

(iv) *Reasonable Cause for Noncompliance.* If the Board finds that the Judge had reasonable cause for noncompliance, the Judge shall have one hundred eighty (180) days from the date of notice of the Board's decision to correct the noncompliance. If compliance is not achieved within the one hundred eighty (180) day period, the Board shall proceed as provided.

(v) *Report to Judicial Conduct Board.* If a Judge shall fail to remedy non-compliance within one hundred eighty days after the later of the date of the notice of noncompliance or the date of a decision from the Board finding reasonable cause for noncompliance, the Board shall so report to the Judicial Conduct Board for their consideration.

(d) *Crediting Pertaining to Periods of Noncompliance.* Credit hours earned shall be first applied to satisfy the requirements of the compliance period which was the subject of the notice to the Judge before any excess credits earned during the notice period may be applied to subsequent requirements.

§ 31.13. Confidentiality.

The files, records and proceedings of the Board as they relate to or arise out of any alleged failure of a Judge to satisfy the requirements of the rules or these regulations shall be deemed confidential and shall not be disclosed except in furtherance of the duties of the Board or upon the request of the Judge affected or as they may be introduced in evidence or otherwise produced in proceedings under these regulations.

[Pa.B. Doc. No. 16-2241. Filed for public inspection December 23, 2016, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 81]

Amendment of Rules 3.5 and 8.2 of the Rules of Professional Conduct; No. 148 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 5th day of December, 2016, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal to amend Pa.R.P.C. 3.5 and 8.2 having been published for comment in the *Pennsylvania Bulletin*, 46 Pa.B. 4820 (August 6, 2016):

It is *Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 3.5 and 8.2 of the Rules of Professional Conduct are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

ADVOCATE

Rule 3.5. Impartiality and Decorum of the Tribunal.

A lawyer shall not:

(a) seek to influence a judge, juror, prospective juror or other official by means prohibited by law;

(b) communicate ex parte with such a person during the proceeding unless authorized to do so by law or court order;

(c) communicate with a juror or prospective juror after discharge of the jury if:

(1) the communication is prohibited by law or court order;

(2) the juror has made known to the lawyer a desire not to communicate; or

(3) the communication involves misrepresentation, coercion, duress [of] or harassment; or

(d) engage in conduct intended to disrupt a tribunal.

Comment:

(1) Many forms of improper influence upon a tribunal are proscribed by criminal law. Others are specified in the [ABA Model] Code of Judicial Conduct **and/or the Rules Governing Standards of Conduct for Magisterial District Judges**, with which an advocate should be familiar. A lawyer is required to avoid contributing to a violation of such provisions.

* * * * *

**MAINTAINING THE INTEGRITY OF THE
PROFESSION**

**Rule 8.2. Statements Concerning Judges and Other
Adjudicatory Officers.**

(a) A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public legal officer, or of a candidate for election or appointment to judicial or legal office.

(b) A lawyer who is a candidate for judicial office shall comply with the applicable provisions of the Code of Judicial Conduct **and/or the Rules Governing Standards of Conduct for Magisterial District Judges, as applicable.**

* * * * *

[Pa.B. Doc. No. 16-2242. Filed for public inspection December 23, 2016, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEDFORD COUNTY

Court Facility Firearm Directive; No. AD 5 for 2016

Administrative Order of Court

And Now, this 5th day of December, 2016, the Order of Court is as follows:

The Court adopts the following Bedford County Court Facility Firearm Directive as an Order of this Court.

By the Court

THOMAS S. LING,
President Judge

BEDFORD COUNTY COURT FACILITY FIREARM DIRECTIVE

General Policy Overview:

1. Recognizing the potential for physical danger while working in the Courtroom and related areas and dealing with individuals in extremely stressful situations, the Bedford County Court of Common Pleas pursuant to state law recognizes and approves the carrying of firearms by certain law enforcement officers and court officials during the performance of their duties, for defensive purposes and where appropriate to support the Sheriff's Office in maintaining Courtroom security.

2. Pursuant to state law the following persons are not prohibited from possessing firearms in the Bedford County Court facilities during the performance of their official duties: judges, prosecutors, support hearing officers, bailiffs, federal, state, and local law enforcement officers. The Court hereby approves the possession of firearms in the Bedford County Court facilities by these officials and officers subject to the following restrictions regarding court bailiffs.

3. Bailiffs must meet the following requirements for firearms provision in the performance of their duties:

a. The person is employed by the County of Bedford in that capacity; and

b. The Bailiff continues to follow all safety procedures and qualifications and requirements described in the below listed section. All of these below listed provisions apply only to Bailiffs and not the other officers listed in paragraph two above.

The President Judge retains the sole right to authorize or withdraw a Bailiff's authorization to carry a firearm while engaged in departmental duties.

Legal Background:

(Title 18 Section § 913) provides that "the lawful performance of official duties by a court official" exempts that official from the prohibition on possession of a firearm in a court facility.

Deadly Force:

Deadly Force is defined in the Pennsylvania Crimes Code, 18 P.S. Section 501 as, "Force which, under the circumstances in which it is used, is readily capable of causing death or serious bodily injury."

1. The use of deadly force by Bailiffs shall be strictly limited to defensive situations; and those situations where they act in support of Sheriff Deputies;

2. A Bailiff may use deadly force only to defend himself/herself or another person from what the Bailiff perceives as an immediate threat of death or serious bodily injury;

3. A Bailiff shall exhaust every means available to disengage safely, or by every other reasonable means of defense of themselves or others from death or serious bodily injury, before the use of deadly force;

4. When the use of deadly force is justified, Bailiffs discharging weapons shall not shoot to kill nor shoot to wound, but rather to stop the action by causing the instant incapacitation of the subject. For maximum stopping effectiveness and to minimize the danger to the innocent, Bailiffs should shoot initially at "center body mass";

5. Firearms shall not be drawn or displayed routinely. In cases where the Bailiff has reasonable suspicion that a person is carrying a deadly weapon in a court facility it should be discussed with the on-duty Deputy regarding the approach to the person. If exigent circumstances exist that cause a Bailiff to draw his/her firearm during a confrontation he/she must explain in writing to the President Judge the necessity of drawing the firearm due to a specified or perceived threat; and

6. Bailiffs shall not utilize deadly force in an offensive posture to affect the apprehension of those persons who commit violations of court rules who do not present the threat of death or serious bodily injury. Nothing contained in this paragraph shall preclude the use of deadly force for self-defense, when warranted.

Serious Bodily Injury:

The legal definition of serious bodily injury is defined in the Pennsylvania Crimes Code, 18 P.S. section 2301 as, "Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ."

Verbal Warning:

Where practical in a deadly force situation Bailiffs shall identify themselves as a Bailiff and give some type of warning prior to using deadly force, if the time and opportunity exists.

Safety:

The safe handling of a firearm is of paramount concern. This involves the effort of individual staff and court.

When in the office, firearms are to be worn on the individual or locked in a secure area. Firearms are never to be left unattended on a desk, chair, or table, or in a box, bag, or purse.

Bailiffs found to be careless or negligent in the handling of a firearm will have their authorization to carry a firearm revoked. All decisions regarding same will be made by the President Judge and will be final.

All individuals will safely handle any firearms as though they are loaded. Firearms will be handled with muzzles pointed in a safe direction without fingers on the trigger.

Care, Cleaning, and Inspection:

Bailiffs are responsible for the care and cleaning of the firearm and for proper use of safety equipment. If any defects are noted or repairs are needed, the individual should immediately take steps toward the repair of said firearm.

Firearms will be cleaned and lubricated when in duty service.

Each officer will read the firearm manual issued by the manufacturer and comply with instruction toward care and maintenance.

Firearms will be inspected by their owner on a periodic basis on at least an annual basis.

Training:

Each Bailiff will have the option whether to carry a firearm or not.

Any bailiff choosing to attempt to train, certify, and qualify must:

1. Notify the President Judge that he would like to carry a firearm in performance of his duty; and
2. Qualify annually through the Bedford County Sheriff's Office or other approved agency, including under the Federal Retired Law Enforcement Safety Act.

It shall be the duty of all Bailiffs to report to the President Judge any physical and/or emotional conditions, including physical and/or emotional impairment, drug or alcohol abuse, use of impairment creating prescribed medication, assessment or treatment with a psychologist or psychiatrist and any/all pharmacological conditions causing emotional or physical impairment of Bailiffs authorized to carry a firearm within the office. Medical documentation may be requested by the President Judge or may be provided by the Bailiff to evaluate the condition.

Impairment will be defined as a condition which can affect judgment, reaction time, motor skills, and visual acuity thereby affecting the ability to handle a firearm with safety and proficiency.

Absolutely no firearm shall be carried by any Bailiff while on duty or on-call time when the Bailiff has consumed alcohol or is under medical, physical, or psychological impairment from any drug.

Under any of the above conditions impairing a Bailiff's ability to act, react, or think clearly, the President Judge may hear the matter or may suspend a Bailiff's authorization to carry a firearm for office business, and in either case, documentation will be prepared by the President Judge to support his/her decision.

Requalification:

In order to maintain the authorization to carry a firearm the Bailiff must re-qualify with his/her firearm not less than once per year. The re-qualifications are mandatory.

A Bailiff who provides medical documentation of extenuating circumstances may be granted a leave from a scheduled requalification attempt by the President Judge. If approved, the requalification will be scheduled as quickly as possible.

Authorized Firearms, Ammunition, and Gear:

The President Judge of Common Pleas Court approves for Bailiffs use on duty firearms ranging from .380 to 45 ACP.

Upon certification, Bailiffs are permitted to carry firearms that are either county owned or privately owned in the correct caliber range.

If the Bailiff is qualified with a second firearm, the carrying of a second or "back-up" firearm is not prohibited.

The Bailiff will be authorized to carry the approved firearm providing the firearm passes an initial visual performance inspection by the Sheriff's Office and providing said firearm passes on-going visual and performance inspections according to policy.

The Bailiffs will provide all ammunition. Under no circumstances will Bailiffs be permitted to use, on duty, any reloads or the like. Bailiffs will be reimbursed for ammunition purchased for duty purposes.

Appropriate handgun holsters will be utilized by the Bailiffs and will be approved by the President Judge. Cross-draw and ankle, holsters are permitted.

Firearms shall be carried concealed. When armed the Bailiffs badge must be displayed whether on the Bailiff's hip or lanyard style.

Special Circumstances:

In the case of theft, loss, allegations or misuse, or the discharge of a firearm, a prompt inquiry will be initiated by the President Judge and the Sheriff.

The President Judge is responsible for looking into any allegation of misuse or mishandling of a firearm and has the sole right to withdraw a Bailiff's authorization to carry a firearm while engaged in office duties.

A "Firearm Incident Report Form" will be promptly completed, within 24 hours, by a Bailiff who has drawn and/or pointed, armed, discharged their firearm in the course of his duties. (attached)

Lost/Stolen Firearms:

All lost/stolen firearms will be immediately reported to the local and state police providing the firearm serial number, details of the occurrence, person discovering the theft, etc. An immediate verbal and then written report, within 24 hours, will also be made to the President Judge.

The President Judge will decide if further inquiry is necessary.

Discharge of Firearm:

Any discharge or firing of a firearm, during working hours, other than during approved training must be reported verbally immediately to the President Judge by the Bailiff firing the firearm providing the exact location and time of the incident, names, and addresses of any witnesses, reasons the firearm was fired, names of investigating police officers, and any other information that may be necessary in understanding and investigating the

incident. The failure to promptly report the discharge of a firearm may result in disciplinary/corrective action. A report will be submitted on the "Firearm Incident Report Form" and forwarded to the President Judge.

In the event death or injury results, the jurisdictional police must be immediately notified by the person discharging the firearm, or another bailiff acting under the direction of the Bailiff involved.

The President Judge will contact the District Attorney who will decide as to what course of action is necessary in investigating the incident.

The involved Bailiff shall submit a verbal report to the President Judge immediately. A final report shall be prepared and submitted within 72 hours.

Incidents or Allegations:

An incident is defined as, but not limited to:

- 1. Loss or theft of a firearm;
- 2. Allegations of misuse of a firearm;
- 3. Discharge of a firearm other than during approved training; and
- 4. The unsafe displaying of a firearm during performance of duty not while in preparation to defend oneself or another.

It is the responsibility of the individual carrying the firearm to report immediately to the President Judge any incidents or situations that may result in allegations being made and written complaints being filed with the President Judge regarding the use/display of a firearm. Other staff who observes the unusual situation involving a firearm should submit a written and verbal report to the President Judge. The "Firearm Incident Report Form" shall be used.

Reclamation of Firearm Authorization:

The President Judge may withdraw authorization to carry a firearm upon the following circumstances:

- 1. From a Bailiff involved in a serious firearm incident until the investigation is complete;
- 2. If a Bailiff is observed in chronic unsafe behavior with a firearm by fellow employees;
- 3. When a Bailiff fails to obtain a passing score on initial firearms qualification or on firearms requalification; and
- 4. Upon observation and documentation by the President Judge of:
 - a. Serious physical impairment;
 - b. Drug/alcohol or emotionally related problems; and/or
 - c. Receipt of a report from a psychiatrist or doctor stating the employee is unable to perform his/her duties.

The President Judge shall suspend the authorization to carry a firearm should a need be presented and/or in the event of the previously cited conditions exist.

Other sanction recommendations may be considered by the President Judge based on the findings of the law enforcement body who may be investigating the incident depending on the degree of negligence or malpractice.

If firearms authorization has been suspended and/or revoked, authorization to carry will be returned upon the discretion of the President Judge.

Provisions:

The President Judge will facilitate a review of this policy at least once annually. Each Bailiff will be provided an updated copy of said policy. Each officer will be required to sign an acknowledgement of receipt and understanding of this policy.

FIREARM INCIDENT REPORT FORM

Name of person completing this form: _____ .

Name of Bailiff involved in the incident: _____ .

Date, time, and location of incident: _____ .

Was this a drawing, aiming, pointing, discharge of firearm? (circle all that apply)

Bailiff's weapon that was involved: (serial number, caliber, owned by): _____

Names, addresses, and phone numbers of others present: _____

Injuries? YES NO If yes, be specific with details: _____

Narrative of the incident in detail: _____

Date Time Signature of Bailiff

[Pa.B. Doc. No. 16-2243. Filed for public inspection December 23, 2016, 9:00 a.m.]

BUTLER COUNTY

Local Rules Adoption Real Estate Tax Assessment Appeals; MSD 16-40309

Order of Court

And Now, this 6th day of December, 2016, it is hereby Ordered and Decreed, that effective January 1, 2017, or thirty (30) days after publication in the *Pennsylvania Bulletin*, whichever is later, the Butler County Court of Common Pleas adopts the following local rules, series L 5000, related to Real Estate Tax Assessment Appeals.

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

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these Rules on the Butler County Court website at www.butler.pa.us.
4. Incorporate the local rule into the set of local rules on the Butler County website within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.
5. File one (1) copy of the local rule in the office of the Butler County Prothonotary for public inspection and copying.
6. Forward one (1) copy to the *Butler County Legal Journal*.

By the Court

THOMAS J. DOERR,
President Judge

Rule L5000. Real Estate Tax Assessment Appeals.

(a) Except as otherwise provided in this section, the procedure in an appeal from a tax assessment determination shall be in accordance with the rules relating to civil actions.

(b) All filing pertaining to a Real Estate Tax Assessment Appeal shall contain a coversheet and a caption as set forth in accordance with these rules.

(c) Real Estate Tax Assessment Appeals Petition shall be formatted and contain the following:

(1) A caption designating the named party taking the appeal as the Appellant, the Butler County Board of Assessment Appeal and the Tax Identification Number of the subject property.

(2) The Petition and all subsequent filings shall include the cover page which includes the caption and identifies the following:

(i) a listing of all interested parties, including but not limited to the municipality and the school district wherein the property is located;

(ii) The name of the property owner if different than the Appellant;

(iii) The address of the property;

(iv) Intervenors, who have filed a Notice of Intervention, pursuant to Rule L5000(e).

(3) The Appellant shall serve copies of the Real Estate Tax Assessment Appeals Petition via regular mail upon County Solicitor, the governing body of the municipality in which the tax parcel is located, the board of school directors of the school district wherein the real estate is located and the property owner. Within twenty days thereafter, the Appellant shall file a proof of service.

(a) Except for the parties (Butler County Board of Assessment Appeal, the Appellant and the property owner, should they not be the Appellant), all other interested parties will not receive further notice until such interested party or parties files the Notice of Intervention, as set forth in these rules.

(4) The caption of the assessment appeal shall be substantially in the following form:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE APPEAL OF:

_____)
 (NAME OF APPELLANT))
)
 From the Butler County Board of)
 Assessment Appeal)
)
 Tax ID No. _____)

Case No.: _____

(5) The cover page of the Real Estate Tax Assessment Appeal shall be substantially in the following form:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE APPEAL OF:

_____)
 (NAME OF APPELLANT))
)
 From the Butler County Board of)
 Assessment Appeal)
)
 Tax ID No. _____)

Case No.: _____

School District: _____

Municipality: _____

Property Owner: _____

Property Address: _____

Intervenor(s): _____

(d) Pa.R.C.P. 4001 et seq. encompassing Discovery shall be applicable to Real Estate Tax Assessment appeals unless otherwise ordered by the court.

(e) Any interested party who wishes to participate in the appeal may file with the Prothonotary a Notice of Intervention.

(i) The Notice of Intervention shall contain the name of the interested party, to be designated as intervenor in the cover page, and shall set forth that such identified party is intervening.

(ii) Intervenor shall serve copies of the Notice of Intervention by regular mail upon the Appellant, County Solicitor, the governing body of the municipality in which the affected tax parcel is located, the board of school directors of the school district wherein the real estate is located, the property owner and any other intervening parties of record.

(iii) Intervenor shall file with the Prothonotary, within five days of the filing of the Notice of Intervention, proof of service of copies thereof including a verified statement, as defined in Pa.R.C.P. 76, that service was made by regular mail.

(iv) Said filing shall contain a certification that the official court docket has been reviewed and that all parties and intervenors of record are listed (where indicated) and have been served.

(v) No response is required to be made by any party served with a copy of the Notice of Intervention.

(vi) Parties, who do not file a Notice of Intervention, will not receive further notices in regards to the Assessment Appeal.

(vii) The Notice of Intervention shall be substantially in the following form, which should include a cover page and caption as per Rule L5000(e), as well as the Notice of Intervention and the Proof of Service of the Intervention:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE APPEAL OF:

_____)	
(NAME OF APPELLANT))	
From the Butler County Board of)	Case No.: _____
Assessment Appeal)	
Tax ID No. _____)	

NOTICE OF INTERVENTION AND ENTRY OF APPEARANCE

_____ enters the above captioned matter as an Intervenor.

Please enter my appearance.

Signature of Intervenor/ Counsel for Intervenor
Name and Address for Intervenor for service

Name _____
Address _____
Phone _____
Facsimile _____

All Notices in the above-captioned case shall be served at this address.

Proof of Service of the Notice of Intervention

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

_____)	
(NAME OF APPELLANT))	
From the Butler County Board of)	Case No.: _____
Assessment Appeal)	
Tax ID No. _____)	

PROOF OF SERVICE BY THE INTERVENOR

I hereby certify that the Notice of Intervention and Entry of Appearance in the above captioned matter has been served upon Appellant, County Solicitor, the governing body of the municipality in which the tax parcel is located, the board of school directors of the school district wherein the real estate is located, the property owner and any other intervening parties of record as per the official court docket reviewed upon _____, 20____ as follows:

(Listing of the parties/intervenors served)

Signature of Intervenor

Rule L5001. Conciliation Conference.

(a) Upon the filing of a Real Estate Tax Assessment Appeal, a Conciliation Conference date shall be scheduled by Court Administration for a time not less than sixty days after the last date for the filing of an Appeal.

(b) Completed written appraisal(s) or any other evidence of value that will be offered for the subject property shall be exchanged with the parties and intervenors, a minimum of five (5) business days prior to the Conciliation Conference.

(c) At the time of the Conciliation Conference, all parties and/or their counsel shall be present, with full authority to effectuate settlement of the appeal. Each party must have a completed written appraisal(s) for the subject property, which has been previously exchanged with Appellant, County Solicitor, the governing board of the municipality in which the tax parcel is located, the board of school directors of the school district wherein the real estate is located, the property owner and any other intervening parties of record.

(d) The scheduling Order will be in the following format:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

(NAME OF APPELLANT))
)
From the Butler County Board of) Case No.: _____
Assessment Appeal)
)
Tax ID No. _____)

School District: _____
Municipality: _____
Property of: _____
Property Address: _____
Intervenor _____

ORDER OF COURT

An Assessment Appeal Conciliation Conference is scheduled for _____@ ____m in Courtroom # _____.

Any continuance of the Assessment Appeal Conciliation Conference must be obtained upon motion presented to the assigned Judge.

Counsel is directed to have a written appraisal of the property completed and exchanged with Appellant, County Solicitor, the governing board of the municipality in which the tax parcel is located, the board of school directors of the school district wherein the real estate is located, the property owner and any other intervening parties of record, a minimum of five (5) business days prior to the Conciliation Conference date listed above. Further, counsel shall be prepared to discuss settlement and, if necessary, discuss the scheduling of a date for the Assessment Appeal Panel hearing.

A copy of this Order shall be served upon all parties and intervenors of record.

BY THE COURT,

Date: _____

Rule L5002. Hearing. Assessment Appeal Panel Hearing Notice.

(a) Cases that are not concluded following the Tax Assessment Conciliation Conference shall be scheduled for a hearing before the Assessment Appeal Panel. The hearing notice shall be in the following format:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

(NAME OF APPELLANT))
)
From the Butler County Board of) Case No.: _____
Assessment Appeal)
)
Tax ID No. _____)

School District: _____
Municipality: _____
Property of: _____
Property Address: _____
Intervenor _____

ORDER OF COURT

AND NOW, this _____ day of _____, 20 __, upon consideration of the within Real Estate Tax Assessment Appeal Petition, the Court appoints:

- 1. _____ Esquire, Chairman
- 2. _____ Esquire
- 3. _____ Esquire

as a Assessment Appeal Panel.

IT IS ORDERED THAT the within Real Estate Tax Assessment Appeal Petition will be heard on the _____ day of _____, 20 _____, in the 4th Floor Hearing Room of the Butler County Government Center. The time for the Real Estate Tax Assessment Appeal Petition shall be posted on the Butler County Website at www.co.butler.pa.us and faxed to all counsel, parties and panel members on or before _____, not less than one week prior to the hearing.

A Real Estate Tax Assessment Appeal status report, in the form set forth as attached hereto, shall be filed with Court Administration on or before _____, no later than 10 days prior to the hearing. A copy of the Real Estate Tax Assessment Appeal status report form is available on the Butler County Website, www.co.butler.pa.us.

Any continuance of the Real Estate Tax Assessment Appeal hearing must be obtained upon motion presented to the assigned Judge. Continuances requested after the posting of the time for the hearing shall only be granted upon the payment of the Butler County Board of Assessment Appeal fees.

A copy of this Order shall be served on all parties and intervenors of record. Should this matter settle before the Real Estate Tax Assessment Appeal date, please notify Court Administration via facsimile at 724 284-5185. You will be required to file a Praecipe to Settle and Discontinue within 10 days.

BY THE COURT,

Judge

(b) *Real Estate Tax Assessment Appeal Status Report.* All orders of court scheduling the Real Estate Tax Assessment Appeal hearing shall provide for notification that a Real Estate Tax Assessment Appeal status report shall be filed with Court Administration ten (10) days prior to the scheduled hearing date. The Real Estate Tax Assessment Appeal status report shall be in the format set forth below:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

(NAME OF APPELLANT))
)
From the Butler County Board of) Case No.: _____
Assessment Appeal)
)
Tax ID No. _____)

School District: _____
Municipality: _____
Property of: _____
Property Address: _____
Intervenor _____

REAL ESTATE TAX ASSESSMENT APPEAL STATUS REPORT

Appellant's Counsel Name & Phone No. _____
FAX No. _____

Board of Assessment Appeal/County of Butler
Counsel Name & Phone No. _____
FAX No. _____

Intervenor(s)' Counsel Name & Phone No.: _____
FAX No. _____

Status of Settlement negotiations: _____

Anticipated total length of Hearing—(counsel should consult with all sides to provide a reliable estimate of time because other hearings may be scheduled to follow the time allotted for your case) _____ .

Other considerations that the court needs to be aware of concerning the scheduling of a hearing time: _____ .

NOTICE: Any continuance requested after the scheduling of a hearing time for your Real Estate Tax Assessment Appeal hearing as per Butler County L.R.C.P. L5002 will require a motion before the Court and the payment of the Board of Assessment Appeals' fees.

Date: _____ Signature _____
(legal counsel or party, if unrepresented)

This form may be filed individually or jointly by all counsel and any unrepresented parties. This form may be filed in person or by FAX to the office of the Court Administrator. FAX # 724-284-5185 or via e-mail.

(c) Upon receipt of the status report forms, each case will be scheduled for a specific time for hearing before an Real Estate Tax Assessment Appeal Panel on the scheduled date. Notification of the scheduled hearing time shall be forwarded to all parties by mail and/or facsimile transmission. The scheduled times will also be posted on the Butler County website, www.co.butler.pa.us, and in the offices of Court Administration and the Prothonotary.

Rule L5003. Continuances.

(a) *CONTINUANCES.* Continuances of the Real Estate Tax Assessment Appeal hearings before a Butler County Assessment Appeal Panel may only be obtained by leave of Court. Parties seeking a continuance shall file their Motion for Continuance before the assigned judge for the case. Continuances will be granted by the Court only for good and sufficient reasons as presented by the parties. Any continuance requested and granted after the posting of the times as set forth in Rule L5002 shall include a requirement that the party requesting a continuance shall be responsible for payment of the Butler County Assessment Appeal Panel fees, as established pursuant to special order of court. The party, upon whom such fees have been imposed, may not, so long as such fees remain unpaid, take any further procedural steps in such matter without obtaining prior leave of court. The party, upon whom such fees have been imposed may not recover such fees if that party is ultimately successful.

Rule L5004. Settlement.

(a) *SETTLEMENT.* When counsel agree upon terms for settlement, they shall notify the Court, in writing, in the following format, as soon as possible such that the case can be removed from the hearing list:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

_____)
(NAME OF APPELLANT))
) Case No.: _____
)
From the Butler County Board of)
Assessment Appeal)
)
Tax ID No. _____)

School District: _____
Municipality: _____
Property of: _____
Property Address: _____
Intervenor _____

STIPULATION TO SETTLE

WHEREAS, the Appellant(s), _____, is/are the owners of the property located in Butler County, Pennsylvania known as Butler County Tax Parcel Number _____ .

WHEREAS, the Appellant(s) filed an assessment appeal to the Board of Assessment Appeals of Butler County and thereafter an appeal was filed to this Honorable Court.

WHEREAS, based upon the risk and hazards of litigation, the parties have decided that it is in their best interest to settle the above-captioned matter based upon the terms and conditions outlined in this Stipulation to Settle.

NOW, THEREFORE, the undersigned, intending to be legally bound and to bind their respective clients, agree to the following settlement.

After further review by all parties, it was agreed the assessment shall be as follows:
1. Commencing on _____, for the County and Township taxes, and _____, for the School taxes, the assessment shall be set based on a fair market value of \$_____ and an assessed value of \$_____ for tax year _____ .

- 2. In determining the assessed value of the property, the County Assessment Office shall use a Common Level Ratio of _____ %.
- 3. The parties agree that the Court should enter an Order in the form attached setting the assessed value as herein above set forth and ordering that the case be marked settled, discontinued, and ended.
- 4. The Appellant shall pay the appropriate fee, payable to the Prothonotary of Butler, for the discontinuance of this action. Payment shall accompany the filing of this stipulation.
- 5. If the docket is not settled within ten (10) days of the settlement date set forth in this Stipulation, Appellant shall appear as scheduled by the Court. Settlement of the docket shall cancel this hearing.
- 6. This Stipulation can be executed in counterparts.

Signature _____

(b) Upon the filing of the Stipulation to Settle, the Court shall enter the following order:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

 (NAME OF APPELLANT))
)
 From the Butler County Board of) Case No.: _____
 Assessment Appeal)
)
 Tax ID No. _____)

School District: _____
 Municipality: _____
 Property of: _____
 Property Address: _____
 Intervenor _____

ORDER

AND NOW, this ____ day of _____, upon review of the Stipulation of Settlement among the parties, attached hereto, it is hereby ORDERED, ADJUDGED and DECREED that the stipulation to settle the appeal is approved; and

It is further ORDERED that the Butler County Board of Assessment Appeals shall establish the fair market value for assessment purposes on the Butler County Tax Parcel Number _____ to be \$_____ and the assessed value from \$_____ to \$_____ as of _____, for County and Municipal taxes, and _____, for School District taxes; and

It is further ORDERED that, upon receipt of the appropriate filing fee from the Appellant, the Prothonotary of Butler County is to mark the above case, settled, discontinued, and ended. If the docket is not settled within ten (10) days of the settlement date set forth the parties' Stipulation, Appellant shall appear before the court on the _____ day of _____ at 9:00 o'clock a.m. in courtroom _____. Settlement of the docket shall cancel this hearing.

BY THE COURT:

_____ J

(c) If a case settles after the posting of a hearing time for the case as per Butler County L.R.C.P. L5002, but before the scheduled hearing, the Appeals Panel shall be paid by the county as per administrative order under Local Rule L5004 upon Order of Court that directs payment in the case.

Compensation fees paid to the Appeals Panel shall not be taxed as costs or follow the award as other costs.

(d) The Court shall enter the following appropriate Order for payment:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE APPEAL OF:

 (NAME OF APPELLANT))
)
 From the Butler County Board of) Case No.: _____
 Assessment Appeal)
)
 Tax ID No. _____)

School District: _____
Municipality: _____
Property of: _____
Property Address: _____
Intervenor(s): _____

ORDER OF COURT

AND NOW, this ____ day of _____, 2016, the Court having been informed that the above case has been settled/continued, the Real Estate Tax Assessment Appeal Hearing scheduled _____, is hereby cancelled. This case is removed from the Real Estate Tax Assessment Appeal Hearing list.

Payment to the appointed board is authorized at the rate of \$_____ per board member as follows:

_____, Chairman
_____, Member
_____, Member.

BY THE COURT,

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE APPEAL OF:

(NAME OF APPELLANT))
)
From the Butler County Board of) Case No.: _____
Assessment Appeal)
)
Tax ID No. _____)

School District: _____
Municipality: _____
Property of: _____
Property Address: _____
Intervenor(s): _____

ORDER OF COURT

AND NOW, this ____ day of _____, 2016, the Court having been informed that an award has been entered in the above case, payment to the Assessment Appeals Panel is authorized at the rate of \$_____ per board member as follows:

_____, Chairman
_____, Member
_____, Member.

BY THE COURT,

Rule L5005. Appointment to Assessment Appeal Panel.

(a) *ASSESSMENT APPEAL PANEL.* Appeals from the Board of Assessment Appeals shall be scheduled for a hearing before an Assessment Appeal Panel consisting of arbitrators appointed pursuant to 53 Pa.C.S.A. § 8854 and 42 Pa.C.S.A. § 7361. Court Administration shall compile a list of persons eligible and willing to serve on the Butler County Assessment Appeal Panel as appointed by the President Judge. This list shall be comprised of members of the bar actively engaged in the practice of law in Butler County. "Actively engaged in the practice of law in Butler County" is defined as an attorney who regularly maintains an office in Butler County for the practice of law. Proceedings before the Assessment Appeal Panel shall not be of record.

(b) If a Assessment Appeal Panel member is not able to serve on his or her appointed date, said member shall secure a replacement member from the list of eligible attorneys who have consented to serve. Said member shall notify Court Administration of the replacement, and Court Administration shall appoint said substitute attorney to replace said member. Should a vacancy on the Assessment Appeal Panel occur prior to the hearing for any reason, or should a member of the panel fail to attend the hearing or secure a replacement, a member of the panel shall notify Court Administration, who shall immediately vacate that appointment and make an appointment to fill that vacancy. Should a vacancy on the Assessment Appeal Panel occur after the hearing takes place, but before an award is signed by all panel members, or should a member of the panel fail to or refuse to perform his or her duties, the award shall be signed and filed by the

remaining members of the panel. If the remaining members of the panel are unable to agree, they shall notify Court Administration who shall appoint a third member. Thereafter, Court Administration shall schedule a re-hearing for the new panel, which shall thereafter file an award.

(c) The board shall be chaired by a member of the bar admitted to the practice of law for at least three (3) years.

(d) Each member of the Assessment Appeal Panel who has been duly sworn to hear a case shall receive as compensation a fee in the amount set by the court from time to time by administrative order. In cases requiring hearings that exceed one half (1/2) day, the Assessment Appeal Panel may petition the court for additional compensation, which the court may grant for cause shown. The Assessment Appeal Panel shall be entitled to receive their compensation fees as follows:

(e) If an Assessment Appeal Panel member fails in his or her duties, or the Panel fails to file an award promptly, as required by Pa.R.C.P. No. L5005, the result will be the forfeiture of the Assessment Appeal Panel members' fees.

(f) Upon the filing of the Assessment Appeals Panel's award, a discontinuance by the parties after the swearing of the Assessment Appeals Panel, or, after the posting of the time for the Assessment Appeal hearing, an Order of Court removing the case from the Assessment Appeal based upon settlement of the case or a continuance is granted, Court Administration shall process an Order for payment of the applicable fee to each member of the Assessment Appeals Panel.

Rule L5006. Authority of the Panel Chairperson.

(a) The chairperson of the Assessment Appeals Panel shall have the powers conferred upon him or her by law, including but not limited to the following:

(1) The chair of the Assessment Appeals Panel shall have initial authority to make all rulings on objections to evidence or on other issues that arise during the hearing. Such rulings shall be final unless objected to by one of the board members. In the latter instance, the board members shall consult and vote and the final ruling shall be that of the majority.

(2) Following the hearing and entry of award, the chair of the Assessment Appeals Panel shall release the exhibits to the party who offered them. Parties shall provide three working copies of any exhibits to the Appeal Panel at the time of hearing.

Rule L5008. Award.

(a) *AWARD.* The Assessment Appeals Panel shall file their award within seven (7) days after the completion of hearing. Any Assessment Appeal Panel member who fails to file the award as required by this Rule may forfeit their fees. The award shall be in the following format:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

_____)	
(NAME OF APPELLANT))	
From the Butler County Board of)	Case No.: _____
Assessment Appeal)	
Tax ID No. _____)	

School District: _____

Municipality: _____

Property of: _____

Property Address: _____

Intervenor _____

QUALIFICATION OF ASSESSMENT APPEAL PANEL

AND NOW, this ____ day of _____, 20____, we, the undersigned, having been named as the Assessment Appeal Panel in the above-captioned matter, do solemnly swear or affirm that we will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that we will discharge the duties of our office with fidelity.

Sworn to and subscribed _____	_____
Before me this _____	Chairman
Day of _____, 20____	_____
	Member
_____	_____
Prothonotary	Member
	Assessment Appeal Panel

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

(NAME OF APPELLANT)
From the Butler County Board of Assessment Appeal
Tax ID No. Case No.:

School District:
Municipality:
Property of:
Property Address:
Intervenor

AWARD BY THE ASSESSMENT APPEAL PANEL

AND NOW, this ___ day of ___, 20___, we, the undersigned Assessment Appeal Panel, after having been duly sworn and having heard the evidence and the allegation of the parties, do award and find as follows:

For Parcel No.:
Market Value: \$___ as of

Applicable Common Level Ratio:

Chairman
Member
Member

Rule L5009. Appeal.

Appeals from an Award entered by the Assessment Appeal Panel shall be de novo to the Butler County Court of Common Pleas and shall be filed in the following format:

IN THE COURT OF COMMON PLEAS, BUTLER COUNTY PENNSYLVANIA

IN RE Appeal of:

(NAME OF APPELLANT)
From the Butler County Board of Assessment Appeal
Tax ID No. Case No.:

School District:
Municipality:
Property of:
Property Address:
Intervenor

REQUEST FOR HEARING

To the Prothonotary:

Notice is given that ___ appeals from the award of the Assessment Appeal Panel entered in this case on ___. A copy of the award is attached hereto.

I hereby certify that the compensation of the Assessment Appeal Panel has been paid. A copy of the court order regarding payment of the Assessment Appeal panel is attached hereto.

Respectfully submitted,

CAMERON COUNTY**Adoption of Local Rules L4007 and L4008 Regarding Transcript Requests and Fees; No. 2016-2064****Order of Court**

Now, December 8, 2016, pursuant to Pa.R.J.A. 4000—4009, the Court hereby adopts the following new Local Rule 4007 and Rule 4008, covering the requests and transcribing fees for transcripts of court proceedings in Elk County or Cameron County, which become effective on January 1, 2017.

The District Court Administrator of the 59th Judicial District (Elk and Cameron Counties) is directed as follows:

(1) File one copy of the Administrative Order with the Administrative Office of Pennsylvania Courts.

(2) Submit two copies of the Administrative Order to the Legislative Reference Bureau and one electronic copy in Microsoft Word format only to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.

(3) Publish a copy of the Administrative Order on the website of the 59th Judicial District.

(4) Compile a complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.

(5) File the Administrative Order with the filing office of each county for public inspection and copying.

Rule L4007. Requests for Transcripts.

(1) All requests for transcripts shall be submitted on a form provided by the District Court Administrator that will include all elements required by the Court Administrator of Pennsylvania. The form shall be made available on the Court's website at www.co.pa.elk.us/judicial and at the office of the District Court Administrator.

(2) The requesting party shall submit the original request form to the District Court Administrator and shall serve copies of the request to:

- a. The judge presiding over the matter;
- b. The court reporter or court recorder
- c. The opposing counsel or an opposing party if unrepresented.

(3) A party making a request for transcript shall make a partial payment of 95% of the estimated cost. All checks shall be made payable to the County of Elk in Elk County matters or the County of Cameron in Cameron County matters. Payment shall be delivered to the office of the District Court Administrator, P.O. Box 416, Ridgway, PA 15853, regardless of the county of venue.

Rule L4008. Costs for Transcripts.

(1) Costs paid by the requesting party, other than the Commonwealth of Pennsylvania or a subdivision there, for a transcript in 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
- d. For same day delivery, \$6.50 per page

(2) Costs paid by the requesting party and any other party for a paper copy of the transcript shall be \$0.25 per page

(3) Where the Commonwealth or a subdivision thereof is liable for the cost in electronic format:

- a. For all transcripts, \$2.00.

(4) The trial judge may impose a reasonable surcharge in cases such as professional malpractice or other complex litigation.

(5) Transcript costs subject to waiver under Pa.R.J.A. 4008(B) shall be reviewed by the District Court Administrator upon written application by the requesting party. Applications are available from the office of the District Court Administrator.

(6) A request for a copy of any transcript previously filed of record shall be submitted to the District Court Administrator and provided according to the following fee schedule:

- a. For paper format, \$0.75 per page
- b. For electronic format, \$0.50 per page

By the Court

RICHARD A. MASSON,
President Judge

[Pa.B. Doc. No. 16-2245. Filed for public inspection December 23, 2016, 9:00 a.m.]

CARBON COUNTY**Adoption of New Local Rules of Judicial Administration Governing Court Reporting and Transcripts; No. 16-3551; 16-9388; CP-13-AD-0000007-2016; 1DR2016****Administrative Order 18-2016**

And Now, this 1st day of December, 2016, it is hereby

Ordered and Decried that effective January 1, 2017, the Carbon County Court of Common Pleas adopts the following local rules governing court reporting and transcripts for the 56th Judicial District.

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

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

2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish these Rules in the *Carbon County Law Journal* and on the Carbon County Court website at www.carboncourts.com.

4. Forward one (1) copy to the Carbon County Library.

5. Incorporate these rules into the set of local rules on www.carboncourts.com within thirty (30) days after the publication of these rules in the *Pennsylvania Bulletin*.

6. File one (1) copy of these rules in the appropriate filing office for public inspection and copying.

By the Court

ROGER N. NANOVIC,
President Judge

LOCAL RULES OF JUDICIAL ADMINISTRATION

Rule 101. Title and Citation.

These Rules shall be known as the Carbon County Rules of Judicial Administration and may be cited as "C.C.R.J.A.- ."

Rule 4007. Submitting and Processing Transcript Requests—Local Rule.

A. Transcript Requests:

1. All requests for transcripts shall be set forth on the standardized form provided by the Administrative Office of Pennsylvania Courts.

2. The request form shall be submitted to the District Court Administrator with copies to the Presiding Judge, the court reporter and opposing counsel/unrepresented party.

3. Upon receipt of a transcript request, the court reporter shall provide the District Court Administrator and the requesting party with an estimated cost of the transcript requested and except where the Court or County is responsible for the cost, shall notify the requesting party to submit a check payable to the County of Carbon in an amount of no less than one-half of the estimated total cost. Said check shall be delivered to the District Court Administrator. Upon receipt of this deposit, the District Court Administrator will notify the court reporter to prepare the transcript.

4. When the transcript is completed, the court reporter shall so notify the District Court Administrator and the requesting party of this fact and of the final balance due. A check payable to the County of Carbon for the final balance due shall be delivered to the District Court Administrator by the requesting party. Upon receipt of the final balance due, the District Court Administrator will notify the court reporter to file the transcript in the appropriate filing office and provide copies to the parties.

5. All checks submitted for transcripts shall be forwarded by the District Court Administrator to the appropriate filing office where the original case file is located. Said filing office shall deposit and record the transcript costs paid and shall forward the funds to the County of Carbon.

6. Any request by a litigant for a transcript pursuant to Pa.R.J.A. 4007(E) alleging inability to pay due to economic hardship must be directed to the Presiding Judge for determination as provided in Rule 4008(B) and shall be accompanied by a proposed order granting the requested relief.

7. All production of transcripts by the court reporters shall be in compliance with Pa.R.J.A. Rules 4001 et seq.

8. In addition to the filing requirements of Rule 4006(F) (matters on appeal), court reporters shall file a separate monthly report with the District Court Administrator of all ordered or requested transcripts for matters not under appeal on a form to be provided by the District Court Administrator. On this form, the court reporters shall report on the status of each request or order for a transcript of court proceedings in chronological order starting with the earliest request or order made to the most recent.

Rule 4008. Transcript Costs Payable by a Requesting Party—Local Rule.

A. Transcript Costs:

1. The charge to a requesting party for transcripts of judicial proceedings in the Courts of Carbon County prepared by a court reporter shall be as follows:

a. For a requesting party other than the Commonwealth or a political subdivision of this Commonwealth when the transcript is provided in electronic format:

- (1) \$2.50 per page for an ordinary transcript;
- (2) \$3.50 per page for an expedited transcript (when available);
- (3) \$4.50 per page for daily transcript (when available); and
- (4) \$6.50 per page for same day delivery for transcripts delivered within six (6) hours of the close of the court session (when available).

Any transcript prepared in bound paper format shall include a \$0.25 per page surcharge.

b. For the Commonwealth or a Political Subdivision of this Commonwealth when the transcript is provided in electronic format:

(1) \$2.00 per page for an ordinary transcript, plus \$1.00 per page for a copy requested by a party other than the Commonwealth or a political subdivision (provided that if more than one such party requests a copy, the aggregate cost of these copies to all requesting parties shall not exceed \$2.50 per page);

(2) \$3.00 per page for an expedited transcript (when available), plus \$1.00 per page for a copy requested by a party other than the Commonwealth or a political subdivision (provided that if more than one such party requests a copy, the aggregate cost of these copies to all requesting parties shall not exceed \$3.50 per page);

(3) \$4.00 per page for a daily transcript (when available), plus \$1.00 per page for a copy requested by a party other than the Commonwealth or a political subdivision (provided that if more than one such party requests a copy, the aggregate cost of these copies to all requesting parties shall not exceed \$4.50 per page); and

(4) \$5.00 per page for same day delivery for transcripts delivered within six (6) hours of the close of the court session (when available), plus \$1.00 per page for a copy requested by a party other than the Commonwealth or a political subdivision (provided that if more than one such party requests a copy, the aggregate cost of these copies to all requesting parties shall not exceed \$6.50 per page).

Any transcript prepared in bound paper format shall include a \$0.25 per page surcharge.

c. For cases such as mass tort, medical malpractice or unusually complex litigation for which court reporters need to significantly expand their dictionary, upon certification of this need by the court reporter and approval by the presiding trial judge, a surcharge of \$0.25 per page will be added to the foregoing rates charged the requesting party.

2. The charge for a rough draft transcript of judicial proceedings in the Courts of Carbon County prepared by a court reporter is hereby set at \$1.00 per page for an ordinary draft and \$2.25 per page for a daily rough draft (when available).

3. For any party who requests real time transmission of the court reporter's translated notes instantaneously by

an electronic feed to a laptop, tablet, phone or other portable electronic device via cable, Wi-Fi, router or Bluetooth, the party, media or other interested individual making such request (after first checking with the District Court Administrator that real time transmission is available) shall (1) file their request with the District Court Administrator a minimum of fourteen days in advance of the proceeding; (2) be required to cover the cost of the electronic connection to accommodate such request; and (3) be charged a fee of \$150.00 for each half day or less of transcription services provided by the court reporters and \$300.00 for each day in which the proceedings exceed a half day.

B. Waiver/Reduction of Transcript Costs:

1. Ordinary transcripts requested by litigants in matters under appeal or where the transcript is necessary to advance the litigation who meet the minimum standards for economic hardship pursuant to Pa.R.J.A. 4008(B)(1) and (B)(2) shall attach to their transcript request an affidavit in support of any request to waive all or a portion of the transcription costs.

2. The cost for ordinary transcripts in matters that are not under appeal or where the transcript is not necessary to advance the litigation, and the cost for expedited, daily, rough draft or same day delivery transcripts (when available) to litigants who meet the minimum standards for economic hardship pursuant to Pa.R.J.A. 4008(B)(1) and (B)(2) and who request a waiver or reduction in transcript fees shall have attached to the transcript request an affidavit in support of any request to waive all or a portion of the costs of transcription. Costs may be waived at the Court's discretion upon good cause shown.

3. The affidavit required by Subsection (B)(1) and (B)(2) shall be in substantially the form required by Pa.R.C.P. 240(h).

4. Litigants who have been approved for representation by legal aid services shall not be required to prove economic hardship and shall be entitled to obtain ordinary transcripts at no cost. Legal aid services must provide to the Presiding Judge and attach to their transcript request a letter of certification verifying in accordance with Pa.R.J.A. 4008(B) that the represented client meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

C. Cost for Copies of Filed Transcripts:

1. Any requests for copies of transcripts that have been previously ordered, transcribed and filed of record shall be provided by the filing office at the following copy rates, which funds shall be turned over to the County of Carbon:

- a. \$0.75 per page bound, paper format; and
- b. \$0.50 per page electronic copy.

Rule 4009. Compensation to be Paid to Court Reporters—Local Rule.

A. In accordance with Pa.R.J.A. 4009, requiring the promulgation and publishing of a local rule establishing the fees to be paid for all court reporting products and the comment following Pa.R.J.A. 4007, the following amounts shall be paid to court reporters for their professional services as indicated below:

1. For transcripts requested by a party other than the Commonwealth or a political subdivision, court reporters shall be paid for their professional services an amount

equal to the amount charged a requesting party as set forth in Rule 4008(A)(1)(a) and (c) (if applicable), plus an additional \$1.00 per page.

2. For transcripts requested by the Commonwealth or a political subdivision, court reporters shall be paid for their professional services an amount equal to the amount charged a requesting party as set forth in Rule 4008(A)(1)(b) and (c) (if applicable), plus an additional \$1.00 per page for copies requested by a party other than the Commonwealth or a political subdivision.

3. For a rough draft transcript, court reporters shall be paid for their professional services an amount equal to the amount charged a requesting party as set forth in Rule 4008(A)(2).

4. For real time transmission of the court reporters' translated notes, court reporters shall be paid for their professional services the sum of \$150.00 for each half day or less of transcription services provided and \$300.00 for each day in which the proceedings exceed a half day.

5. The amount of compensation to be paid to court reporters for their professional services in the preparation and production of transcripts is not to be reduced notwithstanding the waiver or reduction in the cost of a transcript to a litigant pursuant to Rule 4008(B).

6. It is the intent of this Rule to ensure that court reporters shall continue to be compensated for the preparation of transcripts in an amount substantially the same as that previously received by court reporters for these services prior to the Pennsylvania Supreme Court's adoption of Pa.R.J.A. Nos. 4007—4009 and is not intended to reduce or otherwise limit the income of court reporters.

Rule 4014. Automatic Redaction of Certain Personal Data Identifiers—Local Rule.

A. Unless otherwise directed by the Presiding Judge, the court reporter preparing the transcript shall redact from the original transcript filed in the appropriate filing office those personal data identifiers for which redaction software has been obtained and is being utilized in such filing office, but these identifiers shall not be redacted on transcripts that are provided to the Court and to the parties. Currently, the software being utilized by the Prothonotary's Office redacts the following personal data identifiers:

1. Social Security Numbers, all but the last four digits;
2. Driver's License Number, all but the last four digits;
3. Vehicle Identification Numbers, all but the last four digits;
4. Financial institutions account numbers, all but the last four digits;
5. Dates of Birth, except year;
6. Names of minor children, except for the first initial of the first and last names.

Rule 4016. Storage and Retention of Exhibits—Local Rule.

In any proceeding in which cash, drugs, weapons or other dangerous materials are marked as exhibits and admitted into evidence, such exhibits shall be kept in secure locations by law enforcement for production on appeal or for a new trial, or pending forfeiture or a destruction order of the Court. With respect to those files whose contents are required to be kept confidential, as

well as any other matters where the files have been sealed or access to the files has been restricted, exhibits admitted into evidence as part of the Court record shall be maintained with the official Court record in the appropriate filing office, excluding those exhibits identified in the preceding sentence. All other exhibits admitted into evidence in a Court proceeding shall be retained by the court reporter in a secure location provided by the County for these purposes.

[Pa.B. Doc. No. 16-2246. Filed for public inspection December 23, 2016, 9:00 a.m.]

CHESTER COUNTY

Fee Bill for the Office of the Register of Wills and Clerk of Orphans' Court; No. 1516-9999

Order

And Now, this 30th day of November, 2016, pursuant to the provisions of 42 P.S. 21022.1 and 42 P.S. 21032.1, the fee bills of the Register of Wills and Clerk of Orphans' Court of Chester County, Pennsylvania, are amended as indicated on the proposed fee bill. The fee bill shall be effective the 1st day of February, 2017.

By the Court

JACQUELINE C. CODY,
President Judge

**SCHEDULE OF FEES
Register of Wills
County of Chester**

**Letters Testamentary
Letters of Administration**

Cost includes Recording of Pages

Cost is based on Valuation of Gross Estate as provided in the Petition for Grant of Letters.
{See Note # 1}

Note: Other usual fees charged at probate are marked with @@

Valuation of Gross Estate {Note #1}		Cost	
0	to	10,000	125.00
10,001	to	50,000	175.00
50,001	to	100,000	225.00
100,001	to	200,000	275.00
200,001	to	300,000	325.00
300,001	to	400,000	375.00
400,001	to	500,000	425.00
500,001	to	600,000	475.00
600,001	to	700,000	525.00
700,001	to	800,000	575.00
800,001	to	900,000	625.00
900,001	to	1,000,000	675.00

... For each succeeding \$100,000 or fraction of, add 75.00

Note # 1: ADDITIONAL PROBATE FEE

At the time of filing the Petition for Grant of Letters an estimate of the gross probate value of the Estate is made. The fee for Letters is based on that estimated value. When the Inheritance Tax Return and Inventory are filed, the actual gross probate value of the estate is calculated. If the actual gross probate value of the estate is greater than the estimated gross probate value of the estate, an additional probate fee is charged. No refund is issued if the actual gross probate value is less than the estimated gross probate value.

Note # 2: Miscellaneous Transactions

Instruments not specifically listed will be charged at a rate comparable to this schedule for a like instrument.

Additional Probate {Note # 1}	*****
Amended Petition	30.00
Answer, Reply, Response	20.00
Appeal to Orphans' Court	75.00
Automation Fee (for initial/first filings)	10.00
Bond	20.00
Caveat—Formal	100.00
Caveat—Informal	25.00
Certification of Notice {charged only at Probate} @@	10.00
Certification of Record by Deputy Clerk	10.00
Certification (Formal) of Record by Elected Official	50.00
Claim—Filing	20.00
Commission executed for a Jurisdiction	25.00
Commission sent to a Jurisdiction	50.00
Copy {Per Page}	1.00
Disclaimer	20.00
Exemplification Certificate	75.00
Exemplification from another Jurisdiction	50.00
Inheritance Tax Certification	5.00
Inheritance Tax Return {charged only at Probate} @@	20.00
Inventory—Estate {charged only at Probate} @@	10.00
JCS/ATJ/CJEA—State Fee @@	35.50
Miscellaneous Transactions {Note # 2}	*****
Name Change Certificates {includes BOTH offices}	25.00
Name Search	15.00
Petition	50.00
Petition for Citation	75.00
Receipt & Release	30.00
Register of Wills Hearing	100.00
Renunciation—Each Name	5.00
Returned Check	30.00
Short Certificate @@	10.00
Status Report {charged only at Probate} @@	15.00
Subpoena	10.00

Subsequent Petition for Letters	50.00
Tax Only Estate (“No Letters” Estate) (no State fee charged)	50.00

The JCS/ATJ/CJEA is a PA State fee imposed on the INITIAL/FIRST filing of a Petition in the Register of Wills/Clerk of Orphans’ Court, including but not limited to, Petition for Grant of Letters, Petition for Citation, Small Estate Petition, Petition for Adoption, Petition for Termination, Petition for Appointment of a Guardian.

Chester County Register of Wills uses a third party processor named Municipay to process payments for transactions. For credit and debit card payments, Municipay will charge a processing fee of 2.25% on the total amount paid with a minimum fee of \$2.00

**SCHEDULE OF FEES
Clerk of the Orphans’ Court
County of Chester**

ADOPTIONS	
Adoption Investigation	850.00
Adoption Investigation Review	125.00
Adoption Petition for Domestic & Foreign—includes amended petitions and certification of final decree	150.00
Attorney for the Minor {Separate Check}	150.00
Counseling for Natural Parents {Separate Check}	75.00
Foreign Adoption Registration—includes amended petitions and certification of final decree	100.00
Identifying Adoption Search	300.00
Non-Identifying Adoption Search	150.00
Report of Intention to Adopt	25.00
Termination Petition—includes citations, amended petitions, motion for appointment of counsel and certification of final decree	75.00

GUARDIANSHIP OF INCAPACITATED PERSON	
Appointment of Guardian for Incapacitated—includes emergency and permanent petitions, amended petitions, citations, motion for appointment of counsel, certification of final decree and inventory	150.00
Certificate of Guardian Appointment	25.00

MARRIAGE LICENSES	
Certification of No Marriage	25.00
Certified Marriage Record	15.00
Court Consent—Applicant Under 16 years	40.00
Custodial Consent—Applicant Under 18 Years	20.00
Exemplification of Marriage Record	40.00
Marriage Application	75.00
Non-Resident Marriage Affidavit	10.00
Replacement of Marriage License	10.00
Waiver of 3 Day Waiting Period	25.00

ACCOUNTS FILED FOR FORMAL AUDIT			
Cost is based on valuation of Gross Estate, i.e. Gross Principal Receipts plus Gross Income Receipts as provided on account face sheet.			
<i>Valuation of Gross Estate</i>			<i>Cost</i>
0	to	100,000	200.00
100,001	to	250,000	300.00
250,001	to	500,000	400.00
500,001	to	750,000	500.00
750,001	to	1,000,000	600.00
1,000,001	to	1,250,000	700.00
1,250,001	to	1,500,000	800.00
1,500,001	to	1,750,000	900.00
1,750,001	to	2,000,000	1000.00
. . . For each succeeding \$500,000 or fraction of, add 200.00			
Also add Cost for Recording of Account at 5.00 per page			

Chester County Clerk of the Orphans’ Court uses a third party processor named Municipay to process payments for transactions. For credit and debit card payments, Municipay will charge a processing fee of 2.25% on the total amount paid with a minimum fee of \$2.00

Agreement	20.00
Amended Petition	30.00
Answer, Reply, Response	20.00
Appeal to Superior/Supreme Court {Note # 3}	125.00
Award of Real Estate	30.00
Automation Fee (for initial/first filings)	10.00
Bond	20.00
Certificate of Trustee Appointment	25.00
Certification of Record by Assistant Clerk	10.00
Certification (Formal) of Record by Elected Official	50.00
Claim-Filing	20.00
Copy—Per Page	1.00
Deed of Real Estate	30.00
Deed of Trust Recording	30.00
Disclaimer	20.00
Exemplification Certificate	75.00
Family Exemption Claim	30.00
Family Settlement Agreement	30.00
Informal Accounts	50.00
Joinder	20.00
JCS/ATJ/CJEA—State Fee	35.50
Miscellaneous Transactions {Note # 4}	****
Motion {with Order}	20.00
Name Change Certificates (includes BOTH offices)	25.00
Name Search	15.00

Objections	20.00
Petition	50.00
Petition for Citation	75.00
Power of Attorney	30.00
Praecepte {with Order}	20.00
Receipt & Release	30.00
Returned Check	30.00
Satisfaction of Awards	30.00
Schedule of Distribution	50.00
Small Estate Petition—includes Inheritance Tax Return and Certification of Decree. Add \$35.50 for JCS Fee and \$10.00 for Automation Fee, if first filing	90.00
Spousal Election	30.00
Stipulation	20.00
Subpoena	10.00
Surety/Fiduciary Registration	10.00

SPECIAL SERVICES: Poundage - 5 cents for each dollar up to \$1000 + 2 cents for each dollar over \$1000.

Note # 3: SUPERIOR COURT FEE & POSTAGE FEE
Must include a SEPARATE check for \$ 85.50, payable to Superior Court of PA, to be sent with the Notice of Appeal by the Clerk of the Orphans’ Court. Also, an Invoice for Postage will be sent out for the cost of mailing the case file to Superior/Supreme Court.

Note # 4: Miscellaneous Transactions
Instruments not specifically listed will be charged at a rate comparable to this schedule for a like instrument.

The JCS/ATJ/CJEA is a PA State fee imposed on the INITIAL/FIRST filing of a Petition in the Register of Wills/Clerk of Orphans’ Court, including but not limited to, Petition for Grant of Letters, Petition for Citation, Small Estate Petition, Petition for Adoption, Petition for Termination and Petition for Appointment of a Guardian.

[Pa.B. Doc. No. 16-2247. Filed for public inspection December 23, 2016, 9:00 a.m.]

DAUPHIN COUNTY

Uniform Disbursement Schedule Prioritization; AO-18-2016; No. 0010-18-MD-2016

Administrative Order

And Now This 28th day of November, 2016, pursuant to 204 Pa. Code § 29.405(1)(i)(E), the collection and disbursement of Dauphin County Booking Center Fees shall be given priority status. After full collection and payment of the Booking Center Fees assessment, all other county fees for services under 204 Pa. Code § 29.405(1)(i)(E) shall be paid based on a pro-rated formula. The Administrative Office of Pennsylvania Courts shall make the necessary changes to the Common Pleas Case Management System (CPCMS) to accomplish the foregoing.

By the Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 16-2248. Filed for public inspection December 23, 2016, 9:00 a.m.]

ELK COUNTY

Adoption of Local Rules L4007 and L4008 Regarding Transcript Requests and Fees; No. 2016-913

Order of Court

Now, December 8, 2016, pursuant to Pa.R.J.A. 4000—4009, the Court hereby adopts the following new Local Rule 4007 and Rule 4008, covering the requests and transcribing fees for transcripts of court proceedings in Elk County or Cameron County, which become effective on January 1, 2017.

The District Court Administrator of the 59th Judicial District (Elk and Cameron Counties) is directed as follows:

- (1) File one copy of the Administrative Order with the Administrative Office of Pennsylvania Courts.
- (2) Submit two copies of the Administrative Order to the Legislative Reference Bureau and one electronic copy in Microsoft Word format only to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.
- (3) Publish a copy of the Administrative Order on the website of the 59th Judicial District.
- (4) Compile a complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.
- (5) File the Administrative Order with the filing office of each county for public inspection and copying.

Rule L4007. Requests for Transcripts.

(1) All requests for transcripts shall be submitted on a form provided by the District Court Administrator that will include all elements required by the Court Administrator of Pennsylvania. The form shall be made available on the Court’s website at www.co.pa.elk.us/judicial and at the office of the District Court Administrator.

(2) The requesting party shall submit the original request form to the District Court Administrator and shall serve copies of the request to:

- a. The judge presiding over the matter;
- b. The court reporter or court recorder
- c. The opposing counsel or an opposing party if unrepresented.

(3) A party making a request for transcript shall make a partial payment of 95% of the estimated cost. All checks shall be made payable to the County of Elk in Elk County matters or the County of Cameron in Cameron County matters. Payment shall be delivered to the office of the District Court Administrator, P.O. Box 416, Ridgway, PA 15853, regardless of the county of venue.

Rule L4008. Costs for Transcripts.

(1) Costs paid by the requesting party, other than the Commonwealth of Pennsylvania or a subdivision there, for a transcript in 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
- d. For same day delivery, \$6.50 per page

(2) Costs paid by the requesting party and any other party for a paper copy of the transcript shall be \$0.25 per page

(3) Where the Commonwealth or a subdivision thereof is liable for the cost in electronic format:

a. For all transcripts, \$2.00.

(4) The trial judge may impose a reasonable surcharge in cases such as professional malpractice or other complex litigation.

(5) Transcript costs subject to waiver under Pa.R.J.A. 4008(B) shall be reviewed by the District Court Administrator upon written application by the requesting party. Applications are available from the office of the District Court Administrator.

(6) A request for a copy of any transcript previously filed of record shall be submitted to the District Court Administrator and provided according to the following fee schedule:

a. For paper format, \$0.75 per page

b. For electronic format, \$0.50 per page

By the Court

RICHARD A. MASSON,
President Judge

[Pa.B. Doc. No. 16-2249. Filed for public inspection December 23, 2016, 9:00 a.m.]

MERCER COUNTY

Local Rules of Court; No. 3 AD 2016

And Now, this 5th day of December, 2016, The Court Hereby Approves, Adopts and Promulgates Mercer County Local Rules of Judicial Administration: 4004 (B); 4006; 4007; 4008 (A); and 4011. These Rules are adopted pursuant to the Order of the Pennsylvania Supreme Court as amended on May 12, 2016, and these Rules will become effective on January 1, 2017.

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

It is further *Ordered and Directed* that these Local Rules shall be kept continuously available for public inspection and copying in the Office of the Clerk of Courts of Mercer County and the Office of the Prothonotary of Mercer County. These Local Rules shall be published in the *Mercer County Law Journal*.

By the Court

THOMAS R. DOBSON,
President Judge

Mercer County Local Rule of Judicial Administration 4004(B). Court Reporter Qualifications.

(1) On or before the 15th day of January of each year, every court reporter shall provide to the lead court reporter the number of continuing professional education hours that the court reporter completed for the just ended calendar year.

(2) On or before the 31st day of January of each year, the lead court reporter shall provide a report to the President Judge and District Court Administrator of the hours of continuing professional education that each court reporter has completed during the three (3) year requalifying period. The qualifying period shall coincide

with the three (3) year cycle of any court reporter that is currently in an NCRA continuing education cycle.

Mercer County Local Rule of Judicial Administration 4006. Court Reporter Duties.

(A) Reserved.

(B) Reserved.

(C) Reserved.

(D) Reserved.

(E) Reserved.

(F) Reserved.

(G) 1. On the first business day of each month, each court reporter shall provide to the lead court reporter a report listing the following:

(a) The case caption, type of proceeding to be transcribed, date requested and expected completion date for every transcript requested for the preceding month;

(b) The case caption, type of proceeding to be transcribed, date requested and expected completion date for every transcript requested prior to the 1st day of the preceding month;

(c) The case caption and completion date of every transcript completed in the prior month.

2. On or before the 10th day of each month, the lead court reporter shall provide a report to the President Judge and the District Court Administrator listing the transcripts pending to be transcribed, the court reporter assigned to the matter, the date requested and the expected completion date.

3. The report shall be developed by the lead court reporter and approved by the President Judge if no form is provided by the AOPC.

Mercer County Local Rule of Judicial Administration 4007. Requests for Transcripts.

(E) Anyone requesting a transcript, unless waived by the Court, shall file a Motion with the Mercer County Court Administrator setting forth what is to be transcribed; whether or not it is to be an ordinary, expedited, daily or same day delivery; whether or not it is to be in electronic format or bound paper format; and whether or not a waiver is being requested.

(1) The District Court Administrator shall contact the assigned court reporter to determine the estimated cost of the transcript and provide that amount orally to the requesting party within 24 hours of the filing of the motion.

(2) If a fee waiver is requested, the District Court Administrator shall schedule a hearing to be held within five (5) business days after the filing of said motion to be heard by the presiding judge. If the waiver is not granted or a partial waiver is granted, then the requesting party shall pay a deposit equal to 75% of the estimated cost of the transcript within three (3) business days of said hearing.

(G) 1. A party requesting a transcript, unless a waiver is requested, shall pay a deposit in the amount of 75% of the requested estimated cost of the transcript. The check shall be made payable to the court reporter.

4. The final payment is due at the time that the transcript is picked up and/or delivered.

Mercer County Local Rule of Judicial Administration 4008(A). Fees.

A. Fee schedule for court reporters.

(1) The requesting party, unless waived, shall pay \$2.50 per page for ordinary and electronic transcripts and \$2.75 per page for a bound paper form transcript. The Commonwealth shall pay \$2.00 and \$2.25, respectively, per page;

(2) The requesting party, unless waived, shall pay \$3.50 per page for expedited transcripts in electronic format and \$3.75 per page in bound paper form. The Commonwealth shall pay \$3.00 and \$3.25, respectively, per page;

(3) The requesting party, unless waived, shall pay \$4.50 per page for daily transcripts in electronic format and \$4.75 per page in bound paper form. The Commonwealth shall pay \$4.00 and \$4.25, respectively, per page;

(4) The requesting party, unless waived, shall pay \$6.50 per page for same day delivery in electronic format and \$6.75 per page in bound paper form. The Commonwealth shall pay \$6.00 and \$6.25, respectively, per page;

(5) Any party requesting a copy of a transcript, unless waived, shall pay \$0.75 in bound paper form, and \$0.50 per page in electronic format. The Commonwealth shall pay \$0.50 and \$0.25, respectively, per page;

(6) A court reporter shall be paid by the County, the sum of \$1.50 per page for court orders;

(7) If the transcript involves a mass tort, medical malpractice, or unusually complex litigation, a surcharge of \$0.50 per page shall be added to the set forth herein, upon Order of the presiding Judge;

(8) Any requesting party shall pay a fee of \$1.00 per page for a rough draft, with no certification. There will be no waiver of said fee.

Mercer County Local Rule of Judicial Administration 4011. Deadline for Delivery of Transcripts.

(A) The date of notice to transcribe for appeal shall be the date of the post-appeal conference.

[Pa.B. Doc. No. 16-2250. Filed for public inspection December 23, 2016, 9:00 a.m.]

**MONTGOMERY COUNTY
Fees of Clerk of Orphans' Court**

And Now, this 2nd day of December, 2016, the following bill of costs is established effective January 1, 2017 to be chargeable to parties and to estates, before said Court for settlement, for the services of the Clerk of said Court and in the transaction of the business of said Court.

ACCOUNTS—Filing, advertising, recording, setting up printed copies of advertising of accounts of trustees and guardians of minors and incapacitated, including adjudication and certificate of the Clerk in estate not exceeding in value of

not exceeding in value of \$1,000	39.00
Over 1,001 and not exceeding 5,000	85.00
Over 5,001 and not exceeding 10,000	109.00
Over 10,001 and not exceeding 25,000	121.00
Over 25,001 and not exceeding 50,000	152.00
Over 50,001 and not exceeding 100,000	182.00

Over 100,001 and not exceeding 250,000	242.00
Over 250,001 and not exceeding 500,000	330.00
Over 500,001 and not exceeding 1,000,000	396.00
Each succeeding \$500,000 or fraction thereof	193.00

In addition to the above fees for filing there will be a fee for recording, per page 1.00
Supplemental or Amended Accounts (fee per page) 1.00

TECHNOLOGY FEE—For Accounts 10.00

ADOPTION, Petition for, recording, including certified copy of

DECREE and CERTIFICATE of ADOPTION 91.00
Report of intent to adopt (\$15.00 and Act 34—75.00) 90.00

Abandonment, petition for finding and Transcript 36.00

Foreign Decree Registration Filing 36.00

Petition for release of Identifying Information 212.00

Petition for release of Nonidentifying Information 61.00

AMENDED PETITIONS 31.00

ANSWER 20.00

APPEAL to Supreme or Superior Court, certificate of record and bond and transmission costs 91.00

APPEAL, INHERITANCE TAX 91.00

AWARD OF REAL ESTATE Petition 1 description 25.00

AWARD OF REAL ESTATE, certification of excerpt from

Schedule of Distribution, 1 description 20.00

Each Additional description 7.00

BIRTH RECORD, certified copy of 28.00

BOND, filing, approval of, and recording 7.00

CERTIFICATE and seal 28.00

CITATION, Petition for, and order (one name) 64.00

(Includes issuance and proof of service)

Each Additional Name 5.00

Riders (Over 10 Names) Additional Fee 3.00

CLAIM, filing of 20.00

COPIES OF DECREES, adjudication, etc, per page 1.00

DEED, execution of by clerk 25.00

DEED OF TRUST, filing of, per page 1.00

DISCLAIMER 20.00

ELECTION, to take under or against will filing of 20.00

EXCEPTIONS, to adjudication, schedule of distribution, etc. filing 32.00

JUDICIAL COMPUTER FEE, all first time filings 35.50

CHILD CARE FUND, all first time filings 5.00

TECHNOLOGY FEE, all first time filings 10.00

GENEALOGICAL RESEARCH FEES 33.00

SEARCH FEE (ANY TYPE RESEARCH) 33.00

EXEMPLIFICATION of record, per page 1.00

Certificate 39.00

FAMILY EXEMPTION, filing claim for and recording;

Personal Estate 20.00

Real Estate, on description 20.00

Each additional description 4.00

FAMILY SETTLEMENT AGREEMENT	32.00
Additional Name	5.00
GUARDIAN'S REPORT Person and/or Estate (each)	20.00
PETITION FOR APPOINTMENT OF GUARDIAN	39.00
PETITION FOR MINOR'S COMPROMISE	64.00
Each Additional Minor (One Petition)	5.00
PETITION for ADJUDICATION of INCAPACITY	64.00
PETITION for EMERGENCY & PERMANENT GUARDIAN	64.00
INTERROGATORIES	14.00
INVENTORY GUARDIAN FILING of NON-JUDICIAL SETTLEMENT AGREEMENTS	32.00
Each Additional Name(s)	5.00
NON-PETITION FILING	13.00
OBJECTIONS & PRELIMINARY OBJECTIONS PETITIONS (W/Existing Estate Number)	39.00
PETITIONS (No Existing Estate Number)	64.00
POWER OF ATTORNEY	114.50
RECEIPT and RELEASE Filing and Recording (one name)	20.00
EACH ADDITIONAL NAME	32.00
RENUNCIATION	5.00
SALE—Receive Proceeds, Petition to, Amount of Additional Bond and Certificate Order of Public Sale and Return (one description)	64.00
Each Additional Description	51.00
SATISFACTION OF AWARDS—Each Name	7.00
SCHEDULE OF DISTRIBUTION, first ten pages Or Fraction thereof—Double Space	39.00
	20.00
SHORT CERTIFICATE, guardian and trustee STIPULATION	11.00
SUBPOENA	32.00
	11.00
MARRIAGE LICENSE	32.50
STATE tax	.50
CHILDREN'S FUND/DOMESTIC VIOLENCE TOTAL ML FEE	20.00
Appointment of Guardian—Issuance of ML Petition for and ORDER (under 16 Years of Age)	\$53.00
	24.00
CONSENT FORM (16 to 18 Years of Age)	14.00
WAIVER (3 Day Waiting Period) (MILITARY WAIVER N/C)	19.00
CERTIFIED DUPLICATE CERTIFICATE or APPLICATION	14.00
COMBINATION—APPLICATION/CERTIFICATE RE: Immigration, Apostille, Adoptions etc.	28.00
UNCERTIFIED COPY MARRIAGE RECORD	1.00
RE-ISSUE MARRIAGE LICENSE LICENSE ISSUE	53.00
NEW APPLICATION	30.00
SINGLE STATUS LETTER	30.00
NO RECORD LETTER	61.00
MARRIAGE LICENSE CLEARANCE (MARYLAND & other STATE Requirements)	14.00

OUTSIDE MARRIAGE APPLICATION Travel Fee	83.00
(Plus Marriage License Fee) TOTAL	\$136.00
CASH	

RETURNED CHECK FEE 32.00

1. The word "page" means a page of cap, brief, or typewriting paper written double space.

2. If a fee is not specifically provided for in this schedule, it shall be the same fee as for a similar service.

3. All prior Orders made establishing bills of costs for the services of the Register of Wills of this County in the transaction of the business of said office are hereby revoked.

By the Court

WILLIAM J. FURBER, Jr.,
President Judge

[Pa.B. Doc. No. 16-2251. Filed for public inspection December 23, 2016, 9:00 a.m.]

**MONTGOMERY COUNTY
Fees of Register of Wills**

And Now, this 2nd day of December, 2016 the following bill of costs is established effective January 1, 2017 to be chargeable to parties and to estates for the probate of Wills and Testaments, and granting of Letters Testamentary and of Administration, and for all services of the Register of Wills of this County, in the transaction of the business of said office.

ACCOUNTS—ACCOUNTS are ACCEPTED by the CLERK OF THE ORPHANS' COURT

ADMINISTRATION, Letters of, including filing and entering bond and tax due commonwealth in estates. . .

Not exceeding in value of \$250.00	11.00
Over 251 and not exceeding 1,000	31.00
Over 1,001 and not exceeding 5,000	48.00
Over 5,001 and not exceeding 10,000	73.00
Over 10,001 and not exceeding 25,000	91.00
Over 25,001 and not exceeding 50,000	121.00
Over 50,001 and not exceeding 100,000	152.00
Over 100,001 and not exceeding 200,000	182.00
Over 200,001 and not exceeding 300,000	212.00
Over 300,001 and not exceeding 400,000	264.00
Over 400,001 and not exceeding 500,000	297.00
Over 500,001 and not exceeding 600,000	330.00
Over 600,001 and not exceeding 700,000	363.00
Over 700,001 and not exceeding 800,000	396.00
Over 800,001 and not exceeding 900,000	429.00
Over 900,001 and not exceeding One Million	462.00
First Million	462.00
Each Million above	330.00
Each succeeding \$100,000 or fraction thereof	31.00
Judicial Computer Fee	35.50
Child Care Fund	5.00
Technology Fee	10.00

LETTERS TESTAMENTARY , including probate, filing and entering bond and tax due Commonwealth in estates	
Not exceeding in value of \$250.00	11.00
Over 251 and not exceeding 1,000	31.00
Over 1,001 and not exceeding 5,000	48.00
Over 5,001 and not exceeding 10,000	73.00
Over 10,001 and not exceeding 25,000	91.00
Over 25,001 and not exceeding 50,000	121.00
Over 50,001 and not exceeding 100,000	152.00
Over 100,001 and not exceeding 200,000	182.00
Over 200,001 and not exceeding 300,000	212.00
Over 300,001 and not exceeding 400,000	264.00
Over 400,001 and not exceeding 500,000	297.00
Over 500,001 and not exceeding 600,000	330.00
Over 600,001 and not exceeding 700,000	363.00
Over 700,001 and not exceeding 800,000	396.00
Over 800,001 and not exceeding 900,000	429.00
Over 900,001 and not exceeding One Million	462.00
First Million	462.00
Each Million above	330.00
Each succeeding \$100,000 or fraction thereof	31.00
Judicial Computer Fee	35.50
Child Care Fund	5.00
Technology Fee	10.00
For each page of Will, per page	1.00
ADDING CODICIL TO PROBATE	20.00
AFFIDAVIT —filing of	7.00
APPEAL —filing and certifying to Orphans’ Court	91.00
ANSWER	20.00
SECOND , copy of, including seal and certificate	7.00
Filing and entering where additional security/bond is required	7.00
BRIEFS , filing relating to hearing, etc.	32.00
CAVEAT , filing informal	32.00
CAVEAT , filing formal with bond	96.00
Cancellation & Rescheduling of hearing	32.00
CERTIFICATE and seal	14.00
CERTIFICATE and seal of real estate (Tax Clearance)	14.00
CHILD CARE FUND —all first time filings	5.00
CITATION or attachment. Petition for (one name)	64.00
Each additional name (Over ten names an add. fee)	5.00
COMMISSIONS to Register of PA to take testimony	45.00
COMMISSIONS from Register of PA, execution of	20.00
COPIES of account, will, inventory, etc. per page	1.00
EXEMPLIFICATION of:	
Will, (including first page)	39.00
Additional pages (per page)	1.00
Miscellaneous Records (including first page)	14.00
Miscellaneous Filings	14.00
OBJECTIONS	32.00
RECORDING —exemplified copies of administration from other States	
where letters are not required to be issued	32.00
Exemplified copies of wills from other states where letters are not required to be issued. One page and affidavits	32.00
Each additional page	1.00
RENUNCIATION , filing each	5.00

RETURNED CHECK Fee	32.00
SHORT CERTIFICATE	11.00
Up-dating (One time only)	6.00
SUBPOENA	11.00
SUCCEEDING APPOINTMENT	20.00
SUGGESTION OF DEATH	14.00
SPECIAL SERVICE	
Probate of Will outside of Office.	96.00
Affidavit of Witness	96.00
TECHNOLOGY FEE	10.00
INVENTORY & APPRAISEMENT—TAX PAPERS —(Double Space)	20.00
SEARCH FEE (ANY SEARCH)	33.00
Non Probate—Inheritance Tax Fees	64.50
Tax Forms	14.00
Judicial Computer Fee	35.50
Child Care Fund	5.00
Technology Fee	10.00

1. The word “page” means a page of cap, brief, or typewriting paper written double space.

2. If a fee is not specifically provided for in this schedule, it shall be the same fee as for a similar service.

3. All prior Orders made establishing bills of costs for the services of the Register of Wills of this County in the transaction of the business of said office are hereby revoked.

By the Court

WILLIAM J. FURBER, Jr.,
President Judge

[Pa.B. Doc. No. 16-2252. Filed for public inspection December 23, 2016, 9:00 a.m.]

MONTGOMERY COUNTY

Sheriff’s Office Request to Increase Fees Pursuant to 42 P.S. § 21101 et seq.; No. 2016-00001

Order

And Now, this 5th day of December, 2016, upon consideration and review of the Petition to Establish an Additional Fee and Restricted Account, known as Sheriff’s Computer Fund, pursuant to § 42 P.S. 21118.1(a), (b) and § 21119 of the Sheriff’s Fee Act, it is *Ordered and Decreed That* said Petition is Granted.

It is further *Ordered* that The Montgomery County Sheriff’s Department is ordered to establish an additional fee and restricted account, known as the Sheriff’s Computer fund, for the purpose of computerizing the Office of the Sheriff, as per the attached Sheriff’s Directive, marked as Exhibit “A”.

By the Court

HONORABLE WILLIAM J. FURBER,
President Judge

[Pa.B. Doc. No. 16-2253. Filed for public inspection December 23, 2016, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Maeble Lois Hairston (# 60905), having been disbarred from the practice of law in the state of New Jersey, the Supreme Court of Pennsylvania issued an Order on December 12, 2016, disbarring Maeble Lois Hairston from the Bar of this Commonwealth, effective January 11, 2016. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 16-2254. Filed for public inspection December 23, 2016, 9:00 a.m.]

RULES AND REGULATIONS

Title 12—COMMERCE, TRADE AND LOCAL GOVERNMENT

PENNSYLVANIA MINORITY BUSINESS DEVELOPMENT AUTHORITY

[12 PA. CODE CH. 81]

General Provisions

The Pennsylvania Minority Business Development Authority (Authority), under the authority of section 9 of the Pennsylvania Minority Business Development Authority Act (act) (73 P.S. § 390.9), amends §§ 81.111, 81.112, 81.122, 81.124, 81.131, 81.143 and 81.144.

Introduction

The act was promulgated for the express purposes of: (1) alleviating and overcoming the many barriers to business opportunity that have too long handicapped socially and economically disadvantaged persons; and (2) providing assistance, financial and otherwise, which will contribute to well-balanced National and State economies by facilitating the acquisition or maintenance of ownership of business enterprises by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages. See section 2 of the act (73 P.S. § 390.2). The act created the Authority, a body corporate and politic with a 16-member board of directors composed of 4 cabinet officers, 8 persons appointed by the Governor and 4 persons appointed by the General Assembly. In 1975 the Authority promulgated regulations which describe in detail the Authority's lending and financial assistance programs, covering topics such as purpose of the program, eligible applicants and projects, application procedures, amount and terms of loans and other financial assistance, loan closing procedures, default procedures, late charges and the procedures to be used for examinations and investigations conducted by the Authority.

Analysis

This final-form rulemaking amends the regulations that impede the Authority's ability to be responsive and flexible to its target market.

Section 81.111(a)(6) (relating to eligible applicants) is amended to delete the requirement that the applicant shall commit to full time management of the company. Instead, the applicant is required to maintain complete control of the enterprise. This will allow the Authority to fund start-up businesses when the applicant will have another job until the new enterprise can financially support a full-time manager.

To delete the requirement that to be eligible, the applicant shall commit to work full-time in the enterprise for which he is seeking a loan, and if he is otherwise employed shall terminate employment prior to or at the time of closing is deleted from former § 81.111(a)(7). This will also allow the Authority to fund start-up businesses when the applicant will have another job until the new enterprise can financially support a full-time manager.

Section 81.112(a)(3) (relating to eligible projects) is amended to delete the requirement of an escrow account for project funds provided by other sources.

Section 81.122 (relating to applications, review and requirements) is amended to delete the requirement that applications be submitted through the regional offices, which no longer exist.

Section 81.124 (relating to additional conditions) is amended to delete the requirement of credit life insurance and assignments of life insurance policies as loan collateral. Life insurance can be difficult or very expensive to obtain, or both.

Section 81.131 (relating to amount and terms of loans) is amended to delete detailed requirements as to loan amounts, interest rates and job creation criteria. The amendments allow the Authority to establish these parameters through policies to be published from time to time in the *Pennsylvania Bulletin*.

Section 81.143 (relating to late charges) is amended to delete the requirement of a 6.0% monthly late charge.

Section 81.144 (relating to loan closing) is amended to delete the requirement of the use of an escrow fund for loan closings.

The amendments allow the Authority to quickly adapt to changing markets by modifying interest rates, loan terms, minimum and maximum loan amounts, job creation requirements and making changes to program delivery options. By embedding these fundamental elements of financing in regulations, and making them inflexible rules with the force of law, the Authority's program is frozen in its efforts to flex to changing economic conditions and thus unable to be responsive to its target market (businesses owned by socially and economically disadvantaged persons). Viable nonregulatory alternatives exist to deal with these matters, namely guidelines and descriptive application materials.

Comments and Response

Notice of proposed rulemaking was published at 46 Pa.B. 3069 (June 18, 2016), with a 30-day public comment period. No comments were received from the public, the Independent Regulatory Review Commission (IRRC), the House Commerce Committee or the Senate Community, Economic and Recreational Development Committee.

Fiscal Impact

There will be no fiscal impact on the Commonwealth, political subdivisions or the public.

Paperwork

This final-form rulemaking will allow the Authority to set forth procedures and loan parameters in written guidelines and application materials, which can be modified as market forces dictate. The Authority does not foresee new or different paperwork requirements emerging because of this final-form rulemaking.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 2, 2016, the Authority submitted a copy of the notice of proposed rulemaking, published at 46 Pa.B. 3069, to IRRC and the Chairpersons of the House Commerce Committee and the Senate Community, Economic and Recreational Development Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, the Authority 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 November 16, 2016, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective November 16, 2016.

Effective Date

This final-form rulemaking will be effective March 24, 2017.

Sunset Date

The regulations will be monitored on a regular basis and updated as needed.

Contact Person

For an explanation of this final-form rulemaking, contact Timothy M. Anstine, Deputy Chief Counsel, Department of Community and Economic Development, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 720-7312.

Findings

The Authority finds that:

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

(2) This final-form rulemaking is necessary and appropriate for the Authority's lending program.

Order

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

(a) The regulations of the Authority, 12 Pa. Code Chapter 81, are amended by amending §§ 81.111, 81.112, 81.122, 81.124, 81.131, 81.143 and 81.144 to read as set forth at 46 Pa.B. 3069.

(b) The Authority shall submit this order and 46 Pa.B. 3069 to IRRC, the House and Senate Committees, the Office of Attorney General and the Office of General Counsel for approval as to legality as required by law.

(c) This order shall take effect March 24, 2017.

CATHY ONYEAKA,
Executive Director

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

Fiscal Note: Fiscal Note 4-99 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 16-2255. Filed for public inspection December 23, 2016, 9:00 a.m.]

Title 28—HEALTH AND SAFETY

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 1171]

Medical Marijuana; Laboratories; Temporary Regulations

The Department of Health (Department) is publishing temporary regulations in Chapter 1171 (relating to laboratories) 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 laboratories will expire on December 24, 2018.

Chapter 1171 pertains to laboratories that will test medical marijuana in accordance with the act. The next set of temporary regulations that the Department anticipates publishing relate to practitioners, followed by temporary regulations relating to patients and caregivers, 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: 10-202. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 28. HEALTH AND SAFETY PART IX. MEDICAL MARIJUANA CHAPTER 1171. LABORATORIES

Sec.	
1171.21.	Definitions.
1171.22.	Laboratories generally.
1171.23.	Approval of laboratories.
1171.24.	Suspension or revocation of an approval issued to a laboratory.
1171.25.	Renewal of an approval issued to a laboratory.
1171.26.	Stability testing and retention of samples.
1171.27.	Sampling procedures for testing.
1171.28.	Selection protocols for samples.
1171.29.	Testing requirements.

- 1171.30. Standards for testing.
- 1171.31. Test results and reporting.
- 1171.32. Quality assurance program.
- 1171.33. Transporting samples.
- 1171.34. Department request for testing.
- 1171.35. Laboratory reporting.
- 1171.36. Advertising.
- 1171.37. Ownership prohibition.

§ 1171.21. Definitions.

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

Accreditation body—An organization which:

- (i) Certifies the competency, expertise and integrity of a laboratory and operates in conformance with the current version of International Organization Standard ISO/IEC 17011.
- (ii) Determines a laboratory's compliance with and conformance to the relevant standards established by the International Organization for Standardization, including ISO/IEC 17025.
- (iii) Is a signatory to the International Accreditation Cooperation Mutual Recognition Arrangement for Testing.
- (iv) Is not affiliated with a laboratory applicant for which it has or will issue a certificate of accreditation.

Approved laboratory—A laboratory that has applied for, and received, the approval of the Department to identify, collect, handle and conduct tests on samples from a grower/processor and test samples from the Department used in the growing, processing or dispensing of medical marijuana as required by the act and this part.

Certificate of accreditation—A document issued by an accreditation body evidencing that a laboratory is in compliance with International Organization for Standardization Standard ISO/IEC 17025 or other standards relevant to the operation of laboratories conducting tests on medical marijuana and other items used in the growing, processing or dispensing of medical marijuana.

Certificate of analysis—A document that confirms that the test performed by an approved laboratory on a harvest batch, harvest lot or process lot meets the testing requirements set forth by the Department.

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

Chain of custody—The written procedures used by employees of an approved laboratory to record the possession and transfer of samples and test samples from the time the samples and test samples are collected until the test of the sample or test sample is completed.

Harvest batch—A specifically identified quantity of medical marijuana plant that is uniform in strain, cultivated utilizing the same growing practices, harvested at the same time and at the same location, and cured under uniform conditions.

Harvest lot—A specifically identified quantity of medical marijuana plant taken from a harvest batch.

Laboratory applicant—A laboratory that submits an application to the Department for approval to identify, collect, handle and test medical marijuana and other items used by a medical marijuana organization in the growing, processing or dispensing of medical marijuana as required under the act and this part for the Department or a grower/processor.

Medical marijuana extract—A substance obtained by separating cannabinoids from medical marijuana plants by a mechanical, chemical or other process.

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.

Process lot—Any amount of a medical marijuana product of the same type and processed using the same medical marijuana extract, standard operating procedures and the same or combination of different harvest lots.

Processing—The compounding or conversion of medical marijuana extract by a grower/processor into a medical marijuana product.

Sample—Medical marijuana collected by an employee of an approved laboratory from a grower/processor for testing by the laboratory.

Test sample—An amount of medical marijuana or an amount of soil, growing medium, water or solvents used to grow or process medical marijuana, dust or other particles obtained from the swab of a counter or equipment used in the growing or processing of medical marijuana, or other item used in the growing or processing of medical marijuana in a facility taken by an employee of an approved laboratory or an agent of the Department at the request of the Department from a grower/processor and provided to an approved laboratory for testing.

§ 1171.22. Laboratories generally.

(a) A laboratory may not identify, collect, handle or conduct tests on samples from a grower/processor or conduct tests on test samples for the Department unless the laboratory has been approved by the Department under § 1171.23 (relating to approval of laboratories) and has entered into a written contract with the grower/processor under § 1171.29 (relating to testing requirements).

(b) The Department will post on its web site a current list of approved laboratories.

(c) An approved laboratory shall employ at least one director to oversee and be responsible for the identification, collection, handling and testing operations of the approved laboratory. A director shall have earned, from a college or university accredited by a National or regional accrediting authority, at least one of the following:

(1) A doctorate of science or an equivalent degree in chemistry, biology, or a subdiscipline of chemistry or biology.

(2) A master's level degree in a chemical or biological science and a minimum of 2 years postdegree laboratory experience related to testing of medicinal or pharmaceutical products or other experience as approved by the Department.

(3) A bachelor's degree in a biological science and a minimum of 4 years postdegree laboratory experience

related to testing of medicinal or pharmaceutical products or other experience as approved by the Department.

(d) A principal or employee of a medical marijuana organization may not also own, be employed by or affiliated with an approved laboratory that has a contract with that medical marijuana organization.

(e) An approval issued by the Department to a laboratory under this part is valid for 2 years from the date of issuance and is valid only for the laboratory named and the location specified in the approval.

(f) An approval issued by the Department to a laboratory under this part is not transferable to any other person or any other location unless the laboratory obtains the prior written consent of the Department.

§ 1171.23. Approval of laboratories.

(a) A laboratory wishing to identify, collect, handle and conduct tests on samples and test samples and other items used by a grower/processor in the growing and processing of medical marijuana as required under the act and this part shall submit an application for approval to the Department on a form and in a manner prescribed by the Department.

(b) An application submitted under this section must include the following information:

(1) The name and address of the laboratory applicant or its authorized agent.

(2) The name and address of the owner of the laboratory applicant, and, if applicable, the medical or pharmacy licensure information regarding the owner.

(3) The name of the laboratory applicant's proposed director and technical personnel who are or will be employed by the laboratory at the location to be approved.

(4) A copy of the laboratory applicant's most recent certificate of accreditation.

(5) Copies of the standard operating procedures and sampling procedures adopted by the laboratory applicant and approved by the accreditation body that issued the certificate of accreditation to the laboratory applicant.

(6) A list of the specialized laboratory equipment utilized or to be utilized by the laboratory applicant in its testing operations, including the manufacturer's name and the serial and model number of the equipment, and other specifications as may be required by the Department.

(7) A description of the tests which are capable of being conducted by the laboratory applicant at the location to be approved.

(8) A description of the laboratory applicant's quality assurance program, which must be in compliance with § 1171.32 (relating to quality assurance program).

(9) The procedures to be followed to establish chain of custody when collecting samples or test samples.

(10) A copy of the evaluation process that the laboratory applicant uses or will use to monitor, evaluate and document the competency of employees when testing samples and test samples and overseeing quality assurance controls.

(11) Other information required by the Department.

(c) By submitting an application for approval to the Department, a laboratory applicant consents to an investigation, to the extent deemed appropriate by the Department,

of the laboratory applicant's ability to meet the requirements under the act and this part.

(d) An application for approval submitted under this chapter must include a statement that a false statement made in the application is punishable under the applicable provisions of 18 Pa.C.S. Chapter 49 (relating to falsification and intimidation).

(e) The Department may issue an approval under this chapter if the Department determines that the laboratory applicant is financially and professionally suitable to conduct the testing required under the act and this part.

§ 1171.24. Suspension or revocation of an approval issued to a laboratory.

(a) An approval issued by the Department under this chapter may be suspended or revoked if the Department determines that the approved laboratory has engaged in unethical practices or has failed to do any of the following:

(1) Maintain proper standards of accuracy.

(2) Comply with the requirements of the act or this part applicable to the approved laboratory.

(b) An approval issued by the Department under this chapter may be revoked if the Department determines that the approved laboratory has engaged in any of the following conduct:

(1) Dishonest reporting.

(2) Repeated errors in conducting the required testing.

(3) Allowing unauthorized individuals to perform testing or to sign reports.

(4) Including false statements in the application for approval or renewal.

(5) Advertising medical marijuana testing services to the general public.

(6) Knowingly accepting a sample from an individual other than a grower/processor or a test sample from an individual other than the Department or an authorized agent of the Department.

(7) Failing to maintain standard operating procedures approved by the accrediting body that issued the certificate of accreditation to the approved laboratory.

(8) Failing to properly enter test results into the electronic tracking system.

(9) Loss by the approved laboratory of its certificate of accreditation.

(c) A laboratory applicant may appeal a determination made by the Department under this section in accordance with 2 Pa.C.S. Chapter 5 (relating to practice and procedure).

§ 1171.25. Renewal of an approval issued to a laboratory.

An approved laboratory wishing to renew the approval issued to the laboratory under this chapter shall, not more than 6 months nor less than 4 months prior to the expiration of the approval, submit an application under § 1171.23 (relating to approval of laboratories) and update all of the information required to be submitted with the application.

§ 1171.26. Stability testing and retention of samples.

(a) A grower/processor shall request that a sample be identified and collected by an approved laboratory from

each harvest batch sufficient to perform stability testing at 6-month intervals for a 1-year period.

(b) The stability test shall be performed to ensure product potency and purity and provide support for expiration dating.

(c) An approved laboratory shall retain a sample from each harvest batch sufficient to provide for stability testing and properly store the sample for 1 year.

§ 1171.27. Sampling procedures for testing.

(a) An approved laboratory shall ensure that its employees prepare all samples in accordance with policies and procedures that include appropriate information necessary for identifying, collecting and transporting samples in a manner that does not endanger the integrity of the samples for any testing required by this part.

(b) The sampling policies must at a minimum be:

- (1) Appropriate to the matrix being sampled.
- (2) In accordance with guidance provided by the Department.

(c) The sampling procedures must include the following:

- (1) Surveying the conditions in which the sample is being stored.
- (2) Using appropriate sampling equipment and consistent procedures.
- (3) Selecting and removing equal portions for each sample.
- (4) Random or systematic taking of samples throughout the harvest batch or harvest lot.
- (5) Obtaining a minimum number of samples based on harvest batch or harvest lot size.
- (6) Checking all parts of the harvest batch when harvest lots are created from that harvest batch.
- (7) Recording on a form prescribed by the Department all observations and procedures used when collecting the sample.
- (8) Creating a unique sample identification number that will be linked to the harvest batch or harvest lot number assigned by the grower/processor in the electronic tracking system.
- (9) Entering all required information into the electronic tracking system.

§ 1171.28. Selection protocols for samples.

(a) An employee of an approved laboratory may only enter a facility operated by a grower/processor for the purpose of identifying and collecting samples and shall have access to limited access areas in the facility for these purposes.

(b) An employee identifying and collecting samples under subsection (a) shall follow the chain of custody procedures included in the approved laboratory's application and approved by the Department.

(c) While at a facility operated by a grower/processor, an employee of an approved laboratory shall identify and collect the following for testing:

- (1) Samples at the time of harvest.
- (2) Samples of medical marijuana product before being sold or provided to a dispensary.
- (3) Test samples at other times when requested by the Department.

§ 1171.29. Testing requirements.

(a) Prior to conducting any testing of a sample at the request of a grower/processor, an approved laboratory shall enter into a written contract with the grower/processor for testing services. The approved laboratory shall provide a copy of the contract to the Department within 2 days following the Department's request.

(b) A grower/processor shall submit through the electronic tracking system a request to the approved laboratory with which it has a written contract under subsection (a) for each test to be conducted.

(c) At a minimum, an approved laboratory shall perform tests as prescribed by the Department on the following:

- (1) Samples from a harvest batch or harvest lot prior to being used to produce a medical marijuana product.
- (2) Samples from each process lot before the medical marijuana is sold or offered for sale to another medical marijuana organization.
- (d) The samples identified in subsection (c) shall be tested, at a minimum, for the following:
 - (1) Pesticides.
 - (2) Solvents.
 - (3) Water activity and moisture content.
 - (4) THC and CBD concentration.
 - (5) Microbiological contaminants.

(e) Sampling and testing under this chapter shall be conducted with a statistically significant number and size of samples and with methodologies acceptable to the Department to ensure that all harvest batches, harvest lots and medical marijuana products are adequately tested for contaminants and that the cannabinoid profile is consistent throughout.

(f) An approved laboratory may not test any samples when there is evidence of improper collection, improper preservation, apparent spoilage, excessive time lapse between collection of the sample and testing, or any other factor sufficient to render the findings of questionable validity.

(g) An approved laboratory shall enter into the electronic tracking system and, under § 1151.40 (relating to disposal of medical marijuana), properly dispose of all tested and untested samples and test samples.

§ 1171.30. Standards for testing.

An approved laboratory shall follow the methodologies, ranges and parameters acceptable to the Department which are contained in the scope of the certificate of accreditation issued to the laboratory.

§ 1171.31. Test results and reporting.

(a) Only the results of the following tests are in compliance with the testing requirements of this chapter:

- (1) Tests conducted on harvest batch samples or harvest lot samples requested by a grower/processor under § 1171.29 (relating to testing requirements) and identified and collected by an employee of an approved laboratory.
- (2) Tests conducted on process lot samples requested by a grower/processor under § 1171.29 and identified and collected by either an employee of a grower/processor or an employee of an approved laboratory.

(b) The test results for each sample shall be entered into the electronic tracking system and shall only be accessible to the grower/processor submitting the sample and to the Department.

(c) If a sample fails any test required under § 1171.29, the following apply to the sample:

(1) The approved laboratory that performed the initial test may re-test the sample upon a request from the grower/processor in accordance with subsection (d).

(2) If the sample passes the re-test, another approved laboratory shall sample the same harvest batch, harvest lot or process lot to confirm the passing test result.

(3) If the Department does not agree to accept the results from the approved laboratory, the sample shall be disposed of by the approved laboratory under § 1151.40 (relating to disposal of medical marijuana).

(d) A grower/processor shall notify the Department and the approved laboratory through the electronic tracking system of its intent to re-test the sample or test another sample from the same harvest batch, harvest lot or process lot that failed a test.

(e) An approved laboratory shall issue to a grower/processor a certificate of analysis, including the supporting data, for each harvest batch, harvest lot or process lot sample that was tested at the request of the grower/processor. The certificate of analysis must include:

(1) Whether the chemical profile of the harvest batch, harvest lot or process lot conforms to the chemical profile of the strain as determined by the Department for the following compounds:

- (i) THC.
- (ii) Tetrahydrocannabinolic acid.
- (iii) CBD.
- (iv) Cannabidiolic acid.
- (v) Cannabigerol.
- (vi) Cannabinol.

(2) That the presence of the following contaminants within the harvest batch, harvest lot or process lot does not exceed the levels as determined by the Department for the following:

- (i) Heavy metals, mercury, lead, cadmium or arsenic.
- (ii) Foreign material such as hair, insects, or any similar or related adulterant.
- (iii) Any microbiological impurity, including:
 - (A) Total aerobic microbial count.
 - (B) Total yeast mold count.
 - (C) *P. aeruginosa*.
 - (D) *Aspergillus* spp.
 - (E) *S. aureus*.
 - (F) Aflatoxin B1, B2, G1 and G2.
 - (G) Ochratoxin A.
 - (H) Pesticide residue.
- (iv) Whether the harvest batch, harvest lot or process lot is within the specification for the strain for the characteristics of:
 - (A) Odor.
 - (B) Appearance.

(C) Fineness.

(D) Moisture content.

§ 1171.32. Quality assurance program.

(a) An approved laboratory shall establish and implement a quality assurance program to ensure that measurements are accurate, errors are controlled, and devices used for testing are routinely and properly calibrated.

(b) The quality assurance program required under subsection (a) must include the following components:

- (1) An organizational chart that includes the testing responsibilities of each employee of the approved laboratory named in the chart.
- (2) A description of sampling procedures to be utilized.
- (3) Appropriate chain of custody protocols.
- (4) Analytical procedures.
- (5) Data reduction and validation procedures.
- (6) A plan for implementing corrective action, when necessary.
- (7) A requirement for the provision of quality assurance reports to management.
- (8) A description of the internal and external quality control systems.

§ 1171.33. Transporting samples.

(a) An employee of an approved laboratory, grower/processor or third-party contractor shall follow the transportation requirements under §§ 1151.35 and 1151.36 (relating to transportation of medical marijuana; and transport manifest) when transporting a sample or test sample under this part.

(b) An employee of an approved laboratory, grower/processor or third-party contractor who transports process lot samples from a grower/processor to an approved laboratory shall:

- (1) Protect the physical integrity of the sample.
- (2) Keep the composition of the sample intact.
- (3) Protect the sample against factors that will interfere with the validity of testing results, including the factors of time, temperature and other environmental factors that may work to jeopardize the integrity of the sample.

§ 1171.34. Department request for testing.

(a) The Department, in its sole discretion, may identify and collect a test sample from a grower/processor at any time and request an approved laboratory to conduct tests.

(b) The approved laboratory shall provide the Department with a written report of the test results from a test sample tested under subsection (a) within 7 days of the collection of the test sample, or sooner if requested by the Department.

§ 1171.35. Laboratory reporting.

(a) An approved laboratory shall enter into the electronic tracking system the following information for each sample collected and each test conducted:

- (1) The unique sample identification number the approved laboratory assigns to the sample.
- (2) The name of the grower/processor that supplied the sample.

(3) The employee identification number of the employee of the approved laboratory who identified and collected the sample at the request of the grower/processor.

(4) The date and time the sample was collected from the grower/processor.

(5) The date and time the sample was received by the approved laboratory.

(6) The date the test was completed.

(7) The condition of the sample when it was received by the approved laboratory.

(8) A description of each test performed.

(9) The results from the certificate of analysis issued under § 1171.31 (relating to test results and reporting).

(10) The date the testing results were provided to the grower/processor under § 1171.31 or the Department under § 1171.34 (relating to Department request for testing).

(b) An approved laboratory shall keep for 4 years a paper or electronic copy of the certificate of analysis performed on samples submitted by a grower/processor or test samples submitted by the Department. The laboratory shall provide a copy of a certificate of analysis within 2 days of a request made by the Department.

§ 1171.36. Advertising.

(a) An approved laboratory may not advertise, market or otherwise promote its medical marijuana testing services to the general public. An approved laboratory may advertise, market or otherwise promote its medical marijuana testing services to a grower/processor as provided in this section.

(b) Advertising, marketing and promotional materials proposed to be used by an approved laboratory under this

section shall be reviewed and approved by the Department prior to circulation or other use.

(c) Personal solicitation by an employee, representative or agent of an approved laboratory to a grower/processor is considered advertising, marketing or otherwise promoting its medical marijuana testing services for the purposes of this section.

(d) An approved laboratory may only advertise, market or otherwise promote its medical marijuana testing services that are performed onsite at the location designated in the laboratory's application.

(e) A sign installed at the location of an approved laboratory that is designed to identify the laboratory or access to the laboratory is permissible as long as the sign meets local zoning requirements and does not violate the provisions of this section.

§ 1171.37. Ownership prohibition.

The following individuals may not have a management or a direct or indirect financial or other ownership interest in an approved laboratory:

(1) A principal, owner, financial backer or employee of a medical marijuana organization.

(2) A practitioner.

(3) A physician, pharmacist, physician assistant or certified registered nurse practitioner who is currently employed by a medical marijuana organization.

(4) Any other person, other than a patient, who may receive a direct or indirect financial benefit from the growing, processing, transporting, dispensing or selling of medical marijuana.

[Pa.B. Doc. No. 16-2256. Filed for public inspection December 23, 2016, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 13, 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

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-8-2016	Standard Financial Corp. Murrysville Westmoreland County Application for approval to acquire 100% of Allegheny Valley Bancorp, Inc., Pittsburgh, and thereby indirectly acquire 100% of Allegheny Valley Bank of Pittsburgh, Pittsburgh.	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>														
12-8-2016	Standard Bank, PaSB Murrysville Westmoreland County Application for approval to merge Allegheny Valley Bank of Pittsburgh, Pittsburgh, with and into Standard Bank, PaSB, Murrysville.	Approved														
12-5-2016	First Commonwealth Bank Indiana Indiana County Application for approval to purchase assets and assume liabilities of 13 branches of FirstMerit Bank, NA, Akron, OH, located at: <table border="0" style="width: 100%; margin-left: 20px;"> <tr> <td style="width: 50%;">6252 Middlebranch Avenue NE Canton Stark County, OH</td> <td style="width: 50%;">3100 Atlantic Boulevard NE Canton Stark County, OH</td> </tr> <tr> <td>1110 30th Street NW Canton Stark County, OH</td> <td>2917 Whipple Avenue NW Canton Stark County, OH</td> </tr> <tr> <td>4555 Belden Village Street NW Canton Stark County, OH</td> <td>5594 Wales Avenue, NW Massillon Stark County, OH</td> </tr> <tr> <td>2150 Locust Street S Canal Fulton Stark County, OH</td> <td>140 Lincoln Way E Massillon Stark County, OH</td> </tr> <tr> <td>2704 Lincoln Way E Massillon Stark County, OH</td> <td>100 Central Plaza S Canton Stark County, OH</td> </tr> <tr> <td>308 East Gorgas Street Louisville Stark County, OH</td> <td>4200 Park Avenue Ashtabula Ashtabula County, OH</td> </tr> <tr> <td>22 West Jefferson Street Jefferson Ashtabula County, OH</td> <td></td> </tr> </table>	6252 Middlebranch Avenue NE Canton Stark County, OH	3100 Atlantic Boulevard NE Canton Stark County, OH	1110 30th Street NW Canton Stark County, OH	2917 Whipple Avenue NW Canton Stark County, OH	4555 Belden Village Street NW Canton Stark County, OH	5594 Wales Avenue, NW Massillon Stark County, OH	2150 Locust Street S Canal Fulton Stark County, OH	140 Lincoln Way E Massillon Stark County, OH	2704 Lincoln Way E Massillon Stark County, OH	100 Central Plaza S Canton Stark County, OH	308 East Gorgas Street Louisville Stark County, OH	4200 Park Avenue Ashtabula Ashtabula County, OH	22 West Jefferson Street Jefferson Ashtabula County, OH		Effective
6252 Middlebranch Avenue NE Canton Stark County, OH	3100 Atlantic Boulevard NE Canton Stark County, OH															
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308 East Gorgas Street Louisville Stark County, OH	4200 Park Avenue Ashtabula Ashtabula County, OH															
22 West Jefferson Street Jefferson Ashtabula County, OH																

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-1-2016	Peoples Security Bank & Trust Company Scranton Lackawanna County	610 Freedom Business Center Drive King of Prussia Montgomery County	Opened
12-5-2016	VIST Bank Wyomissing Berks County	101 East Philadelphia Avenue Boyertown Berks County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-13-2016	Citizens Bank of PA Philadelphia	<i>To:</i> 3901 Washington Boulevard McMurray Washington County <i>From:</i> 3907 Washington Boulevard McMurray Washington County	Filed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
12-13-2016	Community Bank Carmichaels Greene County Amendment to Article V of the institution's Articles of Incorporation provides for the elimination of authority to exercise Fiduciary Powers.	Effective

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. 16-2257. Filed for public inspection December 23, 2016, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Property

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry, and Porter Township are proposing to negotiate an exchange of property interests in Pike County.

The exchange would involve 8 acres going from Porter Township to the Department and 4 acres going from the Department to Porter Township. Porter Township owns a building that is located on 4 acres of the Department land that they would like to obtain. The building is 30 feet by 34 feet and has a paved parking area in front that is 120 feet by 35 feet. The building has a well and septic system. Porter Township has a lease agreement with the Department to maintain the building on State forest land. The lease is FM-5782 and has been in place since 1972. The Porter Township lease takes up approximately 1/3 acre. The 4-acre parcel is located on the east side of Route 402, across from Snow Hill Road. The 8-acre parcel is forested

and is located on the south side of Bushkill Road. This transaction will transfer the building site and associated structures from State forest land to Porter Township land, which is viewed as desirable by both parties.

As is the policy of the Department, the public is notified of this exchange. A 30-day period for public inquiry or comment, or both, will be in effect beginning December 24, 2016, and ending January 22, 2017. Oral or written comments or questions concerning this proposed exchange may be addressed to Ryan Szuch, Planning Section, Bureau of Forestry, P.O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-2980, rszuch@pa.gov. Oral and written comments will become part of the official document used in the final decision process. Written documents are also available regarding the proposed land exchange by request.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 16-2258. Filed for public inspection December 23, 2016, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Curtis Institute of Music to Amend Articles of Incorporation

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 of a Certificate of Authority for Curtis Institute of Music to amend its Articles of Incorporation to comply with contemporary standards.

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. A person wishing to review the application should phone (717) 783-8228 or write to the previously listed 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 accommodation 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. 16-2259. Filed for public inspection December 23, 2016, 9:00 a.m.]

Application by Lutheran Theological Seminary at Gettysburg to Amend Articles of Incorporation

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 of a Certificate of Authority for Lutheran Theological Seminary at Gettysburg to amend its Articles of Incorporation to change the name to United Lutheran Seminary.

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. A person wishing to review the application should phone (717) 783-8228 or write to the previously listed 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 accommodation 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. 16-2260. Filed for public inspection December 23, 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>
PA0020656 (Sewage)	Newell Municipal Authority PO Box 356 Newell, PA 15466	Fayette County Newell Borough	Monongahela River (19-C)	Yes
PA0253499 (Sewage)	Polito SRSTP 256 Park Lane Darlington, PA 16115	Beaver County Big Beaver Borough	Unnamed Tributary of Clarks Run (20-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>
PA0243906 (Storm Water)	Delaware Valley Concrete— New Britain Batch Plant 248 East County Line Road Hatboro, PA 19040	Bucks County New Britain Borough	Cooks Run & Unnamed Tributary to Neshaminy Creek (2-F)	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>
PA0082201— SEW	Letterkenny Twp 4924 Orrstown Road Orrstown, PA 17244-9503	Letterkenny Township/ Franklin County	Conodoguinet Creek/7B	Y

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

<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>
PA0209473 (Sewage)	North Centre Township Municipal Building SFTF 1059 State Route 93 Berwick, PA 18603-5101	Columbia County North Centre Township	Unnamed Tributary to West Branch Briar Creek (5-D)	Yes
PA0112933 (Sewage)	Penns Creek Municipal Authority Sewer System STP PO Box 148 Penns Creek, PA 17862-0148	Snyder County Center Township	Penns Creek (6-A)	Yes
PA0114758 (Sewage)	Bucknell View MHP Route 405 Montandon, PA 17847	Northumberland County West Chillisquaque Township	West Branch Susquehanna River (10-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0103641 (Sewage)	Wilmington Township Sewer Authority Orchard Terrace STP 669 Wilson Mill Road New Castle, PA 16105-3917	Lawrence County Wilmington Township	Unnamed Tributary to Little Neshannock Creek (20-A)	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.

PA0244091, Industrial, SIC Code 3823, **Patriot Sensors & Controls Corp**, Ametek Drexelbrook Division, 205 Keith Valley Road, Horsham, PA 19044-1499. Facility Name: Ametek Drexelbrook Division. This existing facility is located in Horsham Township, **Montgomery County**.

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

The receiving stream(s), Park Creek, is located in State Water Plan watershed 2-F 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 0.009 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
	Flow (MGD)	Report	XXX	XXX	XXX	
1,1,1-Trichloroethane	XXX	XXX	XXX	0.0103	XXX	0.0258
1,1-Dichloroethylene	XXX	XXX	XXX	0.002	XXX	0.005

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

- Necessary Property Rights
- Proper Solids Disposal
- Standard or Effluent Guidelines relating to BAT and BCT
- Remedial Measures if Public Nuisance
- Twice Per Month Visual Inspection
- PPC Plan in place

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.

PA0029041, Sewage, SIC Code 7032, **Living Waters Camp And Conference Cntr**, 300 Camp Living Water Road, Schellsburg, PA 15559-8379. Facility Name: Living Waters Camp & Conference Cntr. This existing facility is located in Napier Township, **Bedford 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), Shawnee Branch, is located in State Water Plan watershed 11-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0078 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report

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

- Notification of responsible operator

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

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

PA0264857, Sewage, SIC Code 8800, **William J Isenberg**, 105 Arberg Lane, Slippery Rock, PA 16057. Facility Name: William J Isenberg SRSTP. This proposed facility is located in Mercer Township, **Butler 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), Unnamed Tributary of Wolf Creek, is located in State Water Plan watershed 20-C 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.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	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 Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Report	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	10.0	XXX	XXX	20
Total Suspended Solids	XXX	XXX	10.0	XXX	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	200	XXX	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
- Submittal of an Annual Maintenance & Discharge Monitoring Reports
- Solids Handling
- Septic Tank Pumping Requirement
- Chlorine Optimization

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.

PA0264776, Sewage, SIC Code 4952, 8800, **Ruth McClellan**, 585 College Street, Youngsville, PA 16371. Facility Name: Ruth McClellan SRSTP. This proposed facility is located in Pittsfield Township, **Warren County**.

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

The receiving stream is an un-named tributary of Gar Run, located in State Water Plan watershed 16-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
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 (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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.

PA0264865, Sewage, SIC Code 8800, 4952, **John Kersey**, 5495 Jackson Run Road, Warren, PA 16365. Facility Name: John Kersey SRSTP. This proposed facility is located in Farmington Township, **Warren County**.

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

The receiving stream is Jackson Run, located in State Water Plan watershed 16B and classified for cold water fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
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 (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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. 0216408, Sewage, **Pleasant Hills Borough Allegheny County**, 410 E Bruceton Road, Pleasant Hills, PA 15236.

This proposed facility is located in Pleasant Hills Borough, **Allegheny County**.

Description of Proposed Action/Activity: Replacement of the Tassel Lane Lift Station with a new Pump Station.

WQM Permit No. 0278207 A-3, Industrial, **U.S. Steel Corporation**, 13th Street and Braddock Avenue, Braddock, PA 15104.

This existing facility is located in Braddock Borough, **Allegheny County**.

Description of Proposed Action/Activity: Installation of a new filter belt press for use in the Basic Oxygen Process, Exhaust Gas Cleaning system.

WQM Permit No. 2616200, Industrial, **JD&D Enterprises**, 100 Ross Street, Pittsburgh, PA 15219.

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

Description of Proposed Action/Activity: Installation of a passive groundwater treatment system.

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

WQM Permit No. 3616204, CAFO, **Graywood Farms, LLC**, 225 Mason Dixon Road, Peach Bottom, PA 17563.

These proposed facilities are located in Fulton Township, **Lancaster County**.

Description of Proposed Action/Activity: (Home Farm)—The construction of a manure storage structure, a new heavy use area, and a second heifer barn. 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.

Description of Proposed Action/Activity: (Main Dairy)—The construction of a silage leachate collection system, consisting of a circular concrete manure storage structure, a collection basin, and a pump room. The manure storage structure is 116 feet in diameter, 16 feet deep with a 24" freeboard and 1,013,000 gallons of usable volume.

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

WQM Permit No. 2516414, Sewage, **William Cook**, 12619 Smedley Road, Waterford, PA 16441.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence 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>
PAD460001	Stoneridge Acquisitions LP 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Montgomery	Lower Providence Township	Unnamed Tributary to Perkiomen Creek WWF-MF
PAD460004	PennDOT District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Montgomery	Pottstown Borough	Schuylkill River WWF-MF
PAI011516019	Real Pro Enterprises, LP 2312 North Broad Street Colmar, PA 18915	Chester	East Coventry Township	Unnamed Tributary to Schuylkill River HQ-TSF
PAD230002	Stoney Creek Developers, Inc. 576 South Heilbron Drive Media, PA 19063	Delaware	Middletown Township	Ridley Creek HQ-TSF-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>
PAD390009	Mr. Brad Nesland Dorney Park & Wildwater Kingdom 3830 Dorney Park Road Allentown, PA 18104	Lehigh	South Whitehall Township	Cedar Creek (HQ-CWF, MF)
PAD390007	Mr. Charles Broll Nestle Waters North America, Inc. 900 Long Ridge Road Building 2 Stamford, CT 06902	Lehigh	Upper Macungie Township	Iron Run (HQ-CWF, MF)

Pike County Conservation District, 556 Route 402, Hawley, PA 18428.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD520002	PPL Electric Utilities Corporation c/o Colleen Kester 2 North 9th Street GENN 4 Allentown, PA 18101	Pike and Wayne Counties	Palmyra Township and Blooming Grove Township	Middle Creek (HQ-CWF, MF) Wallenpaupack Creek (HQ-WWF, MF) Lackawaxen River (HQ-TSF, MF) Decker Creek (HQ-CWF, MF) Gates Run (HQ-CWF, MF) Blooming Grove 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>
PAD060001	Brasler Realty and Financial Services 4122 Apologen Rd. Philadelphia, PA 19129	Berks	Muhlenberg Township Ontelaunee Township	POI-1 Schuylkill River (Designated Use of Water WWF-MF; Existing Use of Water WWF-MF) POI-2,-3,-4 Willow Creek (Designated Use of Water CWF-MF; Existing Use of Water HQ-CWF-MF)
PAD360005	Daniel B. Stoltzfus 158 Fite Drive Peach Bottom, PA 17563	Lancaster	Fulton Township	UNT Puddle Duck Creek (HQ-WWF, MF) UNT Conowingo Creek (HQ-WWF, MF)

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

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

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Papy's Orchard 2474 Urffer Road Coopersburg, PA 18036	Lehigh	34.8	362.2	Turkey	N/A	Renewal
Jonathan Stauffer 6430 State Route 225 Elizabethville, PA 17023	Northumberland	5	520.8	Poultry	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Application No. 4516511, Public Water Supply.

Applicant **Aqua Pa, Inc.**
1 Aqua Way
White Haven, PA 18661
[Township or Borough] Chestnuthill Township
Monroe County

Responsible Official Patrick R. Burke, PE
Aqua Pa, Inc.
1 Aqua Way
White Haven, PA 18661

Type of Facility PWS

Consulting Engineer Byron A. Killian, PE
Entech Engineering, Inc.
201 Penn St.
P.O. Box 32
Reading, PA 19603

Application Received Date 12/01/2016

Description of Action The application proposes Aqua Pa's Sun Valley improvement project consisting of replacing the storage tanks with a 10,000 gallon tank, replacing the well pump with no increase in capacity, replacing the chemical feed system, replacing corrosion control facilities (pH adjustment via soda ash and Blended Potassium Phosphate), installing new discharge piping and appurtenances, installing a 36 LF of 30-inch contact main for disinfection purposes, and replacing the distribution system piping.

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

Permit No. 4416501 MA, Minor Amendment, Public Water Supply.

Applicant **Newton Hamilton Borough**
Municipality Newton Hamilton Borough
County **Mifflin**

Responsible Official Edward Morrison, President of Council
PO Box 63
Newton Hamilton, PA 17075

Type of Facility Public Water Supply

Consulting Engineer John R. Segursky, P.E.
Uni-Tec consulting Engineers Inc
2007 Cato Avenue
State College, PA 16801

Application Received: 10/28/2016

Description of Action Replacement of 15,000 feet of water main starting at Walls Road in Wayne Township and continuing down Ferguson Valley Road to the Borough limits.

Permit No. 3616519 MA, Minor Amendment, Public Water Supply.

Applicant **Welsh Mountain Home**
Municipality Sadsbury Township
County **Lancaster**
Responsible Official Andrew Maines, Executive Director
567 Springville Road
New Holland, PA 17557

Type of Facility Public Water Supply
Consulting Engineer Daniel S. Hershey, P.E.
Hershey Engineering, Inc
703 Woodcrest Avenue
Lititz, PA 17543

Application Withdrawn: 12/6/2016

Description of Action Well No. 2 at 20 gpm.

Description of Action Installation of Well No. 2

Permit No. 0716503, Public Water Supply.

Applicant **Borough of Tyrone**
Municipality Tyrone Borough
County **Blair**
Responsible Official Phyllis J. Garhart, Borough Manager
1100 Logan Avenue
Tyrone, PA 16686

Type of Facility Public Water Supply
Consulting Engineer Kevin J. Nester, P.E.
GHD, Inc.
321 Washington Street
Huntingdon, PA 16652

Application Received: 11/1/2016

Description of Action Rehabilitation of 23rd Street water storage tank and booster pump station.

Permit No. 3816506 MA, Minor Amendment, Public Water Supply.

Applicant **Cornwall Borough Municipal Authority**
Municipality Cornwall Borough
County **Lebanon**
Responsible Official Barbara Henry, Executive Director
44 Rexmont Road
Lebanon, PA 17042

Type of Facility Public Water Supply
Consulting Engineer Donnell Duncan, P.E.
Utility Service Company Inc
1230 Peachtree Street NE
Atlanta, GA 30309

Application Received: 11/3/2016

Description of Action Installation of PAX mixing system in Miners Village Tank No. 1.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 3216507, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
602 Kolter Drive
Indiana, PA 15701

[Township or Borough] White 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 December 5, 2016

Description of Action Change in coagulant to DelPac 2000 and addition of blended phosphate for corrosion control at the Authority's Crooked Creek system.

Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 4300503-T1-MA8, Public Water Supply.

Applicant **Aqua PA Shenango Valley WTP**

Township or Borough Farrell Township
County **Mercer**
Responsible Official Zach Martin
Type of Facility Water Treatment Plant
Consulting Engineer Robert Horvat/Entech Engineering

Application Received Date December 8, 2016

Description of Action Installing mixing system Lunn Storage Tank

Permit No. 4300503-T1-MA10, Public Water Supply.

Applicant **Aqua PA Shenango Valley WTP**

Township or Borough City of Hermitage
County **Mercer**
Responsible Official Zach Martin
Type of Facility Water Treatment Plant
Consulting Engineer Robert Horvat/Entech Engineering

Application Received Date December 8, 2016

Description of Action Installing mixing system to the Gail Storage Tank

Permit No. 4300503-T1-MA7, Public Water Supply.

Applicant **Aqua PA Shenango Valley WTP**
 Township or Borough Farrell Township
 County **Mercer**
 Responsible Official Zach Martin
 Type of Facility Water Treatment Plan
 Consulting Engineer Robert Horvat/Entech Engineering
 Application Received Date December 8, 2016
 Description of Action Installing mixing system Mercer Storage Tank

Permit No. 4300503-T1-MA11, Public Water Supply.

Applicant **Aqua PA Shenango Valley WTP**
 Township or Borough Farrell Township
 County **Mercer**
 Responsible Official Zach Martin
 Type of Facility Water Treatment Plan
 Consulting Engineer Robert Horvat/Entech Engineering
 Application Received Date December 8, 2016
 Description of Action Installing mixing system Carnegie Storage Tank

MINOR AMENDMENT**Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17)**

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

Application No. 3016514MA, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 PO Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 [Township or Borough] Franklin Township
 Responsible Official John W. Golding, Manager
 Southwestern Pennsylvania Water Authority
 PO Box 187
 1442 Jefferson Road
 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 December 5, 2016
 Description of Action Installation of approximately 4,276 feet of 8-inch diameter waterline (Strope Road waterline project).

Application No. 3016515MA, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 PO Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 [Township or Borough] Center Township
 Responsible Official John W. Golding, Manager
 Southwestern Pennsylvania Water Authority
 PO Box 187
 1442 Jefferson Road
 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 December 8, 2016
 Description of Action Installation of approximately 12,100 feet of 12-inch diameter waterline (SR 0018 to Holbrook Road waterline project).

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.

International Boiler Works, 460 Birch Street, Borough of East Stroudsburg, **Monroe County**. Mobile Environmental Analytical Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Borough of East Stroudsburg, 24 Analomink Street, East Stroudsburg, PA 18301, submitted a Notice of Intent to Remediate. Contamination is due from historical operations at this site. The proposed future use of the property is industrial use. The Notice of Intent to Remediate was published in the *Pocono Record* on October 6, 2016.

Schmidt Property, 975 Tyler Lake Road, Harford Township, **Susquehanna County**. Geological & Environmental Associates, Inc., 430 West Mountain Road, Plymouth, PA 18651, on behalf of Datom Products, Inc., 113 Monahan Avenue, Dunmore, PA 18512, submitted a Notice of Intent to Remediate. An unknown amount of # 2 heating oil was released from a 275 gallon above ground storage tank and impacted soils at this site. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on November 30, 2016.

Sunoco Fullerton Terminal # 0358-1501, 2480 Main Street, Whitehall Township, **Lehigh County**. Aquaterra Technologies, Inc., 122 S. Church Street, West Chester, PA 19382, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, submitted a Notice of Intent to Remediate. Soils at this site have been found to be contaminated with petroleum hydrocarbons. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Morning Call* on November 17, 2016.

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

Buddies Nursery, 7001 Ben Franklin Highway, Birdsboro, PA 19508, Exeter Township, **Berks County**. BAI Group, Inc., 341 10th Avenue, Suite 103, Royersford, PA 19468, on behalf of Aulenbach & Son, Inc., 395 Old

River Road, Birdsboro, PA 19508 and Buddies Nursery, 7001 Ben Franklin Highway, Birdsboro, PA 19468 submitted a Notice of Intent to Remediate site soils contaminated with # 2 fuel oil from an aboveground storage tank. The site will be remediated to the Residential Statewide Health Standard and remain non-residential, light industrial. The Notice of Intent to Remediate was published in the *Reading Eagle* on December 9, 2016.

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

Village Center Property, 2651 Huntingdon Pike, Lower Moreland Township, **Montgomery County**. Mark Irani, Land Recycling Solutions, LLC, 3101 Mt. Carmel Avenue, Suite 3, Glenside, PA 19038 on behalf of Robert Slinin, 2651 Huntingdon Pike, LLC, 335 Bond Street, Brooklyn, NY 11231 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of volatile organic compounds. The planned future use of the site is for continued retail commercial purposes. The Notice of Intent to Remediate was published in the *Intelligence* on November 1, 2016. PF813854.

Pier 60 Properties, 1499/1505/1533 Christopher Columbus Boulevard, City of Philadelphia, **Philadelphia County**. Bill Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Joel Zickler, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Tina Roberts, Sugarmill Development Associates, LP, 817 North 3rd Street Philadelphia, PA 19123 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of heavy metals and naphthalene. The future use of the site will remain the same. The Notice of Intent to Remediate was published in the *Philadelphia Metro* on August 1, 2016. PF66027.

5501 Tacony Street, 5501 Tacony Street, City of Philadelphia, **Philadelphia County**. Jeffery A. Smith, P.G., Langan Engineering and Environmental Services Inc., 30 South 17th Street, Suite 1300, Philadelphia, PA 19103, Cortney Savidge, Langan Engineering and Environmental Services Inc., 30 South 17th Street, Suite 1300, Philadelphia, PA 19103 on behalf of Thomas Dalfo, PAID, 1500 Market Street, Suite 2600 West, Philadelphia, PA 19102 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of vocs, and pcbs. The proposed future use of the site will be non-residential for use as a large-scale distribution facility and loading/unloading and parking areas. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on September 19, 2016. PF813846.

Frog Hollow Racquet Club, 2115 Weber Road, Worcester Township, **Montgomery County**. Staci Cotton, J&J Environmental, P.P. Box 370, Blue Bell, PA 19422 on behalf of Harold Conway, R&H Sport, LP, 2115 Weber Road, Lansdale, PA 19446 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 heating oil. The future use of the property will be commercial. The Notice of Intent to Remediate was published in the *Times Herald* on October 10, 2016. PF813855.

Flint Property, 730 Wheatland Street, Borough of Phoenixville, **Chester County**. Alexander Ulmer, Barry & Isett & Associates, 1003 Egypt Road, Phoenixville, PA 19460 on behalf of Steve Kambic, Petra Community Housing, 201 South Main Street, Spring City, PA 19475

has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of other organics. The proposed future use of the property will be both residential and non-residential. The Notice of Intent to Remediate was published in the *Phoenix Reporter* on September 25, 2016. PF806062.

Whitby Avenue Property, 1300 South 58th Street, City of Philadelphia, **Philadelphia County**. Mark T. Smith, PG, Element Environmental Solitons, Inc., 61 Willow Street, P.O. Box 921, Adamstown, PA 19501, Mark Allen, Southeast Leadership Academy Charter School, 7101 Paschall Avenue, Philadelphia, PA 19142 on behalf of Timothy McAndrews, Church of Bible Understanding, 1300 South 58th Street, Philadelphia, PA 19143 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of benzo(a)pyrene. The proposed future use of the property is a school. A Notice of Intent to Remediate was published in the *Philadelphia Daily News* on November 3, 2016.

Publicker Industries Property, 2700 State Road, Bensalem Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, P.O. Box 629, Douglasville, PA 19518 on behalf of Edward Fackenthal, 1945 Swedesford Road, Malvern, PA 19355 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil and other organics. The future use of the property will be commercial. A Notice of Intent to Remediate was published in the *Courier Times Incorporated* on October 19, 2016. PF814014.

Trappe Center Property—Sonny Cleaners, 130 West Main Street, Unit 108, Trappe Borough, **Montgomery County**. Terrance A. O'Reilly, PG, TriState Environmental Management Services, Inc., 368 Dunksferry Road, Bensalem, PA 19020 on behalf of Josh Introvatolo, CFO, Trappe Center, L.P., and 1055 Westlakes Drive, Suite 170, Berwyn, PA 19312 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of PCE, TCE, cis-1, 2-DCE and vinyl chloride. The future use of the property will continue to be non-residential. A Notice of Intent to Remediate was published in the *Mercury* on October 14, 2016. PF814016.

Jaeger Property, 1876 East Sawmill Road, Haycock Township, **Bucks County**. Andrew Markoski, Patriot Environmental Management, LLC, P.O. Box 629, Douglasville, PA 19518 on behalf of Charles Jaeger, 922 Old Easton Road, P.O. Box 116, Ferndale, PA 19021 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the property will remain residential. A Notice of Intent to Remediate was published in the *Intelligencer* on October 11, 2106. PF808880.

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. 400246. Delaware County Regional Water Quality Control Authority (DELCORA), 100 East 5th Street, Chester, PA 19013-

4508. This application is for a 10-year permit renewal of the solid waste permit No. 400246 to continue to operate the DELCORA's Western Regional Treatment Plant (WRTP), a sewage sludge incinerator facility, located at 3201 West Front Street, in the City of Chester, **Delaware County, PA**. The application was received by the Southeast Regional Office on December 2, 2016.

Comments concerning the application should be directed to the Manager of the Waste Management Program, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the permit application may contact the Southeast Regional Office by telephone at (484) 250-5960. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act 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.

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

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

48-00003D: Keystone Cement Company (P.O. Box A, Routes 329 and 987, Bath, PA 18014-0058) for the installation and operation of a SNCR Control to demonstrate compliance with RACT II. There is no change to the process equipment currently permitted at their facility in East Allen Township, **Northampton County**.

66-00001J: Proctor and Gamble Paper Products Co. (P.O. Box 32, State Route 87 South, Mehoopany, PA 18629) for an petition for an alternative compliance schedule to comply with RACT II limits at their facility in Washington Township, **Wyoming County**.

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

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

55-00027A: Shamokin Dam LLC (5001 Spring Valley Road, Suite 1150 West, Dallas, TX 75244). The Department has received a Plan Approval application for the construction and operation of the Shamokin Dam Station—1,200 Megawatt natural gas powered Combined Cycle Electric Generating plant to be located in Shamokin Dam Borough, **Snyder County**. The application is considered administratively complete as of December 7, 2016.

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.

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

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

14-00002R: Graymont (PA) Inc. (965 East College Avenue, Pleasant Gap, PA 16823-6823) for the construction of a Lime Processing Project including lime processing, handling and storage sources and six (6) fabric collectors as well as usage of the additives and a natural gas-fired burner system equipped with two (2) 8 MMBtu/hr burners, at the Pleasant Gap site located in Spring Township, **Centre County**.

The Department of Environmental Protection's (Department) review of the information submitted by Graymont (PA), Inc. indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including 25 Pa. Code § 123.1 (relating to prohibition of certain fugitive emissions), 40 CFR Part 60 Subpart Dc (relating to Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units), 40 CFR Part 63 Subpart DDDDD (relating to National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters) and the best available technology requirement (BAT) 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 emission from the proposed project will not exceed the following limits:

- Fabric collector no. 1 (ID C313A)—0.004 gr/dscf for particulate matter, 0.003 gr/dscf for PM₁₀, and 0.002 gr/dscf for PM_{2.5}
- Fabric collector no. 2 (ID C313B)—0.004 gr/dscf for particulate matter, 0.003 gr/dscf for PM₁₀, and 0.002 gr/dscf for PM_{2.5}
- Fabric collector no. 3 (ID C313C)—0.04 gr/dscf for particulate matter, PM₁₀, and PM_{2.5}
- Fabric collector no. 4 (ID C313D)—0.005 gr/dscf for particulate matter, PM₁₀, PM_{2.5}
- Fabric collector no. 5 (ID C313E)—0.005 gr/dscf for particulate matter, PM₁₀, PM_{2.5}
- Fabric collector no. 6 (ID C313F)—0.007 gr/dscf for particulate matter, PM₁₀, PM_{2.5}
- Usage of the additives—4.13 pounds per hour and 18.1 tons in any 12 consecutive month period
- No additive shall contain HAP greater than or equal to 0.1% by weight
- The natural gas-fired burner system—0.061 lb NO_x per million Btu, (expressed as NO₂) and 4.27 tons NO_x in any 12 consecutive month period; 0.005 lb VOCs per million Btu, (expressed as propane) and 0.35 ton VOCs in any 12 consecutive month period; 0.221 lb CO per million Btu and 15.49 tons CO in any 12 consecutive month period; 0.005 lb particulate matter per million Btu, (including filterable and condensable) and 0.35 ton in any 12 consecutive month period; 0.005 lb PM₁₀ per million Btu, (including filterable and condensable) and 0.35 ton in any 12 consecutive month period; 0.005 lb PM_{2.5} per million Btu, (including filterable and condensable) and 0.35 ton in any 12 consecutive month period; and 0.10 ton SO_x in any 12 consecutive month period, (expressed as SO₂)

In addition to the emission limitations, the following is a brief description of the conditions the Department

intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements.

1. (a) Pursuant to 25 Pa. Code § 123.1(a) and the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, there shall be no fugitive emissions of particulate matter from Source ID P313 at any time, except those that are a direct result of stockpiling or use of roads.

(b) Pursuant to 25 Pa. Code § 123.1(a) and the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, no fugitive air contaminant emissions shall be generated as a result of removing collected dust from any of the fabric collectors associated IDs C313A through F or as a result of subsequently handling the collected dust on-site following its removal from the collector.

(c) Pursuant to 25 Pa. Code § 123.2 (relating to fugitive particulate matter), fugitive emissions of particulate matter shall not cross the plant's property line at any time.

2. Pursuant to 25 Pa. Code § 123.1(c) and the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, all reasonable actions shall be taken to prevent particulate matter that may arise from stockpiling or use of roads from becoming airborne, including: The drop heights from front-end loaders being used to stockpile, transfer, and load off-spec lime from Source ID P313 shall be kept as short as possible to minimize dust emissions; Stockpiles shall be kept as compact as possible to limit exposure to the wind.

Material shall be stockpiled in such a manner that it may be adequately wetted as necessary to control fugitive emissions; All in-plant roads shall be maintained to prevent particulate matter from becoming airborne in accordance with 25 Pa. Code §§ 123.1 and 123.2; All unpaved in-plant roads shall be watered once per day during warm weather, at the start of each shift, if no precipitation has fallen within the previous twenty-four (24) hours, and as needed thereafter on a preventative basis such that visible fugitive emissions are controlled in accordance with 25 Pa. Code §§ 123.1 and 123.2. Other methods of dust control may be used when weather conditions make the watering of unpaved roads hazardous; In accordance with 25 Pa. Code § 123.1(c), the permittee shall promptly remove earth or other material from paved roads onto which earth or other material has been transported by trucking or earth moving equipment, or other means; A set vehicle pattern shall be established and maintained for vehicles entering and exiting the plant; The permittee shall post a sign limiting speeds to less than 15 mph on all in-plant roads. Speed limit signs shall be posted in highly visible locations along the respective roadways, and each shall be in conformance with the requirements of the Pennsylvania Department of Transportation (overall dimension 20 inches × 24 inches, "SPEED LIMIT" in 4-inch letters and 10-inch numerals); The permittee shall post and enforce a requirement stating "All vehicles entering or exiting the plant property shall be properly tarpaulin covered." Vehicles with a gross vehicle weight rating of less than 10,000 pounds shall be exempt from this condition; The Department reserves the right to require additional controls (water sprays, paving, conveyor covers, etc.) based on evaluation of the operation after inspection and determination that existing controls are not adequate for controlling fugitive emissions.

3. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall

not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission from IDs C313A, C313B, C313C, C313D, C313E or C313F exceeds 5% based on any 6-minute average, block.

4. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission into the outdoor atmosphere of particulate matter in such a manner that the concentration of particulate matter exceeds 0.004 gr/dscf in the exhaust of ID C313A or C313B.

5. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission into the outdoor atmosphere of PM₁₀ in such a manner that the concentration of PM₁₀ exceeds 0.003 gr/dscf in the exhaust of ID C313A or C313B.

6. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission into the outdoor atmosphere of PM_{2.5} in such a manner that the concentration of PM_{2.5} exceeds 0.002 gr/dscf in the exhaust of ID C313A or C313B.

7. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission into the outdoor atmosphere of particulate matter, PM₁₀, and PM_{2.5} in such a manner that none of the concentrations of particulate matter, PM₁₀, and PM_{2.5} (including filterable and condensable) exceeds 0.04 gr/dscf in the exhaust of ID C313C.

8. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission into the outdoor atmosphere of particulate matter, PM₁₀, and PM_{2.5} in such a manner that none of the concentrations of particulate matter, PM₁₀, and PM_{2.5} exceeds 0.005 gr/dscf in the exhaust of ID C313D or C313E.

9. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the emission into the outdoor atmosphere of particulate matter, PM₁₀, and PM_{2.5} in such a manner that none of the concentrations of particulate matter, PM₁₀, and PM_{2.5} (including filterable and condensable) exceeds 0.007 gr/dscf in the exhaust of ID C313F.

10. The permittee shall conduct stack testing on each of the fabric collectors associated with IDs C313A through C313F to verify compliance with each of the emission limitations for particulate matter, PM₁₀, and PM_{2.5}. Stack testing shall be conducted in accordance with methods and procedures acceptable to the Department, while the source is operating at routine maximum operating condition.

11. (a) Pursuant to the compliance assurance monitoring (CAM) requirements of 40 CFR 64.6, the permittee shall operate instrumentation that continuously monitors the differential pressure across each of the fabric collectors associated with IDs C313A through C313F to verify the differential pressure is within the proposed indicator range, until the final indicator range is established in accordance with 40 CFR 64.3(a) and (b), and 64.6(b), as approved by the Department. The final indicator range proposal along with the supporting documentation shall be included in the CAM submittal prepared according to 40 CFR 64.4. The CAM submittal shall be submitted with the stack test report no later than 60 days after the performance of the stack testing. (b) The proposed indicator range applicable to each is 2.0 through 10.0 inches of

water, as specified in the plan approval application. (c) An alarm shall be triggered if the differential pressure across any of the fabric collectors associated with IDs C313A through C313F falls outside the above range. All triggered alarms shall be recorded. (d) One triggered alarm is defined as an excursion.

12. (a) Pursuant to the compliance assurance monitoring (CAM) requirements of 40 CFR 64.6, the permittee shall conduct daily inspections, during daylight hours, that consist of a visual observation of each of the fabric collector stacks associated with IDs C313A through C313F for a period of 1 minute, at least, to detect for the presence of visible emissions. The visual observation shall be conducted, at least, once in any calendar day unless the source is not in operation during daylight hours; at a location where a contrasting background is present to the extent controllable by the observer with the sun generally at the observers back; and only by personnel regularly trained to have knowledge and understanding of the effects of background contrast, ambient lighting, and where the personnel should stand to conduct the visual observation. For each fabric collector, detection of visible emissions in a daily visual observation constitutes one excursion. (b) Immediately following a visual observation which has detected visible emissions from any of the fabric collector stacks associated with IDs C313A through C313F, a 6-minute stack test using EPA Reference Method 9 shall be conducted on the respective stack to demonstrate compliance with the opacity limitation, pursuant to 25 Pa. Code § 127.511.

13. The permittee shall keep records of the particulate matter, PM₁₀ and PM_{2.5} emissions (tpy) in any calendar year from each of the fabric collectors associated with IDs C313A through C313F as well as the supporting documentation.

14. While Source ID P313 is in operation, the permittee shall record the differential pressure across each of the fabric collectors associated with ID C313A through C313F to verify the differential pressure is within the indicator range. The differential pressure shall be recorded once in any calendar day, at least, unless the source was not in operation during the entire calendar day. The records shall be kept in a logbook or electronically and shall also include the date and time and source operating conditions as existing at the time of each record, and a description and timing of any corrective action(s) that were taken to restore normal operation, if applicable.

15. The permittee shall keep daily records, in a logbook or electronically, that demonstrate conformance with the permit condition that requires visual observations, including the date and time, the operating conditions and a description of the visual background as existing at the time of each test, the results, and the initials of plant personnel that conducted the visual observations. The permittee shall also keep on-site personnel visible emission training and Method 9 certifications.

16. The permittee shall keep records according to EPA Reference Method 9 of each of the 6-minute stack tests as required under monitoring requirements on EPA Visible Emission Observation Forms (or an equivalent form as approved by the Department).

17. Upon detection of an excursion, the permittee shall restore normal operation of Source ID P313 and/or its fabric collector(s), as applicable, back to normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for

minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion.

18. The permittee shall maintain the differential pressure monitoring instrumentation for each of the fabric collectors associated with IDs C313A through C313F according to the procedures specified below. (1) Every calendar week, the permittee shall inspect and clean the instrument face plate, as required. (2) Every calendar week, the permittee shall inspect, clean, and repair the pressure lines and connections, as required. (3) The permittee shall re-zero the differential pressure instrument every calendar year. (4) Every calendar year, or per the manufacturer's recommended schedule, the permittee shall calibrate and repair the differential pressure instrumentation, as required.

19. Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall keep sufficient quantity of spare fabric filters, at a minimum of 10% of the total number fabric filters, on hand for immediate replacement.

20. The compressor(s) providing air for fabric filter cleaning shall be equipped with an air dryer and oil trap.

21. Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, volume displaced during loading of the trucks associated with the lime processing project shall be returned to the silo (controlled by dust collector no. 6) via a truck blow off pipe.

22. (a) Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, ID C313A (fabric collector no. 1) shall control the air contaminant emissions from each of the emission points associated with crusher 1, hopper 1, and transportors 1 and 2. Additionally, ID C313A shall use PTFE membrane polyester fabric filters with an effective air to cloth ratio not greater than 4, and a pulse jet cleaning mechanism. The permittee shall submit the weight of the polyester fabric filters for ID C313A no later than 15 days after selection for final approval by the Department. (b) Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, ID C313B (fabric collector no. 2) shall control the air contaminant emissions from each of the emission points associated with hopper 2 and conveyor 5/6. Additionally, ID C313B shall use PTFE membrane polyester fabric filters with an effective air to cloth ratio not greater than 4, and a pulse jet cleaning mechanism. The permittee shall submit the weight of the polyester fabric filters for ID C313B no later than 15 days after selection for final approval by the Department. (c) Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, ID C313C (fabric collector no. 3) shall control the air contaminant emissions from each of the emission points associated with conveyor 5/6 and process equipment 1. Additionally, ID C313C shall use polyphenylene sulfide (PPS) fabric filters (or equivalent as determined by the Department) with an effective air to cloth ratio not greater than 4, and a pulse jet cleaning mechanism. The permittee shall submit the weight of the PPS fabric filters for ID C313C no later than 15 days after selection for final approval by the Department. (d) Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, ID C313D (fabric collector no. 4) shall control the air contaminant emissions from each of the emission points associated with conveyor 8, screen 1, conveyors 9, 10 and

11, and silos 1, 2 and 3. Additionally, ID C313D shall use polyester fabric filters with effective air to cloth ratio not greater than 4, and a pulse jet cleaning mechanism. The permittee shall submit the weight of the polyester fabric filters for ID C313D no later than 15 days after selection for final approval by the Department. (e) Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, ID C313E (fabric collector no. 5) shall control the air contaminant emissions from each of the emission points associated with loadout including transfers from silos 1, 2 and 3 to conveyors 12, 13 and 14 for loadout. Additionally, ID C313E shall use fabric filters with an effective air to cloth ratio not greater than 4, and a pulse jet cleaning mechanism. The permittee shall submit the type and weight of the fabric filters for ID C313E no later than 15 days after selection for final approval by the Department, along with supporting documentation for the proposed specifications. (f) Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, ID C313F (fabric collector no. 6) shall control the air contaminant emissions from each of the emission points associated with conveyor 7, process equipment 2 and material transfer 1. Additionally, ID C313F shall use fabric filters with an effective air to cloth ratio not greater than 3.6, and a reverse air cleaning mechanism. The permittee shall submit the type and weight of the fabric filters for ID C313F no later than 15 days after selection for final approval by the Department. The type of the fabric filter shall have a maximum service temperature of at least 350 degrees Fahrenheit.

23. Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, the combined emissions of VOCs, (expressed on an as-VOC basis) from Source ID P313 as result of the additive usage shall not exceed 4.13 pounds per hour and 18.1 tons in any 12 consecutive month period.

24. Only additives which have been identified in the plan approval application (no. 14-00002R) shall be used in Source ID P313. Department authorization shall be obtained by the permittee prior to the use of any additive which has not been identified in the plan approval application (no. 14-00002R).

25. The permittee shall not use more than a combined total of 2,225,040 pounds of additives in Source ID P313.

26. Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, the combined emissions of hazardous air pollutants from Source ID P313 as result of the additive usage shall not exceed 1.1 ton in any 12 consecutive month period.

27. (a) The permittee shall conduct stack testing simultaneously on each of the fabric collectors associated with IDs C313C and C313F to verify compliance with each of the emission limitations for VOCs. Stack testing shall be conducted in accordance with methods and procedures acceptable to the Department, while the source is operating at routine maximum operating condition. Note that the effluent of each of the sources is anticipated to contain organic compounds other than alkanes, alkenes, and arenes based on the pilot plant stack testing. In addition, the permittee shall conduct stack testing for, and include in the protocol for the stack testing required above in this paragraph, all of the individual VOC constituents of the additive(s) used during the stack testing performance. (b) If the permittee uses the additive no. 1 as identified in the plan approval application supplemental information dated November 18, 2016, then the permittee shall also conduct stack testing on the sources listed above in (a) for the hazardous air pollutant

(HAP) simultaneously with the stack testing for VOCs to verify compliance with the HAP emission limitation. Stack testing shall be conducted in accordance with methods and procedures acceptable to the Department, while the source is operating at routine maximum operating condition. The permittee shall include in the protocol for the stack testing required in (b) of this condition the HAP constituent contained in the additive no. 1. (c) In addition to the requirements in Section C of this plan approval, the protocol for the stack testing shall specify with detailed information how the permittee will determine the process conditions including the amount of additive(s) charged in the day tank, the percent of additive(s) in the additive mixture, the density and flow of the additive mixture from the day tank, the product throughput, and any other process conditions which may affect emissions from Source ID P313, to verify Source ID P313 is operating at maximum routine operating conditions during the performance of the stack testing. (d) The permittee shall provide in the stack test report the maximum percent of additive(s) charged in the day tank during the performance of the stack testing, as well as the density of the additive mixture which correlates to the maximum percent of additive(s), the maximum average flow of additive mixture from the day tank, the product throughput, and any other process conditions which may have affected emissions from Source ID P313 during the performance of the stack testing. The maximum density and the maximum average flow of the additive mixture during the performance of the stack testing will be incorporated into the Title V operating permit as limitations.

28. For each batch of additive mixture charged in the day tank associated with Source ID P313, the permittee shall sample the additive mixture using test methods and procedures acceptable to the Department to determine its density and the percent of additive(s) in it, to verify each batch of the additive mixture is in compliance with the limitations as derived from stack testing.

29. The permittee shall continuously monitor and record the flow of the additive mixture from the day tank associated with Source ID P313 to verify compliance with the limitation as derived from stack testing.

30. (a) The permittee shall keep records of the following information for Source ID P313: (1) Additive mixture sampling results including the determinations of the additive mixture density and the percent of additive(s) in each batch of the additive mixture; (2) The total volume of each batch of the additive mixture in units of gallons; (3) The total amount of each batch of the additive mixture in units of pounds; (4) The total amount of additive(s) used in each batch in units of pounds; (5) The total amount of each additive used in each calendar month and in any 12 consecutive month period, in units of pounds; (6) The total emissions of VOCs and HAP from the additive(s) used in each calendar month and in any 12 consecutive month period. (b) Copy of all invoices for additive delivery including the amounts delivered as well as other supporting documentation for the records maintained above in (a)(1) through (5).

31. The permittee shall keep records of the sampling method results for each batch of additive mixture.

32. (a) Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, the burner system associated with Source ID P313 shall not emit air contaminants into the outdoor atmosphere in excess of each of the emission limitations as follows: (1) 0.061 lb NO_x per million Btu, (expressed as NO₂) and

4.27 tons NO_x in any 12 consecutive month period; (2) 0.005 lb VOCs per million Btu, (expressed as propane) and 0.35 ton VOCs in any 12 consecutive month period; (3) 0.221 lb CO per million Btu and 15.49 tons CO in any 12 consecutive month period; (4) 0.005 lb particulate matter per million Btu, (including filterable and condensable) and 0.35 ton in any 12 consecutive month period; (5) 0.005 lb PM₁₀ per million Btu, (including filterable and condensable) and 0.35 ton in any 12 consecutive month period; (6) 0.005 lb PM_{2.5} per million Btu, (including filterable and condensable) and 0.35 ton in any 12 consecutive month period; and (7) 0.10 ton SO_x in any 12 consecutive month period, (expressed as SO₂) (b) For each month during the first eleven months of operation of the source, including the shakedown period, the sum of the emissions from the operation of Source ID P313 from all preceding months of operation shall not exceed the limits included in part (a) of this permit condition.

33. Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, the burner system associated with Source ID P313 shall only use pipeline-quality natural gas as fuel to operate.

34. The permittee shall continuously monitor the throughput of fuel used by the burner system associated with Source ID P313.

35. As part of the determination for compliance with the SO₂ PAL issued in Plan Approval 14-00002N, the permittee shall keep monthly records of the SO₂ emissions in any calendar month and any 12 consecutive month period from the burner system associated with Source ID P313, in units of tons, using the emission factor (lb SO₂ per million scf of fuel) as derived from the monthly average of the total sulfur content in the fuel and the total fuel consumption in each calendar month.

36. [Authority for this permit condition is also derived from 40 CFR 60.48c(g)] The permittee shall keep monthly records of the total fuel (million scf) used by the burner system associated with Source ID P313 in each calendar month.

37. The permittee shall keep monthly records of the fuel quality data including the monthly average of the total sulfur (lb sulfur per million scf of fuel) in the natural gas used by the burner system associated with Source ID P313.

38. [Authority for this permit condition is also derived from 40 CFR 63.7540(a)(10)(vi)] The permittee shall comply keep records of the concentrations of CO and NO_x (expressed as NO₂) in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after each of the tune-ups of the burner system associated with Source ID P313 and a description of any corrective actions taken as a part of the tune-up. The NO_x and CO emissions in units of lb/MMBtu based on the measured concentrations during each tune-up shall also be kept by the permittee.

39. The permittee shall comply with the applicable requirements pertaining to the burner system associated with Source ID P313, as specified in 40 CFR 63.7555 (relating to What records must I keep?)

40. [Authority for this permit condition is also derived from the 40 CFR 63.7500 and 63.7540]

(a) Pursuant to best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall install and maintain the burner system associated with Source ID P313 in accordance with the manufacturer

recommended specifications, and safety and good air pollution control practices for minimizing emissions, as well as conduct an initial tune-up of the source upon startup and subsequent tune-ups one time by the end of each 12-month period following the date of startup. The permittee shall conduct the tune-ups as specified below, in accordance with 40 CFR 63.7540(a)(1)(i)–(v).

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown);

(iv) Optimize total emissions of CO. This optimization shall be consistent with the manufacturer's specifications and with the NOX requirement applicable to Source ID P313; and

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made).

Measurements may be taken using a portable CO analyzer. (b) Exhaust NO_x emissions may be determined using DEP's Minimum Acceptable Specifications and Requirements for Portable Gas Analyzers which is incorporated herein by reference. For a copy of these requirements, please refer to pages 2 and 3 of the PA DEP document no. 2700-PM-AQ0201 Rev. 7/2004 Instructions.

41. The permittee shall comply with the applicable requirements pertaining to the burner system associated with Source ID P313, as specified in 40 CFR 63.7495 (relating to When do I have to comply with this subpart?)

42. The permittee shall comply with the applicable requirements pertaining to the burner system associated with Source ID P313, as specified in 40 CFR 63.7545 (relating to What notifications must I submit and when?) The notification of compliance status shall be submitted within 60 days of the startup date. The permittee shall comply with the applicable requirements pertaining to the burner system associated with Source ID P313, as specified in 40 CFR 63.7550 (relating to What reports must I submit and when?). The permittee may submit the annual report according the Title V permit deadlines in accordance with 40 CFR 63.7550(b)(5).

43. Pursuant to the best available technology requirements in 25 Pa. Code §§ 127.1 and 127.12, the burner system associated with Source ID P313 shall incorporate two (2) high-efficiency low NO_x burners, and each shall not have a heat input capacity greater than 8 MMBtu/hr.

44. The burner system associated with Source ID P313 is subject to 40 CFR Part 60 Subpart Dc. The permittee shall comply with all applicable requirements pertaining to Source ID P313, as specified in 40 CFR 60.40c—60.48c.

45. The burner system associated with Source ID P313 is subject to 40 CFR Part 63 Subpart DDDDD. The permittee shall comply with all applicable requirements pertaining to Source ID P313, as specified in 40 CFR 63.7480—63.7575.

46. The permittee shall submit all of the reports as required in 40 CFR Part 60 and 63 to the Department and EPA. If applicable, the EPA shall be reported electronically via the compliance and emissions data reporting interface. Otherwise, the report shall be reported to the EPA at the EPA Region III address specified in 40 CFR 63.13.

47. All records including the supporting documentation shall be kept for a minimum of five (5) years and shall be made available to the Department upon request.

The facility is a major (Title V) facility. If 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 14-00002R, the requirements established in the plan approval will be incorporated into Title V Operating Permit 14-00002 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. 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.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-1053A: Alpont LLC—Erie (Hammermill Drive and East Lake Road, Erie, PA 16511), for the proposed construction of a methanol/sodium methylate production facility including natural gas-fired reformer/boiler for methanol production, a reaction distillation tower to form sodium methylate, truck & railcar loading operations, and raw material & production storage tanks in Erie City, **Erie County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code §§ 127.450 or 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 25-1053A is for the proposed construction of a methanol and sodium methylate (30% wt. solution) production facility. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 031 (Auxiliary Boiler)
 - Subject to 25 Pa. Code §§ 123.11 & 123.22
 - Subject to 40 CFR 60 Subpart Dc
 - The permittee shall construct the combustion unit capable of reducing NO_x and CO emissions to or below:

- NO_x: 30 ppmvd at 3% O₂
- NO_x: 0.036 #/mmbtu
- CO: 58 ppmvd at 3% O₂
- CO: 0.041 #/mmbtu

- The source shall burn gaseous fuels not combined with any solid fuels and burn liquid fuel only during periods of gas curtailment, gas supply interruption, start-ups, or periodic testing on liquid fuel. Periodic testing of liquid fuel shall not exceed a combined total of 48 hours during any calendar year.

- Stack test for NO_x and CO within 180 days of startup.

- The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- The permittee shall conduct a tuneup of the boiler within 2 years of plan approval issuance and biennially thereafter. This tuneup shall include, at a minimum, the following:

- Inspection, adjustment, cleaning or replacement of fuel-burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.

- Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO_x, and to the extent practicable minimize emissions of CO.

- Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer.

- The owner and operator of the adjusted equipment shall record each adjustment conducted under the procedures above. This record shall contain, at a minimum, the following information:

- The date of the tuning procedure.
- The name of the service company and technician performing the procedure.
- The final operating rate or load.
- The final CO and NO_x emission rates.
- The final excess oxygen rate.
- Other information required by the applicable operating permit.

- Source 101 (Steam Methane Reformer)
 - Subject to 25 Pa. Code §§ 123.11 & 123.22
 - Subject to 40 CFR 60 Subpart Db, 40 CFR 60 Subpart NNN, & 40 CFR 60 Subpart RRR
- Source 103 (Raw Material & Product Storage Tanks)
 - Subject to 25 Pa. Code §§ 129.56 & 129.57
 - Subject to 40 CFR 60 Subpart Kb
- Source 105 (422 HP Diesel Fire Pump)
 - Subject to 25 Pa. Code § 123.21
 - Subject to 40 CFR 60 Subpart IIII
 - Subject to 40 CFR 63 Subpart ZZZZ
- Source 106 (Equipment Leaks Fugitives)
 - Subject to 25 Pa. Code § 129.71
 - Subject to 40 CFR 60 Subpart VVa

In accordance with 25 Pa. Code § 127.44(f)(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) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(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, Pennsylvania 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 [25-1053A] 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 Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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 Air Quality Program Manager.

If a plan approval has not undergone the above public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for state only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

AMS 15162: PECO Energy Company (2610 Columbus Blvd, Philadelphia, PA 19148) for installation of 8 combustion units at its Oregon Electric Shop location. The units are all fueled by natural gas and have capacities of 2.5 MMBtu/hr or less. There will be potential Nitrogen Oxides (NO_x) emissions of 2.67 tons/year (tpy). Particulate Matter (PM) emissions from the combustion units shall not exceed 2.72 tpy. Carbon Dioxide (CO) emissions will have a potential of 2.24 tpy. Total HAP emissions potential is less than 1 tpy.

The plan approval will contain operating, 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.

46-00041: Graphic Packaging International, Inc. (1035 Longford Road, Phoenixville, PA 19460), located in Upper Providence Township, **Montgomery County**. This action is a renewal of the Title V Operating Permit. The facility's major emission points include printing presses containing Volatile Organic Compounds (VOCs). The facility is an area source for Hazardous Air Pollutants (HAP). There are no new sources at this facility. RACT II requirements do not apply to sources for which requirements have been established in 25 Pa. Code § 129.63 (Source ID 902), 25 Pa. Code § 129.67 (Source ID 217), 25 Pa. Code § 129.67b (Source IDs 205, 208, and 216). Presumptive RACT requirements of 25 Pa. Code § 129.97(c)(2) apply to Source ID 210 (Finishing Department); VOC potential to emit from this source is less than 2.7 tons per year. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 because there are no control devices on sources at this facility. The source is not a major source for Greenhouse Gases (GHG). The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

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

22-03009: Dauphin Precision Tool, LLC (200 Front Street, Millersburg, PA 17061) to issue a State Only Operating Permit for their machining and heat treat operations in Millersburg Borough, **Dauphin County**. Potential emissions from the facility after control average around 26 pounds per year of particulate matter. Two (2) emergency generators are subject to MACT 40 CFR Part 63 Subpart ZZZZ and one (1) boiler is subject to MACT 40 CFR Part 63 Subpart JJJJJJ. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

22-05023: Pyramid LLC Petroleum Terminals (P.O. Box 2621, Harrisburg, PA 17105) to issue a renewal of the State Only Operating Permit for the operation of their Paxton Street Terminal in Swatara Township, **Dauphin County**. The facility's reported emissions for the year 2015 are: 1.92 ton of VOCs, 0.013 ton of CO, 0.008 ton of NO_x, and 0.007 ton of SO_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. Among other items, the conditions include provisions derived from 40 CFR Part 63 Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

06-05088: EJB Paving & Materials Company (Route 61 & 73, Ontelaunee, PA 19533) to issue a State Only Operating Permit for the asphalt plant located in Ontelaunee Township, **Berks County**. The actual emissions from the facility in 2015 year are estimated at 5.36

tpy of NO_x, 40.28 tpy of CO, 1.46 tpy of PM₁₀, 0.77 tpy of SO_x and 1.67 tpy of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from to 40 CFR 60 Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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

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

19-00025: Ingredient, Inc. (920 Back Road, Berwick, PA 18603) to issue a renewal State Only Operating Permit for the Berwick Plant located in Berwick Borough, **Columbia County**. The facility is currently operating under State Only Operating Permit 19-00025. The facility's main sources include a 2.52 MMBtu/hr, natural gas-fired boiler, a potato starch drying, conveying and handling line, a parts washer and an emergency generator. The facility has potential emissions of 5.07 TPY of CO; 3.02 TPY of NO_x; 0.03 TPY of SO_x; 24.07 TPY of PM/PM₁₀; 0.64 TPY of VOCs; 0.11 TPY HAPs; 6,419 TPY GHGs. The emergency engine is subject to 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Part 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-0550.

49-00066: Elysburg GD, LLC (dba Great Dane Trailers) (207 Progress Road, Elysburg, PA 17824) to issue a State Only (Synthetic Minor) Operating Permit for their Elysburg Plant located in Ralpho Township, **Northumberland County**. The facility is currently operating under Plan Approval 49-00066A. The facility manufactures and finishes truck trailers. The facility's main sources include three surface coating spray booths, associated cleanup operations, assembly lines, a 0.465 MMBtu/hr natural gas-fired surface coating curing oven, a shot blast operation, and various welding machines and combustion sources.

The facility has potential emissions of 9.44 TPY of CO; 11.16 TPY of NO_x; 0.07 TPY of SO_x; 1.47 TPY of PM; <50 TPY of VOCs; 5.60 TPY HAPs; 13,508 TPY CO_{2e}. The surface coating and associated cleanup operations are subject to 25 Pa. Code § 129.52d. The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. 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.

41-00067: Glenn O. Hawbaker, Inc. (711 East College Ave., Bellefonte, PA 16823) for issuance of a State-Only (Synthetic Minor) Operating Permit renewal for operation of its Montoursville Plant # 15 facility located in Loyalsock Township, **Lycoming County**. The facility is currently operating under State-Only (Synthetic Minor) Operating Permit SMOP 41-00067. The facility operates an oil preheater, a drum mix asphalt plant, a RAP processing system, a 400 tph Eagle mobile crushing unit powered by a 510 bhp Cummins model QSK19-C510 diesel-fired nonroad engine, fuel oil storage tanks, 400 tph Kolberg mobile crushing and screening unit powered by a 400 horsepower Cummins model QSM11-C diesel-fired nonroad engine, a 400 tph Nordberg mobile crushing unit powered by a 425 horsepower Caterpillar model C-12 DITA diesel-fired nonroad engine, and a 440 ton/hour McCloskey i54 portable crusher powered by a 130 bhp Caterpillar 3054C diesel-fired nonroad engine. The Department intends to incorporate into the operating permit all applicable conditions contained the GP-3s and GP-11s authorized for this facility. This facility has the potential to emit 84.70 tons of carbon monoxide, 87.17 tons of nitrogen oxides, 30.97 tons of particulate matter (including particulate matter less than 10 microns and particulate matter less than 2.5 microns), 83.83 tons of sulfur oxides, 31.16 tons of volatile organic compounds, and 5.02 tons of hazardous air pollutants. The sandstone processing equipment is subject to Subpart OOO of the Federal Standards of Performance for New Stationary Sources (Nonmetallic Mineral Processing Plants), 40 CFR 60.670—60.676. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 60. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-0550.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

TV-32-00266: Evergreen Landfill (625 Cherrington Parkway, Moon Township, PA 15108) 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 Title V Operating Permit renewal to Evergreen Landfill, Inc. for their facility located in Center and Brush Valley Townships, **Indiana County**.

Evergreen Landfill, Inc. operates a municipal solid waste landfill. Sources and the control devices at this facility include Landfill Gas (waste), Operations and Roadway dust, Landfill Gas Fugitives, Soil Processing (portable), Emergency Generator, LFG Ground Flare (Enclosed Flare), Utility Candle Flare and Water Sprays.

This facility has the potential emissions per year of the following type and quantity of air contaminants: 16.59 tons of carbon monoxide, 24.42 tons of nitrogen oxides,

25.21 tons of particulate matter, 3.05 tons of sulfur oxides, 2.38 tons of volatile organic compounds and 1.00 ton of HAPs. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 40 CFR Parts 63 and 25 Pa. Code Chapters 121—145.

A person may oppose the proposed Title V 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; email to naharr@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. 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 Title V Operating Permit (TV-32-00266) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Evergreen Landfill's Title V 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 Evergreen Landfill's Title V Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

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

TVOP-63-00096: Union Electric Steel Corporation USA (P.O. Box 465, Carnegie, PA 15106-0465), 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 Title V Operating Permit (TVOP-63-00096) to Union Electric Steel Corporation USA ("UES") to authorize the continued operation of steel manufacturing at their Harmon Creek Plant located in Burgettstown in Smith Township, **Washington County**.

The previously installed sources include one (1) electric arc furnace rated at 14.5 tph, one (1) one scrap pre-heat furnace rated at 15.0 MMBtu/hr, scrap burning furnace rated at 6.0 tph, seventeen (17) annealing furnaces each rated at 10.0 tph, nine (9) forging furnaces each rated at 17 MMBtu/hr, two (2) ladle pre-heat furnaces, one (1) mold furnace, natural gas space heaters, teeming, cooling tower, lime silo, and scrap burning bag house. Potential emissions from the project are based on the combustion limit of natural gas. Fugitive emissions are controlled by bag houses and NO_x emissions from annealing furnaces, forging furnaces, and pre-heat furnace are controlled by low NO_x burners. Potential emissions from the facility are estimated to be 22.0 PM₁₀, 6.0 tons VOC, 1.5 ton HAP, and 9.0 tons SO_x. The facility is limited to 91.6 tons CO and 38.0 tons NO_x facility wide emission limits.

This facility is subject to applicable requirements of 40 CFR Part 60 Subpart AAa, New Emission Standards for Hazardous Air Pollutant area source (NESHAP) requirements of 40 CFR Part 63 Subpart XXXXXX and Subpart YYYYYY, the best available technology (BAT), and 25 Pa. Code Chapter 121—145. The facility has limitation on

potential emissions, hours of operation, natural gas usage, as well as LDAR, monitoring, record keeping, reporting, and work practice, and performance testing requirements. The emergency generators are subject to the applicable requirements of 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ.

UES Title V Operating Permit ("TVOP") renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality TVOP 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 TVOP 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 thkaminski@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 (TVOP-63-00096) 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).

SOOP-56-00156: Windber Medical Center (600 Somerset Avenue, Windber, PA 15963), 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-56-00156) to Windber Medical Center to authorize the continued operation of the "Boilers" at the hospital located in Windber Borough, **Somerset County**.

The facility's air contamination sources consist of one (1) 10.5 mmbtu/hr CNB tri-fuel boiler, one (1) 7.72 mmbtu/hr natural gas-fired/No. 2 fuel-oil boiler, four (4) fuel oil or propane-fired small emergency generators, and

a 3M ethylene oxide sterilizer equipped with a Donaldson ETO Abater. Potential emissions from the facility are estimated to be 14.4 tons NO_x, 1.2 ton CO, 94.7 tons SO_x, 5.0 tons PM, and 1.4 ton VOC. 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. The existing Ethylene Oxide Sterilizer is subject to 40 CFR Part 63 Subpart WWWW. The permit includes emission limitations, and operational, monitoring, reporting, and recordkeeping requirements for the facility.

Windber Medical Center 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 thkaminski@pa.gov or 412.442.4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 56-00156) 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).

32-00397: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201), for a renewal facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Heilwood Mine Coal Preparation Plant, located in Pine Township, **Indiana County**. The facility contains air contamination sources consisting of coal stockpiles, conveyers, screens, coal cleaning plant, two emergency diesel engines (275-bhp, and 1,490-bhp), and roadways. Air pollution prevention equipment at the facility includes enclosures, water sprays, water truck, sweeper, and tarping of truck loads. Raw coal throughput is limited to a maximum of 800,000 tons per year. Facility emissions are 21.2 tons of PM₁₀, 3.6 tons of PM_{2.5}, 7.1 tons of NO_x, and 1.3 ton of CO per year. The facility is subject to the applicable requirements of 40 CFR 60, Subpart Y, 40 CFR 60, Subpart IIII, 40 CFR 63, Subpart ZZZZ, and 25 Pa. Code 25 Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

32-00398: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201), for a renewal facility-wide Natural Minor Operating Permit for the operation of a coal preparation plant, known as the Knob Creek Mine Coal Preparation Plant, located in Young Township, **Indiana County**. The facility contains air contamination sources consisting of coal stockpiles, conveyers, screens, coal cleaning plant, one emergency diesel engine (755-bhp), and roadways. Air pollution prevention equipment at the facility includes enclosures, water sprays, water truck, sweeper, and tarping of truck loads. Raw coal throughput is limited to a maximum of 800,000 tons per year. Facility emissions are 14.4 tons of PM₁₀, 2.6 tons of PM_{2.5}, 3.3 tons of NO_x, and 1.3 ton of CO per year. The facility is subject to the applicable requirements of 40 CFR 60, Subpart Y, 40 CFR 60, Subpart IIII, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

25-00971: Erie Plating Company (656 West 12th Street, Erie, PA 16501-1509) for renewal of the Natural Minor Permit to operate the electroplating, plating, anodizing and coloring facility. The facility's major emission sources include, a natural gas boiler rated at 16.7 mmbtu/hr, space heaters, chromic acid anodizing tank (controlled by a fume suppressant and mesh-pad mist eliminator), chrome plating tanks (controlled by a fume suppressant and a wet scrubber, a rotoblast, a sludge dryer, solution tanks [passivate] (controlled by a scrubber), dry polishing operation (controlled by a baghouses that exhausts indoors), a dip spin paint booth, nickel/copper plating (controlled by a scrubber), and electroless nickel plating (controlled by a scrubber). The facility is located in City of Erie, **Erie County**. The emission of the pollutants from the facility is less than Title V threshold limits and therefore the facility is a natural minor. The chrome anodizing processes are subject to 40 CFR Part 63 Subpart N—NESHAPs from Hard and Decorative Electroplating and Chromium Anodizing Tanks. The nickel plating, electroless plating and dry polishing sources are subject to 40 CFR Part 63, Subpart WWWW—NESHAPs: Area Sources Standards for Plating and Polishing Operations. The facility replaced scrubber C102B with C102C during the term of the permit through a

Request for Determination which exempted the construction from a plan approval. The Department is including a requirement for testing C102C. The permit contains the updated Federal requirements applicable to the sources, emission restrictions, monitoring requirements, record keeping requirements, work practice requirements, and additional requirements to demonstrate compliance with the previous plan approvals and the Air Pollution Control Act. The potential HAPs from the facility are less than 2 TPY. The criteria pollutants for the facility are each less than 1 TPY.

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104.*

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

OP16-000013: Tidewater (2600 R. Penrose Ferry Road, Philadelphia, PA 19145) for the operation of a concrete crushing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes one (1) Sandvik portable crusher with water suppression system and a capacity of crushing 95.4 tons per hour or 500 tons per day of brick or concrete; and one (1) crusher engine firing No. 2 fuel oil with a capacity of 350 horsepower.

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.

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.

30921601 and NPDES No. PA0214060. Contura Freeport, LLC, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To transfer the permit for the Freeport Surface Facilities in Jefferson Township, **Greene County** and related NPDES permit from River Processing, LLC (formerly River Processing Corporation). No additional discharges. The application was considered administratively complete on December 6, 2016. Application received September 8, 2016.

30001301. Dana Mining Company of Pennsylvania, LLC, (103 Corporate Drive, Suite 102, Morgantown, WV 26501). To renew the permit for the Crawdad Portal B Mine in Dunkard and Perry Townships, **Greene County**. No discharges. The application was considered administratively complete on December 8, 2016. Application received July 7, 2016.

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, Morris and Washington Townships, **Greene County**, Morris Township, Washington County and related NPDES permit for development mining. Underground Acres Proposed 3,744.0, Subsidence Control Plan Acres Proposed 3,744.0. No additional discharges. The application was considered administratively complete on December 9, 2016. Application received April 19, 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 Morris Township, **Washington County** and related NPDES permit for Development Mining only. Underground Acres Proposed 2,963.0, Subsidence Control Plan Acres Proposed 2,963.0. No addi-

tional discharges. The application was considered administratively complete on December 9, 2016. Application received July 8, 2016.

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

Permit No. 11060102 and NPDES No. PA0262200, E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722, renewal for reclamation only of a bituminous surface and auger mine in Reade Township, **Cambria County**. Receiving streams: unnamed tributaries to/and Fallentimber Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 1, 2016.

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

61110103 and NPDES No. PA0259209. K & A Mining (P.O. Box 288, Grove City, PA 16127). Renewal of an existing bituminous surface and limestone removal mine and associated NPDES permit in Irwin Township, **Venango County** affecting 73.9 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: November 29, 2016.

61970101 and NPDES No. PA0227358. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Renewal of an existing bituminous surface and limestone

& shale removal mine and associated NPDES permit in Irwin Township, **Venango County** affecting 75.2 acres. Receiving streams: Four unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 1, 2016.

61130101 and NPDES No. PA0259462. Hillside Stone, LLC (228 Georgetown Road, Hadley, PA 16130) Transfer of an existing bituminous surface mine and associated NPDES permit from K & A Mining in Irwin Township, **Venango County**, affecting 52.0 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 2, 2016.

61110103 and NPDES No. PA0259209. Hillside Stone, LLC (228 Georgetown Road, Hadley, PA 16130) Transfer of an existing bituminous surface mine and associated NPDES permit from K & A Mining in Irwin Township, **Venango County**, affecting 73.9 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 2, 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.

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

Permit No. 21900301 and NPDES Permit No. PA0595055, EE Kough Sons, Inc., P.O. Box 134, Newville, PA 17241, renewal of NPDES permit, located in North Newton Township, **Cumberland County**. Receiving stream: unnamed tributary to Conodoguinet Creek classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 2, 2016.

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

Permit No. 58980818. John D. Lepre, (1475 Orphan School Road, Kingsley, PA 18826), Stage I & II bond release of a quarry operation in Harford Township, **Susquehanna County** affecting 3.0 acres on property owned by Rupert Carey. Application received: December 5, 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

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

NPDES Permit No. PA01213862 on Surface Mining Permit No. 54803203. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an NPDES Permit for an anthracite coal refuse reprocessing operation in Hegins Township, **Schuylkill County**, affecting 76.0 acres. Receiving stream: East Branch Rausch Creek, classified for the following use: cold water and migratory fishes. Application received: October 9, 2015.

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

The outfall(s) listed below discharge to (list receiving stream):

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

<i>Outfall</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	No	Stormwater

The proposed effluent limits for the above listed outfall.

<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			
Iron (mg/l)		3.0	3.0	9.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		1.4	2.8	3.5
Total Suspended Solids		35.0	70.0	90.0

¹The parameter is applicable at all times.

Noncoal NPDES Draft Permits

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

NPDES No. PA0279455 (Mining Permit No. 56152801), Maust Excavating, Inc., 451 Stoystown Road, Suite 104, Somerset, PA 15501, new NPDES permit for a small noncoal (industrial mineral) mine in Jennerstown Borough, Somerset County, affecting 4.9 acres. Receiving stream: unnamed tributary to Beaverdam Creek, classified for the following use: high quality cold water fishes. This receiving stream is included in the Kiskiminetas-Conemaugh River TMDL. Application received: March 3, 2015.

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

The outfall listed below requires a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Sedimentation Trap	Y (Non-Discharge Alternative)

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E15-880. Jonathan R. Shavley, 31 Chartwell Drive, West Grove, PA 19396, Pocopson Township, **Chester County**, ACOE Philadelphia District.

To remove the existing dwelling structure and to construct and maintain a new house at the same location in and along the 100 year floodway of the Brandywine Creek AKA Cabin 14.

The site is located at 14 Cabin Club Lane, Unionville, PA USGS map Lat. 39.916; Long. -75.639.

E23-535. DELCORA, 100 East Fifth Street, P.O. Box 999, Chester, PA 19016-0999, Rose Valley Borough, **Delaware County**, ACOE Philadelphia District.

To replace the existing Rose Valley sewage Treatment Plants (RVSTP), and to construct and maintain a new pump station in and along the 100 year flood plain of UNT to Ridley Creek, work will include improvement to the RVSTP access road, and an installation of new force main for new connections with Middle Township Sewer Authority.

The site is located near 18 South Long Point Lane (media, PA USGS map; Lat: 39.8912; Long: -75.3905).

E15-876. Arthur Sulzer, 2 Peter Gamble Lane, Glen Mills, PA 19342, Pocopson Township, **Chester County**, ACOE Philadelphia District.

To remove the existing dwelling structure and to construct and maintain a new house at the same location in and along the 100 year floodway of the Brandywine Creek AKA Cabin 13.

The site is located at 13 Cabin Club Lane, Unionville, PA USGS map Lat. 39.928; Long. -75.643.

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E58-320. Springville Township, P.O. Box 32, Springville, PA 18844. Springville Township, **Susqueanna County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a roadway crossing of Pond Brook (CWF, MF) consisting of 90-foot long, 96-inch diameter CMP pipe depressed 12-inches below the existing streambed elevation with headwalls. The project is located approximately 0.90 mile northeast of the Button Road and Garrison Road intersection (Hop Bottom, PA Quadrangle Latitude: 41°40'9.8"; Longitude: -75°52'28.6").

E45-602. Brodhead Creek Regional Authority, 410 Mill Creek Road, East Stroudsburg, PA 18301, in Stroud Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a fill area that is approximately 3,800 square feet by 3-feet high within the 100-year floodplain of the McMichael Creek (HQ-CWF, MF) for the purpose of constructing a water filtration facility. The project is located approximately 0.22 mile south of the Glenbrook Road and Hickory Valley Road intersection (Stroudsburg, PA Quadrangle, Latitude: 40°58'3.50"; Longitude: -75°12'55.15").

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

E05-389: PA Department of Transportation Engineering District 9-0, 1620 North Juniata Street, Holidaysburg, PA 16648 in Hopewell Borough, Hopewell Township, and Broad Top Township, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to (1) install and maintain a 307.2 ft. x 72.9 ft. three-span prestressed concrete bulb-tee beam bridge over Raystown Branch Juniata River (TSF, MF) on a new alignment 60 ft. upstream from the existing bridge, (2) place R-8 riprap choked with R-4 riprap around the piers and abutments for scour protection, (3) install two 24 in. temporary

stormwater outfalls, four 18 in. permanent stormwater outfalls, and one 30 in. permanent stormwater outfall, (4) install two retaining walls, (5) install two temporary access roads, and (6) install a temporary rock causeway with five concrete pipes, all for the purpose of improving transportation safety and roadway standards. The project is located along SR 0915 Section 03B in Hopewell Borough, Hopewell Township, and Broad Top Township, Bedford County (Latitude: 40° 08' 16" N, Longitude: 78° 16' 02" W). The project proposes 240 linear ft. (0.37 ac.) of temporary impacts and 179 linear ft. (0.17 ac.) of permanent impacts to Raystown Branch Juniata River. The project also proposes 2.70 ac. of temporary impacts and 1.39 ac. of permanent impacts to the floodway of Raystown Branch Juniata River. Compensatory mitigation for wetland impacts is not required, since the project proposes 0.02 ac. of permanent wetland impacts.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E14-574: The Pennsylvania State University, 139J Physical Plant Building, University Park, PA 16802. Duck Pond Inflow Channel Rehabilitation Project in State College Borough, **Centre County**, USACE Baltimore District (State College, PA Quadrangle; Latitude 40° 48' 7.7" N; Longitude 77° 50' 47.7" W).

The Duck Pond Inflow Channel Rehabilitation Project as proposed will involve stabilization of 1,000 feet of stream channel between several large stormwater discharge pipes and the Penn State Duck Pond located along East College Avenue. The pipes discharge stormwater from the University and Borough and reach their maximum capacity of 800 cfs during the 10-year storm event. Frequent high flows have resulted in significant erosion of the banks and contribute to the downstream siltation impairment of Thompson Run (HQ-CWF, Class A). The purpose of this project is to correct bed and bank erosion that is occurring due to high velocity discharges from the stormwater pipes. Integrated reno mattress bed protection and stacked gabion side walls will be used to stabilize the upper 700 feet of the channel, and stacked gabion side walls alone will be used in the lower 300 feet. The base flow in this channel is intermittent and is primarily non-contact cooling water from the University. The primary stream channel that carries flow from Thompson Spring around the pond will not be modified by this project. As proposed, there will be exceptional value wetland impacts. Construction access will temporarily impact 0.112 acre of wetlands and installation of the gabions will permanently impact 0.35 acre.

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).

Location	Permit Authority	Application Type or Category
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania 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

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 #)</i>	<i>EPA Waived Y/N?</i>
PA0244864	Warminster Municipal Authority 415 Gibson Road Warminster, PA 18974	Bucks County Warminster Township	Unnamed Tributary to Little Neshaminy Crk 2-F	Y

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0036382 (Sewage)	Camp Morasha 274 High Lake Road Lakewood, PA 18439	Wayne County Buckingham Township	Unnamed Tributary to Equinunk Creek (1-A)	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>
PA0021237— SEW	Newport Borough 231 Market Street Newport, PA 17074-1533	Newport Borough/Perry County	Little Buffalo Creek & Juniata River/Watershed 12-B	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>
PA0103276 (Sewage)	Shippenville Borough STP 425 Waterworks Road Clarion, PA 16241	Clarion County Elk Township	Deer Creek (17-B)	Yes

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

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

NPDES Permit No. PA0275841, Industrial Stormwater, SIC Code 3561, **Curtiss Wright EPD**, 1185 Feather Way, Bethlehem, PA 18015.

This existing facility is located in Bethlehem City, **Northampton County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit for an existing discharge of uncontaminated stormwater and non-process pump test water.

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

NPDES Permit No. 0265951 Industrial Waste, **Old Dominion Electric Cooperative**, 4201 Dominion Blvd., Glen Allen, VA 23060-6149.

This proposed facility is located in Fulton Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval for the amendment of NPDES permit for discharge of treated Industrial wastewater.

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

NPDES Permit No. PA0232769, CAFO, SIC Code 0213, **Mahosky Farms LLC**, 210 Back Road, Canton, PA 17724-8932.

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

Description of Proposed Action/Activity: Issuance of an individual NPDES CAFO Permit for a finishing swine facility.

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

NPDES Permit No. PA0029491, Sewage, SIC Code 4952, **PA American Water Co.**, 425 Waterworks Road, Clarion, PA 16214.

This existing facility is located in Monroe Township, **Clarion County**.

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

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

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

WQM Permit No. 0216400 A-1, Sewage, SIC Code 1623, **Allegheny County Park Department**, 542 Forbes Avenue, Pittsburgh, PA 15219-2904.

This existing facility is located in Elizabeth Township, **Allegheny County**.

Description of Proposed Action/Activity: construction of an engineered wetland sewage treatment plant.

WQM Permit No. WQG02021602, Sewage, SIC Code 4952, **Findlay Township Municipal Authority**, P O Box 409, Clinton, PA 15026.

This proposed facility is located in Findlay Township, **Allegheny County**.

Description of Proposed Action/Activity: Sewer system extension and pump station to serve Camp Meeting Road Area.

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

WQM Permit No. 5015402, Sewerage, **Newport Borough Municipal Authority**, 231 Market Street, Newport, PA 17074-1533.

This proposed facility is located in Newport Borough Township, **Perry County**.

Description of Proposed Action/Activity: Seeking approval for select separation of combined sewer system, influent mechanical screening, influent pumping, grit removal, sequencing batch reactors, post-equalization/aeration tank, aerobic digesters, ultraviolet disinfection, and final discharge to Little Buffalo Creek.

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>
PAI010916008	Solvay USA, Inc. 504 Carnegie Center Princeton, NJ 08540-6247	Bucks	Falls Township	Biles Creek WWF-MF
PAD510002	Alterra MIS BW GP, LLC 1500 Walnut Street Suite 2000 Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Delaware River WWF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI015116006	Philadelphia Museum of Art Philadelphia, PA 19101-7646	Philadelphia	City of Philadelphia	Schuylkill River WWF-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>
PAI026416006	PPL Electric Utilities Corporation c/o Colleen Kester, Manager Two North Ninth Street Allentown, PA 18101-1139	Wayne County	Paupack Township	Wallenpaupack Creek (HQ-CWF, MF) Middle Creek (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041416010	Penn State University 139J Physical Plant Bldg. University Park, PA 16802	Centre	State College Boro	Thompson Run HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02

Waterways & Wetlands Program 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>
Newtown Township Delaware County	PAG02002316015	Robert R. Rafferty 4700 West Chester Pike Newtown Square, PA 19703	Crum Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAC510003	Philadelphia Water Department 1101 Market Street 4th Floor Philadelphia, PA 19107	Cobbs Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511603	Clean Energy 4675 MacArthur Court Suite 800 Newport Beach, CA 92660	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510007	University of Pennsylvania Health System 3400 Civic Center Boulevard Philadelphia, PA 19104	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tinicum Township Delaware County	ESG0004516002	Sunoco Logistics, LP 525 Fritztown Road Sinking Spring, PA 19608-1509	Delaware River Estuary WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tinicum Township Delaware County	ESG0004516001	Paulsboro Natural Gas Pipeline Company, LLC 800 Billingsport Road Paulsboro, NJ 08066	Delaware River Estuary WWF	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>
Allen Township Northampton County	PAG02004816002	Century Commerce Center, LLC 49 Fairwood Avenue Sinking Spring, PA 19608	Hokendauqua Creek (CWF, MF) Dry Run (CWF, MF)	Northampton County Conservation District 610-746-1971
West Mahanoy Township Schuylkill County	PAC540001	Black Rock Trucks & Equipment, LLC 101 Firemans Road Frackville, PA 17931	UNT to Mill Creek (CWF, MF)	Schuylkill County Conservation District 570-622-3742

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
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
Derry Township Dauphin County Issued	PAG02002216025	TJD Family LLC 345 Elm Avenue Hershey, PA 17033	Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Red Lion Borough York County Issued	PAG02006716040	Troy A. Leiphart Masonry, Inc. Troy A. Leiphart 281 Winterstown Road Red Lion, PA 17356	UNT to Mill Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County Issued	PAG02006713016-1	Christopher G. Trone 350 Third Street Hanover, PA 17331	UNT to Oil Creek/(WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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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>
Lower Windsor Township York County	PAG02006716021	Rexroth Limited Partnership Jim Rexroth 1742 Winters Road Windsor, PA 17366	Fishing Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Shrewsbury Township York County	PAG02006716036	Kendall W. Whitesell 295 East Tolna Road Shrewsbury, PA 17361	UNT to South Branch Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Peach Bottom Township York County	PAG02006716053	Eric Gemmill 458 Gemmill Road Delta, PA 17314	Neill Run (CWF-TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North York Boro, Manchester Twp, City of York & Springettsbury Twp York County	PAG02006716045	York County Rail Trail Authority Gwen Loose P O Box 535 Seven Valleys, PA 17360	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springfield Township & Logoanville Borough York County	PAG02006711023R-1	Logan's Reserve Development LLC R. Colfax Schnorf, Jr. 8601 Robert Fulton Drive Suite 200 Columbia, MD 21046	UNT to Codorus Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Windsor Borough York County	PAG02006716039	Sonshine I, LP William Briegel 227 Granite Run Drive Suite 100 Lancaster, PA 17601	UNT to Fishing Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township Perry County Issued	PAG02035016002	Kim Lenker 730 A Tower Road Enola, PA 17025	Susquehanna River (WWF)	Perry County Conservation District 31 West Main Street PO Box36 New Bloomfield, PA 17068 717.582.8988 ext 4
Conewago Township Dauphin County Issued	PAG02002216020	Iona Investment Group 1 Krall Road Myerstown, PA 17067	Hoffer Creek (TSF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAG02002216014	Central Dauphin School District 600 Rutherford Road Harrisburg, PA 17109	Spring Creek-West (CWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
North Middleton Township Cumberland County Issued	PAG02002116015	Waggoners Gap Road, LLC 952 Log Cabin Road Leola, PA 17540	Conodoguinet Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Lower Mifflin Township Cumberland County Issued	PAC210001	Carl Hoover 1000 Mountain Road Newville, PA 17241	Back Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812

<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>
Middle Paxton Township Dauphin County Issued	PAG02002216026	Dauphin DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County Issued	PAG02002216029	Patrick Owen 399 N. 39th Street Harrisburg, PA 17109	Asylum River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
North Londonderry Township Lebanon County Issued	PAG02003816026	John P. Welch 14010 South Forge Road Palmyra, PA 17078	UNT Spring Creek (WWF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
North Annville Township Annville Township Cleona Borough Lebanon County Issued	PAC380006	Michael Lantieri 2525 N. 12th Street Suite 360 PO 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
Manheim Township Lancaster County Issued	PAG02003616063	Alumex Inc. 1480 Manheim Pike Lancaster, PA 17601	Little Conestoga Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Salisbury Township Lancaster County Issued	PAG02003616075	PPL Electric Utilities 2 North 9th Street Allentown, PA 17601	Williams Run (CWF, TSF) Buck Run (CWF, TSF) Valley Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Salisbury Township Lancaster County Issued	PAG02003616093	James Graybill 5602 Old Philadelphia Pike Gap, PA 17527	White Horse Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
West Lampeter Township Lancaster County Issued	PAG02003616098	Jay Garber PO Box 63 Willow Street, PA 17584	Big Spring Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Chanceford Township York County Issued	PAG02006715089	Robert N. Barley 175 Chestnut Grove Road Conestoga, PA 17516	UNT to West Branch Toms Run/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North Hopewell Township York County Issued	PAG02006716046	Pleasant View Church of the Brethren Jay McWilliams 10384 Winterstown Road Red Lion, PA 17356	UNT to Barshinger Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Windsor Township York County Issued	PAG02006716044	Scott A. Powell 226 Sunset Circle Red Lion, PA 17356	Kreutz Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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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>
Chanceford Township York County Issued	PAC670011	PPL Electric Utilities Corporation Colleen Kester 2 North Ninth Street Allentown, PA 18101	Otter Creek/CWF, MF & South Fork Otter Creek/WWF, MF & Bald Eagle Creek-Muddy Creek/TSF, MF & UNT Muddy Creek (UNT WB Toms Runs/TSF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
South Londonderry Township Lebanon County Issued	PAC380001	Scott Galbraith 20 West Market Street PO Box 3 Campbelltown, PA 17010	Spring Creek (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Annville Township Lebanon County Issued	PAG02003816020	Tim Rutter 2100 North George Street York, PA 17404	UNT Quittapahilla Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Butler Township Adams County Issued	PAG02000116009	Chad and Jennifer Gastley 231 Ewell Avenue Gettysburg, PA 17325	Conewago Creek (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Susquehanna Township Dauphin County Issued	PAC220006	Union Deposit Corporation 750 East Park Drive Harrisburg, PA 17111	Paxton Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Londonderry Township Dauphin County Issued	PAG02002216030	Mark Bates 135 Autumnwood Drive Middletown, PA 17057	Iron Run (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Conewago Township Dauphin County East Donegal Township West Donegal Township Elizabethtown Borough Lancaster County Issued	PAC220002	PPL Electric Utilities Corporation 2 North 9th Street Allentown, PA 18101	Swatara Creek (WWF) Iron Run (WWF) Spring Creek East (WWF) Brills Run (TSF) Conoy Creek (TSF) Donegal Creek (CWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Muhlenberg Township Berks County Issued	PAC060026 (PAG02000616021)	Christopher Brasler, Berks 61 LP 4030 Pottsville Pike Reading, PA 19605	Laurel Run (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Lower Heidelberg Township Berks County Issued	PAC060001 (PAG02000614031) Major Modification	Leonard Bilger Western Berks Water Authority 91 Water Road Sinking Spring, PA 19608	Tulpehocken Creek (CWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Centre Township Shoemakersville Borough Berks County Issued	PAC060012	Kristin Sunday, UGI Utilities, Inc. 225 Morgantown Road Reading, PA 19611	Schuylkill River and Pigeon Creek (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Manheim Township Lancaster County Issued	PAG02003616055	Lancaster Airport Authority 500 Airport Road Lititz, PA 17543	Bachman Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Clay Township Lancaster County Issued	PAG02003616086	Deryl Hurst 1755 West Main Street Ephrata, PA 17522	Middle Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
West Hempfield Township Lancaster County Issued	PAG02003616091	George Kratzert 780 Eden Road Lancaster, PA 17601	Strickler Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Strasbourg Township Lancaster County Issued	PAG02003616095	Samuel King 1902 Pioneer Road Lancaster, PA 17602	Big Beaver Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Mount Joy Township Lancaster County Issued	PAG02003616097	Curtis Martin 1526 Milton Grove Road Mount Joy, PA 17552	Little Chickies Creek (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
East Lampeter Township Lancaster County Issued	PAG02003616101	Todd Bidlespacher 458 Millcross Road Lancaster, PA 17601	Conestoga River Stauffer Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Lock Township Juniata County Issued	PAC340001	Tyler Parker 84 Clark Road East Waterford, PA 17021	UNT Tuscarora Creek (CWF)	Juniata County Conservation District 146 Stoney Creek Drive Suite 4 Mifflintown, PA 17059 717.436.8953 ext.5
Reading Township Adams County Issued	PAG0200010501R(2)	Phil Garland Lexington Land Developers Corporation 336 West King Street Lancaster, PA 17603	Com Id 57470757 (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Lower Paxton Township Dauphin County Issued	PAG02002216028	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Beaver Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

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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>
South Heidelberg Township Berks County Issued	PAC060003	Chester Perfetto 40 Commerce Drive PO Box 7050 Wyomissing, PA 19610	Cacoosing Creek (CWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610.372.4657
Borough of Mechanicsburg Cumberland County Issued	PAG02002116024	Lobar Design & Engineering 277 Mulberry Drive Mechanicsburg, PA 17050	Trindle Spring (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Upper Allen Township Cumberland County Issued	PAG02002116023	PPL Electric Utilities Corporation 1714 Fisher Road Mechanicsburg, PA 17055	UNT Yellow Breeches Creek (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Lower Allen Township Cumberland County Issued	PAC210004	Charter Homes at Highpoint Inc./ Ruth Leshner Arcona and Rossmoyne Roads Mechanicsburg, PA 17055	UNT Yellow Breeches Creek (CWF, MF) Cedar Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Spring Township Perry County Issued	PAC500001	Cole McLaughlin 5 Clouser Hollow Road Elliottsburg, PA 17024	UNT Montour Creek (CWF)	Perry County Conservation District 31 West Main Street PO Box36 New Bloomfield, PA 17068 717.582.8988 ext 4
Derry Township Mifflin County Issued	PAG02004416002	Shy Bear Brewing-Rich Coast Corp. c/o Jason Ufema 41 Meadowbrook Lane Lewistown, PA 17044	UNT Kishacoquillas Creek (TSF)	Mifflin County Conservation District 20 Windmill Hill Suite 4 Burnham, PA 17009 717.248.4695
East Lampeter Township Lancaster County Issued	PAC360022	High Associates 1853 William Penn Way Lancaster, PA 17605	Stauffer Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
West Lampeter Township Lancaster County Issued	PAG02003616027	Willow Valley Associates, Inc. 200 Willow Valley Square Lancaster, PA 17602	UNT Mill Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Rapho Township Lancaster County Issued	PAG02003616096	Matthew Martin 1282 Lebanon Road Manheim, PA 17545	Rife Run and Wetlands (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
West Cocalico Township Lancaster County Issued	PAG02003616102	Delmar Martin 1375 Route 897 Denver, PA 17517	Trib 07737 to Cocalico Creek, Wetlands (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5

<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>
Warwick Township Lancaster County Issued	PAC360012	Warwick Township 315 Clay Road Lititz, PA 17543	Moores Run (CWF, WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Lancaster City Lancaster County Issued	PAC360012	City of Lancaster 120 North Duke Street Lancaster, PA 17601	Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Martic Township Lancaster Township Issued	PAC360014	Paul Hostetter 880 Susquehannock Drive Holtwood, PA 17532	UNT Muddy Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Washington Township Franklin Count Issued	PAG02002816020	Klein Single Lot Julia Klein 1740 Lafontaine Court Beverly Hills, CA 90210	UNT East Branch of Antietam (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAG02002816022	Clear Bay Solutions Michael Hinkle 258 Rich Valley Road Mechanicsburg, PA 17050	UNT Rocky Springs (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Franklin County Issued	PAG02002808005(4)	Blaise Alexander Dealership Aubrey Alexander 10 Alexander Drive Muncey, PA 17756	UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Franklin County Issued	PAG020028160009	Ben Eby Dairy & Subdivision Ben Eby 1706 Leitersburg Road Waynesboro, PA 17268	UNT Marsh Run (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Shrewsbury Township York County Issued	PAG02006716030	Miller Group Holdings, LP Ed Davis, PE P O Box 472 950 E Main Street Schuylkill Haven, PA 17972-0472	South Branch Codus Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Lower Windsor Township York County Issued	PAC670008	Calvary Bible Church Roy Allison 125 Calvary Church Road Wrightsville, PA 17368	UNT to Cabin Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County Issued	PAC670010	James D. & Nancy J. Kohr 971 Church Road York, PA 17402	UNT to Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County Issued	PAG02006716050	Clearview Associates David Hogg 146 Pine Grove Circle York, PA 17403	Codus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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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>
Red Lion Borough & Windsor Township York County Issued	PAG02006714024-1	Rexroth Equities, LP Glenn C. Rexroth P O Box 98 Dallastown, PA 17313	Fishing Creek/TSF & Pine Run (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Heidelberg Township York County Issued	PAG02006716038	Donald Weaver 1871 Smith Station Road Spring Grove, PA 17362	UNT to Oil Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Paradise Township York County Issued	PAC670018	Columbia Gas of Pennsylvania Jonathan M. Kilmer 1600 Colony Road York, PA 17408	UNT to Paradise Run (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County Issued	PAC670001	Fishing Creek Salem UMC Leon E. Wintermyer 402 Valley Road Etters, PA 17319	UNT to Fishing Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Newberry Township York County Issued	PAG02006716020	Harold Deardorff P O Box 368 Lewisberry, PA 17339	UNT to Bennett Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Susquehanna Township Dauphin County Issued	PAC220005	New Enterprise Stone & Lime Co. 3912 Brumbaugh Road New Enterprise, PA 16664	Paxton Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Hampden Township Cumberland County Issued	PAC210006	Hampden Greene, LLC/ Marc DeSouza 225 North Presidential Boulevard Bala Cynwd, PA 19004	UNT Holtz Run	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17012 717.240.7812
Earl Township Lancaster County Issued	PAG02003616100	Micheal Stoltzfus 260 Jalyn Drive New Holland, PA 17557	UNT Mill Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Manheim Township Lancaster County Issued	PAC360015	Neil Perate 1419 Rose Virginia Road Reading, PA 19611	Bachman Run and UNT Bachman Run (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Paradise Township Lancaster County Issued	PAG02003616008	Ben Beiler 66 Cherry Hill Road Ronks, PA 17572	UNT Pequea Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Lancaster City Lancaster County Issued	PAG02003616094	Ronald Gainer 650 Juliette Avenue Lancaster, PA 17601	Lower Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5

<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>
Jackson Township Lebanon County Issued	PAG02003816017	Dwayne Nolt 58 East Stracks Drive Myerstown, PA 17067	UNT to seep Tu7n (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Union Township Lebanon County Issued	PAG02003816022	Jeffrey Camp 683 West Germantown Pike Suite 104 Plymouth Meeting, PA 19462	UNT Swatara Creek (WWF, MF, UNT) Qureg Run (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Annville Township Lebanon County Issued	PAC38002	John Horning 1420 Horseshoe Pike Lebanon, PA 17042	Bachman Run (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
West Cornwall Lebanon County Issued	PAG02003816031	Rodney Heisey 23 South Zinns Mill Road Lebanon, PA 17042	UNT Snitz Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
South Lebanon Township Lebanon County Issued	PAG02003816002	Marlin Martin 2700 East King Street Lebanon, PA 17042	Quarry/Tulpehocken Creek (CWF, TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
Earl Township Lancaster County Issued	PAC360007	King Court Properties, LLC 2969 Lincoln Highway East Gordonville, PA 17529	UNT Mill Creek (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Caernarvon Township Lancaster County Issued	PAG02003616103	Ben Brubacher 2624 West Main Street Morgantown, PA 19543	Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Pequea Township Lancaster County Issued	PAC360013	Hannah Koch 135 Leaman Road Lancaster, PA 17603	Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
East Hempfield Township Lancaster County Issued	PAG02003615074 (1)	206 Rohrerstown Road LP 2450 Marietta Avenue Lancaster, PA 17601	Brubaker Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
West Hempfield Township Lancaster County Issued	PAC360017	Oak Tree Development Group 2450 Marietta Avenue Lancaster, PA 17601	West Branch Little Conestoga Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717.299.5361 ext.5
Reading Township Adams County Issued	PAC010003	Larry and Lester Miller 345 Church Road East Berlin, PA 17316	Tributary to Markel Run (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636

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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>
Straban Township Adams County Issued	PAG02000112004R(1)	David M. Lazas Gettysburg Crossing, LP One South Street Suite 2800 Baltimore, MD 21701	Rock Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
Straban Township Adams County Issued	PAC010002	Sean Kirby Kirby Land Holdings, LLC 400 Wisner Street Frederick, MD 21701	UNT Rock Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717.334.0636
<i>Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Rome Twp, Bradford County	PAC080001	Jason Horowitz Rome DPP, LLC 9010 Overlook Blvd. Brentwood, TN 37027	Wysox Creek (CWF)	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
College Twp, Centre County	PAC140007	Christine Weikert 1333 S. Allen St. Suite 4 State College, PA 16801	UNT Spring Creek (CWF)	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Breadford Twp, Clearfield County	PAC170006	PennDOT District 2.0 70 PennDOT Dr Clearfield, PA 16830	Roaring Run	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
Mount Carmel Twp, Northumberland Cnty	PAC490007 Formerly: PAG02004916014	Atlas Phase 1 Water Main Replacement Aqua Pennsylvania, Inc. 204 E. Sunbury Street Shamokin, PA 17872	Shamokin Creek (WWF, MF) North Branch Shamokin Creek (CWF, MF)	Northumberland County Conservation District 441 Plum Creek Rd Sunbury, PA 17801 (570) 286-7114 ext. 4
Jackson Township Butler County	PAG02001016021	Dave Frydrych 3 Northgate Plaza— Unit 2 Route 19 North Harmony, PA 16037 and Robert Barbish 122 Liberty Road Harmony, PA 16037	Scholars Run WWF	Butler County Conservation District 724-284-5270
Ridgway Township Ridgway Borough Elk County	PAC240001	National Fuel Gas Distribution Corporation 1100 State Street Erie, PA 16501	Clarion River CWF Elk Creek CWF	Elk County Conservation District 814-776-5373
North East Township Erie County	PAG02002516010	Robert Mazza Inc 11815 East Lake Road North East, PA 16428	UNT Lake Erie CWF; MF	Erie County Conservation District 814-825-6403
City of Erie Erie County	PAG02002516025	Erie Water Works 240 West 12th Street Erie, PA 16501	Lake Erie WWF	Erie County Conservation District 814-825-6403

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
City of Hermitage Mercer County	PAC430002	Ms. Jocelyn Bos Calamar Inc 3949 Forest Parkway Suite 100 Wheatfield, NY 14120	UNT Pine Run WWF	Erie County Conservation District 814-825-6403
Barkeyville Borough Venango County	PAC610002	Harrisville DPP, LLC 9010 Overlook Blvd Brentwood, TN 37027	North Branch Slippery Rock Creek CWF	Venango County Conservation District 814-676-2832
<i>General Permit Type—PAG-03</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Armstrong Township Lycoming County	PAG034841	Buckeye Energy Service LLC 5002 Buckeye Road PO Box 368 Emmaus, PA 18049-5347	West Branch Susquehanna River—10-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Henderson Township Jefferson County	PAG038341	Andy D Coblentz 2619 Pike Road Punxsutawney, PA 15767	Unnamed Tributary to Stump Creek— 17-D	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
North Fayette Township Allegheny County	PAR216154	Rinker Materials 2000 Gregg Sta Road Oakdale, PA 15071	Robinson Run—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
<i>General Permit Type—PAG-9</i>				
<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>
Montoursville Borough, Lycoming County	PAG094830	Kremser Associates, LLC 1300 Jordan Avenue Montoursville, PA 17754	Montoursville Farm Montoursville Borough, Lycoming County	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
<i>General Permit Type—PAG-10</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
North Annville/Lebanon County	PAG103573	UGI Utilities Inc. 2525 N 12th Street Suite 360 PO Box 12677 Reading, PA 19612-2677	Unnamed Tributary to Quittapahilla Creek/TSF & MF and Unnamed Tributary of Swatara Creek/WWF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Upper Allen Township/ Cumberland	PAG103572	UGI Utilities Inc. 2525 N 12th Street Suite 360 PO Box 12677 Reading, PA 19612-2677	Mechanicsburg Reinforcement Phase II Project in Upper Allen Twp, Cumberland to Trindle Spring Run in Watershed(s) 7-B/CWF and MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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.

Operations Permit # 1516517 issued to: **RJH Management Group, LLC**, P.O. Drawer S, North East, MD 21901 [(PWSID)] East Nottingham Township, **Chester County** on December 12, 2016 for the operation of Echo Valley Village MHP-Caustic Soda Addition facilities approved under construction permit # 1516517.

Operations Permit # 1516525 issued to: **Zia Samar, LLC**, 5626 West Lincoln Highway, Parkesburg, PA 19365, [(PWSID)] West Sadsbury Township, **Chester County** on December 7, 2016 for the operation of A.J. Christopher Nitrate Removal Treatment.

Operations Permit # 0916512 issued to: **Pizza Villa**, 2301 North 5th Street, Perkasie, PA 18944, [(PWSID)] East Rockhill Township, **Bucks County** on December 7, 2016 for the operation of Pizza Villa Water System including Well, Hydropneumatic tank, Pre-GAC Filters, and Distribution System.

Operations Permit # 0916515 issued to: **Trumbauersville Municipal Waterworks**, 1 Evergreen Drive, P.O. Box 100, Trumbauersville, PA 18970 [(PWSID)] Trumbauersville Borough, **Bucks County** on December 8, 2016 for the operation of Liquid Chlorine Feed at Well 2.

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

Permit No. 3616503, Public Water Supply.

Applicant	Kitchen Kettle Foods, Inc.
Municipality	Leacock Township
County	Lancaster
Responsible Official	Michelle Rondinelli, President PO Box 380 Intercourse, PA 17534-0380
Type of Facility	Installation of Well No. 2
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit to Construct Issued	11/4/2016

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

Permit No. 4914502—Operation—Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.—Roaring Creek Division
Township/Borough	Ralpho & Coal Townships
County	Northumberland
Responsible Official	Stephen J. Draus, P.E. Aqua Pennsylvania, Inc. 204 East Sunbury Street Shamokin, PA 17827
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	December 12, 2016
Description of Action	Operation of the recently installed mixing systems for TTHM removal in the Ralpho and Trevorton finished water storage tanks.

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

Permit No. Emergency, Public Water Supply.

Applicant	Country Living Estates, Inc. (Forest Hill Personal Care Home) 313 Humbert Road Sidman, PA 15955
[Borough or Township]	Croyle Township
County	Cambria
Type of Facility	Water system
Consulting Engineer	
Permit to Construct Issued	December 9, 2016

Operations Permit issued to: **Eastern Armstrong County Municipal Authority**, PO Box 262, Elderton, PA 15736, Plumcreek Township, **Armstrong County** on December 12, 2016 for the operation of facilities approved under Construction Permit # 0314501-A1.

Permit No. 1116504MA, Minor Amendment. Public Water Supply.

Applicant	Greater Johnstown Water Authority 640 Franklin Street PO Box 1407 Johnstown, PA 15901
[Borough or Township]	Stonycreek Township
County	Cambria
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	December 12, 2016

Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Operation Permit issued to Country Estates Mobile Home Park, LLC, PWSID No. 6430002, Jefferson Township, **Mercer County.** Permit Number 4316501 issued December 8, 2016 for the operation of the Country Estates Mobile Home Park Public Water Supply system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on November 1, 2016 and November 23, 2016.

Construction Application Permit No. 2595502-MA4. Public Water Supply.

Applicant	Summit Township Water Authority
Township or Borough	Summit Township
County	Erie
Type of Facility	Public Water Supply
Consulting Engineer	August E. Maas, P.E.
Permit Application Denied	December 1, 2016
Due to unresolved technical deficiencies	

Operation Permit issued to West Freedom Water Association, PWSID No. 6160021, Perry Township, **Clarion County.** Permit Number 1696501-MA1 issued December 12, 2016 for the operation of two finished water storage tanks. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on December 5, 2016.

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939 (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA4-1009, Water Allocations. Borough of Monaca, 928 Pennsylvania Avenue, Monaca, PA 15061, **Beaver County.** The right to withdraw up to 2,000,000 gallons of water per day from wells along the Ohio River (wells 12, 13, 14, 15 and 16).

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

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

Plan Location:

Borough or Township	Borough or Township Address	County
Franklin Township	150 Century Lane Dillsburg, PA 17019	York

Plan Description: Approval of a revision to the official plan of Franklin Township, York County. The project is known as the Lorin Stough property. The plan provides for the proposal to replace malfunctioning on-lot disposal systems serving two existing single-family residential dwellings on 2.499 acres with total estimated sewage flows of 1,000 gpd with two small flow treatment facilities (SFTF). There will be two proposed stream discharges to an un-named tributary of the North Branch of the Bermudian Creek. The proposed development is located at 211 and 213 Capital Hill Road in Franklin 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 A3-67923-306-3s and the APS Id is 918779. Permits for on lot sewage disposal systems must be obtained in the name of the property owner.

Plan Location:

Borough or Township	Borough or Township Address	County
Penn Township	20 Wayne Avenue Hanover, PA 17331	York

Plan Description: Approval is granted for an update to the Official Plan of Penn Township, York County. The project is known as the Penn Township Act 537 Sewage Facilities Plan (DEP Code No. A3-67951-ACT). The plan provides for public sewer extensions to the Oak Hills/Hershey Heights and Broadway areas of the Township to collect and convey all flow to the existing Penn Township Wastewater Treatment Facility within five years of approval of this Act 537 Plan. The plan also provides for the designation of the Black Rock Road, Penn Circle and Waterfront Drive areas of the Township as future public sewer service areas. The remainder of the Township will continue to be served by on-lot sewage disposal systems (OLDS), and a Sewage Management Program (SMP) will be implemented for all current and future OLDS. Preliminary hydrogeological studies will be required for all future subdivisions and new land development proposing OLDS within the Township outside the identified sewer service areas. In addition, the plan provides for the upgrade of the Codorus Park Pump Station, and the abandonment of the Nottingham, Lark Avenue, Grandview and Industrial Park Pump Stations. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of Penn Township.

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>
Salem Township	Salem Township Ms. Lynn Cain Secretary 244 Congruity Road Greensburg, PA 15601	Westmoreland County

Plan Description: The Department of Environmental Protection (Department) has reviewed the proposed Official Plan Revision submitted for the Palmer Banquet Facility that will be served by a Small Flow Treatment Facility with an estimated sewage discharge of 1,975 gpd. This treatment facility will consist of a septic tank, a filtration and disinfection units that will discharge to Unnamed tributary of White-thorn Creek. At the point of discharge this waterway is classified as a Warm Water Fisheries stream. The location of this proposed SFSTF is located on the East side of Route 22 approximately 4.3 miles east of the intersection of S.R. 66 and S.R. 22 in Salem Township, Westmoreland County.

Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate.

The Department's review of this sewage facilities revision has not identified any significant environmental impacts results from this proposal.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

Fruitville Business Park, 1570 Fruitville Pike, Lancaster, PA 17602, Lancaster City, **Lancaster County**. Liberty Environmental, 50 N. 5th Street, 5th Floor, Reading, PA 19601, on behalf of 1570 Fruitville Pike, LP, 2450 Marietta Avenue, Lancaster, PA 17601, and Robert Lepore, c/o John Reed, Esquire, Barley Snyder, LLC, 126 East King Street, Lancaster, PA 17602-2893, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganics and SVOCs. The report is intended to document remediation of the site to meet the Site Specific Standard.

Former Fiore Mitsubishi-Isuzu Dealership/Logan Medical Center, 800 South Logan Boulevard, Altoona, PA 16602, Allegheny Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of UPMC Altoona, 620 Howard Avenue, Altoona, PA 16601, submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Site Specific Standard.

Advantage Tank Lines, LLC/I-76 Incident MM 158.2 Eastbound, PA Turnpike, Eastbound Lane MM 158.2, Everett, PA 15537, West Providence Township, **Bedford County**. Environmental Remediation & Recovery, 4250 Route 6N, Edinboro, PA 16412, on behalf of Advantage Tank Lines, LLC, 4366 Mt. Pleasant Street, NW, Canton, OH 44720; Mark & Jeanne Terwilliger, P.O. Box 613, Highland, CA 92346; and Joseph Beegle, 111 Glory Farm Lane, Everett, PA 15537, submitted a Final Report concerning remediation of site soil and groundwater contaminated with new motor oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Former SemMaterials L.P. Facility, 4th and Duke Street, Point Township, **Northumberland County**. ARCADIS U.S. Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940, on behalf of Koch Materials, LLC, 4111 East 37th Street North, Wichita, Kansas 67720, submitted a Final report concerning remediation of site soil and groundwater contaminated with PCBs and other Organic Compounds. The report is intended to document remediation of the site to meet a combination of Statewide Health and Site-Specific Standards.

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

Former BBC Brown Boveri Property (formerly-ABB Inc. Product Support, ABB Power T&D Co.,

ASEA Brown Boveri), 125 Theobald Avenue, South Greensburg Borough, **Westmoreland County**. American Geosciences, Inc., 3925 Reed Blvd., Ste. 400, Murrysville, PA 15668 on behalf of D&R Industrial Center, LLC, 125 Theobald Avenue, Greensburg, PA 15601 has submitted Remedial Investigation Report (RIR) concerning: site soils contaminated with polychlorinated biphenyls (PCBs), heavy metals (primarily arsenic, lead and silver); and soil and groundwater contaminated with chlorinated solvents (trichloroethene, 1,1,1-trichloroethane, and related degradation products). Notice of the RIR was published in the *Tribune-Review* on November 16, 2016.

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.

Shaskas South Well Pad, 118 Hart Road, Jessup Township, **Susquehanna County**. Resource Environmental Management, Inc., 50 Maple Street, Montrose, PA 18801, on behalf of J.P. Reilly Construction LP, 559 Turnpike Road, Friendsville, PA 18801, submitted a Final Report concerning the remediation of site soils contaminated with strontium. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on December 6, 2016.

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

Hershey 19 East Facility—The Hershey Company, 19 East Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Langan Engineering and Environmental Services, P.O. Box 1569, Doylestown, PA 18901, on behalf of The Hershey Company, 100 Crystal A Drive, Hershey, PA 17033, and Chocolate Realty DST, 10 Tara Boulevard, Suite 130, Nashua, NH 03062 submitted a Remedial Investigation and Final Report concerning remediation of site soils contaminated with Inorganics, VOCs and SVOCs. The Final Report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on December 6, 2016.

Wissler Motors Inc., 1205 West Main Street, Mt. Joy, PA 17552, Mt. Joy Borough, **Lancaster County**. Environmental Products and Services of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Wissler Motors, Inc., 1205 West Main Street, Mt. Joy, PA 17552, and J.B. Hostetter and Sons, 1225 West Main Street, Mt. Joy, PA 17552, submitted a Final Report concerning remediation of site soil contaminated with used motor oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 6, 2016.

Alumax Mill Products—Linpar Release Area, 1480 Manheim Pike, Lancaster, PA 17604, Manheim Township, **Lancaster County**. Tetra Tech, 661 Andersen Drive, Pittsburgh, PA 15220, on behalf of Alumax Mill Products, 1480 Manheim Pike Lancaster, 17604, submitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil and groundwater contaminated with Linpar Cold Rolling Oil. The Report was disapproved by the Department on December 6, 2016.

Advantage Tank Lines, LLC/I-76 Incident MM 158.2 Eastbound, PA Turnpike, Eastbound Lane MM 158.2, Everett, PA 15537, West Providence Township, **Bedford County**. Environmental Remediation & Recovery, 4250 Route 6N, Edinboro, PA 16412, on behalf of Advantage Tank Lines, LLC, 4366 Mt. Pleasant Street, NW, Canton, OH 44720; Mark & Jeanne Terwilliger, P.O. Box 613, Highland, CA 92346; and Joseph Beegle, 111 Glory Farm Lane, Everett, PA 15537, submitted a Final Report concerning remediation of site soil and groundwater contaminated with new motor oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 8, 2016.

Sun Pipeline/Walters Farm, 539 Swamp Road, Reinholds, PA 17569, West Cocalico Township, **Lancaster County**. Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382, on behalf of Pipeline Operations, A Series of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, and John and Cliff Walter, 530 Swamp Church Road, Reinholds, PA 17569, submitted Final Report concerning remediation of site groundwater contaminated with unleaded gasoline from a pipeline release. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on December 8, 2016.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Covic Transport LLC, Worth Township, **Centre County**. Northridge Group, Inc., P O Box 31, Northumberland, PA 17857, on behalf of Covic Transport, LLC, 226 Passier Court, Fort Wayne, IN 46825, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 1, 2016.

RESIDUAL WASTE GENERAL PERMITS

Application Withdrawn Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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. WMGR152. Keystone Holdings, LLC, 185 Devonshire Street, Unit 503, Boston, MA 02110; Site: 2850 Appleton Street, Suite E, Camp Hill, PA 17011-8036. This application proposed processing of crude glycerin from biodiesel production facilities for beneficial use at wastewater treatment facilities or for further refinement. The application was withdrawn by Keystone Holdings, LLC on December 12, 2016.

Persons interested in reviewing the application file 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

Permit Issued 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.

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

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

Permit No. 101710. Envirowaste, LLC, 13 Pattison Avenue, Philadelphia, PA 19148-5607. This permit is to construct and operate a new construction and demolition (C&D) and municipal solid waste (MSW) transfer facility called Envirowaste C&D and MSW Transfer Station Facility located at 13 Pattison Avenue in the City of Philadelphia, **Philadelphia County**. The permit was issued by the Southeast Regional Office on December 7, 2016.

Persons interested in reviewing the permit may contact the Waste Management Program Manager, DEP, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. 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.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP3-40-016A: Mericle Construction, Inc. (100 Baltimore Drive, Wilkes-Barre, PA 18702) on November 21, 2016 to construct and operate a Portable Crushing Operation with water sprays at their Center Point East Trade and Commerce Park in Jenkins Township, **Luzerne County**.

GP9-40-016A: Mericle Construction, Inc. (100 Baltimore Drive, Wilkes-Barre, PA 18702) on November 21, 2016 to install and operate four (4) Diesel I/C engines their Center Point East Trade and Commerce Park in Jenkins Township, **Luzerne County**.

GP14-54-003: Riverside Cremation Services, LLC (25 East Main Street, Schuylkill Haven, PA 17972) on November 23, 2016 to install and operate a human crematory at their facility in Schuylkill Haven Borough, **Schuylkill County**.

GP5-58-040: Bluestone Pipeline Co. of PA (1429 Oliver Road, New Milford, PA 18834) on November 10, 2016 to construct and operate ten (10) IC Engines, one (1) generator, two (2) dehydrators, and two (2) condensate tanks at the CDP # 5 Natural Gas Compressor Station site in Hartford Township, **Susquehanna County**.

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

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

GP5-59-204A: SWEPI LP (150-E N. Dairy Ashford, E-1296-J, Houston, TX 77079) On November 28, 2016, for the continued operation of three (3) 1,340 bhp Caterpillar model G3516TALE four-stroke lean-burn natural gas-fired compressor engines with Miratech oxidation catalysts, one (1) 30.0 MMscf/day NATCO model SB12-8 dehydrator unit equipped with a 0.275 MMBtu/hr reboiler heater, one (1) 60.0 MMscf/day NATCO SB12-8 dehydrator unit equipped with a 0.55 MMBtu/hr reboiler heater, and two (2) 10,000 gallon produced water tanks pursuant to the General Plan Approval and/or General Operating Permit General Permit or BAQ-GPA/GP-5 for Natural Gas Com-

pression and/or Processing Facilities at the Shaw Compressor Station located in Sullivan Township, **Tioga County**.

GP5-59-208B: Seneca Resources Corporation (51 Zents Boulevard, Brookville, PA 15825) On November 30, 2016, for the continued operation of six (6) 1,380 bhp Waukesha model L5794GSI rich-burn natural gas-fired engines equipped with three-way catalysts, two (2) 550 bhp NG Engines model D219L 4 stroke, rich-burn, natural gas-fired generator engines equipped with three-way catalyst, two (2) 75 million standard cubic foot per day triethylene glycol dehydrators equipped with flash tanks and 1.0 MMBtu/hr reboiler burners, two (2) gas line heaters rated at 1.0 MMBtu/hr, six (6) storage tanks, and two (2) 447 bhp natural gas-fired microturbines pursuant to the General Plan Approval and/or General Operating Permit General Permit or BAQ-GPA/GP-5 for Natural Gas Compression and/or Processing Facilities at the DCNR Tract 595 Compressor Station in Bloss Township, **Tioga County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

GP5-16-151D: Peoples Natural Gas Co., LLC (1201 Pitt Street, Pittsburgh, PA 15221) on December 5, 2016, for the authority to construct and/or operate oxidation catalyst(s) associated with two (2) natural gas fired compressor engine (s) (Caterpillar 3516LE) (BAQ-GPS/GP5) located at their facility in Limestone Township, **Clarion County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

09-0174F: Liberty Coating Company, LLC. (21 South Steel Road, Morrisville, PA 19067) On December 13, 2016, the differential pressure range across the dust collector associated with the interior blasting operation was modified. This facility is located in Falls Township, **Bucks County**.

23-0003Z: Monroe Energy, LLC (4101 Post Road, Trainer, PA 19061-3812) On December 13, 2016, the plan was modified to include the purchasing and transferring of Emission Reduction Credits (ERCs) of 74.93 tons of VOCs required for offset. An additional 15.25 tons of VOC ERCs are required before commencing operation. This facility is located in Trainer Borough, **Delaware County**.

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

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

07-05045A: Curry Rail Service Inc. (1477 DeGol Industrial Drive, Hollidaysburg, PA 16648) on December 6, 2016, for the construction of four coating booths (3 already installed and one new) and a plasma table

(already installed) at the railroad car repair and fabrication facility located in Hollidaysburg Borough, **Blair County**.

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

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

49-00063A: Sensenig Milling Services, Inc. (10705 State Route 44, Watsontown, PA 17777-8294) on July 13, 2016 for the construction of a 45-ton per hour bakery waste rotary dryer incorporating a 40-million Btu per hour, natural gas/solid fuel-fired suspension burner, the air contaminant emissions from which shall be controlled by a knockout box, a cyclone separator and a dust collector connected in series, at their facility located in Lewis Township, **Northumberland 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.

09-0110F: Riverside Construction Materials (355 New Bold Road, Fairless Hills, PA 19030) On December 12, 2016 for the extension to continue installation of replacement dual cement load-out station and an additional load-out station in Bristol Township, **Bucks County**.

09-0037H: West Rock Packaging, Inc. (3001 State Rod, Croydon, PA 19021) On December 12, 2016 for the extension to continue installation of commercial Printing Gravure in Bristol Township, **Bucks County**.

46-0124A: Montgomery Chemicals (901 Conshohocken Road, Conshohocken, PA 19428) On December 12, 2016 for the extension to continue temporary operation and shakedown of industrial inorganic chemicals, in Plymouth Township, **Montgomery County**.

15-0060G: Southeast Chester County Refuse Authority (219 Street Road, West Grove, PA 19390) On December 12, 2016 for the extension to continue construction of a landfill expansion called the Willa Expansion and a landfill gas collection and control system at the SECCRA landfill in London Grove Township, **Chester County**.

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

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

36-03005B: Intelligencer Printing Co., Inc. (330 Eden Road, Lancaster, PA 17601) on December 7, 2016, for installation of a new eight (8) station Manroland 700 HiPrint sheet-fed offset lithographic printing press at the printing facility located in Manheim Township, **Lancaster County**. The plan approval was extended.

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

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

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

09-00124: Fairless Energy, LLC (50 Energy Drive, Fairless Hills, PA 19030) On December 6, 2016 for significant modification of a Title V Operating Permit in Falls Township, **Bucks County**. The operating permit is being modified to incorporate all applicable requirements of 40 CFR Part 60, Subpart KKKK, Cross-State Air Pollution Rule (CSAPR), and the provisions Pennsylvania's Reasonably Available Control Technology (RACT Phase II) rules.

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

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

31-05014: Huntingdon Holdings LLC (1200 Susquehanna Avenue, Huntingdon, PA 16652-1946) on December 6, 2016, for the fiberglass yarn and mat manufacturing facility located in Huntingdon Borough, **Huntingdon 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.

09-00146: Pelmor Laboratories, Inc. (3161 State Road, Bensalem, PA 19020) On December 1, 2016 for the renewal of a State-Only, Natural Minor Operating Permit for their location in Bensalem Township, **Bucks County**.

15-00045: Sealed Air Corporation (450 Riverfront Drive, Reading, PA 19602) On December 13, 2016 for an initial State Only Operating Permit (Synthetic Minor) in Modena Borough, **Chester County**. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

46-00291: Precision Polymer Products, Inc. (815 South St., Pottstown, PA 19464) On December 9, 2016 for an initial State Only Operating Permit to allow the use of isopropyl alcohol (IPA) at their facility in Pottstown Township, **Montgomery County**. The operating Permit contains recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

40-00052: 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.

54-00087: D.G. Yuengling & Sons, Inc. (310 Mill Creek, Pottsville, PA 17901) issued on 9/6/16 for the operation of a brewery in Pottsville City, **Schuylkill County**. The sources include three (3) boilers, material transfer, brewing, and finishing processes. The Operating Permit will include 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 Elmerton Avenue, Harrisburg, PA 17110.

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

06-03170: Sealed Air Corporation US (450 Riverfront Drive, Reading, PA 19602-2600) on December 5, 2016, for the paper mill facility located in Reading City, **Berks County**.

21-05066: Martins Creek LLC (835 Hamilton Street, Suite 150, Allentown, PA 18101-2400) on December 7, 2016, for the West Shore Combustion Turbine Generator site located in Lower Allen Township, **Cumberland County**.

67-05138: Leister's Furniture, Inc. (433 Ridge Avenue, Hanover, PA 17331-9512) on December 8, 2016, for the wood furniture manufacturing facility located in Hanover Borough, **York County**.

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

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

60-00005: Elkay Wood Products Company (100 Industrial Park Road, Mifflinburg, PA 17844) on December 6, 2016, a State Only operating permit renewal for their facility located in Mifflinburg Borough, **Union County**. The facility's sources include two (2) boilers, lumber drying operation, wood component and assembly process, rough milling process, surface coating process and a parts washer. The operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

46-00048: Wyeth Pharmaceuticals (500 Arcola Road, Colledgeville, PA 19426) On December 13, 2016 for a minor modification of TVOP 46-00048 located in Upper Providence township, **Montgomery County**. This modification is for taking a voluntary facility-wide NO_x emission limit not to exceed 100 tons per year on a twelve (12) month rolling basis in order to escape Reasonably Achievable Control Technology 25 Pa. Code §§ 129.96—129.100.

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

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

36-05026: LSC Communications, Inc. (1375 Harrisburg Pike, Lancaster, PA 17601-2612) on December 8, 2016, for the Lancaster West printing facility located in Lancaster City, **Lancaster County**. The Title V permit was administratively amended in order to reflect a change of ownership.

36-05027: LSC Communications, Inc. (216 Greenfield Road, Lancaster, PA 17601-5885) on December 8, 2016, for the Lancaster East printing facility located in Lancaster City, **Lancaster County**. The Title V permit was administratively amended in order to reflect a change of ownership.

22-05010: Texas Eastern Transmission LP (PO Box 1642, Houston, TX 77251-1642) on December 5, 2016, for the Grantville compressor station located in East Hanover Township, **Dauphin County**. The Title V permit underwent a minor modification to add a federally enforceable facility VOC emissions cap, plus associated recordkeeping.

06-05002: Lehigh Cement Co., LLC (537 Evansville Road, Fleetwood, PA 19522-8541) on December 12, 2016, for the cement manufacturing facility located in Maiden Creek Township, **Berks County**. The Title V permit underwent a minor modification in order to impose federally-enforceable caps on certain sources, to add presumptive RACT 2 requirements for certain sources, and to incorporate the requirements of Plan Approval No. 06-05002M.

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

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

Permit No. 56060102 and NPDES No. PA0249912. Mountaineer Mining Corp., 1010 Garrett Shortcut Road, Berlin, PA 15530, renewal for the continued operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 83.7 acres. Receiving streams: unnamed tributaries to/and

Schrock Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 1, 2016. Permit issued: December 6, 2016.

Permit No. 32050106 and NPDES No. PA0249823. Beth Contracting, Inc., 815 Rock Run Road, Glen Campbell, PA 15742, renewal for reclamation only of a bituminous surface mine in Glen Campbell Borough, **Indiana County**, affecting 56.1 acres. Receiving streams: Brady Run and unnamed tributaries to Cush Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 11, 2016. Permit issued: December 6, 2016.

Permit No. 56060108 and NPDES No. PA0249921. Rosebud Mining Co., 301 Market Street, Kittanning, PA 16201, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 98.3 acres. Receiving streams: unnamed tributaries to/and Millers Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 14, 2016. Permit issued: December 7, 2016.

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

17090107 and NPDES PA0257257. RES Coal LLC (224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920). Permit renewal for continued operation and restoration of a bituminous surface and auger mine located in Goshen Township, **Clearfield County** affecting 442.1 acres. Receiving stream(s): Little Trout Run—HQ CWF, Chubb Run—CWF, Surveyor Run—CWF, Unnamed Tributaries to the West Branch of the Susquehanna River—CWF. There are no potable water supply intakes within 10 miles downstream. Application received: May 27, 2016. Permit issued: December 7, 2016.

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

Permit No. 49783007R6. Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), renewal of an anthracite surface mine operation for reclamation activities only in Coal Township, **Northumberland County** affecting 337.39 acres, receiving stream: Shamokin Creek. Application received: September 22, 2016. Renewal issued: December 8, 2016.

Permit No. 49910202R5. Split Vein Coal Co., Inc., (RR 1 Drawer 2, Paxinos, PA 17860), renewal of an existing anthracite coal refuse reprocessing and surface mine operation or reclamation activities only in Coal Township, **Northumberland County** affecting 191.0 acres, receiving stream: Shamokin Creek. Application received: October 20, 2016. Renewal issued: December 9, 2016.

Noncoal Permits Issued

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

37000302. I.A. Construction Corporation (24 Gibb Road, P.O. Box 568, Franklin, PA 16323) Renewal of existing NPDES Permit No. PA0241831 in Wayne Township, **Lawrence County**. Receiving streams: Unnamed tributary to Connoquenessing Creek. Application received: August 24, 2016. Permit Issued: November 22, 2016.

24589-10010306-E-5. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Applica-

tion for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary to Slippery Rock Creek in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek and Slippery Rock Creek. Application received: August 19, 2016. Permit Issued: November 22, 2016.

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

17060301 and NPDES PA0256307. Kinkead Aggregates, LLC (2311 Route Highway East, Homer City, PA 15748). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Bell Township, **Clearfield County** affecting 137.4 acres. Receiving stream(s): Bear Run. Application received: July 19, 2016. Permit issued: December 2, 2016.

59090301 and NPDES PA0257249. Signor Brothers Contracting, LLC (30 Poplar Street, P.O. Box 98, Arnot, PA 16911). Transfer of an existing large industrial minerals permit from Signor Brothers Contracting and renewal of the NPDES permit for discharge of treated drainage located in Bloss Township, **Tioga County** affecting 26.8 acres. Receiving stream(s): Unnamed Tributary to Johnson Creek and Johnson Creek classified for the following use(s): CWF. Application received: December 15, 2015. Permit issued: December 6, 2016.

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

Permit No. 06820601C5 and NPDES Permit No. PA0612791. Allan Myers, LP d/b/a Allan Myers Materials, (638 Lancaster Avenue, Malvern, PA 19355), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in New Morgan Borough, **Berks County** affecting 97.6 acres, receiving stream: unnamed tributary to East Branch Conestoga River. Application received: February 7, 2014. Renewal issued: December 6, 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

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

04164104. Wampum Hardware Company (2856 Stoystown Road, Friedens, PA 15541-7020) Blasting activity permit for construction blasting in New Sewickley Township, **Beaver County**. This blasting activity permit expires on December 31, 2017. Permit Issued: December 1, 2016.

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

Permit No. 06164110. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Stonecroft Village in Marion Township, **Berks County** with an expiration date of December 30, 2017. Permit issued: December 8, 2016.

Permit No. 15164114. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Southview in South Coatesville Borough, **Chester County** with an expiration date of December 2, 2017. Permit issued: December 8, 2016.

Permit No. 35164114. John H. Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for Murphy House Foundation in Benton Township, **Lackawanna County** with an expiration date of December 31, 2017. Permit issued: December 8, 2016.

Permit No. 52164106. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Blue Heron Woods in Lackawaxen Township, **Pike County** with an expiration date of December 5, 2017. Permit issued: December 8, 2016.

Permit No. 67164109. J Roy's, Inc., (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Bennett Run Phase II in Conewago Township, **York County** with an expiration date of December 12, 2017. Permit issued: December 8, 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

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E15-872. AT&T Corporation, 3450 Riverwood Parkway S.E., Room 162-11, Atlanta, GA 30339, Tredyffrin Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the relocating of approximately 2,840 linear feet of cables and their conduits about 20 to 70 feet north of the proposed Pennsylvania Turnpike widening and extension of Milepost A320 to A326, thereby impacting a parcel of wetlands and underlying a segment of tributaries to Valley Creek (EV). Specific water obstructions and encroachment are:

1. To remove, replace, and maintain approximately 2,305 linear feet of 4-inch diameter steel casing pipe carrying two pieces of 1.25-inch diameter HDPE inner ducts to accommodate the widening of the Turnpike by an additional west bound lane. No wetland or watercourses will be impacted by the project.

2. To construct temporary boring pits in the floodway at four locations impacting approximately 1,320 square feet to accommodate the directional drilling process.

The project site is located along and parallel to the PA Turnpike at approximate Milepost 322.96 immediately adjacent to the northern right-of-way (ROW) limits in Tredyffrin Township, Chester County (Valley Forge, PA, USGS Quadrangle, Longitude: 75°28'13.2", Latitude: 40°04'13.2" in the approximate center of the UNT to Valley Creek).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E15-873: Hankin Group, 707 Eagleview Boulevard, Exton, West Whiteland Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway of Lionville Run (CWF, MF) associated with the Marquis at Exton Project, Residential Subdivision:

1. To construct and maintain a 6-foot wide pedestrian Bridge situated above the floodway and measuring approximately 100 feet in length associated within the subdivision.

2. To expand and maintain about 18-foot culvert extension along the upstream side of the existing West Lincoln Highway culvert.

3. To construct and maintain 4 stormwater outfall structures along the stream.

The site is located at about 2,500 feet northeast of the intersection of Lincoln Highway (S.R. 3070) and Whitford

Road (USGS Downingtown, PA Quadrangle Latitude 40.027790; Longitude -75.637076).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act 33 U.S.C.A. § 1341(a).

E46-1133. Montgomery County Planning Commission, P.O. Box 311, Norristown, PA 19404-0311, Norristown Borough, **Montgomery County**, ACOE Philadelphia District.

To rehabilitate and maintain an existing concrete box culvert with precast four-sided box culvert size 21 feet wide and 9 feet high situated along the Saw Mill Run (WWF, MF) and measuring approximately 180 linear feet between Lafayette Street and proposed Schuylkill Valley Trail associated with the Lafayette Street Extension Project. The project also includes minor regrading within the floodplain of the Schuylkill River (WWF, MF).

The site is located along Lafayette Street, about 1500 east of Dekalb Street (Norristown, PA Quadrangle Latitude: 40.111527; Longitude: -75.338960).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E54-361. Schuylkill Conservation District, 1206 Ag Center Drive, Pottsville, PA 17901. Frailey Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To construct and maintain a stream restoration project for approximately 4,900 feet in a reach of Good Spring Creek (CWF, MF) with work consisting of re-grading of the channel and floodplain; establishment of multiple braided channels; 44 grade control structures consisting of rock sills, log sills and boulder sills; various areas of bed armoring; various areas of bankment protection; random buried logs and woody debris; random dissipation pools; random vegetation plantings in the floodway and floodplain; random boulder placement; 3 scour pools for the purpose of deposition and removal of captured sediment; 5 riprap aprons for existing outfall structures; excavation and backfill in various areas of the channel and embankments. The project will permanently impact 1.26 acre of wetland (EV). The permittee is required to provide 1.26 acre of replacement wetlands. The project begins where Good Spring Creek intersects Lomison Street and extends upstream from that point for approximately 4,900 linear feet (Tremont, PA Quadrangle Latitude: 40° 38' 2.62"; Longitude: -76° 24' 59.55").

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E17-498. Winn Development LLC, 2165 Louisa Drive, Belleair Beach, FL 33786. Winn Development LLC DuBois Retail Center Project. Sandy Township, **Clearfield County**, ACOE Pittsburgh District (Luthersburg, PA Quadrangle, Latitude: 41° 07' 27.9"; Longitude: 78° 44' 18").

The Department is giving consent to remove an existing enclosure of an unnamed tributary to Beaver Run and replace, operate and maintain that enclosure as part of their DuBois Retail Center Project. The replacement

stream closure will be constructed with 325-foot of high density polyethylene culvert pipe having minimum diameter of 36 inches. The project is located along the western right-of-way of SR 0255 (East DuBois Avenue) immediately west of Industrial Drive and East DuBois Avenue intersection. Stream length lost within 325 feet of enclosure represents pre-existing permanent impact, for which the Department shall not require mitigation.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Watershed Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

EA36-043: Mr. Mahlon Martin, 307 Goods Road, Ephrata, PA 17522 in West Earl Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To re-grade and maintain 1,525.0 feet of the left bank of the Conestoga River (WWF, MF) for the purposes of reducing sediment loading to the Conestoga River and reducing the frequency of flooding on Cabin Road. The project is located approximately 0.25 mile east of the intersection of Conestoga Creek Road and Cabin Road (Ephrata, PA Quadrangle, Latitude 40° 08' 48.25"N, Longitude: -76° 08' 33.72"W) in West Earl Township, Lancaster County. No wetlands will be impacted by this project.

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

D67-020EA. Dave Lewis, Columbia Water Company, 220 Locust Street, Columbia, PA 17512, Hellam Township, **York County**, USACOE Baltimore District.

Project proposes to remove Dugan Run Reservoir Dam for the purpose of eliminating a threat to public safety and to restoring approximately 200 feet of stream channel to a free-flowing condition. The proposed restoration project includes the removal of an upstream stone wall and construction of grade control structures through the breach. The project is located across Dugan Run (WWF, MF) (Columbia West, PA Quadrangle, Latitude: 40.0439; Longitude: -76.5913).

WATER QUALITY CERTIFICATION

Required by Section 401 of the Clean Water Act for the Leidy South Project

Dominion Transmission Inc.

FERC Docket No. CP15-492-000

DEP File No. WQ04-003

Certification Request initiated by Dominion Transmission Inc., 500 Dominion Boulevard, Glen Allen, VA 23060. Leidy South Project in Leidy Township, **Clinton County** (Tamarack, PA Quadrangle Lat: 41° 25' 32.04"; Long: -77° 51' 19.86"), Spring Township, **Centre County** (Mingoville, PA Quadrangle Lat: 40° 52' 47.38"; Long: -77° 43' 48.82"), and Hamilton Township, **Franklin County** (Chambersburg, PA Quadrangle Lat: 39° 53' 28.29"; Long: -77° 43' 12.52"), ACOE Baltimore District.

WQ04-003. The proposed project consists of upgrades to three existing compressor stations. The **Finnefrock Compressor Station** in Leidy Township, **Clinton County**, the **Chambersburg Compressor Station** in Hamilton Township, **Franklin County**, and the **Centre Compressor Station** in Spring Township, **Centre County**.

On May 15, 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. CP15-148-000). The FERC Environmental Assessment for the Project, which was issued on March 30, 2016, may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; CP15-492-000).

On August 3, 2016, Applicant requested a state water quality certification from the 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 proposed project consists of three upgrades to three existing compressor stations. The Finnefrock Compressor Station in Leidy Township, Clinton County, the Chambersburg Compressor Station in Hamilton Township, Franklin County, and the Centre Compressor Station in Spring Township, Centre County. The project as proposed will require approximately 42.2 acres of earth disturbance at the Finnefrock Compressor Station, 6.92 acres of disturbance at the Chambersburg Compressor Station, and 4.1 acres of earth disturbance at the Centre Station. There are no anticipated stream or wetland impacts for the project.

The Department published notice of its proposed state water quality certification at 46 Pa.B. 38 (September 17, 2016). No comments were received.

On December 6, 2016, the Department issued Section 401 Water Quality Certification to Dominion Transmission Inc. for the Leidy South Pipeline Project. The Department certifies to Dominion Transmission Inc. that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Dominion Transmission Inc. complies with the permitting programs, criteria and conditions established pursuant to State law:

1. *Erosion and Sediment Control Permit*—Dominion Transmission Inc. 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).

2. *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 Dominion Transmission Inc.

3. *Operation*—Dominion Transmission Inc. 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 Dominion Transmission Inc.

4. *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.

5. *Transfer of Projects*—If Dominion Transmission Inc. intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant Dominion Transmission Inc. 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.

6. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to: Department of Environmental Protection, Northcentral Regional Office, Mr. David W. Garg, P.E., Environmental Program Manager, Waterways and Wetlands, 201 West Third Street, Suite 101, Williamsport, PA 17701.

7. *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 Dominion Transmission Inc.'s applicable procedural and substantive rights.

8. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant Dominion Transmission Inc. from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

9. *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.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Federal Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer promptly.

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

E63-683, PennDOT District 12-0, 825 North Gallatin Avenue, Uniontown, PA 15401, East Bethlehem Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

Operate and maintain an anchored sheet pile retaining wall along 450 linear feet of Tenmile Creek (WWF). 450 linear feet of retaining wall was removed and replaced

under an emergency permit (DEP File No. EP6313205) to prevent further loss of the SR 88 road surface. The project is located near the intersection of SR 88 and Morton Street in East Bethlehem Township, Washington County. (PA Quadrangle: Carmichaels; N: 19.8 inches; W: 17.25 inches; Latitude: 39° 59' 5.1"; Longitude: -79° 59' 57.5").

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESX10-059-0016

Applicant Name Rice Drilling B, LLC

Contact Person Joseph Mallow

Address 2200 Rice Drive

City, State, Zip Canonsburg, PA 15317

County Greene County

Township(s) Aleppo Township

Receiving Stream(s) and Classification(s) UNTs to

Mudlick Fork (TSF), UNT to Harts Run

Secondary—Wheeling Creek and Fish Creek

ESCGP-2 # ESX16-063-16-0001

Applicant Name Mountain Gathering LLC

Contact Person Dewey Chalos

Address 810 Houston St

City, State, Zip Fort Worth, TX 76102

County Indiana

Township(s) Center

Receiving Stream(s) and Classification(s) Aultmans Run

(TSF); Stewart Run (CWF); Muddy Run (CWF); Cherry

Run (CWF)

ESCGP-2 # ESX16-007-0006

Applicant Name Penn Energy Resources LLC

Contact Person Gregg Stewart

Address 1000 Commerce Dr, Parke Place One, Suite 100

City, State, Zip Pittsburgh, PA 15275

County Beaver

Township(s) New Sewickley

Receiving Stream(s) and Classification(s) UNT to Brush Ck (WWF); UNT to Snake Run (WWF); Snake Run (WWF)
 Secondary—Brush Ck (WWF); Snake Run (WWF); Crows Run (WWF)
 ESCGP-2 # ESG14-125-0094
 Applicant Name Mark West Liberty Midstream & Resources LLC
 Contact Person Richard Lowry
 Address 4600 J Barry Court, Suite 500
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) Blaine & Donegal
 Receiving Stream(s) and Classification(s) UNT to Buffalo Ck (HQ-WWF); Buffalo Ck (HQ-WWF); Buck Run (HQ-WWF)
 Secondary—Ohio River
 ESCGP-2 # ESG16-125-0023
 Applicant Name Rice Midstream Holdings LLC
 Contact Person Kyle Shirey
 Address 2200 Rice Dr
 City, State, Zip Canonsburg, PA 15317
 County Washington
 Township(s) Somerset

Receiving Stream(s) and Classification(s) Opossum Run (HQ-WWF); South Branch Pigeon Ck (WWF)
 ESCGP-2 # ESG13-125-0037
 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
 Township(s) Blaine
 Receiving Stream(s) and Classification(s) Buffalo Ck (HQ-CWF)
 ESCGP-2 # ESX12-003-0008
 Applicant Name EQT Production Company
 Contact Person Todd Klaner
 Address 2400 Zenith Ridge Road, Suite 200
 City, State, Zip Canonsburg, PA 15317
 County Allegheny County
 Township(s) Forward Township
 Receiving Stream(s) and Classification(s) UNT to Perry Mill Run (WWF), UNT to Fallen Timber (WWF), Perry Mill Run (WWF), Fallen Timber Run (WWF)
 Secondary—Monongahela River

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

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012516002	Rover Pipeline, LLC 1300 Main Street Houston, TX 77002	Washington County	Hanover Township, Smith Township	Raccoon Creek (WWF), UNTs to Raccoon Creek (WWF), UNT to Brush Run (WWF), Kings Creek (CWF), UNT to Kings Creek (CWF), UNT to Aunt Clara Fork (CWF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESX11-047-0021 HM1 WT 3284 PAT & IMP 5 Renewal
 Applicant Hunt Marcellus Operating Company, LLC
 Contact Kurt Lewis
 Address 2144 Buena Vista Highway
 City Wilcox State PA Zip Code 15870
 County Elk Township(s) Ridgway
 Receiving Stream(s) and Classification(s) UNT to Little Mill Creek, Little Mill Creek HQ/CWF, Clarion River
 ESCGP-2 # ESX12-019-0118A Holy Trinity Monastery B Freshwater Impoundment
 Applicant XTO Energy, Inc.
 Contact Melissa Breitenbach
 Address XTO Energy Inc.
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Jefferson
 Receiving Stream(s) and Classification(s) Trib 35194 to Thorn Creek (CWF)
 ESCGP-2 # ESX12-019-0127A—Marburger B Freshwater Impoundment Major Modification
 Applicant XTO Energy, Inc.
 Contact Melissa Breitenbach
 Address 190 Thorn Hill Road
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Forward

Receiving Stream(s) and Classification(s) Glade Run, Connoquenessing Creek WWF
 ESCGP-2 # ESX11-047-0024 HM2 WT 3256 PAT Renewal
 Applicant Hunt Marcellus Operating Company, LLC
 Contact Kurt Lewis
 Address 2144 Buena Vista Highway
 City Wilcox State PA Zip Code 15870
 County Elk Township(s) Jones
 Receiving Stream(s) and Classification(s) Bear Creek, UNT to Bear Creek & Little Wolf Run, CWF, Silver Creek
 ESCGP-2 # ESX16-019-0019—Lesney Well Pad
 Applicant XTO Energy, Inc.
 Contact Melissa Breitenbach
 Address XTO Energy Inc.
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Connoquenessing and Franklin
 Receiving Stream(s) and Classification(s) UNT to Little Connoquenessing Creek, Little Connoquenessing Creek, Connoquenessing Creek Watershed CWF, Beaver River
 ESCGP-2 # ESX11-065-0022A—Nardell Pads & Wells 1A thru 1E Major Modification
 Applicant CNX Gas Company, LLC
 Contact Erika Whetstone
 Address 200 Evergreene Drive
 City Waynesburg State PA Zip Code 15370-6000
 County Jefferson Township(s) Henderson and Gaskill

Receiving Stream(s) and Classification(s) East Branch Mahoning Creek & Stump Creek CWF, Mahoning Creek

ESCGP-2 # ESX16-019-0021—AK Steel D. Pad

Temporary Waterline
Applicant XTO Energy Inc.
Contact Melissa Breitenbach
Address XTO Energy Inc.

City Warrendale State PA Zip Code 15086
County Butler Township(s) Pen and Butler
Receiving Stream(s) and Classification(s) UNT to Connoquenessing Creek (WWF)/Connoquenessing Creek

ESCGP-2 # ESX12-019-0123A—Marburger A Freshwater Impoundment

Applicant XTO Energy, Inc.
Contact Ms. Melissa Breitenbach
Address 190 Thorn Hill Road

City Warrendale State PA Zip Code 15086
County Butler Township(s) Forward(s)
Receiving Stream(s) and Classification(s) UNT to Breakneck Creek

ESCGP-2 # ESX13-019-0041A—Ursa Minor Well Pad

Applicant EM Energy Pennsylvania, LLC
Contact Mr. Hugh Caperton

Address 1800 Main Street, Suite 220
City Canonsburg State PA Zip Code 15317
County Butler Township(s) Oakland
Receiving Stream(s) and Classification(s) Pine Run and Tributary 35298 to Pine Run/Connoquenessing Creek

ESCGP-2 # ESX11-083-0047A—Bayer Well C-1H

Applicant Samson Exploration, LLC
Contact Mr. Stephen Trujillo

Address 110 West 7th Street, Suite 200
City Tulsa State OK Zip Code 74119
County McKean Township(s) Sergeant
Receiving Stream(s) and Classification(s) Warner Brook (HQ-CWF)/Wernwag Hollow (HQ-CWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX11-015-0193

Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Sullivan

Township(s) Forks
Receiving Stream(s) and Classification(s) UNT to Lick Ck (EV, MF); UNT to Level Branch (EV, MF)
Secondary—Lick Ck

ESCGP-2 # ESG29-079-16-0001

Applicant Name Regency Marcellus Gas Gathering LLC
Contact Person Kevin Roberts

Address 101 W Third St
City, State, Zip Williamsport, PA 17701
County Luzerne
Township(s) Dallas
Receiving Stream(s) and Classification(s) UNT to Toby Ck (CWF, MF); UNT to Trout Brook (CWF, MF)

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
16-15-005	Cerner Health Services 51 Valley Stream Parkway Malvern, PA 19355 Attn: George Hockman	Chester	East Whiteland Township	4 ASTs storing diesel fuel	23,895 gallons total

SPECIAL NOTICES

Proposed Revision to the State Implementation Plan for Volatile Organic Compounds; Public Hearing; Intent to Issue Revised Air Quality Operating Permit 13-00008

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

Approval of a Reasonably Available Control Technology (RACT II) plan for **KME Corporation** located in Nesquehoning Borough, **Carbon 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 mobile equipment manufacturing

solvent cleaning operations owned and operated by KME Corporation in Nesquehoning Borough, Carbon 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 (13-00008) 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.

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:

Source	RACT II Requirement
Solvent cleaning	Volatile Organic Compounds. The permittee will minimize VOC emissions by maintaining good operating practices; maintain appropriate records.

Persons wishing to file a written protest or provide comments or request a public hearing, which they believe should be considered prior to the issuance of a permit, may submit the information to Mr. Mark Wejkszner, Air Quality Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. A 30-day comment period from this date of publication in the *Pennsylvania Bulletin* will exist for the submission of comments, protests and hearing request. 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 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, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

All pertinent application documents are available for public review between 8 a.m. and 4 p.m. at the Pa DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling 570-826-2419.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Colleen Connolly at 570-826-2035 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

Notice of 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 Permit 39-00069

Approval of a Reasonably Available Control Technology (RACT II) plan for **Victaulic Company** located in Alburts Borough, **Lehigh 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 foundry, surface coating, and distribution operations owned and operated by Victaulic Company located in Alburts Borough, Lehigh 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 (39-00069) 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.

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:

Source	RACT II Requirement
Pouring/Casting Operations	Volatile Organic Compounds. The permittee will have a limit of 12 Tons of Metal/hour (8,760 hr/yr)
Sand Handling system	Volatile Organic Compounds. The permittee will have a limit of 12 Tons of Metal/hour (8,760 hr/yr)

Persons wishing to file a written protest or provide comments or request a public hearing, which they believe should be considered prior to the issuance of a permit, may submit the information to Mr. Mark Wejkszner, Air Quality Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. A 30-day comment period from the Date of Publication in the *Pennsylvania Bulletin* will exist for the submission of comments, protests and hearing request. 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 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, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

All pertinent application documents are available for public review between 8 a.m. and 4 p.m. at the Pa DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling 570-826-2419.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Colleen Connolly at 570-826-2035 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

Notice of Proposed Revision to the State Implementation Plan for Volatile Organic Compounds, Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permit 54-00009

Approval of a Reasonably Available Control Technology (RACT II) plan for **Omnova Solutions Inc.** located in West Brunswick Township, **Schuylkill 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 vinyl, paper, and fabric coating

operations owned and operated by Omnova Solutions Inc. in West Brunswick Township, Schuylkill 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 (54-00009) 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.

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>
105A—# 1 Calender Line Support Equipment	Volatile Organic Compounds. The permittee will maintain records as required by TVOP 54-00009 for Source ID 105A—Group 01
106—# 2 Calender	Volatile Organic Compounds. The permittee will maintain records as required by TVOP 54-00009 for Source ID 105A—Group 01
107—# 3 Calender	Volatile Organic Compounds. The permittee will maintain records as required by TVOP 54-00009 for Source ID 105A—Group 01
108—# 4 Calender/Mill Line	Volatile Organic Compounds. The permittee will maintain records as required by TVOP 54-00009 for Source ID 105A—Group 01
109—# 3 Embosser	Volatile Organic Compounds. The permittee will maintain records as required by TVOP 54-00009 for Source ID 105A—Group 01
110—# 5 Embosser	Volatile Organic Compounds. The permittee will maintain records as required by TVOP 54-00009 for Source ID 105A—Group 01
111—# 6 Embosser	Volatile Organic Compounds. The permittee will maintain records as required by TVOP 54-00009 for Source ID 105A—Group 01
112—Ink Mix Room	Volatile Organic Compounds. The permittee will operate in accordance with the manufacturer's specifications and with good operating practices
119—Emergency Generators 1, 2, 3, 4, 5, 6, 7	Volatile Organic Compounds. The permittee will Maintain records in accordance with § 129.100(d)
120—Water Pump 8 & 9	Volatile Organic Compounds. The permittee will Maintain records in accordance with § 129.100(d)

Source

123—1.5MW
Cogeneration System

RACT II Requirement

Volatile Organic Compounds. The permittee will operate in accordance with the manufacturer's specifications and with good operating practices § 129.97(d) and Maintain records as required in 40 CFR 63 Subpart ZZZZ & 40 CFR 60 Subpart JJJJ

Persons wishing to file a written protest or provide comments or request a public hearing, which they believe should be considered prior to the issuance of a permit, may submit the information to Mr. Mark Wejkszner, Air Quality Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. A 30-day comment period from this date of publication in the *Pennsylvania Bulletin* will exist for the submission of comments, protests and hearing request. 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 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, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

All pertinent application documents are available for public review between 8 a.m. and 4 p.m. at the Pa DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling 570-826-2419.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Colleen Connolly at 570-826-2035 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

Notice of 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 Permit 66-00001

Approval of a Reasonably Available Control Technology (RACT II) plan for **Procter & Gamble Paper Products Company** located in Washington Township, **Wyoming 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 Paper making process owned and operated by Procter & Gamble Paper Products Company located in Washington Township, Wyoming 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 (66-00001) 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.

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 ID</i>	<i>Source Name</i>	<i>Pollutant</i>	<i>RACT 2 Citation</i>	<i>Proposed RACT Emissions Limitation</i>	<i>Proposed RACT</i>
031	No. 1 Gas Boiler	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(i); 25 Pa. Code § 129.97(g)(1)(i)	0.10 lb/MMBtu	Requesting compliance deadline extension primarily to complete boiler steam modifications (plan approval application being reviewed by PADEP currently).
032A	No. 2 Gas Boiler	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(d); 25 Pa. Code § 129.97(g)(1)(i)	0.10 lb/MMBtu	Requesting compliance deadline extension primarily to complete boiler steam modifications (plan approval application being reviewed by PADEP currently).
033A	No. 3 Boiler (Paper Fines)	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(d)	0.22 lb/MMBtu NO _x natural gas 0.37 lb/MMBtu NO _x paper fines	Requesting compliance deadline extension to install monitoring system upgrade. Compliance will be demonstrated through stack tests every 5 calendar years.
034A	No. 4 Gas Boiler	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(d); 25 Pa. Code § 129.97(g)(1)(i)	0.10 lb/MMBtu	Requesting compliance deadline extension primarily to complete boiler steam modifications (plan approval application being reviewed by PADEP currently).
035	Westinghouse 251B12 (Cogen 1)	VOC	25 Pa. Code § 129.97(g)(2)(iv)(C)	9 ppmvd @ 15% O ₂	Compliance with presumptive RACT emissions limit. Compliance will be demonstrated by conducting an initial source test by 1/1/2017, and subsequent source tests every 5 years thereafter.
		NO _x	25 Pa. Code § 129.97(g)(2)(iv)(A)	42 ppmvd @ 15% O ₂	Compliance with presumptive RACT emissions limit. Compliance will be demonstrated using the existing NO _x CEMS.

<i>Source ID</i>	<i>Source Name</i>	<i>Pollutant</i>	<i>RACT 2 Citation</i>	<i>Proposed RACT Emissions Limitation</i>	<i>Proposed RACT</i>
036	Auxiliary Boiler	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.97(g)(1)(i)	0.10 lb/MMBtu	Compliance with presumptive RACT emissions limit. Compliance will be demonstrated by conducting an initial source test by 1/1/2017, and subsequent source tests every 5 years thereafter.
038	Combined Heat and Power Turbine with HRSG (Cogen 2)	VOC	25 Pa. Code § 129.97(g)(2)(i)(C)	5 ppmvd @ 15% O ₂	Compliance with presumptive RACT emissions limit. Compliance will be demonstrated by conducting an initial source test by 1/1/2017, and subsequent source tests every 5 years thereafter.
		NO _x	25 Pa. Code § 129.97(g)(2)(i)(A)	42 ppmvd 15% O ₂	Compliance with presumptive RACT emissions limit. Compliance will be demonstrated using the existing NO _x CEMS.
101	Bldg 87 Diesel Pump 1	VOC	25 Pa. Code § 129.97(c)(5)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x		N/A	
102	Bldg 87 Diesel Pump 2	VOC	25 Pa. Code § 129.97(c)(5)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x		N/A	
103	Diesel River Pump	VOC	25 Pa. Code § 129.97(c)(5)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x		N/A	
104	Wastewater Treatment Pump	VOC	25 Pa. Code § 129.97(c)(5)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x		N/A	
105	Stock Prep Diesel Generator	VOC	25 Pa. Code § 129.97(c)(5)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x		N/A	
106	25 Gas Space Heaters	VOC	25 Pa. Code § 129.96(c)	N/A	Exempt from RACT 2 VOC requirements because PTE < 1 tpy.
		NO _x	25 Pa. Code § 129.96(c)	N/A	Exempt from RACT 2 NO _x requirements because PTE < 1 tpy.
107	Cider Mill Gas Heaters (3 units)	VOC	25 Pa. Code § 129.96(c)	N/A	Exempt from RACT 2 VOC requirements because PTE < 1 tpy.
		NO _x	25 Pa. Code § 29.96(c)	N/A	Exempt from RACT 2 NO _x requirements because PTE < 1 tpy.

<i>Source ID</i>	<i>Source Name</i>	<i>Pollutant</i>	<i>RACT 2 Citation</i>	<i>Proposed RACT Emissions Limitation</i>	<i>Proposed RACT</i>
108	7M/8M Building Heaters (26 Units)	VOC	25 Pa. Code § 129.96(c)	N/A	Exempt from RACT 2 VOC requirements because PTE < 1 tpy.
		NO _x	25 Pa. Code § 129.97(c)(3)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
109	Building 57 Backup Generator	VOC	25 Pa. Code § 129.97(c)(5)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x		N/A	
110	Building 62 Diesel Pump 3	VOC	25 Pa. Code § 129.97(c)(5)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x		N/A	
501	Paper Machine 1M	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(b)	0.10 lb/MMBtu	Requesting compliance deadline extension to tune machines. Compliance will be demonstrated with portable analyzer test and tune-ups annually, stack test once every 5 calendar years on one paper machine with testable stack.
502	Paper Machine 2M	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(b)	0.10 lb/MMBtu	Requesting compliance deadline extension to tune machines. Compliance will be demonstrated with portable analyzer test and tune-ups annually, stack test once every 5 calendar years on one paper machine with testable stack.
503	Paper Machine 3M	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(b)	0.10 lb/MMBtu	Requesting compliance deadline extension to tune machines. Compliance will be demonstrated with portable analyzer test and tune-ups annually, stack test once every 5 calendar years on one paper machine with testable stack.
504	Paper Machine 4M	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.97(g)(1)(i)	0.10 lb/MMBtu	Compliance with presumptive emissions limit. Compliance will be demonstrated by conducting an initial portable analyzer test by 1/1/2017, and subsequent portable analyzer tests every 5 years thereafter.

<i>Source ID</i>	<i>Source Name</i>	<i>Pollutant</i>	<i>RACT 2 Citation</i>	<i>Proposed RACT Emissions Limitation</i>	<i>Proposed RACT</i>
505	Paper Machine 5M	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(b)	0.10 lb/MMBtu	Requesting compliance deadline extension to tune machines. Compliance will be demonstrated with portable analyzer test and tune-ups annually, stack test once every 5 calendar years on one paper machine with testable stack.
506	Paper Machine 6M	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(b)	0.10 lb/MMBtu	Requesting compliance deadline extension to tune machines. Compliance will be demonstrated with portable analyzer test and tune-ups annually, stack test once every 5 calendar years on one paper machine with testable stack.
507	Paper Machine 7M	VOC	25 Pa. Code § 29.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(b)	0.14 lb/MMBtu on a 3 hour average	Compliance will be demonstrated by stack testing in accordance with plan approval requirements.
508	Paper Machine 8M	VOC	25 Pa. Code § 129.97(d)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x	25 Pa. Code § 129.99(b)	0.14 lb/MMBtu on a 3 hour average	Compliance will be demonstrated by stack testing in accordance with plan approval requirements.
CP2	Rotogravure Printing Process	VOC	25 Pa. Code § 129.96(a)	N/A	Exempt from RACT 2 because this source is subject to 25 Pa. Code § 129.67
CP02	Thermal Oxidizer	VOC	25 Pa. Code § 129.97(c)(6)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.
		NO _x			
CV1	Converting Fugitive Emissions	VOC	25 Pa. Code § 129.96(a)	N/A	Exempt from RACT 2 because this source is subject to 25 Pa. Code § 129.52 and § 129.77.
CV2	Napkin Fugitive Emissions	VOC	25 Pa. Code § 129.96(a)	N/A	Exempt from RACT 2 because this source is subject to 25 Pa. Code § 129.67 and § 129.77.
DP18	Diaper Operations	VOC	25 Pa. Code § 129.99(c)	N/A	Use of low-VOC additives and maintain the source in accordance with manufacturer specifications and good operating practices.

Source ID	Source Name	Pollutant	RACT 2 Citation	Proposed RACT Emissions Limitation	Proposed RACT
ED1	Wastewater Treatment Fugitives	VOC	25 Pa. Code § 129.99(c)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices and an emissions limit of 105 tons of VOC per year.
LF1	Closed Landfill	VOC	25 Pa. Code § 129.99(c)	N/A	The continued closure of the landfill.
PG9	Papermaking Fugitives	VOC	25 Pa. Code § 129.99(c)	N/A	Use of low-VOC additives and maintain the source in accordance with manufacturer specifications and good operating practices.
ST5	FRP Paintbooth	VOC	25 Pa. Code § 129.96(a)	N/A	Exempt from RACT 2 because this source is subject to 25 Pa. Code § 129.52.
DC1	38 Date Coders	VOC	25 Pa. Code § 129.99(c)	N/A	Maintain the source in accordance with manufacturer specifications and good operating practices.

Persons wishing to file a written protest or provide comments or request a public hearing, which they believe should be considered prior to the issuance of a permit, may submit the information to Mr. Mark Wejkszner, Air Quality Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. A 30-day comment period from the Date of Publication in the *Pennsylvania Bulletin* will exist for the submission of comments, protests and hearing request. 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 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, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

All pertinent application documents are available for public review between 8 a.m. and 4 p.m. at the Pa DEP Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling 570-826-2419.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Colleen Connolly at 570-826-2035 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

General NPDES Permit for Stormwater Discharges Associated with Construction Activities

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

PAG-02-27-56-15-002, Ridge Energy Company, Inc., 265 Swamp Road, Clymer, PA 15728. General NPDES Permit for Stormwater Discharges Associated with Con-

struction Activities on GFCC Permit No. 56-15-02 in Shade Township, **Somerset County**. Receiving stream: Dark Shade Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: April 22, 2016. Coverage Approved: December 6, 2016.

[Pa.B. Doc. No. 16-2261. Filed for public inspection December 23, 2016, 9:00 a.m.]

Aggregate Advisory Board; Regulatory, Legislative and Technical Committee Meeting

The Aggregate Advisory Board's Regulatory, Legislative and Technical Committee will meet on January 24, 2017, from 10 a.m. to 12 p.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals interested in participating in the meeting by conference call should visit the Department of Environmental Protection's (Department) web site for additional instructions.

Questions concerning the meeting can be directed to Daniel E. Snowden, DEd, at (717) 783-8846 or dsnowden@pa.gov. The agenda and meeting materials for the meeting will be available through the Public Participation tab on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd, at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-2262. Filed for public inspection December 23, 2016, 9:00 a.m.]

Bid Opportunity

OSM 02(1454)101.1, Abandoned Mine Reclamation Project, Beulah Road, Wilkins Township, Allegheny County. The principal items of work and approximate quantities include mobilization and demobilization preparation and implementation of the erosion and sediment pollution control plan, trench excavation 715 cubic yards, subsurface drain 300 linear feet, AASHTO No. 1 stone 665 cubic yards, precast concrete manhole and seeding.

This bid issues on January 13, 2017, and bids will be opened on February 9, 2017, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protec-

tion's web site at www.dep.pa.gov/ConstructionContracts. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-2263. Filed for public inspection December 23, 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 exceptions 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>
Children's Surgery Center of Malvern	28 Pa. Code § 551.22(3)(ii) (relating to criteria for ambulatory surgery on pediatric patients)
The Skin Center	28 Pa. Code § 551.3 (relating to definitions), specifically subparagraph (ii) of the definition of "classification levels," regarding Class B facilities PS III patients

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. 16-2264. Filed for public inspection December 23, 2016, 9:00 a.m.]

Hospitals; Requests for Exceptions

The following hospital has 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 request for exception relates 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>
Geisinger Medical Center	28 Pa. Code § 103.4(1) (relating to functions)

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>
Good Samaritan Hospital	2.1-8.5.3.2	Size (TDRs)	2014
Pocono Medical Center	2.1-2.4.3.9(1)(b)	Minimum ceiling heights (special design elements)	2014
West Penn Hospital	2.2-2.11.1.2	Newborn nursery	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. 16-2265. Filed for public inspection December 23, 2016, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, January 11, 2017, and Thursday, January 12, 2017, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention grant for Comprehensive HIV Prevention Programs for Health Departments. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so should contact Cynthia Findley, Acting Bureau Director, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572, or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department reserves the right to cancel this meeting without prior notice.

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-2266. Filed for public inspection December 23, 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 § 205.36(h) (relating to bathing facilities):

Charles M. Morris Nursing & Rehabilitation Center
200 JHF Drive
Pittsburgh, PA 15217
FAC ID # 101602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Milford Healthcare and Rehabilitation Center
264 Routes 6 and 209
Milford, PA 18337
FAC ID # 133602

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the 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. 16-2267. Filed for public inspection December 23, 2016, 9:00 a.m.]

DEPARTMENT OF REVENUE

Interest Rate Notice

Under sections 806 and 806.1 of The Fiscal Code (72 P.S. §§ 806 and 806.1), the Secretary of Revenue announces that, for the calendar year beginning January 1, 2017, all underpayments of tax which became due and payable to the Commonwealth shall bear interest at the rate of 4% per annum. All overpayments of the tax paid during this calendar year under Article III of the Tax Reform Code of 1971 (72 P.S. §§ 7301—7361) shall bear interest at the rate of 4% per annum. All other overpayments of tax paid during this calendar year shall bear interest at the rate of 2% per annum. These rates will remain constant until December 31, 2017. These rates will be codified under 61 Pa. Code § 4.2(a) (relating to rate of interest).

These rates have been established based upon the rate established by the Secretary of the Treasury of the United States under section 6621(a)(2) of the Internal Revenue Code (26 U.S.C.A. § 6621(a)(2)) to be effective January 1, 2017.

Although the Tax Reform Act of 1986 amended section 6621 of the Internal Revenue Code by requiring that the Secretary of the Treasury of the United States establish quarterly rates of interest to become effective for Federal purposes on the first month of each calendar quarter, these amendments do not affect Commonwealth law. The Fiscal Code, as previously cited, requires that the interest rate be established effective January 1 of each calendar year without regard to any change in the Federal interest rate during the calendar year.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-2268. Filed for public inspection December 23, 2016, 9:00 a.m.]

Pennsylvania 5 Times Lucky '16 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 5 Times Lucky '16.

2. *Price:* The price of a Pennsylvania 5 Times Lucky '16 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania 5 Times Lucky '16 instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 36

(THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), 5 (FIVE) symbol, 5X (5TIMES) symbol and a LUCKY (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000, \$5,000 and \$100,000. The player can win up to 15 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania 5 Times Lucky '16 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets with a LUCKY (WINALL) symbol in the play area and a prize symbol of \$1,000 (ONE THO) appears in three of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in two of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets with a LUCKY (WINALL) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets with a LUCKY (WINALL) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) appears in five of the "Prize" areas and a prize symbol of \$25⁰⁰ (TWY FIV) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$250 (TWOHUNFTY)

appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$250.

(k) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$250.

(l) Holders of tickets with a LUCKY (WINALL) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$250.

(m) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$125.

(n) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets with a LUCKY (WINALL) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) appears in

the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$25.

(t) Holders of tickets with a 5X (5TIMES) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$25.

(u) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets with a 5 (FIVE) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under that 5 (FIVE) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A "5" (FIVE) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
\$5	\$5	8.57	980,000
\$5 x 2	\$10	24	350,000
\$10	\$10	40	210,000
\$5 x 4	\$20	300	28,000
\$10 x 2	\$20	300	28,000
\$20	\$20	600	14,000
\$5 x 5	\$25	600	14,000
(\$5 x 3) + \$10	\$25	600	14,000
(\$10 x 2) + \$5	\$25	600	14,000
\$5 w/ 5X	\$25	75	112,000
\$25	\$25	600	14,000
\$5 x 10	\$50	600	14,000
\$10 x 5	\$50	600	14,000
\$25 x 2	\$50	600	14,000
\$10 w/ 5X	\$50	100	84,000
\$50	\$50	600	14,000
LUCKY w/ ((\$10 x 5) + (\$5 x 10))	\$100	857.14	9,800
\$10 x 10	\$100	4,000	2,100
\$25 x 4	\$100	4,000	2,100
(\$10 w/ 5X) x 2	\$100	1,714	4,900
\$20 w/ 5X	\$100	1,714	4,900
\$100	\$100	6,000	1,400
LUCKY w/ ((\$20 x 10) + (\$10 x 5))	\$250	8,000	1,050
\$25 x 10	\$250	12,000	700
(\$25 w/ 5X) x 2	\$250	12,000	700
\$50 w/ 5X	\$250	12,000	700
\$250	\$250	24,000	350
LUCKY w/ ((\$50 x 5) + (\$25 x 10))	\$500	24,000	350

<i>Reveal A "5" (FIVE) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
\$50 × 10	\$500	24,000	350
(\$20 w/ 5X) × 5	\$500	24,000	350
\$100 w/ 5X	\$500	24,000	350
\$500	\$500	24,000	350
LUCKY w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	24,000	350
\$100 × 10	\$1,000	40,000	210
\$500 × 2	\$1,000	40,000	210
(\$50 w/ 5X) × 4	\$1,000	40,000	210
(\$100 w/ 5X) × 2	\$1,000	40,000	210
\$1,000	\$1,000	120,000	70
LUCKY w/ ((\$1,000 × 3) + (\$500 × 2) + (\$100 × 10))	\$5,000	840,000	10
(\$100 w/ 5X) × 10	\$5,000	840,000	10
\$1,000 w/ 5X	\$5,000	840,000	10
\$5,000	\$5,000	840,000	10
\$100,000	\$100,000	840,000	10

Reveal a "5X" (5TIMES) symbol, win 5 times the prize shown under that symbol.

Reveal a "LUCKY" (WINALL) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania 5 Times Lucky '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 5 Times Lucky '16, prize money from winning Pennsylvania 5 Times Lucky '16 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 5 Times Lucky '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 5 Times Lucky '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-2269. Filed for public inspection December 23, 2016, 9:00 a.m.]

Pennsylvania All The Money Millionaire Edition Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania All The Money Millionaire Edition.

2. *Price:* The price of a Pennsylvania All The Money Millionaire Edition instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania All The Money Millionaire Edition instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, an "ALL THE MONEY NUMBER" area and two "BONUS" areas. The "BONUS" areas are played separately. The play symbols and their captions located in the "WINNING NUMBERS" area and the "ALL THE MONEY NUMBER" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27

(TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THY TWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THY TWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Money Roll (MONEY) symbol and a Bank (WIN500) symbol. The play symbols and their captions located in the "BONUS" areas are: Safe (NO BONUS) symbol, Chest (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Gold Bar (TRY AGAIN) symbol, Piggy Bank (NO BONUS) symbol and a Win Burst (WIN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$75.⁰⁰ (SVY FIV), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL). The prize symbols and their captions located in the "BONUS" areas are: \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$75.⁰⁰ (SVY FIV), \$100 (ONE HUN), \$400 (FOR HUN) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$50, \$75, \$100, \$400, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in the "BONUS" areas are: \$20, \$30, \$50, \$75, \$100, \$400 and \$500. A player can win up to 22 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania All The Money Millionaire Edition instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1MILL (ONE MIL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "ALL THE MONEY NUMBER" play symbol, and a prize symbol of \$500 (FIV HUN) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "ALL THE MONEY NUMBER" play symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "ALL THE MONEY NUMBER" play symbol, and a prize symbol of \$30.⁰⁰ (THIRTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$600.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bank (WIN500) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Bank (WIN500) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a Win Burst (WIN) symbol appears in either of the "BONUS" areas, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Win Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which a Win Burst (WIN) symbol appears in either of the "BONUS" areas, and a

prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Win Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “ALL THE MONEY NUMBER” play symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which a Win Burst (WIN) symbol appears in either of the “BONUS” areas, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Win Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$75.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the “prize” area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$75.

(w) Holders of tickets upon which a Win Burst (WIN) symbol appears in either of the “BONUS” areas, and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the “prize” area under that Win Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$75.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which a Win Burst (WIN) symbol appears in either of the “BONUS” areas, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Win Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which a Win Burst (WIN) symbol appears in either of the “BONUS” areas, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Win Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Money Roll (MONEY) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Money Roll (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which a Win Burst (WIN) symbol appears in either of the “BONUS” areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Win Burst (WIN) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Bonus</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$20 w/ MONEY ROLL	\$20 w/ WIN BURST	\$20	30	180,000
\$20		\$20	12	450,000
		\$20	15	360,000
\$30 w/ MONEY ROLL	\$30 w/ WIN BURST	\$30	60	90,000
\$30		\$30	30	180,000
\$20		\$30	60	90,000
\$30	\$30 w/ WIN BURST	\$50	100	54,000
	\$20 w/ WIN BURST	\$50	100	54,000
	\$50 w/ WIN BURST	\$50	300	18,000
\$50 w/ MONEY ROLL		\$50	75	72,000

When Any Of Your Numbers
Match Any Winning Number,
Win Prize Shown Under The
Matching Number. Win With:

	Bonus	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets
\$50		\$50	150	36,000
\$75 w/ MONEY ROLL	\$75 w/ WIN BURST	\$75	300	18,000
\$75		\$75	75	72,000
\$20 × 5		\$75	300	18,000
\$30 × 2	(\$20 w/ WIN BURST) × 2	\$100	300	18,000
\$50	\$50 w/ WIN BURST	\$100	300	18,000
\$100 w/ MONEY ROLL		\$100	300	18,000
\$100		\$100	300	18,000
ALL THE MONEY NUMBER w/ (\$20 × 20)		\$400	1,200	4,500
\$30 × 10	(\$50 w/ WIN BURST) × 2	\$400	8,000	675
\$50 × 6	(\$50 w/ WIN BURST) × 2	\$400	8,000	675
\$100 × 3	(\$50 w/ WIN BURST) × 2	\$400	12,000	450
\$100 × 2	(\$100 w/ WIN BURST) × 2	\$400	12,000	450
(\$100 w/ MONEY ROLL) × 3	\$100 w/ WIN BURST	\$400	12,000	450
\$400 w/ MONEY ROLL		\$400	12,000	450
\$400		\$400	12,000	450
ALL THE MONEY NUMBER w/ (\$20 × 20)	(\$50 w/ WIN BURST) × 2	\$500	1,200	4,500
ALL THE MONEY NUMBER w/ (\$20 × 20)	\$100 w/ WIN BURST	\$500	1,333	4,050
\$50 × 9	\$50 w/ WIN BURST	\$500	12,000	450
\$500 w/ BANK		\$500	480	11,250
(\$100 w/ MONEY ROLL) × 4	\$100 w/ WIN BURST	\$500	12,000	450
\$500 w/ MONEY ROLL		\$500	12,000	450
\$500		\$500	12,000	450
ALL THE MONEY NUMBER w/ (\$50 × 20)		\$1,000	24,000	225
ALL THE MONEY NUMBER w/ (\$30 × 20)	\$400 w/ WIN BURST	\$1,000	24,000	225
\$100 × 10		\$1,000	24,000	225
\$100 × 6	\$400 w/ WIN BURST	\$1,000	24,000	225
(\$500 w/ BANK) × 2		\$1,000	24,000	225
\$500 w/ BANK	\$500 w/ WIN BURST	\$1,000	24,000	225
\$1,000 w/ MONEY ROLL		\$1,000	24,000	225
\$1,000		\$1,000	120,000	45
ALL THE MONEY NUMBER w/ (\$500 × 20)		\$10,000	540,000	10
(\$500 w/ BANK) × 20		\$10,000	270,000	20
\$10,000 w/ MONEY ROLL		\$10,000	540,000	10
\$10,000		\$10,000	540,000	10
\$100,000		\$100,000	1,080,000	5
\$1,000,000		\$1,000,000	1,080,000	5

Reveal a "MONEY ROLL" (MONEY) symbol, win prize shown under that symbol automatically.

Reveal a "BANK" (WIN500) symbol, win \$500 instantly!

When any of YOUR NUMBERS match the ALL THE MONEY NUMBER, win all 20 prizes shown!

BONUS: Reveal a "WIN BURST" (WIN) symbol in either BONUS area, win prize shown under that symbol. BONUS areas are played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania All The Money Millionaire Edition instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a

winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania All The Money Millionaire Edition, prize money from winning Pennsylvania All The Money Millionaire Edition instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania All The Money Millionaire Edition instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania All The Money Millionaire Edition or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-2270. Filed for public inspection December 23, 2016, 9:00 a.m.]

Pennsylvania Cupid's Cash '16 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Cupid's Cash '16.

2. *Price:* The price of a Pennsylvania Cupid's Cash '16 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Cupid's Cash '16 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWY THR), 24 (TWY FOR), 25 (TWY FIV), 26 (TWY SIX), 27 (TWY SVN), 28 (TWY EGT), 29 (TWY NIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21

(TWY ONE), 22 (TWY TWO), 23 (TWY THR), 24 (TWY FOR), 25 (TWY FIV), 26 (TWY SIX), 27 (TWY SVN), 28 (TWY EGT), 29 (TWY NIN), 30 (THIRTY), Love Note (NOTE) symbol and a Cupid (WIN50) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "Prize" areas are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$50, \$100, \$200, \$500, \$1,000 and \$50,000. The player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Cupid's Cash '16 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Love Note (NOTE) symbol and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Love Note (NOTE) symbol and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Love Note (NOTE) symbol and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Love Note (NOTE) symbol and a prize symbol of \$100 (ONE HUN) appears in the

“Prize” area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Love Note (NOTE) symbol and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “Prize” area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cupid (WIN50) symbol and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “Prize” area under that Cupid (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Love Note (NOTE) symbol and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the “Prize” area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “Prize” area under the

matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Love Note (NOTE) symbol and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “Prize” area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Love Note (NOTE) symbol and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Love Note (NOTE) symbol and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area under that Love Note (NOTE) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$5 w/ LOVE NOTE	\$5	12
\$5	\$5	30
\$5 × 2	\$10	60
\$10 w/ LOVE NOTE	\$10	30
\$10	\$10	60
\$5 × 4	\$20	300
\$10 × 2	\$20	300
\$20 w/ LOVE NOTE	\$20	150
\$20	\$20	300
\$5 × 5	\$25	600
(\$5 w/ LOVE NOTE) × 5	\$25	600
\$25 w/ LOVE NOTE	\$25	600
\$25	\$25	600
\$5 × 10	\$50	600
\$50 w/ CUPID	\$50	46.15
\$50 w/ LOVE NOTE	\$50	600
\$50	\$50	600
\$20 × 5	\$100	2,400
(\$10 × 8) + (\$5 × 4)	\$100	2,400
(\$50 w/ CUPID) × 2	\$100	1,500
\$100 w/ LOVE NOTE	\$100	2,400
\$100	\$100	2,400
\$20 × 10	\$200	24,000
\$25 × 8	\$200	24,000
(\$50 w/ CUPID) × 4	\$200	12,000
\$200 w/ LOVE NOTE	\$200	24,000
\$200	\$200	24,000

When Any Of Your Numbers
Match Any Winning Number,
Win Prize Shown Under The
Matching Number. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 5,400,000 Tickets
\$100 × 5	\$500	24,000	225
(\$50 w/ CUPID) × 10	\$500	24,000	225
\$500 w/ LOVE NOTE	\$500	24,000	225
\$500	\$500	24,000	225
\$500 × 2	\$1,000	540,000	10
(((\$100 w/ LOVE NOTE) × 8) + (((\$50 w/ LOVE NOTE) × 4)	\$1,000	540,000	10
\$1,000 w/ LOVE NOTE	\$1,000	540,000	10
\$1,000	\$1,000	540,000	10
\$50,000	\$50,000	540,000	10

Reveal a "LOVE NOTE" (NOTE) symbol, win prize shown under that symbol automatically.

Reveal a "CUPID" (WIN50) symbol, win \$50 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Cupid's Cash '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Cupid's Cash '16, prize money from winning Pennsylvania Cupid's Cash '16 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Cupid's Cash '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Cupid's Cash '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

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Pennsylvania Donut Doubler Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Donut Doubler.

2. *Price:* The price of a Pennsylvania Donut Doubler instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Donut Doubler instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Donut (DONUT) symbol and a Double Donut (DOUBLE) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "Prize" areas are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$200, \$500, \$1,000 and \$50,000. A player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Donut Doubler instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Donut (DOUBLE) symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Double Donut (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Donut (DOUBLE) symbol and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under that Double Donut (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under the

matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Donut (DOUBLE) symbol and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under that Double Donut (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.00 (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$25.00 (TWY FIV) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Donut (DOUBLE) symbol and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area under that Double Donut (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$10.00 (TEN DOL) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Donut (DOUBLE) symbol and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area under that Double Donut (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.00 (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$5.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$4.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Double Donut (DOUBLE) symbol and a prize symbol of \$2⁰⁰ (TWO

DOL) appears in the "Prize" area under that Double Donut (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$4.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Donut (DONUT) symbol and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area under that Donut (DONUT) symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers
Match Either Winning Number,
Win Prize Shown Under The
Matching Number:
Win With:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$2 w/ DONUT	\$2	16.67
\$2	\$2	20
\$2 × 2	\$4	300
\$2 w/ DOUBLE DONUT	\$4	30
\$4 w/ DONUT	\$4	100
\$4	\$4	300
\$5 w/ DONUT	\$5	75
\$5	\$5	75
\$2 × 5	\$10	1,500
\$5 × 2	\$10	750
\$5 w/ DOUBLE DONUT	\$10	100
(\$2 w/ DONUT) × 5	\$10	1,500
\$10 w/ DONUT	\$10	1,500
\$10	\$10	750
\$4 × 5	\$20	1,500
\$10 × 2	\$20	1,500
(\$5 w/ DOUBLE DONUT) × 2	\$20	1,500
\$10 w/ DOUBLE DONUT	\$20	150
\$20 w/ DONUT	\$20	1,500
\$20	\$20	1,500
\$5 × 5	\$25	1,500
(\$5 × 3) + (\$2 × 5)	\$25	1,500
(((\$5 w/ DOUBLE DONUT) × 2) + \$5	\$25	1,500
(\$5 w/ DONUT) × 5	\$25	1,500
\$25 w/ DONUT	\$25	1,500
\$25	\$25	1,500
\$10 × 5	\$50	3,000
(\$10 × 3) + (\$4 × 5)	\$50	2,400
(\$5 w/ DOUBLE DONUT) × 5	\$50	2,400
(\$25 w/ DONUT) × 2	\$50	2,400
\$50 w/ DONUT	\$50	3,000
\$50	\$50	3,000
\$25 × 4	\$100	12,000
(\$10 w/ DOUBLE DONUT) × 5	\$100	12,000
\$50 w/ DOUBLE DONUT	\$100	12,000
(\$20 w/ DONUT) × 5	\$100	12,000
\$100 w/ DONUT	\$100	12,000
\$100	\$100	12,000
\$25 × 8	\$200	24,000
(\$20 w/ DOUBLE DONUT) × 5	\$200	24,000
(\$50 w/ DOUBLE DONUT) × 2	\$200	24,000

When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number.

Win With:	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 6,000,000 Tickets
\$100 w/ DOUBLE DONUT	\$200	24,000	250
\$200 w/ DONUT	\$200	24,000	250
\$200	\$200	24,000	250
(\$100 × 2) + (\$50 × 6)	\$500	120,000	50
(\$100 w/ DOUBLE DONUT) + (\$100 × 3)	\$500	120,000	50
(\$50 w/ DOUBLE DONUT) × 5	\$500	120,000	50
\$500 w/ DONUT	\$500	120,000	50
\$500	\$500	120,000	50
(\$100 w/ DOUBLE DONUT) × 5	\$1,000	600,000	10
\$1,000	\$1,000	600,000	10
\$50,000	\$50,000	600,000	10

Reveal a “DONUT” (DONUT) symbol, win prize shown under that symbol automatically.

Reveal a “DOUBLE DONUT” (DOUBLE) symbol, win double the prize shown under that symbol.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Donut Doubler instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Donut Doubler, prize money from winning Pennsylvania Donut Doubler instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Donut Doubler instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Donut Doubler or through normal communications methods.

EILEEN H. McNULTY,
Secretary

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Pennsylvania Match 3 Tripler '16-'17 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Match 3 Tripler '16-'17.

2. *Price:* The price of a Pennsylvania Match 3 Tripler '16-'17 instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania Match 3 Tripler '16-'17 instant lottery game ticket will contain one play area consisting of “GAME 1,” “GAME 2,” “GAME 3” and “GAME 4.” Each “GAME” is played separately. The play symbols and their captions located in the play area: 1 (ONE), 2 (TWO), 4 (FOR), 5 (FIV), 7 (SVN), 8 (EGT), 9 (NIN), 3 (THREE) symbol and a 3X (3TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the play area are: \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$9.⁰⁰ (NIN DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$60.⁰⁰ (SIXTY), \$90.⁰⁰ (NINTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO) and \$75,000 (SVYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$9, \$10, \$15, \$30, \$50, \$60, \$90, \$100, \$300, \$1,000, \$3,000 and \$75,000. A player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Match 3 Tripler '16-'17 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$75,000 (SVYFIVTHO) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$75,000.

(b) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$3,000 (THR THO) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets with three 3 (THREE) symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$3,000.

(d) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$3,000.

(e) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$300 (THR HUN) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets with three 3 (THREE) symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$300.

(i) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$90⁰⁰ (NINTY) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$270.

(j) Holders of tickets with three 3 (THREE) symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$150.

(k) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$90⁰⁰ (NINTY) appears in

the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$90.

(m) Holders of tickets with three 3 (THREE) symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$90.

(n) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$90.

(o) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$60⁰⁰ (SIXTY) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$60.

(p) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$45.

(r) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(s) Holders of tickets with three 3 (THREE) symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(t) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$30.

(u) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets with three 3 (THREE) symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$15.

(w) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$15.

(x) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$9⁰⁰ (NIN DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$9.

(z) Holders of tickets with three 3 (THREE) symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$3.⁰⁰ (THR DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$9.

(aa) Holders of tickets with a 3X (3TIMES) symbol in any "GAME," and a prize symbol of \$3.⁰⁰ (THR DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$9.

(bb) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$5.⁰⁰ (FIV DOL) appears

in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(cc) Holders of tickets with three identical play symbols appearing in a row, column or diagonal in the same "GAME," and a prize symbol of \$3.⁰⁰ (THR DOL) appears in the "PRIZE BOX" for that "GAME," on a single ticket, shall be entitled to a prize of \$3.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal Three Identical Numbers In The Same Row, Column Or Diagonal, Win Prize Shown In the Prize Box For That Game. Win With:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 8,400,000 Tickets</i>
\$3	9.09	924,000
\$5	12.5	672,000
\$3 w/ 3X	200	42,000
\$3 w/ THREE 3 SYMBOLS	66.67	126,000
\$9	200	42,000
\$5 × 2	1,000	8,400
\$10	1,000	8,400
\$5 × 3	1,000	8,400
\$5 w/ 3X	200	42,000
\$5 w/ THREE 3 SYMBOLS	100	84,000
\$15	1,000	8,400
\$15 × 2	1,000	8,400
(\$10 × 2) + (\$5 × 2)	1,000	8,400
(\$5 w/ 3X) × 2	1,000	8,400
\$10 w/ 3X	1,000	8,400
\$10 w/ THREE 3 SYMBOLS	1,000	8,400
\$30	1,000	8,400
(\$15 × 2) + (\$10 × 2)	12,000	700
(\$10 w/ 3X) + (\$10 × 2)	6,000	1,400
((5 w/ 3X) × 3) + \$5	6,000	1,400
(\$5 w/ THREE 3 SYMBOLS) × 3 + \$5	4,000	2,100
\$50	12,000	700
\$15 × 4	2,400	3,500
\$30 × 2	2,400	3,500
(\$5 w/ 3X) × 4	1,500	5,600
(\$10 w/ 3X) × 2	1,200	7,000
(\$10 w/ THREE 3 SYMBOLS) × 2	1,200	7,000
\$60	2,400	3,500
\$30 × 3	12,000	700
(\$15 w/ 3X) × 2	2,400	3,500
\$30 w/ 3X	12,000	700
(\$10 w/ THREE 3 SYMBOLS) × 3	3,000	2,800
\$30 w/ THREE 3 SYMBOLS	2,400	3,500
\$90	12,000	700
\$50 × 2	12,000	700
(\$30 w/ 3X) + \$10	12,000	700
(\$30 w/ THREE 3 SYMBOLS) + (\$5 × 2)	6,000	1,400
\$100	12,000	700
\$100 × 3	120,000	70
(\$90 w/ 3X) + (\$10 × 3)	120,000	70
\$100 w/ 3X	120,000	70
(\$50 w/ THREE 3 SYMBOLS) × 2	120,000	70
\$100 w/ THREE 3 SYMBOLS	120,000	70
\$300	120,000	70
(\$300 × 3) + \$100	120,000	70
(\$100 w/ 3X) × 3 + \$100	120,000	70

Reveal Three Identical Numbers In The Same Row, Column Or Diagonal, Win Prize Shown In the Prize Box For That Game. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 8,400,000 Tickets
(((\$100 w/ THREE 3 SYMBOLS) × 3) + \$100	\$1,000	120,000	70
\$1,000	\$1,000	120,000	70
\$1,000 w/ 3X	\$3,000	840,000	10
\$1,000 w/ THREE 3 SYMBOLS	\$3,000	840,000	10
\$3,000	\$3,000	840,000	10
\$75,000	\$75,000	840,000	10

Reveal three "3" (THREE) symbols in the same row, column or diagonal, triple the prize shown in the PRIZE BOX for that GAME.

Reveal a "3X" (3TIMES) symbol in any GAME, triple the prize shown for that GAME automatically!

Each GAME is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Match 3 Tripler '16-'17 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Match 3 Tripler '16-'17, prize money from winning Pennsylvania Match 3 Tripler '16-'17 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Match 3 Tripler '16-'17 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Match 3 Tripler '16-'17 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-2273. Filed for public inspection December 23, 2016, 9:00 a.m.]

Pennsylvania Road to Riche\$ '16 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Road to Riche\$ '16.

2. *Price:* The price of a Pennsylvania Road to Riche\$ '16 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Road to Riche\$ '16 instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: Credit Card (CARD) symbol, Tow Truck (TOW) symbol, Camera (CAMERA) symbol, Sun (SUN) symbol, Cellphone (CELL) symbol, Musical Note (MUSIC) symbol, Billboard (BLBRD) symbol, Map (MAP) symbol, Tire (TIRE) symbol, Yield (YIELD) symbol, Gas Tank (GAS) symbol, a Car (CAR) symbol and a Stop Sign (WIN10) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1^{.00} (ONE DOL), \$2^{.00} (TWO DOL), \$3^{.00} (THR DOL), \$6^{.00} (SIX DOL), \$10^{.00} (TEN DOL), \$12^{.00} (TWELV), \$20^{.00} (TWENTY), \$30^{.00} (THIRTY), \$60^{.00} (SIXTY), \$100 (ONE HUN), \$600 (SIX HUN) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$6, \$10, \$12, \$20, \$30, \$60, \$100, \$600 and \$10,000. The player can win up to 6 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Road to Riche\$ '16 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$600 (SIX HUN) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$600.

(c) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$60⁰⁰ (SIXTY) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$60.

(e) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$12⁰⁰ (TWELV) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$12.

(h) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$10.

appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with a Stop Sign (WIN10) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under that Stop Sign (WIN10) symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$6⁰⁰ (SIX DOL) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$6.

(k) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$3.

(l) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$2.

(m) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of \$1.

(n) Holders of tickets with a Car (CAR) symbol in the play area and a prize symbol of FREE (TICKET) appears in the "prize" area under that Car (CAR) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Road to Riche\$ '16 instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*Scratch The Play Area
Below. Reveal A "Car" (CAR)
Symbol, Win Prize Shown
Under That Symbol. Win With:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
FREE	FREE \$1 TICKET	10	1,080,00
\$1	\$1	150	72,000
\$1 x 2	\$2	33.33	324,000
\$2	\$2	33.33	324,000
\$1 x 3	\$3	100	108,000
\$3	\$3	100	108,000
\$1 x 6	\$6	375	28,800
\$2 x 3	\$6	750	14,400
\$3 x 2	\$6	750	14,400
\$6	\$6	1,000	10,800
\$2 x 5	\$10	3,000	3,600
\$10 w/ STOP SIGN	\$10	93.75	115,200
\$10	\$10	3,000	3,600
\$2 x 6	\$12	3,000	3,600
(\$10 w/ STOP SIGN) + \$2	\$12	500	21,600
\$12	\$12	3,000	3,600
\$10 x 2	\$20	3,000	3,600
(\$10 w/ STOP SIGN) + (\$2 x 5)	\$20	1,500	7,200
(\$10 w/ STOP SIGN) x 2	\$20	1,000	10,800
\$20	\$20	3,000	3,600
\$10 x 3	\$30	4,800	2,250
\$6 x 5	\$30	4,800	2,250
(\$10 w/ STOP SIGN) x 3	\$30	685.71	15,750
\$30	\$30	4,800	2,250
\$10 x 6	\$60	24,000	450

Scratch The Play Area
Below. Reveal A "Car" (CAR)
Symbol, Win Prize Shown
Under That Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 10,800,000 Tickets
\$12 × 5	\$60	24,000	450
\$20 × 3	\$60	24,000	450
\$30 × 2	\$60	24,000	450
(((\$10 w/ STOP SIGN) × 3) + \$30	\$60	4,800	2,250
(\$10 w/ STOP SIGN) × 6	\$60	4,800	2,250
\$60	\$60	24,000	450
\$20 × 5	\$100	12,000	900
(((\$10 w/ STOP SIGN) × 4) + (\$30 × 2)	\$100	12,000	900
\$100	\$100	24,000	450
\$100 × 6	\$600	540,000	20
\$600	\$600	540,000	20
\$10,000	\$10,000	1,080,000	10

Reveal a "STOP SIGN" (WIN10) symbol, win \$10 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Road to Riche\$ '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,000 and not exceeding \$500,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Road to Riche\$ '16, prize money from winning Pennsylvania Road to Riche\$ '16 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Road to Riche\$ '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Road to Riche\$ '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-2274. Filed for public inspection December 23, 2016, 9:00 a.m.]

Pennsylvania Super \$300,000 Crossword Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Super \$300,000 Crossword.

2. *Price:* The price of a Pennsylvania Super \$300,000 Crossword instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Super \$300,000 Crossword instant lottery game ticket will feature a "YOUR LETTERS" area, three crossword puzzle play grids, known as "GRID 1," "GRID 2" and "GRID 3" respectively, and a "BONUS BOX" area. "GRID 1," "GRID 2," "GRID 3" and the "BONUS BOX" area are each played separately. The play symbols located in the "YOUR LETTERS" area are: the letters A through and including Z. The play symbols located in "GRID 1" and "GRID 2" are: the letters A through and including Z; and a 5X symbol. The 5X symbol is a free space and when it appears in a winning combination of words, the prize is multiplied by 5. The play symbols and their captions located in "GRID 3" are: the letters A through and including Z.

4. *"BONUS BOX" Symbols:* The play symbols and their captions located in the "BONUS BOX" area are: NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize symbols and their captions located in the "BONUS BOX" area are: \$10⁰⁰ (TEN DOL), \$20⁰⁰

(TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in "GRID 1" are: \$10, \$20, \$40, \$100, \$200, \$400, \$1,000, \$10,000 and \$30,000. The prizes that can be won in "GRID 2" are: \$10, \$20, \$50, \$100, \$500, \$1,000, \$10,000, \$30,000 and \$300,000. The Prizes that can be won in "GRID 3" are: \$10, \$20, \$50 and \$100. The prizes that can be won in the "BONUS BOX" area are: \$10, \$20, \$40, \$50, \$100, \$200 and \$500. A player can win up to 3 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,800,000 tickets will be printed for the Pennsylvania Super \$300,000 Crossword instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where the player completely matches ten words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets where the player completely matches ten words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets where the player completely matches nine words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets where the player completely matches nine words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets where the player completely matches eight words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets where the player completely matches eight words in "GRID 1," in which the winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$5,000.

(g) Holders of tickets where the player completely matches seven words in "GRID 2," in which the winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$5,000.

(h) Holders of tickets where the player completely matches eight words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets where the player completely matches seven words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets where the player completely matches six words in "GRID 1," in which the winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets where the player completely matches six words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets where the player completely matches five words in "GRID 1" or "GRID 2," in which the

winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a \$500 (FIV HUN) symbol appears in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets where the player completely matches seven words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets where the player completely matches four words in "GRID 2," in which the winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$250.

(p) Holders of tickets where the player completely matches six words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets where the player completely matches four words in "GRID 1," in which the winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which a \$200 (TWO HUN) symbol appears in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets where the player completely matches five words in "GRID 1," "GRID 2" or "GRID 3," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets where the player completely matches three words in "GRID 1" or "GRID 2," in which the winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a \$100 (ONE HUN) symbol appears in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets where the player completely matches four words in "GRID 2" or "GRID 3," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets where the player completely matches two words in "GRID 1" or "GRID 2," in which the winning combination contains a 5X symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which a \$50⁰⁰ (FIFTY) symbol appears in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets where the player completely matches four words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which a \$40⁰⁰ (FORTY) symbol appears in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets where the player completely matches three words in "GRID 1," "GRID 2" or "GRID 3," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$20.

(bb) Holders of tickets upon which a \$20⁰⁰ (TWENTY) symbol appears in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets where the player completely matches two words in "GRID 1," "GRID 2" or "GRID 3," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10.

(dd) Holders of tickets upon which a \$10⁰⁰ (TEN DOL) symbol appears in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$10.

8. Game Play Instructions for the Pennsylvania Super \$300,000 Crossword game are:

(a) The player shall scratch the "YOUR LETTERS" area to reveal 18 letters. For each of the 18 letters revealed in the "YOUR LETTERS" area, the player shall rub the same letter each time it is found in the "GRID 1," "GRID 2" and "GRID 3" play areas.

(b) When a player reveals two or more entire words in "GRID 1," "GRID 2" or "GRID 3," the player is entitled to win a prize as described in Section 7 (relating to determination of prize winners).

(c) Only the highest prize won in each "GRID" will be paid if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

(d) For purposes of this game, a word must contain at least three letters and cannot be formed by linking letters diagonally or by reading the letters from the bottom to the top.

(e) Every single letter square of a word must be matched and letters combined to form one word must appear in an unbroken horizontal or vertical string of letters in the "GRID 1," "GRID 2" and "GRID 3" play areas. There will only be one word in an unbroken horizontal or vertical string of letters.

(f) Every single letter in the unbroken string must be revealed in the "YOUR LETTERS" area and must be included to form a word.

(g) The possible complete words for each ticket in the game are shown on the "GRID 1," "GRID 2" and "GRID 3" areas. The player must match all of the letters in a possible complete word in order to complete the word.

(h) The player shall scratch the "BONUS BOX" area. When the player reveals a cash prize amount, the player shall win that amount instantly. The "BONUS BOX" area is played separately.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>GRID 1</i>	<i>GRID 2</i>	<i>GRID 3</i>	<i>BONUS BOX</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,800,000 Tickets:</i>
<i>Win With:</i>	<i>Win With:</i>	<i>Win With:</i>	<i>Win With:</i>			
		2 WORDS	\$10	\$10	120	65,000
	2 WORDS			\$10	24	325,000
2 WORDS				\$10	20	390,000
	2 WORDS		\$10	\$10	20	390,000
2 WORDS	2 WORDS			\$20	40	195,000
2 WORDS		2 WORDS		\$20	60	130,000
	2 WORDS	2 WORDS		\$20	60	130,000
		3 WORDS		\$20	60	130,000
3 WORDS	3 WORDS			\$20	120	65,000
				\$20	120	65,000
3 WORDS	3 WORDS			\$20	120	65,000
3 WORDS			\$20	\$40	600	13,000
3 WORDS	3 WORDS		\$20	\$40	600	13,000
3 WORDS		3 WORDS		\$40	600	13,000
	3 WORDS	3 WORDS		\$40	600	13,000
2 WORDS	3 WORDS		\$10	\$40	300	26,000
3 WORDS		2 WORDS	\$10	\$40	300	26,000
4 WORDS				\$40	600	13,000
2 WORDS			\$40	\$50	300	26,000
4 WORDS			\$10	\$50	300	26,000
3 WORDS	3 WORDS	2 WORDS		\$50	600	13,000
	2 WORDS			\$50	300	26,000
2 WORDS	w/ 5X			\$50	300	26,000
		4 WORDS		\$50	300	26,000
	4 WORDS			\$50	600	13,000
3 WORDS	3 WORDS	4 WORDS	\$10	\$60	3,000	2,600
3 WORDS	3 WORDS	3 WORDS		\$60	4,000	1,950
	3 WORDS		\$20	\$60	6,000	1,300
	3 WORDS	3 WORDS	\$20	\$60	6,000	1,300
	2 WORDS		\$10	\$60	6,000	1,300
	w/ 5X					
2 WORDS			\$10	\$60	6,000	1,300
w/ 5X						

<i>GRID 1</i> <i>Win With:</i>	<i>GRID 2</i> <i>Win With:</i>	<i>GRID 3</i> <i>Win With:</i>	<i>BONUS BOX</i> <i>Win With:</i>	<i>Win:</i>	<i>Approximate</i> <i>Odds Are 1 In:</i>	<i>Approximate No.</i> <i>Of Winners Per</i> <i>7,800,000 Tickets:</i>
		4 WORDS	\$50	\$100	800	9,750
4 WORDS	4 WORDS	2 WORDS		\$100	1,200	6,500
4 WORDS	2 WORDS		\$50	\$100	480	16,250
	4 WORDS		\$50	\$100	800	9,750
	3 WORDS w/ 5X			\$100	1,200	6,500
3 WORDS w/ 5X				\$100	1,200	6,500
5 WORDS	5 WORDS			\$100	1,200	6,500
3 WORDS w/ 5X	3 WORDS w/ 5X			\$200	4,000	1,950
4 WORDS w/ 5X				\$200	6,000	1,300
6 WORDS				\$200	6,000	1,300
6 WORDS			\$200	\$400	4,000	1,950
4 WORDS w/ 5X	5 WORDS	5 WORDS		\$400	12,000	650
7 WORDS				\$400	12,000	650
7 WORDS			\$100	\$500	12,000	650
4 WORDS w/ 5X	4 WORDS w/ 5X		\$50	\$500	24,000	325
	5 WORDS w/ 5X			\$500	24,000	325
5 WORDS w/ 5X				\$500	24,000	325
	6 WORDS			\$500	24,000	325
5 WORDS w/ 5X	6 WORDS		\$500	\$1,000	24,000	325
6 WORDS w/ 5X			\$500	\$1,000	24,000	325
	7 WORDS			\$1,000	24,000	325
8 WORDS				\$1,000	24,000	325
	7 WORDS w/ 5X			\$5,000	60,000	130
8 WORDS w/ 5X				\$5,000	120,000	65
8 WORDS w/ 5X	7 WORDS w/ 5X			\$10,000	1,560,000	5
	8 WORDS			\$10,000	1,560,000	5
9 WORDS				\$10,000	1,560,000	5
	9 WORDS			\$30,000	1,560,000	5
10 WORDS				\$30,000	1,560,000	5
	10 WORDS			\$300,000	780,000	10

Scratch each "5X" symbol that appears in Crossword GRID 1 and Crossword GRID 2. Each "5X" symbol is a free spot. When a "5X" symbol appears in any winning combination of words, win 5 TIMES the corresponding prize found in the PRIZE KEY for that GRID.

BONUS BOX: Reveal a cash prize amount, win that amount instantly. Bonus is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Super \$300,000 Crossword instant lottery game tickets.

11. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000

shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-

winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

12. *Unclaimed Prize Money*: For a period of 1 year from the announced close of Pennsylvania Super \$300,000 Crossword, prize money from winning Pennsylvania Super \$300,000 Crossword instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Super \$300,000 Crossword instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

13. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

14. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Super \$300,000 Crossword or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-2275. Filed for public inspection December 23, 2016, 9:00 a.m.]

HOUSING FINANCE AGENCY

Homeowner's Emergency Mortgage Assistance Program; 2017 Rates and Updates

Interest Rate for HEMAP Loans Closed in 2017

Under section 406-C of the Housing Finance Agency Law (35 P.S. § 1680.406c), the Housing Finance Agency (Agency) is to determine prior to the end of each calendar year the rate of interest for Homeowner's Emergency Mortgage Assistance Program (HEMAP) loans closed in the next calendar year, which rate is not to exceed the rate of interest established by the Department of Banking and Securities under section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), referred to as the Loan Interest and Protection Law, and referred to commonly as the Usury Law.

The Agency has determined that the rate of interest for HEMAP loans closed during calendar year 2017 shall be 4.50%.

Attorneys' Fees and Costs Reimbursement Rate for HEMAP Loans Closed in 2017

Under 12 Pa. Code §§ 31.201—31.211 (relating to policy statement on Homeowner's Emergency Mortgage Assistance Program), the Agency shall reimburse lenders for reasonable attorneys' fees and reasonable and necessary costs, which are actually incurred by a mortgagee, in beginning or pursuing an action of mortgage foreclosure and which meet the requirements or limitations on the Agency's web site at www.phfa.org. The Agency will

reimburse lenders based upon a reasonable hourly rate as may be established by the Agency annually and published by the Agency in the *Pennsylvania Bulletin*.

The Agency has determined the rate of reimbursement of attorneys' fees and costs incurred during the calendar year 2017 shall be \$150 per hour.

Schedule of Updates to the List of Consumer Credit Counseling Agencies for the Year 2017

Under 12 Pa. Code §§ 31.201—31.211, the Agency will annually publish a schedule for updates to the list of consumer credit counseling agencies required to be attached to the uniform Appendix A notice.

Updates to the list of consumer credit counseling agencies shall occur on the following dates: March 31, 2017; June 30, 2017; September 30, 2017; and December 31, 2017.

This notice shall take effect December 7, 2016.

BRIAN A. HUDSON, Sr.,
Executive Director

[Pa.B. Doc. No. 16-2276. Filed for public inspection December 23, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Tokio Millenium Re AG, a reinsurer organized under Swiss law, has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 13, 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. 16-2277. Filed for public inspection December 23, 2016, 9:00 a.m.]

Kanawha Insurance Company; Rate Increase Filing for Several LTC Forms (HUMA-130638217)

Kanawha Insurance Company is requesting approval to increase the premium an average of 44.5% on 446 policyholders with the following individual LTC policy form numbers: 80650 1/97 PA and 80880 NTQ 1/98 PA.

Unless formal administrative action is taken prior to March 9, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Long Term Care Rate Filings" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2278. Filed for public inspection December 23, 2016, 9:00 a.m.]

Kanawha Insurance Company; Rate Increase Filing for Several LTC Forms (HUMA-130638231)

Kanawha Insurance Company is requesting approval to increase the premium an average of 41% on 93 policyholders with the following individual LTC policy form numbers: 82000 1/01 PA and 82120 9/01 PA.

Unless formal administrative action is taken prior to March 9, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Long Term Care Rate Filings" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2279. Filed for public inspection December 23, 2016, 9:00 a.m.]

Michael William Woodford and Options Insurance Agency; Order to Show Cause; Doc. No. SC16-11-001

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 January 31, 2017, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before January 27, 2017. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before January 17, 2017, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before January 27, 2017.

Persons with a disability who wish to attend the previously-referenced administrative proceedings and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2280. Filed for public inspection December 23, 2016, 9:00 a.m.]

Qualified Unlicensed Reinsurers List

Under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1), the Insurance Commissioner hereby lists reinsurers not licensed by the Insurance Department (Department) which shall be considered qualified to accept reinsurance from insurers licensed by the Department.

Qualified Unlicensed Reinsurers List

1. 26883 AIG Specialty Insurance Company, Chicago, Illinois
2. 10852 Allstate New Jersey Insurance Company, Northbrook, Illinois
3. 37990 American Empire Insurance Company, Cincinnati, Ohio
4. 10316 Appalachian Insurance Company, Johnston, Rhode Island
5. 14673 Aspen Bermuda, Limited, Hamilton, Bermuda
6. 11680 Aspen Insurance UK Limited, London, England
7. 27189 Associated International Insurance Company, Deerfield, Illinois
8. 14927 AXIS Specialty Limited, Pembroke, Bermuda
9. 98167 Blue Cross Blue Shield of Florida, Jacksonville, Florida
10. 27081 Bond Safeguard Insurance Company, Sioux Falls, South Dakota
11. 30511 Castle Key Insurance Company, Northbrook, Illinois
12. 36951 Century Surety Company, Westerville, Ohio

13. 36552 Coliseum Reinsurance Company, Wilmington, Delaware
14. 39993 Colony Insurance Company, Richmond, Virginia
15. 27812 Columbia Insurance Company, Omaha, Nebraska
16. 40371 Columbia Mutual Insurance Company, Columbia, Missouri
17. 14034 DaVinci Reinsurance Limited, Pembroke, Bermuda
18. 40509 EMC Reinsurance Company, Des Moines, Iowa
19. 35378 Evanston Insurance Company, Deerfield, Illinois
20. 21555 Farm Bureau Mutual Insurance Company of Michigan, Lansing, Michigan
21. 37532 Great American E & S Insurance Company, Wilmington, Delaware
22. 41858 Great American Fidelity Insurance Company, Wilmington, Delaware
23. 88340 Hannover Life Reassurance Company of America, Orlando, Florida
24. 10241 Hannover Ruck SE, Hannover, Germany
25. 54828 Highmark West Virginia, Parkersburg, West Virginia
26. 42374 Houston Casualty Company, Houston, Texas
27. 12936 Houston Specialty Insurance Company, Houston, Texas
28. 27960 Illinois Union Insurance Company, Chicago, Illinois
29. 22829 Interstate Fire & Casualty Company, Chicago, Illinois
30. 25445 Ironshore Specialty Insurance Company, Scottsdale, Arizona
31. 22993 Kentucky Farm Bureau Mutual Insurance Company, Louisville, Kentucky
32. 14925 Lancashire Insurance Company, Limited, Hamilton, Bermuda
33. 19437 Lexington Insurance Company, Wilmington, Delaware
34. Lloyd's Underwriters, London, England
35. 12324 Mapfre Re, Compania de Reaseguros, S.A., Madrid, Spain
36. 15852 Markel Bermuda Limited, Hamilton, Bermuda
37. 10744 Markel International Insurance Company Limited, London, England
38. 26743 Maxum Indemnity Company, Wilmington, Delaware
39. 20079 National Fire & Marine Insurance Company, Omaha, Nebraska
40. 41629 New England Reinsurance Corporation, Hartford, Connecticut
41. 17400 Noetic Specialty Insurance Company, Montpelier, Vermont
42. 31143 Old Republic Union Insurance Company, Chicago, Illinois
43. 88099 Optimum Re Insurance Company, Dallas, Texas
44. 13787 Partner Reinsurance Company Limited, Pembroke, Bermuda
45. 38636 Partner Reinsurance Company of the U.S., New York, New York
46. 88536 Protective Life and Annuity Insurance Company, Birmingham, Alabama
47. 11515 QBE Specialty Insurance Company, Bismarck, North Dakota
48. 14033 Renaissance Reinsurance Limited, Pembroke, Bermuda
49. 12318 RiverStone Insurance (UK) Limited, Brighton, England
50. 21911 San Francisco Reinsurance Company, Novato, California
51. 87017 SCOR Global Life Re Insurance Company of Delaware, Wilmington, Delaware
52. 97071 SCOR Global Life USA Reinsurance Company, Wilmington, Delaware
53. 87572 Scottish Re (US) Inc., Dover, Delaware
54. 41297 Scottsdale Insurance Company, Columbus, Ohio
55. 23388 Shelter Mutual Insurance Company, Columbia, Missouri
56. 26557 Shelter Reinsurance Company, Columbia, Missouri
57. 13604 Starr Surplus Lines Insurance Company, Chicago, Illinois
58. 39187 Suecia Insurance Company, Tarrytown, New York
59. 15529 Tokio Millennium Re AG, New York, New York
60. 19887 Trinity Universal Insurance Company, Dallas, Texas
61. 37982 Tudor Insurance Company, Keene, New Hampshire
62. 10292 Unionamerica Insurance Company Limited, Guildford, England
63. 36048 Validus Reinsurance, Limited, Pembroke, Bermuda
64. 15993 Validus Reinsurance (Switzerland), Limited, Zurich, Switzerland
65. 10172 Westchester Surplus Lines Insurance Company, Alpharetta, Georgia
66. 13196 Western World Insurance Company, Keene, New Hampshire

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2281. Filed for public inspection December 23, 2016, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's Administrative Hearings Office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Donegal Mutual Insurance Company; File No. 16-115-202785; Paul Fox; Doc. No. P16-12-004; January 18, 2017; 9:30 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Donna R.

Fleischauer, Human Resources Director, at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2282. Filed for public inspection December 23, 2016, 9:00 a.m.]

United Healthcare Insurance Company (UHLC-130830047); Small Group Filing; Rate Filing

United Healthcare Insurance Company submitted a rate filing to change the premium rates for its Small Group products (EPO, PPO and Indemnity). The filing proposes a rate increase of 7.89% and will affect approximately 16,224 members. The proposed rate increase will generate an annualized increase of approximately \$8.661 million of revenue and will be effective April 1, 2017.

Unless formal administrative action is taken prior to March 9, 2017, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Other Health Rate Filings" from the drop down menu.

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-2283. Filed for public inspection December 23, 2016, 9:00 a.m.]

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

Financial Statement

Under section 207 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (53 P.S. § 12720.207), the Pennsylvania Intergovernmental Cooperation Authority (Authority) is required to publish a "concise financial statement" annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 2016, which includes an audit for the period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority's web site at www.picapa.org or from the Pennsylvania Intergovernmental Cooperation Authority, 1500 Walnut Street, Suite 1600, Philadelphia, PA 19102, (215) 561-9160.

HARVEY M. RICE,
Executive Director

STATEMENT OF NET POSITION June 30, 2016

	Governmental Activities
ASSETS	
Cash and cash equivalents:	
Held by trustee	\$ 18,883,461
Other	10,294,446
Investments	76,920,958
PICA taxes receivable	5,042,041
Fair value of derivative instruments	2,571,033
Accrued interest receivable	10,355
Prepaid expenses	20,675
Equipment, net	7,859
Total assets	<u>\$ 113,750,828</u>
Deferred outflows of resources:	
Deferred outflows related to pensions	178,341
Contributions subsequent to measurement date	52,605
Total deferred outflows of resources	<u>\$ 230,946</u>
LIABILITIES	
Accounts payable and accrued expenses	\$ 138,426
Due to City of Philadelphia	5,042,041
Current portion of bonds payable	52,150,000
Net pension liability	1,235,584
Noncurrent portion of bonds payable	<u>239,243,228</u>
Total liabilities	<u>297,809,279</u>
Deferred inflows of resources:	
Deferred inflows related to pension	79,880
Total deferred inflows of resources	<u>\$ 79,880</u>
NET POSITION	
Restricted for debt service	73,000,844
Restricted for the benefit of the City of Philadelphia	5,427,080
Unrestricted:	
Board-designated for operating budget	600,000
Net investment in capital assets	7,859
Undesignated (deficit)	<u>(262,943,168)</u>
Total net position	<u>\$ (183,907,385)</u>

The accompanying notes are an integral part of this statement.

STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2016

	<u>Governmental Activities</u>
Expenses:	
Grants to City of Philadelphia	\$ 386,194,460
General management and support - general operations	1,031,429
Interest on long-term debt	15,755,600
Investment fees	<u>410,583</u>
Total Expenses	403,392,072
Revenues:	
PICA taxes	446,679,896
Amortization of bond premium	3,912,711
Investment income	997,381
Realized Gain on Sale of Investments	200,025
Interest	<u>1,481,427</u>
Total Revenues	<u>453,271,440</u>
Change in net position	49,879,368
Net position - July 1, 2015	<u>(233,786,753)</u>
Net position- June 30, 2016	<u>\$ (183,907,385)</u>

The accompanying notes are an integral part of this statement.

**STATEMENT OF FUND NET POSITION - GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2016**

	General	PICA Tax Revenue	Debt Service Funds		Debt Service Reserve Fund	Rebate Fund	Expendable Trust Funds Capital Projects Funds			Total Governmental Funds
			2010	2009			1992	1993	1994	
Assets:										
Cash and cash equivalents	\$ 10,294,446	\$ -	\$ 2,040,250	\$ 3,410,800	\$ 6,011,327	\$ 1,995,301	\$ 2,836	\$ 184,331	\$ 5,238,616	\$ 29,177,907
Investments	9,932,927	-	-	-	66,988,031	-	-	-	-	76,920,958
PICA Taxes receivable	-	5,042,041	-	-	-	-	-	-	-	5,042,041
Accrued interest receivable	1,126	-	2,263	3,795	1,486	388	1	35	1,261	10,355
Prepaid expenses	20,675	-	-	-	-	-	-	-	-	20,675
Total assets	\$ 20,249,174	\$ 5,042,041	\$ 2,042,513	\$ 3,414,595	\$ 73,000,844	\$ 1,995,689	\$ 2,837	\$ 184,366	\$ 5,239,877	\$ 111,171,936
Liabilities:										
Accounts payable	96,134	-	-	-	-	-	-	-	-	96,134
Due to the City of Philadelphia	-	5,042,041	-	-	-	-	-	-	-	5,042,041
Accrued payroll and taxes	42,292	-	-	-	-	-	-	-	-	42,292
Total liabilities	138,426	5,042,041	-	-	-	-	-	-	-	5,180,467
Fund balances:										
Nonspendable to:										
Restricted:										
For debt service	-	-	2,042,513	3,414,595	72,400,844	1,995,689	-	2,837	184,366	79,853,641
For benefit of City of Philadelphia	-	-	-	-	-	-	-	-	-	5,427,080
Committed:										
For subsequent PICA administration	-	-	-	-	600,000	-	-	-	-	600,000
For future swaption activity	13,965,352	-	-	-	-	-	-	-	-	13,965,352
Unassigned	6,145,396	-	-	-	-	-	-	-	-	6,145,396
Total fund balance	20,110,748	-	2,042,513	3,414,595	73,000,844	1,995,689	2,837	184,366	5,239,877	105,991,469
Total liabilities and fund balances	\$ 20,249,174	\$ 5,042,041	\$ 2,042,513	\$ 3,414,595	\$ 73,000,844	\$ 1,995,689	\$ 2,837	\$ 184,366	\$ 5,239,877	\$ 111,171,936

Amounts reported for governmental activities in the statement of net assets are different due to:
 Long-term liabilities are not due and payable in the current period and therefore are not reported in the governmental fund statement
 Fair value derivative instruments are not reported in the governmental funds statements
 Capital assets used in governmental funds are not financial resources and, therefore, are not reported in the funds
 Net pension liability and related deferred inflows and outflows of resources are not reported in the governmental funds statements
 Premium on bonds is deferred in the government wide statements
 Net position of governmental activities

The accompanying notes are an integral part of this statement

STATEMENT OF REVENUE, EXPENDITURES, AND CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2016

	General	PICA Tax Revenue	Debt Service Funds		Debt Service Reserve Fund	Rebate Fund	Expendable Trust Funds Capital Projects Funds			Total Governmental Funds
			2010	2009			1992	1993	1994	
Revenue:										
PICA taxes	\$ 91,810	446,679,896	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 446,679,896
Investment income	200,025	37,321	16,209	27,623	2,248,104	2,077	10	192	6,934	2,430,280
Realized Gain on Sale of Investments	1,481,427	-	-	-	-	-	-	-	-	200,025
Interest	1,773,262	446,717,217	16,209	27,623	2,248,104	2,077	10	192	6,934	1,481,427
Total revenue										450,791,628
Expenditures:										
Grants to the City of Philadelphia	-	383,636,351	-	-	-	-	206,479	-	2,351,630	386,194,460
Debt Service:										
Principal	-	-	18,375,000	31,485,000	-	-	-	-	-	49,860,000
Interest	-	-	6,291,750	9,463,850	-	-	-	-	-	15,755,600
Administration:										
Investment expenses	410,583	-	-	-	-	-	-	-	-	410,583
Operations	942,945	-	-	-	-	-	-	-	-	942,945
Capital Outlay	1,811	-	-	-	-	-	-	-	-	1,811
Total expenditures	1,355,339	383,636,351	24,666,750	40,948,850	-	-	206,479	-	2,351,630	453,165,399
Excess of revenues over (under) expenditures	417,923	63,080,866	(24,650,541)	(40,921,227)	2,248,104	2,077	(206,469)	192	(2,344,696)	(2,373,771)
Other financing sources (uses):										
Net operating transfers in (out)	(670,868)	(63,080,866)	24,636,817	40,922,301	(1,807,384)	-	-	-	-	-
Change in net position	(252,945)	-	(13,724)	1,074	440,720	2,077	(206,469)	192	(2,344,696)	(2,373,771)
Fund Balances, July 1, 2015	20,363,693	-	2,056,237	3,413,521	72,560,124	1,993,612	209,306	184,174	7,584,573	108,365,240
Fund Balances June 30, 2016	\$20,110,748	\$ -	\$ 2,042,513	\$ 3,414,595	\$73,000,844	\$1,995,689	\$ 2,837	\$184,366	\$5,239,877	\$ 105,991,469

Reconciliation of change in fund balance to change in net position:

Change in fund balance	\$ (2,373,771)
Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces the long-term liabilities in the government-wide statements	49,860,000
Bond premium is amortized over the life of bonds in the governmental funds, however, in the statement of activities, assets capitalized	3,912,711
Capital outlays are reported as expenditures in the governmental funds, however, in the statement of activities, assets capitalized	1,811
Cost of capital outlays is allocated over their estimated useful lives as depreciation in the government wide statement	(1,951)
Pension expense difference between governmental funds and government-wide statement	(86,533)
Derivative valuation adjustment is recognized as an asset and revenue in the government wide statement	(1,432,899)
Change in net position	\$ 49,879,368

The accompanying notes are an integral part of this statement.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Act 164 of 2016—Implementation of Chapter 26

Public Meeting held
December 8, 2016

Commissioners Present: Gladys M. Brown, Chairperson;
Andrew G. Place, Vice Chairperson; John F. Coleman,
Jr.; Robert F. Powelson; David W. Sweet

*Act 164 of 2016—Implementation of Chapter 26;
L-2016-2574379*

Implementation Order

By the Commission:

On November 4, 2016, Governor Wolf signed into law Act 164 of 2016, which amends Titles 53 (Municipalities Generally) 66 (Public Utilities) and 75 (Vehicles) of the *Pennsylvania Consolidated Statutes*. Act 164 establishes, inter alia, the regulatory framework for the provisions of a new type of transportation service in Pennsylvania, known as Transportation Network Company (TNC) service. This transportation service operates using an internet application on smart phones to match passengers with a TNC driver to facilitate transportation.

The Pennsylvania Public Utility Commission's (Commission) administrative responsibilities for implementing the provisions of Act 164 are contained within Chapter 26 of the Act.¹ In general, Chapter 26 addresses vehicle safety, driver integrity, insurance coverage, and licensing requirements for TNC service. This Implementation Order will provide a general outline of Act 164 and provide specific procedures and guidance governing the TNC license application process. The Commission will address other substantive issues attendant to Act 164, such as impounding procedures, at a later date.

I. Overview of Act 164

A. 66 Pa.C.S. § 102

Act 164 amends the Public Utility Code to include definitions relevant to TNC service. 66 Pa.C.S. § 102. Those definitions include:

Digital Network

Any online-enabled application, software, website or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers.

Dual Motor Carrier

A call or demand carrier operating under a certificate of public convenience and providing transportation network services pursuant to a license from the Commission. For purposes of Chapter 26, only certificated call or demand carriers may file an application with the Commission requesting a license to operate a transportation network service as a dual motor carrier.

Dynamic Pricing

A TNC's practice of adjusting the calculation used to determine fares at certain times and locations in response to the supply of TNC drivers and the demand for transportation network services.

¹ The Commission regulatory oversight of TNC service for all of Pennsylvania, with the exception of TNC service originating within Philadelphia. 66 Pa.C.S. § 2603.

Personal Vehicle

A vehicle that is used by a transportation network company driver and is owned, leased or otherwise authorized for use by the transportation network company driver.

Transportation Network Company

A person or entity licensed by the commission to operate a transportation network service in this Commonwealth and that uses a digital network to facilitate prearranged rides.

Transportation Network Service

A service which meets all of the following:

- Matches a passenger and transportation network company driver using a digital network in advance of a prearranged ride;
- Is characterized by a TNC driver offering or providing a prearranged ride to a passenger; and
- Is rendered on an exclusive basis. For purposes of this paragraph, the term "exclusive basis" means a transportation network service on a given prearranged ride when each individual, party or group may not be required to ride with another passenger on that prearranged ride unless the individual, party or group consents to additional passengers on the prearranged ride.

B. Chapter 26, Transportation Network Service

Chapter 26 provides for, inter alia, TNC licensing requirements, the insurance responsibilities of TNCs and TNC drivers, disclosure requirements, record retention, service standards, TNC driver requirements, TNC vehicle requirements, as well as TNC rates, fines, and assessments. Specific statutory provisions are discussed below.

Section 2601. Definitions.

License

The license is proof of the Commission's approval authorizing a TNC to operate a TNC service in accordance with this chapter. The term does not include a certificate of public convenience as described under Chapter 11 (relating to certificate of public convenience); as such, TNC license applications are not published in the *Pennsylvania Bulletin* and are not subject to protest. Important to this definition is that there is no territorial limit to the TNC's operating authority for TNC service originating within the Commonwealth and outside of Philadelphia. 66 Pa.C.S. § 2601.

Section 2602. Exclusions.

Existing forms of traditional ridesharing transportation are excluded from the definition of TNC service. In particular, Section 2602(a) and (b) exclude: (a) ridesharing arrangements and ridesharing operators authorized under Act 279 of 1982, and (b) ridesharing facilitated by a digital network in which the transportation is to a common destination and the service does not include the services of a driver or where the driver is compensated only for actual expenses. 66 Pa.C.S. § 2602.

Section 2603. Applicability of Certain Laws and Prohibition.

Section 2603(a) provides that rides originating in Philadelphia are not subject to the Commission's jurisdiction; this service falls within the Philadelphia Parking Authority's (PPA) jurisdiction. Section 2603(b) sets forth other laws that may not apply to TNC drivers, such as municipal law, laws imposing motor carrier insurance

requirements, laws imposing a greater standard of care on motor carriers than that imposed on other drivers, and laws imposing special equipment requirements. Section 2603(b) states that municipalities are precluded from imposing a tax or requiring a license to TNCs. 66 Pa.C.S. § 2603.

Section 2603.1. Financial Responsibility Requirements.

Section 2603.1 discusses the financial responsibility of TNCs and TNC drivers, and provides restrictions on liability waivers. 66 Pa.C.S. § 2603.1.

Section 2603.1(a) sets forth the requirements for insurance and the minimum amounts of insurance on TNCs when a TNC driver is logged on to the digital network and when the TNC driver is engaged in a prearranged ride. In particular, this section provides that, while providing a prearranged TNC ride, the primary automobile liability insurance coverage shall be at least \$500,000 for death, bodily injury and property damage, as well as first-party medical benefits of \$25,000 for passengers and pedestrians and \$5,000 for a driver. Dual motor carrier insurance requirements are addressed and section 2603.1 directs that dual motor carriers are to carry the same insurance as taxis. 66 Pa.C.S. § 2603.1(a).

This section further addresses who is responsible for carrying the necessary insurance coverage and what happens in the event of lapses of insurance on a TNC driver's policy. In particular, it provides that if the insurance maintained by the driver's policy has lapsed or does not provide the required coverage, the TNC's insurance policy shall provide the necessary coverage. Section 2603.1(a) further directs the TNC to file a certificate of insurance with the Commission according to the form specified by the Commission by its order or regulation. 66 Pa.C.S. § 2603.1(a).

Section 2603.1(b) provides for what an insurance company may exclude from its coverage of a TNC and TNC driver. It further discusses an insurance provider's right of contribution and indemnification when an insurance provider defends a claim against a driver that is excluded under the terms of its policy. 66 Pa.C.S. § 2603.1(b).

Section 2603.1(c) prohibits TNCs and TNC drivers from requiring passengers to waive liability for a loss of personal property or injury. TNCs are further precluded from requiring TNC drivers from waiving liability for loss of personal property or injury. The Commission's regulations and orders may further supersede the TNC's terms and conditions provided at the time of TNC driver enrollment or TNC service enrollment deemed necessary to ensure compliance with Chapter 26. 66 Pa.C.S. § 2603.1(e).

Section 2603.2. Disclosures.

Section 2603.2 discusses the disclosures that the TNC must make to its drivers and explains the type of insurance coverage the TNC will provide as well as the details regarding the TNC's insurance coverage and the driver's insurance coverage. In particular, the TNC must provide notice that the driver's own automobile insurance policy might not provide coverage while the driver is logged on to the digital network or engaged in a prearranged TNC ride. Section 2603.2 also directs that disclosures must be made to lienholders and lessors regarding the vehicles used as TNC vehicles. 66 Pa.C.S. § 2603.2.

Section 2604. Licenses and Regulations.

Section 2604 directs that TNCs must acquire a license to operate lawfully as a TNC within the Commonwealth.

Pursuant to this section, the Commission is authorized and tasked with providing for all licensure regulations, policies and orders necessary to regulate TNC services within its geographic jurisdiction. This section also authorizes the Commission to impose license conditions, as necessary, to ensure compliance with Chapter 26 and the laws of the Commonwealth. Significantly, Section 2604 again recognizes that a license is not a certificate of public convenience. 66 Pa.C.S. § 2604.

Section 2604.1. License Requirements.

Section 2604.1(a) sets forth the elements that TNC must provide in its license application. In particular, it requires a TNC applicant to apply for a license in writing, and that the application be verified, by oath or affirmation, by an officer of the applicant and be in the form and contain the information required by the Commission. 66 Pa.C.S. § 2604.1(a).

Section 2604.1(b) sets forth the elements a TNC must satisfy in order to acquire a license and for maintaining a license to operate within the Commonwealth. The elements include, inter alia, proof of registration with the Department of State, proof of the required insurance coverage, an agent for service of process, maintenance of verifiable records, inspection of records, zero tolerance drug policy, criminal background checks, driver history checks, driver training materials, reporting of accidents, and a publicly accessible internet website. Also, in addition, Section 2604.1(a)(5) specifies that the Commission may impose conditions that are reasonably related to a licensee's obligations as set forth in Chapter 26. 66 Pa.C.S. § 2604.1(b).

Section 2604.2. Records.

Section 2604.2 authorizes the Commission to inspect, audit and investigate any books, records and facilities of the TNC. It goes on to provide an exception for documents marked confidential that are to be excluded from disclosure to a third person, including a Right-to-Know request. 66 Pa.C.S. § 2604.2.

Section 2604.3. Service Standards.

Section 2604.3 instructs that the TNC must take reasonable steps to ensure the service provided by each TNC driver is safe, reasonable, and adequate. It further instructs that a licensed TNC must accommodate individuals with disabilities and prohibits discriminatory service. 66 Pa.C.S. § 2604.3.

Section 2604.4. Dual Motor Carrier Authority.

Section 2604.4 directs that dual motor carriers have both a license to operate as a TNC as well as a certificate of convenience with the Commission to provide taxi service. Dual motor carriers may either dispatch call or demand vehicles or a personal vehicle in its authority's service territory. 66 Pa.C.S. § 2604.4.

Section 2604.5. Lienholder and Lessor Requirements.

Section 2604.5 requires TNCs to provide its drivers with the disclosure language found in section 2604.5(a)(1). It further directs that a TNC must notify its drivers in writing whether it is providing insurance coverage during service. Section 2604.5(b)—(c) also instruct how payment of damage claims are to be made and permits the lienholder or lessor of a vehicle to obtain coverage at the expense of the driver without prior notice to the driver. 66 Pa.C.S. § 2604.5.

Section 2605. Transportation Network Company Drivers.

Section 2605 directs that TNC drivers do not need a separate license and also sets forth all of the requirements a prospective driver must satisfy in order to qualify as a TNC driver. In particular, the section specifies that the driver must be 21 years of age, satisfy the criminal history and driver history background checks, possess a valid driver's license, and carry either a paper copy of electronic copy of the liability insurance required by Chapter 26. It further directs the TNC driver to affirm the ownership of the vehicle being used and that the driver has notified his insurance carrier about operating as a TNC driver. 66 Pa.C.S. § 2605.

Section 2606. Personal Vehicle Requirements.

Section 2606(a) sets forth the requirements for a vehicle used in TNC service. The requirements for eligible vehicles for TNC service listed under section 2606 include in part: any light duty vehicle; no older than 10 model years or 12 model years if an alternative fuel vehicle; and no more than 350,000 cumulative miles. 66 Pa.C.S. § 2606(a).

Section 2606(b) grants the Commission authority to adjust the vehicle requirements by regulation or by order. Section 2606(c) further requires that the vehicle be subject to an annual state inspection, maintain a valid certificate of inspection, and remain in continuous compliance with state inspection standards and the Commission's vehicle requirements. This section also grants authority to the Commission to inspect a personal vehicle if there is reason to believe that the vehicle is not in compliance with the Commission's vehicle standards. 66 Pa.C.S. § 2605(b) and (c).

The newly added definition of "personal vehicle" in Section 102 encompasses a vehicle that is "owned, leased or otherwise authorized for use" by the TNC driver. As such, it appears that a vehicle owned by a parent, by a friend or by the TNC may be used by the driver so long as its use is authorized and the vehicle complies with Chapter 26, Commission regulations and orders, and all applicable PennDOT requirements. 66 Pa.C.S. § 102.

Section 2607. Rates and Forms of Compensation.

Section 2607 discusses how payment is to be completed and how rates and tariffs are to be maintained with the Commission. Section 2607 permits TNCs to set their rates according to its provisions including the way in which they will administer dynamic pricing. TNCs must file and maintain with the Commission a tariff that sets the terms and conditions of service including its policies regarding dynamic pricing. Importantly, this section requires that if a fare is charged, the TNC must disclose the fare calculation method before providing the prearranged ride and that the TNC must provide an estimate for the cost of the trip upon request. Section 2607 further directs that the amount charged for the prearranged trip is not subject to review or approval by the Commission pursuant to Chapter 13 (relating to rates and distribution systems). While the amount of the fare may not be challenged, the legislation does not bar a complaint regarding an alleged billing error, for example, a bill for a prearranged ride that was not provided. 66 Pa.C.S. § 2607.

Section 2608. Nondisclosure of Passenger Information.

Section 2608 prohibits the TNC from disclosing to a third party any personally identifiable or financial infor-

mation of a TNC passenger with exceptions listed. Section 2608(b) further prohibits TNCs from selling TNC passenger information. However, section 2608(c) permits such disclosure to TNC vendors, such as health insurance providers, as they are not viewed as third parties. 66 Pa.C.S. § 2608.

Section 2609. Fines and Penalties.

Section 2609 authorizes the Commission, after notice and opportunity to be heard, to impose fines, penalties, license suspensions and other appropriate remedies on TNCs that have violated Chapter 26, Commission regulations or order. Complaints regarding such alleged violations may be filed pursuant to Section 701 and will be adjudicated by the Commission. 66 Pa.C.S. § 701. Section 2609 directs the Commission to adopt a schedule of penalties to be imposed for specific violations including multiple violations, which the Commission must further delineate offenses deemed to be serious. The Commission will be adopting the Penalty Guidelines for Motor Carrier Services and Enforcement for TNC service. See Appendix C.² Section 2609(c) dictates when the Commission can issue an order to a TNC disqualifying a driver and further directs the Commission to adopt regulations to allow for reinstatement of a driver following disqualification period and compliance with any conditions imposed by the Commission. 66 Pa.C.S. § 2609.

Section 2610. Commission Costs.

Section 2610 permits the Commission to assess program costs associated with regulation of TNCs in accordance with Section 510 (relating to assessments for regulatory expenses), 66 Pa.C.S. § 510, and directs the Commission to include these costs in its proposed budget. It instructs that the Commission may group TNC expenses with utilities furnishing the same kind of service and that the TNCs must report annually their gross intrastate receipts derived from all fares charged to customers for the provision of TNC service regardless of the entity that collects the revenues. 66 Pa.C.S. § 2610.

II. Procedure for TNC License

Chapter 26 and, in particular, Section 2604.1, set forth in detail the requirements governing the issuance and maintenance of TNC licenses. The Commission has developed a form to be used for applications for TNC licenses, attached as Appendix A. TNC applicants are required to submit a completed form and supply all relevant supporting documentation and information. Specifically, a TNC applicant must:

- Submit a verified, written application on a form prescribed by the Commission. 52 Pa. Code § 1.36. (See Appendix A). The TNC applicant must:

- Provide a general description of the nature and scope of the proposed TNC required under section 2603.1 in the form of a certificate of insurance (Form E) as set forth in Appendix B.

- Submit documentation evidencing the TNC's financial position.

- Certify that it will maintain accurate records in compliance with Chapter 26.

- Certify that the vehicles used in TNC service comply with Pennsylvania's equipment standards (67 Pa. Code Chapter 175) and Chapter 26, and explain how it will

² To the extent the penalty guidelines do not address each and every potential TNC violation, we will amend those guidelines in the near future. In the interim, any penalties for violations not specifically enumerated in the penalty guidelines will be considered on an individual basis.

ensure that vehicles which no longer meet vehicle age and/or vehicle mileage standards will be replaced.

- If autonomous vehicles are used in TNC service, the TNC must verify under affidavit through its authorized representative that the autonomous vehicles and their operation comply with all applicable PennDOT regulations.

- Certify that it will implement a driver drug and alcohol policy in compliance with Chapter 26 and explain that policy.

- Certify that it will conduct background checks of its TNC drivers before permitting them access to their digital network in compliance with Chapter 26, and explain how it will conduct background checks.

- Certify that it will establish and provide a driver training program in compliance with Chapter 26, and explain that program.

- Certify that it has a procedure for complaint resolution and explain that procedure, including how it will inform customers of that procedure.

- Certify that it has established a procedure for complaint resolution and explain how it will inform customers of how to file complaints with the PUC and explain the complaint resolution procedure.

- Certify that it will comply with all applicable requirements set forth in Chapter 26, including service, safety, reporting, disclosure and waiver requirements.

III. Conclusion

This Implementation Order outlines the key portions of Act 164 that the Commission is required to administer and sets forth the procedures, guidelines and filing requirements submission of a TNC license application under Act 164 of 2016. Since this is largely an administrative matter, due to the importance of obtaining and processing properly supported TNC license applications before any current temporary authorizations lapse, we will not invite public comment. However, we will address,

at a later date, the rules applicable to the Commission's authority for the confiscation and impoundment of vehicles pursuant to Section 512.1, and any further regulations or guidance necessary under Act 164. Lastly, given that the experimental service certificates issued by the Commission authorizing TNC service are temporary in nature, and the fact that certain TNC companies are poised to offer new forms of app-based motor carrier service using autonomous vehicles, in order to avoid regulatory uncertainty regarding legal status, TNC companies that are offering or planning to offer such services should file applications for TNC licenses under Act 164 at the earliest practical date; *Therefore,*

It Is Ordered That:

1. The Commission hereby adopts the procedures, guidelines and filing requirements set forth in this Implementation Order for Act 164 of 2016.

2. TNCs currently operating transportation services originating within the Commonwealth and outside of Philadelphia pursuant to the Commission's prior grant of experimental service authority under 52 Pa. Code § 29.352 are directed to file for a TNC license at the earliest practical date, should they desire to continue to operate as a TNC after the expiration of their current authority granted by the Commission.

3. The Commission hereby adopts the certificate of insurance form set forth in Appendix B.

4. The Commission's Penalty Guidelines for Motor Carrier Services and Enforcement are implemented as the fine schedule for TNC service, as set forth in Appendix C.

5. The Commission will address other substantive issues attendant to Act 164, such as impounding procedures pursuant to Section 512.1, at a later date.

6. A copy of this Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at www.puc.pa.gov.

ROSEMARY CHIAVETTA,
Secretary

APPLICATION CHECKLIST Transportation Network Service

Use this checklist to make sure you have enclosed all required items or your application will not be processed. You cannot operate in Pennsylvania until you receive a License from the Commission.

- The original Application with original signatures (unless eFiled with the Commission's online eFiling system at www.puc.pa.gov)
- A certified check, money order, or check from your attorney for \$350 made payable to "Commonwealth of Pennsylvania;"

If not eFiled, mail your application and attachments to:

Secretary, PA Public Utility Commission
Commonwealth Keystone Building
Ground Floor, 400 North Street
Harrisburg, PA 17120

Corporate entities (corporations, LPs, LLPs, and LLCs) and fictitious trade names must be registered with the PA Department of State. Companies incorporated in other states must register as a foreign business corporation. Individuals acting as sole proprietors and partnerships do not have to register.

If you are not registered with the PA Department of State, you can apply at its website at www.dos.state.pa.us/corps on how to do business in Pennsylvania as:

PA Corporations (Profit and Non-Profit) – apply for Articles of Incorporation

Foreign Corporations – apply for a Certificate of Authority

PA Limited Partnerships (LPs), Limited Liability Partnerships (LLPs), and Limited Liability Companies (LLCs) – apply for an Application of Registration

Fictitious Name Registration – File ONLY IF Trade Name will be different than the business name you register with the PA Department of State.

General Information for Preparing and Filing the Application for Transportation Network Service License.

1. This application is required to request a License to operate as a Transportation Network Company providing transportation for compensation between points in Pennsylvania using a digital network to facilitate prearranged rides..
2. Upon approval of the application, you will be notified that prior to providing service in Pennsylvania you must submit evidence of insurance to the Public Utility Commission. **Your permanent evidence of insurance will be a Form E for bodily injury and property damage insurance.** This form is mailed to the Commission directly from the home office of your insurance carrier. The name and address on your Form E must **exactly** match the name and address you have provided on your application. If your insurance company subscribes to NOR (National Online Registries, Inc. at www.mcinfo.org), you can request the insurance company to file the required insurance forms electronically through NOR. The electronically filed insurance forms will reach the Commission more quickly than mailed forms. The minimum limits of insurance are as follows:
3. Insurance amounts and coverage must meet or exceed the requirements established by the Public Utility Code. 66 Pa. C.S. § 101 *et seq.*

Application for Transportation Network Service License

THIS APPLICATION IS TO BE USED WHEN PROVIDING TRANSPORTATION FOR COMPENSATION BETWEEN POINTS IN PENNSYLVANIA USING A DIGITAL NETWORK TO FACILITATE PREARRANGED RIDES.

1. **Legal Name of Applicant** (Individual, Partnership or Corporation)

-
- If you are an individual who has not formed any type of corporate entity, you should enter your name **as it will appear on your insurance documents**.
 - If you are filing for a partnership, but **not a limited liability partnership**, the names of all partners must be entered on this line. Those names should be entered **as they will appear on your insurance documents**. This includes husbands and wives filing jointly.
 - If you are filing for a corporate entity (corporation, limited liability company, or limited liability partnership), **even if you are the sole shareholder member**, you must enter the name **exactly as it appears on the registration papers from the Corporation Bureau of the Pennsylvania Department of State**.

2. **Trade Name** (Attach a copy of fictitious name registration if applicable)

This is any name which you will be operating under which differs from the **LEGAL NAME OF APPLICANT**. A **TRADE NAME** is considered a **FICTITIOUS NAME** if the identity of the applicant cannot be readily determined. *EXAMPLE: John Doe is the applicant and wants to use the name "Johnboy Trucking" as his trade name. People cannot readily determine that John Doe is the actual operator; therefore, the name is fictitious and must be registered as such. Trade names such as "John Doe Trucking" or "J. Doe Trucking" are not considered fictitious and would not have to be registered.*

3. **Applicant is:**

- Sole Proprietor
- Partnership
- Limited Partnership (Provide list of partners and copy of Certificate of Limited Partnership)
- Limited Liability Partnership (Provide list of partners and copy of Statement of Registration)
- Limited Liability Company (Provide list of members and copy of Certificate of Organization)
- Corporation (Provide list of shareholders, distribution of shares, officers, and copy of Articles of Incorporation)
- Foreign Association not formed in PA (Provide copy of Foreign Registration Statement)

4. **Registration with the Department of State** - The applicant certifies that the TNC is registered with the Pennsylvania Department of State to do business in the Commonwealth. Please provide a copy of the TNC applicant's registration with this application.

5. **Please check Applicant's PUC status:**

- Does not now, nor never has had PUC Authority
- Does not now, but has previously held PUC Authority at A-_____
- Holds current PUC Authority at A-_____

6. **Dual Motor Carrier** - Please indicate whether the Applicant is a call demand carrier.

- The Applicant WILL BE operating as a Dual Motor Carrier.
- The Applicant WILL NOT BE operating as a Dual Motor Carrier

7. **Physical Address** (do not use PO Box)

Street Address

City, State and Zip Code

Telephone Number

County

The address entered here should reflect the actual location of the business. This is the address the Commission needs in order to dispatch Enforcement Officers to inspect equipment.

8. **Mailing Address** (if different from Physical Address)

Street Address

City, State and Zip Code

This is the address to which the Commission will send all official documents issued by the Commission. Leave blank if **MAILING ADDRESS** is the same as the **PHYSICAL ADDRESS**.

9. **Website**

Website Address

The applicant certifies that it will establish and maintain a website that complies with Chapter 26.

10. **Registered Agent**

Agent's Name

Street Address

City, State and Zip Code

Telephone Number

County

11. **Attorney** (if applicable)

Attorney's Name & Telephone Number for this Filing

Attorney's Address

An attorney's name should only be entered if an attorney is filing the application for a client and the application is being sent under the attorney's cover letter.

12. **Affiliated Interests** – List the applicant's affiliation (owner, manager, controls) with any other carrier, with the description of affiliation.

13. **General Description of Nature and Scope of Business** - Provide a general description of the nature and scope of the proposed TNC service to be offered, including the company's business model, the use of independent drivers or employee drivers, the use of driver-owned vehicles or company-owned vehicles, the names and roles of any affiliates involved in providing the service, and other relevant features of the proposed TNC service.

14. **Driver Standards** -- Please explain:
- Your standards for drivers;
 - Your system for ensuring compliance with criminal background and license check requirements;
 - Your driver training program;
 - Your policy regarding alcohol and drug use by your drivers;
 - How your policy or your written policy will ensure that drivers have the necessary insurance coverage;
 - How your policy or your written policy will ensure your drivers will continuously comply with all requirements under Chapter 26, including providing service to people with disabilities;
 - How your policy or your written policy will ensure your drivers will be informed of nondiscrimination policies.
15. **Vehicle Safety Program** – Please explain:
- How your policy or your written policy will ensure that vehicles will continuously comply with Pennsylvania's equipment standards (67 Pa. Code, Chapter 175) and Chapter 26.
 - Plans for ensuring that vehicles which no longer meet vehicle age and/or vehicle mileage standards shall be replaced in a timely fashion.
 - How your policy or your written policy will ensure vehicles engaged in TNC service display their respective TNC placard in accordance with Chapter 26.
16. **Autonomous Vehicle Safety** – Please certify that all autonomous vehicles and their operation in TNC service comply with all applicable PennDOT regulations.
-
- The certification must be signed here by the applicant appearing on Line 1 by the named individual, all partners if a partnership, a member (if a limited liability company), or by the President or Officer (if a corporation)
17. **Customer Service Standards** – Please describe your customer service standards. Within your description, please explain:
- Your plan to inform customers of how to file complaints with the PUC;
 - Your intended customer complaint resolution procedure.
18. **Insurance** – Please explain steps you have taken to determine if you can obtain and pay the premiums to maintain liability insurance coverage for your business. You must attach a copy of your Declarations Page with this application. (Upon approval of the application, you will be required to have Form E evidence of insurance filed by the insurance carrier.)
19. **Financial Data** –You must submit documentation as evidence of your current financial position.
20. **Certification:**

Applicant certifies that it is not now engaged in unauthorized intrastate transportation for compensation between points in Pennsylvania and will not engage in said transportation unless and until authorization is received from the Pennsylvania Public Utility Commission.

Applicant further certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance and that it may be subject to civil penalties, suspension or cancellation of the License for failure to comply with Commission requirements. **TNC applicant certifies that it will comply with all of the requirements under Chapter 26.**

Applicant further certifies that it understands that it is subject to an annual assessment based upon its reported annual gross Pennsylvania intrastate receipts derived from all fares charged to customers for the provision of TNC service. Applicant acknowledges that failure to report revenue and pay its annual assessment may result in civil penalties, suspension or cancellation of the certificate.

Verification of Application

I/We hereby state that the statement(s) made in this application is/are true and correct to the best of my/our knowledge and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

(Print Name)

(Signature) (Date)

The verification of the application must be completed by the applicant appearing on Line 1 by the named individual, all partners if a partnership, a member (if a limited liability company), or by the President or Officer (if a corporation).

NOTICES

**Form E - TNC
UNIFORM TNC BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATE OF INSURANCE**

(Execute in Triplicate)

Filed with _____ (hereinafter called Commission)
(Name of Commission)

This is to certify, that the _____
(Name of Company)

(hereinafter called Company) of _____
(Home Office Address of Company)

has issued to _____
(Name of Transportation Network Company or TNC)

of _____
(Address of TNC)

a policy or policies of insurance effective from _____ 12:01 A M. standard time at the address of the insured stated in said policy or policies and continuing until canceled as provided herein, which, by filing this Certificate of Insurance and corresponding endorsements, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such TNC by the provisions of the TNC law of the State in which the Commission has jurisdiction or the Commission orders or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be canceled without cancellation of the policy to which it is attached. Such cancellation may be affected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at _____
(Street Address, City, State and Zip Code)

This _____ day of _____, _____.

Authorized Company Representative

Insurance Company File No _____
(Policy Number)

PENALTY GUIDELINES

PUC Motor Carrier Services & Enforcement

(\$10,000 cap on complaints, unless safety related)
(fine amount format)

Certificate Cancellation plus \$1000 per violation per day
(this is the maximum fine permitted)

Operating while certificate is under suspension –
when a lapse in insurance coverage occurred. 52§32.2, 52§32.11, 66§501(c)

Certificate Cancellation plus \$500

Failure to file evidence of insurance –
no evidence of operating during suspension. 52§32.2, 52§32.11

Failure to pay past due fines. 66§501(c)

Failure to pay past due assessments. 66§510

Certificate Cancellation plus \$250

Failure to submit to SFR. 66§501(c) & 66§1501

Certificate Cancellation

Abandonment of service. 52§3.381(a), 66§1102(a)(2)

Failure to pass Safety Fitness Review. 66§501(c) & 66§1501

Failure to file tariff with rates based on: Meter – Taxis 52§29.314(b)(6)
Time – Limos 52§29.334
(after one complaint adjudication for same violation)

Page One of Seven

3-10-11/wjk
Effective 4-1-11

PENALTY GUIDELINES

(continued)

\$1000 per violation

All Critical* violations found during Bus/Truck Audits
(plus cancellation if over \$10,000)

False documentation to cover violations.	Logs -	52 §29.313(c)
	Receipts -	52 §29.313(f)
	Character -	66 §1501
Operating without holding a certificate of public convenience. (Maximum \$1,000 per complaint) (The carrier's vehicle registration will also be suspended by PDOT.)		66§1101
Disqualified driver operated a vehicle. (convicted of felony or misdemeanor relating to Suitability to provide safe and legal service).		52§29.505(c)
Disqualified hhgs worker.		52§31.134(c)
Controlled substance/alcohol found during roadside inspections or investigations.	Alcohol	52§29.506
	Controlled Substance	52§29.507
Household Goods violations -		
Failure to relinquish goods upon payment of estimate + 10% or \$25.		52§31.123
Disqualified employee (convicted of felony or misdemeanor relating to suitability to provide safe & legal service) packed/unpacked, loaded/unloaded, or operated a vehicle.		52§31.134(c)
Unauthorized transportation (service type violation only; Example - limos performing taxi service).	All types.	66§1102
	Limo as taxi - no advance order for service.	52§29.332(1)
	Limos soliciting passengers.	52§29.332(3)
	Meter in limo.	52§29.334
Household goods carriers - no weight tickets for moves over 40 miles - if found arising from a consumer complaint about overcharge.		52§31.125
Operating Out-Of-Service vehicle before being repaired.		52§29.406(e)
No meter in taxi.		52§29.314(b)(1)
Inoperative meter.		52§29.314(b)(7)

* Critical Violations are those which pose an imminent hazard and have the greatest potential to cause or contribute to an accident.

Page Two of Seven

3-10-11/wjk
Effective 4-1-11

PENALTY GUIDELINES

(continued)

\$500 per violation per day

Operating while under suspension for insurance – no lapse in coverage.		52§32.2, 52§32.11, 66§501(c)
Any refusal of service.		52§29.313(a)
Lack of control of transportation (leasing authority to others or to drivers).	passenger, except taxi taxi	52§29.101(a)(5) 52§29.101(f)(2)(i)
Inadequate, unreasonable service – major violations: (not showing up, more than ½ hr late, etc. – fine will be \$500). (for minor violations of unreasonable, unsafe service: smoking, unsafe cell phone usage while customer in vehicle, etc. – fine will be \$250).		66§1501 66§1501
All Serious** violations (except hrs of service) found during Bus/Truck Audits.		
Tariff overcharge violation. (No refunds ordered under \$10) (if an audit – undercharge violations due to fuel surcharge, one fine for entire audit) See \$250 page also.	All types PT Taxi GP AT HHG	66§1303 52§29.255 52§29.314(b)(6) & 29.316 52§29.324 52§29.343 52§31.27
Failure to cooperate with an officer's investigation. Each day is a separate violation, with a maximum penalty of \$10,000/month of not producing documents requested during investigation or refusing to allow investigation. (20 working days x \$500)		66§505
Void in service longer than 5 days w/o notifying Commission.		52§29.62
False Record of Duty Status violations found on random inspections or investigations.		52§29.508 (a)(2)
Unauthorized transportation (outside area).		66§1102
Over-aged vehicle.	Taxi Limo	52§29.314(d) 52§29.333(e)

** Serious Violations are those which indicate the carrier has ineffective safety management controls and/or regulatory non-compliance problems attributing a high probability to cause or contribute to an accident.

Page Three of Seven

3-10-11/wjk
Effective 4-1-11

PENALTY GUIDELINES

(continued)

\$250 per violation

Hours of Service violations (4 or more) found during Bus/Truck Audits.

Tariff undercharge violations (except limousines or GP-15). ***	All types.	66§1303
	PT	52§29.255
	Taxi	52§29.314(b)(6) & 29.316
	AT	52§29.343
	HHG	52§31.27

Taxi – no tariff submitted with rates based on meter. 52§29.314(b)(6)

Limos charging rates other than those based on time
OR no tariff submitted with rates based on time. 52§29.334

Invalid State Inspection. 52§29.405

No dome light on taxi. (see pg 5 for non-illuminated dome light) 52§29.314(e)

No criminal history record on driver. 52§29.505(a)
(see next page for no **current** criminal history record
and for no driver history record)

Household Goods Carriers Violations:

Information for Shippers not provided to shipper 48 hours prior to move.	52§31.121(c)
Estimated Cost of Service not provided to shipper 48 hours prior to move.	52§31.122(a)
Bill of Lading not provided to shipper within 15 days of move.	52§31.132(b)
Insurance Claim violations.	52§32.16
No criminal history record on employees.	52§31.134(a)

(see next page for no **current** criminal history record)

Failure to File Assessment Report. 66§510(b)

No vehicle list filed.	Taxi	52§29.314(c)
(See next page for list filed with missing info)	Limo	52§29.333(d)

***Note to Specialist: To impose a penalty, the undercharge must be more than 10% and an informal complaint investigation or audit must have been involved.

PENALTY GUIDELINES

(continued)

\$200 per violation

Operating while driver's motor vehicle license is under suspension, revoked or expired. 52§29.502 & 75§1543(a)

\$100 per violation

Tariff undercharges***.	All types.	66§1301
	GP 11-15	52§29.324
	Limo	52§29.334

Non-illuminated dome light when required or dome light not visible from 100 ft front and rear (example: obscured by ad) - (taxi) 52§29.314(e)

No driver history obtained. 52§29.504
 No **current** criminal history obtained. 52§29.505(b) or (a) if initial one

Hours of Service violations (1-3) found during Bus/Truck Audits.

Minor**** violations (1st group of 3 + each subsequent violation) found during Bus/Truck Audits.

Out of Service***** Safety violations 67§229.16 or 231.9
 (one fine per type of violation per vehicle). (Example: door violation)

Non-Out of Service***** Safety violations (1st group of 5).		67§229.14 or 231.7
Exception: no Medical Certificate or expired - \$100 each	52§29.508(a)(1) & 52§37.204(3)	
	Who must have one	49CFR§391.45(b)
	May not operate	49CFR§391.41(a)

Vehicle list missing required information.	Taxi	52§29.314(c)
(See previous page for NO vehicle list filed)	Limo	52§29.333(d)

***Note to Specialist: To impose a penalty, the undercharge must be more than 10% and an informal complaint investigation or audit must have been involved.

**** Minor Violations are those which indicate the carrier has ineffective safety management controls or regulatory non-compliance problems. Example: failing to maintain a driver qualification file on each driver employed containing each of the items required for the specified time period.

***** The OOS Criteria for small vehicles is based upon the rejection criteria from the PA DOT's Vehicle Equipment and Inspection standards, 67 Pa. Code §175.

PENALTY GUIDELINES

(continued)

\$100 per violation (continued)

Household Goods Carriers -		
Information for Shippers -	not retained by carrier	52§31.121(b)
	no shipper signature	52§31.121(a)
	Commission supplied form not used	52§31.121(a)
Estimate -	not maintained by carrier	52§31.122(b)
	required information missing	52§31.122(a)
Underestimate Report -	not filed	52§31.124
No weight tickets for moves over 40 miles (if violation found during audit)		52§31.125
Inventory list or waiver -	not prepared before shipment loaded (under 40 miles)	52§31.133(b)
No current criminal history record on employee.		52§31.134(b)
*****Passenger Service vehicle violations.	Unclean vehicle	52§29.403(2)
	No heater	52§29.403(3)
	Unsuitable/unclean trunk	52§29.403(4)
	Dents/gouges exterior	52§29.403(6)
	Unmatched wheel covers	52§29.403(7)
	No air conditioning	52§29.403(8)
	Damaged/unsecured seats	52§29.403(9)
Shortest practical route not used.		52§29.313(b)
Under-age driver.		52§29.503

***** One fine per type of violation per vehicle on random inspections, one fine per violation for entire fleet on annual inspections.

PENALTY GUIDELINES

(continued)

\$50 per violation

Non-OOS safety violations (6th or more).

*****Markings violations.	Passenger	52§29.71
	Property	52§31.33
Advertising not on roof.		52§29.402(3)
Certificate # not on advertisement.		52§21.2
*****Administrative violations.		
Logs - taxi		52§29.313(c)
Trip sheet - limo		52§29.335
Lease – passengers		52§29.101(b)(2)
Lease – property		52§31.32(c)(2)(vii)
Receipt – taxi		52§29.313(f)
Fare posting – taxi		52§29.316(c)
Consumer info	Decal	taxi 52§29.318
	Decal or receipt	scheduled route 52§29.306
	Decal or receipt	airport transfer 52§29.344
	Decal or receipt	paratransit 52§29.356
	Decal, receipt or contract	limo 52§29.336

***** One fine per type of violation per vehicle on random inspections, one fine per violation for entire fleet on annual inspections.

NOTE: All fines are doubled if the same safety violation is found during another inspection before it has been corrected.

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3-10-11/wjk
Effective 4-1-11

[Pa.B. Doc. No. 16-2285. Filed for public inspection December 23, 2016, 9:00 a.m.]

Electric Generation Supplier Consolidated Billing

P-2016-2579249. NRG Energy, Inc. Petition of NRG Energy, Inc. for implementation of electric generation supplier consolidated billing.

Formal comments and reply comments must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers and comments must be filed by January 23, 2017, and reply comments by February 22, 2017. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the petitioner. 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 Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the petitioner's business address.

Petitioner: NRG Energy, Inc.

Through and By Counsel: Karen O. Moury, Sarah C. Stoner, Eckert, Seamans, Cherin & Mellott, LLC, 213 Market Street, Eighth Floor, Harrisburg, PA 17101

By the Commission

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2286. Filed for public inspection December 23, 2016, 9:00 a.m.]

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 January 9, 2017. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2016-2576097. McConnellsburg Volunteer Fire Company # 1, Inc. (112 East Maple Street, McConnellsburg, Fulton County, PA 17233) persons in paratransit, from points in Fulton County, to points in Pennsylvania, and return.

A-2016-2578397. Raymond M. Cruz Pérez (238 East Stella Street, Philadelphia, Philadelphia County, PA 19134) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to physician's offices and correctional facilities in Pennsylvania, and return.

A-2016-2578814. Limo Now, LLC (116 East Main Street, Rear, Leola, Lancaster County, PA 17540) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the

Counties of Chester, Lancaster and York, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2578859. Silver Star Taxi, LLC (423 Oakhurst Lane, Thompsettown, Juniata County, PA 17094) for the right to transport as a common carrier, by motor vehicle, persons in limousine service, between points within a 200-mile radius from the borough limits of Thompsettown, Juniata County, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Brian B. Baker, Esquire, P.O. Box 225, Mifflintown, PA 17059.

A-2016-2579029. Jeremi Fetter (134 Rabbit Hollow Road, Millersburg, Dauphin County, PA 17061) persons in paratransit, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in Pennsylvania.

A-2016-2579036. G. Rebecca Peck t/a GR Peck Transportation Service (566 Springville Road, Apartment 311, New Holland, Lancaster County, PA 17557) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2016-2579059. Star Medical Transport Services, LLC (3201 Fox Street, Philadelphia, PA 19129) persons in paratransit, limited to persons who require wheelchair/paratransit transportation to and from medical offices, between points in the City and County of Philadelphia.

A-2016-2579565. Richard F. Turner (49 Pennsy Road, New Providence, Lancaster County, PA 17560) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-2287. Filed for public inspection December 23, 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 January 9, 2017, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. William B. Altman, Inc.; Docket No. C-2016-2571394

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 William B. Altman, Inc., (respondent) is under suspension effective August 4, 2016 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 2916 Old Route 422 East, Fennelton, PA 16034.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 6, 1979, at A-00101354.

4. That respondent has failed to maintain evidence of Bodily Injury Property Damage Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00101354 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: 10/21/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. I-Haul, LLC;
Docket No. C-2016-2576635**

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 I-Haul, LLC, (respondent) is under suspension effective November 08, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 821 Crescent Drive, Glenolden, PA 19036.
3. That respondent was issued a Certificate of Public Convenience by this Commission on March 11, 2011, at A-8913104.
4. That respondent has failed to maintain evidence of Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8913104 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: 11/22/16

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.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Warren
Development Co., Inc.; Docket No. C-2016-2576719**

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 Warren Development Co., Inc., (respondent) is under suspension effective November 09, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at RR # 2, Box 26W, Ulster, PA 18850.
3. That respondent was issued a Certificate of Public Convenience by this Commission on May 30, 2002, at A-00113359.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The

Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00113359 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: 11/22/16

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. 16-2288. Filed for public inspection December 23, 2016, 9:00 a.m.]

Transfer Indirect Control

A-2016-2579658 and A-2016-2579742. Electric Lightwave Parent, Inc., Electric Lightwave, LLC and Zayo Group, LLC. Joint application of Electric Lightwave Parent, Inc., Electric Lightwave, LLC and Zayo Group, LLC for approval to transfer indirect control of Electric Lightwave, LLC to Zayo Group, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 9, 2017. 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: Electric Lightwave Parent, Inc.; Electric Lightwave, LLC; Zayo Group, LLC

Through and By Counsel: Anthony C. DeCusatis, Esquire, Catherine G. Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921; and Catherine Wang, Esquire, Brett P. Ferencak, Esquire, Morgan, Lewis & Bockius, LLP, 2020 K Street, NW, Washington, DC 20006-1806

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 16-2289. Filed for public inspection December 23, 2016, 9:00 a.m.]

Water Service

A-2016-2579856. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of Charlestown Township, Chester County, and issuance of a certificate of public convenience, nunc pro tunc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 9, 2017. 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: Aqua Pennsylvania, Inc.

Through and By Counsel: Thomas T. Niesen, Esq., Thomas, Niesen and Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 16-2290. Filed for public inspection December 23, 2016, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearings will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

February 8, 2017	Judy Todorowski (Purchase of Service— Nonqualifying Part-Time)	1 p.m.
February 22, 2017	DR (Disability Retirement— Missed Deadline)	1 p.m.
April 5, 2017	Dana E. Ohlmann (T-F Membership)	1 p.m.

Persons with a disability who wish to attend a previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704

(relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

GLEN R. GRELL,
Executive Director

[Pa.B. Doc. No. 16-2291. Filed for public inspection December 23, 2016, 9:00 a.m.]

STATE BOARD OF NURSING

Automatic Suspension of the License to Practice of Edward F. Elensky, Jr., RN; Doc. No. 2314-51- 15; File No. 13-51-05426

On December 24, 2015, Edward F. Elensky, Jr., RN, license No. RN556864, last known of Clearfield, Clearfield County, was issued a notice and order of automatic suspension based on his misdemeanor conviction under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the automatic suspension by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 16-2292. Filed for public inspection December 23, 2016, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Joshua Renninger 200 Dirty Bird Lane McClure, PA 17841	Snyder County/ West Beaver Township	176.6	Turkeys	New	Approved
Rohrer Farms, LLC— Organic Farm 154 Penn Valley Road Lititz, PA 17543	Lancaster County/ Penn Township	289.08	Layers	Amended	Approved
Herbruck Poultry Ranch, Inc. 8069 Corner Road Mercersburg, PA 17236	Franklin County/ Montgomery Township	7,560	Layers	New	Approved
Clark Crest Farm, Inc. 754 Solanco Road Quarryville, PA 17566	Lancaster County/ East Drumore Township	63.7	Swine	New	Approved
Brubaker Run Farms, LLC 2963 North Colebrook Road Manheim, PA 17545	Lancaster County/ Rapho Township	131.2	Duck	Amended	Approved
Noah W. Kreider & Sons, LLP—Donegal Facility 1145 Colebrook Road Mount Joy, PA 17552	Lancaster County/ East Donegal Township	4,725	Layers	Amended	Approved
Keister Family Farms, LLC 129 Long Hunter Lane Middleburg, PA 17842	Snyder County/ Franklin Township	450.91	Turkey	Amended	Approved
Clair Martin 354 Oak Haven Road Fleetwood, PA 19522	Berks County/ Richmond Township	150.2	Broilers	Amended	Approved

PATRICK McDONNELL,
Acting Chairperson

[Pa.B. Doc. No. 16-2293. Filed for public inspection December 23, 2016, 9:00 a.m.]

