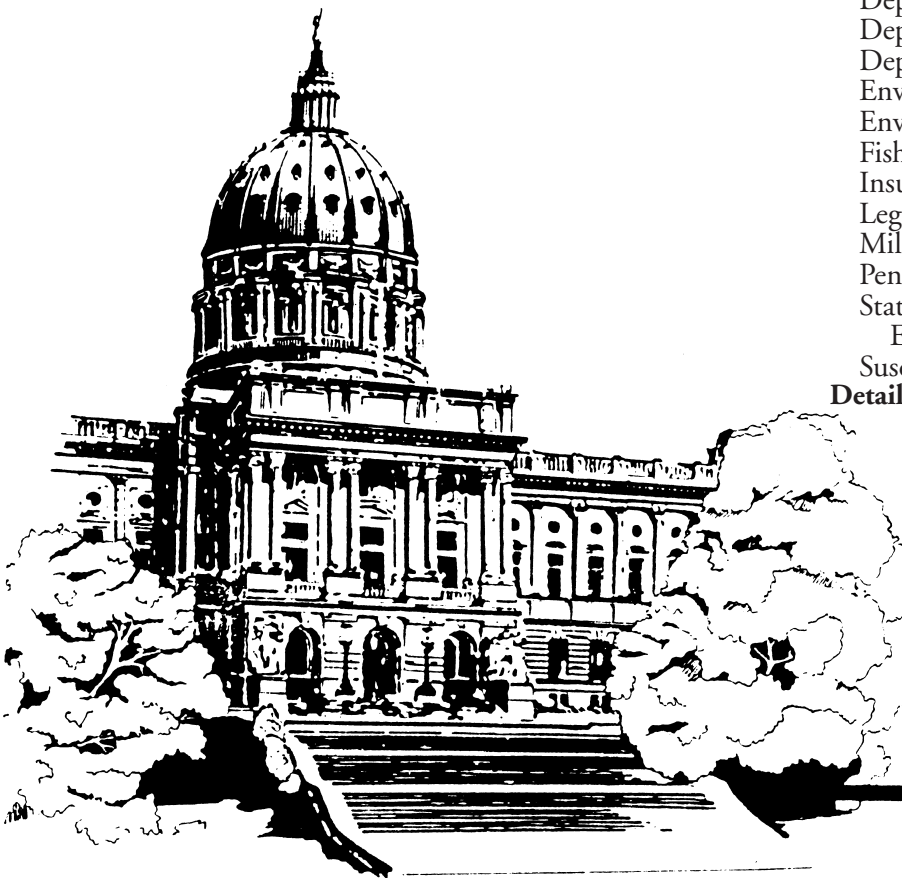


PENNSYLVANIA BULLETIN

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The Courts
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Susquehanna River Basin Commission
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 495, February 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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856

THE GOVERNOR

[EXECUTIVE ORDER NO. 2016-01]

Extension of Deadline for Nomination Certificates and Nomination Papers for Special Elections on March 15, 2016

January 25, 2016

Whereas, a severe winter weather event, a historic East Coast snowstorm, struck Pennsylvania on January 22, 2016, and January 23, 2016, with prolific amounts of snow accumulation, including a probable all-time snowfall record in Harrisburg, Pennsylvania; and

Whereas, the effects of the snowstorm have caused the closure of the Commonwealth Capitol Complex in Harrisburg, Pennsylvania, which includes the Office of the Secretary of the Commonwealth, on Monday, January 25, 2016; and

Whereas, Special Elections for Representative in the General Assembly for the 57th District (Westmoreland County), the 192nd District (Philadelphia), and the 200th District (Philadelphia) are scheduled by law to occur on Tuesday, March 15, 2016; and

Whereas, under the provisions of Section 629 of the Pennsylvania Election Code (25 P.S. § 2779), the deadline by which political parties must file nomination certificates and political bodies must file nomination papers in the Office of the Secretary of the Commonwealth to nominate candidates for the Special Elections is Monday, January 25, 2016; and

Whereas, the weather-related closure of the Office of the Secretary of the Commonwealth during the last day on which the nomination certificates and the nomination papers by law may be received by Secretary of the Commonwealth makes it necessary and proper to extend the statutory deadline by which the Secretary of the Commonwealth may receive nomination certificates and nomination papers for the Special Elections; and

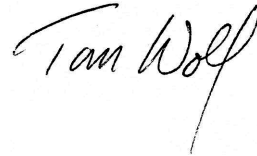
Whereas, on Thursday, January 21, 2016, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, pursuant to the provisions of Section 7301(c) of the Emergency Management Services Code, (35 Pa.C.S. §§ 7101 et seq., as amended) proclaimed the existence of a disaster emergency in the Commonwealth in anticipation of a severe winter weather event expected to impact the Commonwealth.

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, the Emergency Management Services Code, and other laws of the Commonwealth, do hereby issue this Executive Order as follows:

1. The deadline prescribed by Section 629 of the Pennsylvania Election Code (25 P.S. § 2779) by which political parties must file nomination certificates and political bodies must file nomination papers for the Special Elections shall be extended by one additional day for each business day during the week of January 25, 2016, on which the Office of the Secretary of the Commonwealth is closed for business as a consequence of weather conditions, but in no event shall said deadline be extended beyond 5:00 p.m. EST on Wednesday, January 27, 2016.

2. The Office of the Secretary of the Commonwealth shall post this Executive Order in the Department of State's Bureau of Commissions, Elections and Legislation and in all other appropriate places and shall take all necessary action to provide notice of this Executive Order to the general public.

3. This Executive Order shall take effect immediately and remain in effect only until 5:00 p.m. EST, Friday, January 29, 2016.



Governor

Fiscal Note: 2016-01. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 16-266. Filed for public inspection February 19, 2016, 9:00 a.m.]

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2015-13]

Governor's Advisory Councils for Hunting, Fishing and Conservation; Correction

An error occurred in Executive Order No. 2015-13 published at 46 Pa.B. 440 (January 23, 2016). The section numbers for Chapter 6, Subchapter VV were incorrect and are corrected as follows. The remainder of the document was accurate as published.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter VV. (Reserved)

§§ 6.571—6.580. (Reserved).

[Pa.B. Doc. No. 16-267. Filed for public inspection February 19, 2016, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Order Rescinding Administrative Order No. 75— Venue Transfer of Pennsylvania State Police Filings—Interstate 95 between the Boundaries of Philadelphia and New Jersey and within Bucks County

Order

And Now, this 4th day of February 2016, Bucks County Civil Division Administrative Order No. 75 is hereby rescinded.

This Order will be effective thirty days after publication in the *Pennsylvania Bulletin*.

By the Court

JEFFREY L. FINLEY,
President Judge

[Pa.B. Doc. No. 16-268. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Assessment of Damages for Cost of Repairs to Property, Opening Judgments by Default; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1037(b) shall be renumbered as 1037(b)(3); 1037(1) be renumbered as 1037(i); 1037(2) be renumbered as 1037(ii); 1037(3) be renumbered as 1037(iii); 1037(4) be renumbered as 1037(iv) and 1037(d) be renumbered as 1037(d)(1) effective thirty (30) days after Publication in the *Pennsylvania Law Bulletin*.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-269. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Change of Venue; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1006(d)(3) shall be renumbered as Delaware County Local Civil Rule 1006(d)(1)(3)(a) effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-270. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Cover Sheets; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 205(b) shall be renumbered as Delaware County Local Civil Rule 205.2(b) and read as follows:

A cover sheet is to be completed and attached to the following:

The moving party is to check the appropriate box on the form.

1. Petitions filed pursuant to Rule 206.1(a)
2. Motions filed pursuant to Rule 208.1
3. Responses to Motions or Petitions
4. Motions for Judgment on the Pleadings pursuant to Rule 1034(a)
5. Summary Judgment Motions pursuant to Rule 1035.2(a)
6. Family Law Petitions and Motions pursuant to Rule 206.8

See Cover Sheet for Motions/Petitions Notice at end of document, or at <http://www.co.delaware.pa.us/courts/courtadminforms.html>

7. Preliminary Objections pursuant to Rule 1028(c)

See Notice Pursuant to Rule 1028(c) Form at end of document, or at <http://www.co.delaware.pa.us/courts/courtadminforms.html>

Explanatory Comment—2010

On February 5, 2010, the Pennsylvania Supreme Court adopted Pa.R.C.P. 205.5, which requires submission state-wide of a uniform cover sheet on each new civil filing. In the interest of efficiency, it was decided that the state-mandated form replace, rather than be filed in addition to, the “Civil Cover Sheet and Entry of Appearance Form” formerly required by Delaware County Local Rule 241(a).

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-271. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Filing an Account and Exception to Accounts; No. 12-5040

And Now, to wit, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that Delaware County Local Civil Rule 1534 shall be amended and read as follows:

(a) All trustees, committees, guardians, receivers, assignees for the benefit of creditors and all persons and fiduciaries who shall be under obligation to file an account shall give notice of the filing and the time at which the account will be called for confirmation to all persons in interest of whom the accountant shall have knowledge. Unless otherwise provided by law, the Office of Judicial Support shall give notice once a week for three

successive weeks in the *Delaware County Legal Journal* and one approved newspaper that the account will be presented to the court for confirmation and for an order of distribution at the time stated in the notice, unless exceptions are filed with the Office of Judicial Support before that date. Upon due proof being made of said publication, the accountant or his attorney of record shall present the account in open court on the day fixed in said notice at which time, unless the account is marked "for information only", the court may refer the account to an auditor, who shall proceed in manner similar to that prescribed by Rule 1530(3) et seq. or the court may confirm the account nisi, subject to exceptions which may be filed at or before the time of presentation of the account for confirmation. If no exceptions have been filed, the account shall be confirmed as of course without further actions by the court.

If an account is marked "for information only," and no exceptions are filed, it shall not be confirmed but shall remain on file.

Where the court shall sit to make distribution without appointing an auditor, a petition for distribution shall be filed similar in form to petitions for distribution required by the Orphans's Court Division.

Whenever the court shall sit to pass on exceptions to an account or make distribution of any fund, where there has been no auditor appointed, the accountant shall give notice at least 10 days prior to the time fixed for the hearing to all parties in interest, including creditor, by registered mail to their last known address, stating that all persons must prove their claims at such hearing or be barred from participating in the distribution of the fund, and he shall certify to the court that such notice has been given.

Said amended rule shall become effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-272. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Filing Legal Papers with Office of Judicial Support; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 205(a) shall be renumbered as Delaware County Local Civil Rule 205.2(a) and shall read as follows:

All papers filed with the Office of Judicial Support shall include the following:

1. The facing page of all pleadings, petitions, and motions, and all other matters filed in the Office of Judicial Support shall provide a space three (3") inches in height, on the top right under the docket number for use of the Office of Judicial Support in affixing the date and time of filing.

2. Attorneys of record shall indicate their identification number and their business telephone number on all papers filed with the Office of Judicial Support.

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-273. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Lis Pendens; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1521 shall be renumbered as Delaware County Local Civil Rule 3021(b)(1) effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-274. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rule Pleadings, Foreign Statutes; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that existing Delaware County Local Civil Rule 1019(i) shall be renumbered as Delaware County Local Civil Rule 1019(i)(a) effective upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-275. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rules Appeals from Denial of Driver's License or Suspension of Operating Privilege (75 Pa.C.S. § 1550); No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that Delaware County Local Civil Rule 29(d) shall be amended and read as follows:

(d) Requests for continuance shall be governed by the provisions of Rule 208.3(a)

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-276. Filed for public inspection February 19, 2016, 9:00 a.m.]

DELAWARE COUNTY

Local Civil Rules Appeals from Real Estate Assessments; No. 12-5040

Order

And Now, this 28th day of January, 2016, it is hereby *Ordered* and *Decreed* that Delaware County Local Civil Rules 30(a), 30(e), and 30(f) shall be amended and read as follows:

(a) Except as may otherwise be herein provided, the procedure on appeals from real estate assessment shall be governed by the provisions of Rule *206.1(a).

(e) The 206.1(a)(c)(i) notice shall in a separate paragraph state the amount petitioner contends to be the fair market value of the property.

(f) Where the amount in controversy is not in excess of \$50,000, the appeal shall be arbitrated in accordance with

the provisions of Rule *1301(f) and an arbitration date will be assigned at the call of the tax assessment appeal list. Amount in controversy shall be deemed to be the difference between the assessment amount claimed by the opposing parties multiplied by the applicable common level ratio. All other appeals will receive judicial assignment at the call of the tax assessment appeal list and shall thereafter be processed pursuant to Rule *206.1(a)(2).

Said Rule shall go into effect upon publication on the UJS Portal.

By the Court

CHAD F. KENNEY,
President Judge

[Pa.B. Doc. No. 16-277. Filed for public inspection February 19, 2016, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 109]

Disinfection Requirements Rule

The Environmental Quality Board (Board) proposes to amend Chapter 109 (relating to safe drinking water) to read as set forth in Annex A. The proposed amendments will strengthen water system requirements relating to microbial protection and disinfection requirements.

The proposed amendments also include minor clarifications to the Stage 2 Disinfectants/Disinfection Byproducts Rule (Stage 2 DBPR), Long Term 2 Enhanced Surface Water Treatment Rule (LT2) and the Lead and Copper Rule Short-Term Revisions (LCRSTR) to obtain or maintain primacy. The United States Environmental Protection Agency (EPA) promulgated the Federal Stage 2 DBPR at 71 FR 388 (January 4, 2006), the Federal LT2 at 71 FR 654 (January 5, 2006) and the Federal LCRSTR at 72 FR 57782 (October 10, 2007). The Commonwealth adopted State regulations implementing the Federal rules at 39 Pa.B. 7279 (December 26, 2009), Stage 2 DBPR and LT2, and 40 Pa.B. 7212 (December 18, 2010), LCRSTR. Minor clarifications are needed to obtain or maintain primacy for these rules.

The proposed amendments will protect public health through a multiple barrier approach designed to guard against microbial contamination by ensuring the adequacy of treatment designed to inactivate microbial pathogens and the integrity of drinking water distribution systems.

Safe drinking water is vital to maintaining healthy and sustainable communities. Proactively avoiding incidents such as waterborne disease outbreaks can prevent loss of life, reduce the incidents of illness and reduce health care costs. Proper investment in public water system infrastructure and operations helps ensure a continuous supply of safe drinking water, enables communities to plan and build future capacity for economic growth, and ensures their long-term sustainability for years to come.

The disinfectant residual requirements in the distribution system will apply to all 1,982 community water systems and those noncommunity water systems that have installed disinfection (822) for a total of 2,804 public water systems. These public water systems serve a total population of 10.6 million people.

The CT/log inactivation monitoring and reporting requirements will apply to all 353 filter plants which are operated by 319 water systems.

This proposed rulemaking was adopted by the Board at its meeting of November 17, 2015.

A. Effective Date

This proposed rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*. The submission of a sample siting plan is required 6 months after promulgation to allow time for development of the plan.

The Board is seeking comment on whether other provisions of the proposed rulemaking should be deferred. For example, some systems may need up to 6 months to make

operational changes and effectively increase disinfectant residuals to 0.2 mg/L throughout the distribution system. If capital improvements are needed, a system-specific compliance schedule may be needed. Comments on the anticipated length of time needed to increase disinfectant residuals and whether capital improvements are anticipated to meet the proposed requirements are requested.

B. Contact Persons

For further information, contact Lisa D. Daniels, Director, Bureau of Safe Drinking Water, P. O. Box 8467, Rachel Carson State Office Building, Harrisburg, PA 17105-8467, (717) 787-9633; or William Cumings, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposed rulemaking appears in Section I of this preamble. Persons with a disability may use the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). The proposed rulemaking is available electronically through the Department of Environmental Protection's (Department) web site at www.dep.pa.gov.

C. Statutory Authority

The proposed rulemaking is being made under the authority of section 4 of the Pennsylvania Safe Drinking Water Act (35 P. S. § 721.4), which grants the Board the authority to adopt rules and regulations governing the provision of drinking water to the public, and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20), which authorizes the Board to promulgate rules and regulations necessary for the performance of the work of the Department.

D. Background and Purpose

Amendments to surface water treatment regulations regarding monitoring and reporting

The proposed amendments include new monitoring and reporting requirements to ensure compliance with existing treatment techniques regarding log inactivation and CT requirements. Log inactivation is a measure of the amount of viable microorganisms that are rendered non-viable during disinfection processes. CT is the product of residual disinfectant concentration (C) and disinfectant contact time (T). The CT value is used to determine the levels of inactivation under various operating conditions.

Public water systems using surface water or groundwater under the direct influence of surface water (GUDI) sources have long been required to meet log inactivation and CT requirements for the inactivation of *Giardia* cysts and viruses. These existing treatment technique requirements are intended to ensure that water systems provide adequate and continuous disinfection for the inactivation of pathogens.

The Small Water Systems Technical Assistance Center (TAC) Board recommended (by a vote of seven to six) that the monitoring requirements for CT calculations should be deleted and deferred to a future Chapter 109 revision because there are many variables for calculating CTs and the TAC believes this would be an additional burden for most systems. This recommendation was not incorporated into this proposed rulemaking because the only way to ensure compliance with the existing treatment techniques is to measure and record the data elements that are needed to calculate CTs (that is, disinfectant residual,

temperature, pH, flow and volume) and report the results. In addition, water suppliers should already be monitoring these data elements because the data is needed to properly operate filtration plants. Costs associated with the new reporting requirements should be minimal due to the availability of the EPA's CT calculator tool and the use of summary forms for reporting data for compliance purposes.

The proposed amendments also clarify the existing minimum residual disinfectant level at the entry point. By adding a zero to the minimum level (0.20 mg/L), water suppliers will be required to maintain a residual that is equal to or greater than 0.20 mg/L. Currently, levels of 0.15 mg/L or higher round up to 0.2 mg/L and are considered in compliance. A level of 0.20 mg/L is necessary due to the importance of meeting CTs and of maintaining an adequate disinfectant residual in the water entering the distribution system. Also, this level of sensitivity is consistent with existing requirements for the Groundwater Rule (0.40 mg/L) as specified in § 109.1302(a)(2) (relating to treatment technique requirements). Finally, this level of sensitivity is achievable using current online instrumentation for the measurement of disinfectant residuals.

The TAC recommended (by a vote of ten to three) that the residual remain at 0.2 mg/L because water systems using strip chart recorders may not be able to record data to two decimal places and water systems would be required to upgrade to more costly supervisory control and data acquisition systems. The Department estimates that 114 out of 352 plants (or ~ 30%) may be using strip chart recorders. Strip chart recorders can record measurements to two decimal places provided the proper scale and resolution is used. In cases when the requisite scale and resolution is not possible, an upgrade to electronic recording devices would cost approximately \$1,500. This cost should not be prohibitive for filter plants and the use of electronic devices offers several advantages. Advantages of using electronic recording devices include improved data reliability, faster and more comprehensive data analysis, better data resolution, elimination of the need for interpolating trace values from a chart, cost savings through the elimination of consumables (pens and chart paper) and reductions in errors associated with transferring analog data to a spreadsheet for recordkeeping or reporting purposes.

Log inactivation and entry point disinfectant residual requirements are existing Federal requirements in 40 CFR 141.72(b) (relating to disinfection).

Amendments to disinfectant residual requirements in the distribution system

The proposed amendments are intended to strengthen the distribution system disinfectant residual requirements by increasing the minimum residual in the distribution system to 0.2 mg/L free or total chlorine. The Department's existing disinfectant residual requirements for distribution systems have not been substantially updated since 1992 and require the maintenance of a detectable residual that is defined as 0.02 mg/L. The Department's existing treatment technique is not protective of public health because a residual of 0.02 mg/L does not represent a true detectable residual and the level is inadequate to protect against microbial growth within the distribution system.

Why is it important to maintain a disinfectant residual within the distribution system?

Maintenance of a disinfectant residual in the distribution system is:

- Required under the Federal Surface Water Treatment Rule for all systems using surface water and GUDI sources, and under Chapter 109 for all community water systems and those noncommunity water systems that have installed disinfection.
- Designated by the EPA as the best available technology for compliance with both the Total Coliform Rule (TCR) and the Revised TCR.
- Considered an important element in a multiple barrier strategy aimed at maintaining the integrity of the distribution system and protecting public health.
- Intended to maintain the integrity of the distribution system by inactivating microorganisms in the distribution system, indicating distribution system upset and controlling biofilm growth.

Most regulatory mandates regarding drinking water focus on enforcing water quality standards at the treatment plant and not within the distribution system. There should be no change in the quality of treated water from the time it leaves the treatment plant until the time it is consumed. However, substantial changes can occur to finished water as a result of physical, chemical and biological reactions. Data on waterborne disease outbreaks suggest that distribution systems remain a source of contamination that has yet to be fully addressed (National Research Council (NRC), 2006).

The distribution system is a critical and often under-recognized component of every public water system. Thousands of miles of pipes, pumps, valves, finished water storage tanks and other appurtenances link treated water from plants to consumers' taps. Distribution systems represent the largest majority of physical infrastructure for public water systems and their repair and replacement requires significant financial resources. The EPA estimates the 20-year water transmission and distribution needs for this Commonwealth at \$9.3 billion, with finished water storage facility infrastructure needs estimated at an additional \$1.6 billion (EPA Drinking Water Infrastructure Needs Survey, 2013).

As distribution systems age, deterioration can occur due to corrosion, erosion of pipe materials and external pressures that can lead to breaches in pipes and storage facilities, intrusion and main breaks. In recent years, deteriorating water infrastructure in many parts of the United States has resulted in frequent water main breaks and other situations that can pose intermittent or persistent health risks (EPA, 2010). Many of these deficiencies create pathways of contamination. Therefore, ensuring the integrity and effective operation of distribution systems is critical for public health protection.

Water quality may degrade during water distribution for the following reasons: the way water is treated or not treated before it is distributed; chemical and biological reactions that take place in the water during distribution; reactions between the water and distribution system materials; and contamination from external sources that occurs because of main breaks, leaks coupled with hydraulic transients, improperly maintained storage facilities and other factors (NRC, 2005).

Many different microbes have demonstrated the ability to survive in the distribution system, with some possessing the ability to grow or produce biofilms. Microbes that

may be present include bacteria, viruses and protozoa. Microbial presence in the distribution system can result in colonization of the distribution system infrastructure. Once biofilm development begins, subsequent material, organisms and contamination introduced to the distribution system can become entrained in the biofilm. Contamination and material in the biofilm may subsequently be released into the flowing water under various circumstances. As a result, biofilms can act as a slow-release mechanism for persistent contamination of the water (EPA, 2002b).

Factors that influence pathogen survival and growth in the distribution system include water chemistry (temperature, pH, and the like), presence of nutrients, system hydraulics, sediment accumulation and presence (or absence) of disinfectant residual. Of these factors, maintenance of an adequate disinfectant residual throughout the distribution system plays a key role in controlling the growth of pathogens and biofilms and is a treatment technique that serves as one of the final barriers to protect public health. Lack of an adequate residual may increase the likelihood that disease-causing organisms such as *E. coli* and *Legionella* are present.

LeChevallier (1999) reported that two fundamental reasons for adding secondary disinfection are to: (1) prevent or limit regrowth of microorganisms in the distribution system; and (2) inactivate any microorganisms that may enter the system through contamination. In addition to controlling regrowth, maintaining a disinfectant residual in the distribution system serves to

inactivate microorganisms that may enter the system through cross-connections, main breaks and pressure transients. Although it may be true in some cases (that conventional disinfectant residuals may be ineffective against massive contamination from cross-connections), it is likely that small amounts of contamination occur on a much more frequent basis and that maintenance of an effective disinfectant residual throughout the distribution network acts as an important barrier in these instances.

It is increasingly being recognized that water treatment and chemistry factors may play a role in downstream proliferation of opportunistic pathogens and utilities therefore play some role in controlling outbreaks (Water Research Foundation, 2013).

According to the Centers for Disease Control and Prevention (CDC), despite advances in water treatment and management, waterborne disease outbreaks continue to occur in the United States (Figure 1). The outbreaks reported during 2009–2010 highlight several emerging and persisting public health challenges associated with drinking water systems. *Legionella* accounted for 58% of outbreaks and is the most frequently reported etiology among drinking water systems (Figure 2). In addition, the large proportion (78%) of illnesses observed in outbreaks involved distribution system deficiencies (Figure 3). This data emphasizes the importance of protecting, maintaining and improving the public drinking water distribution system infrastructure because these deficiencies can lead to widespread illness (CDC, 2013).

Figure 1. Number of waterborne disease outbreaks associated with drinking water (N = 851), by year and etiology—United States, 1971–2010.

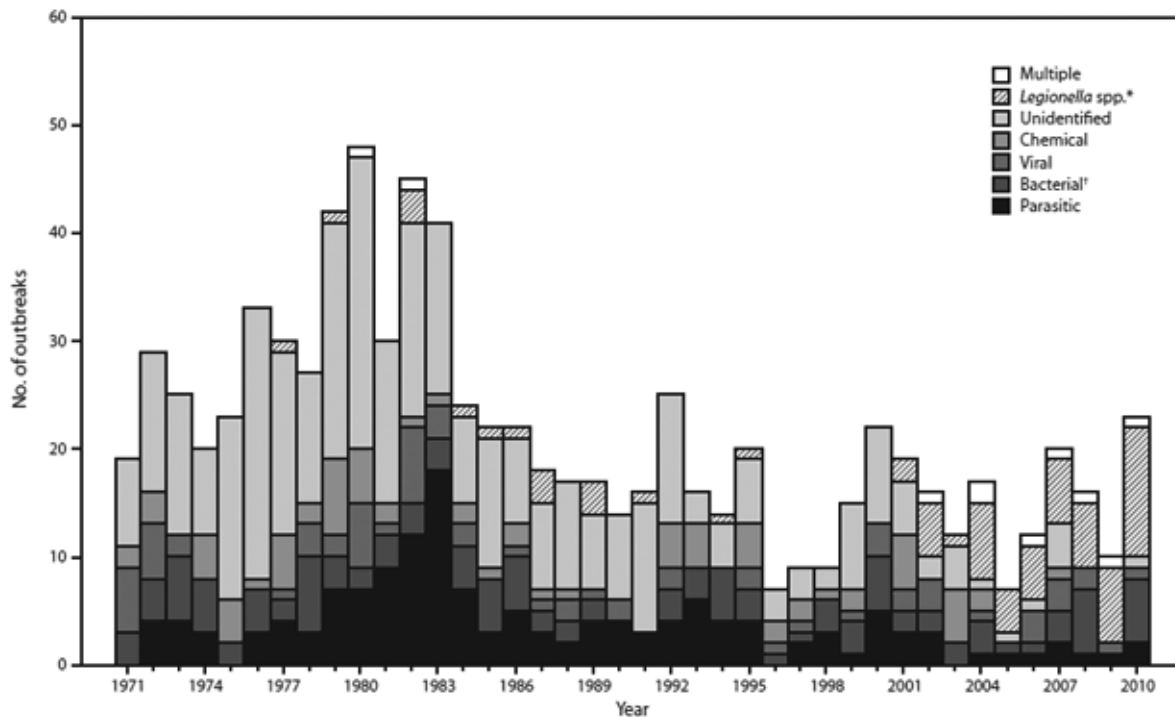


Figure 2. Etiology of Drinking Water Outbreaks (N = 33) and Outbreak-related Cases (N = 1,040), Waterborne Disease and Outbreak Surveillance System, 2009—2010.

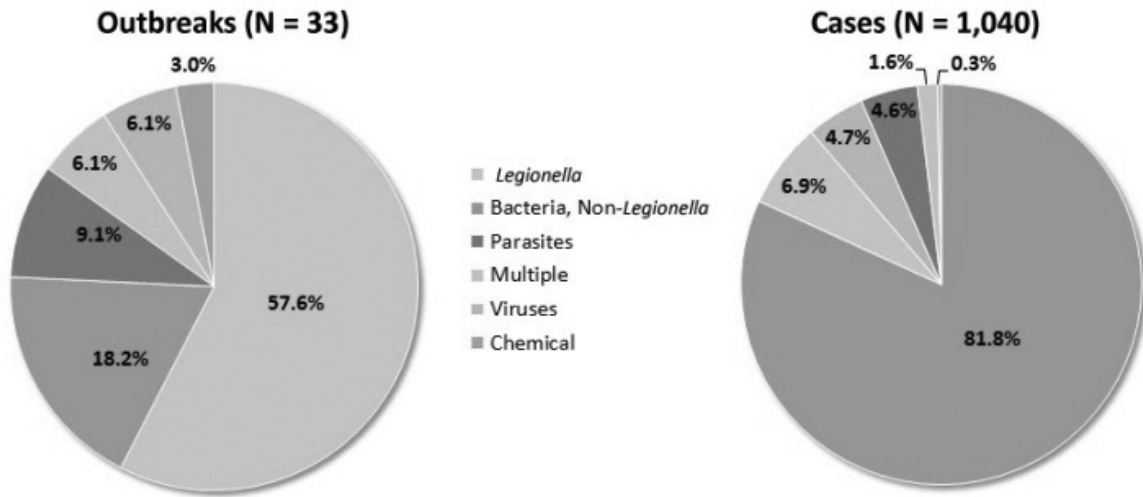
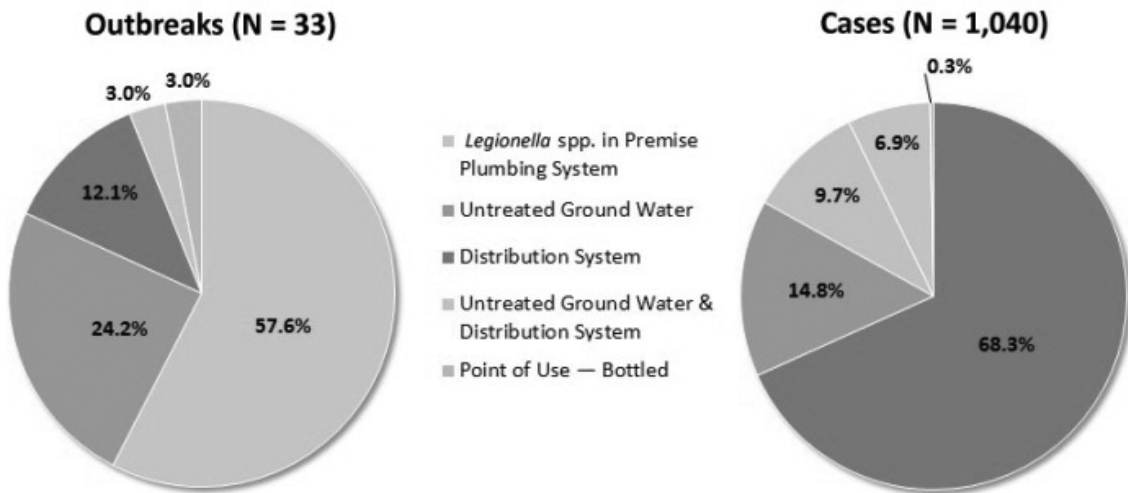
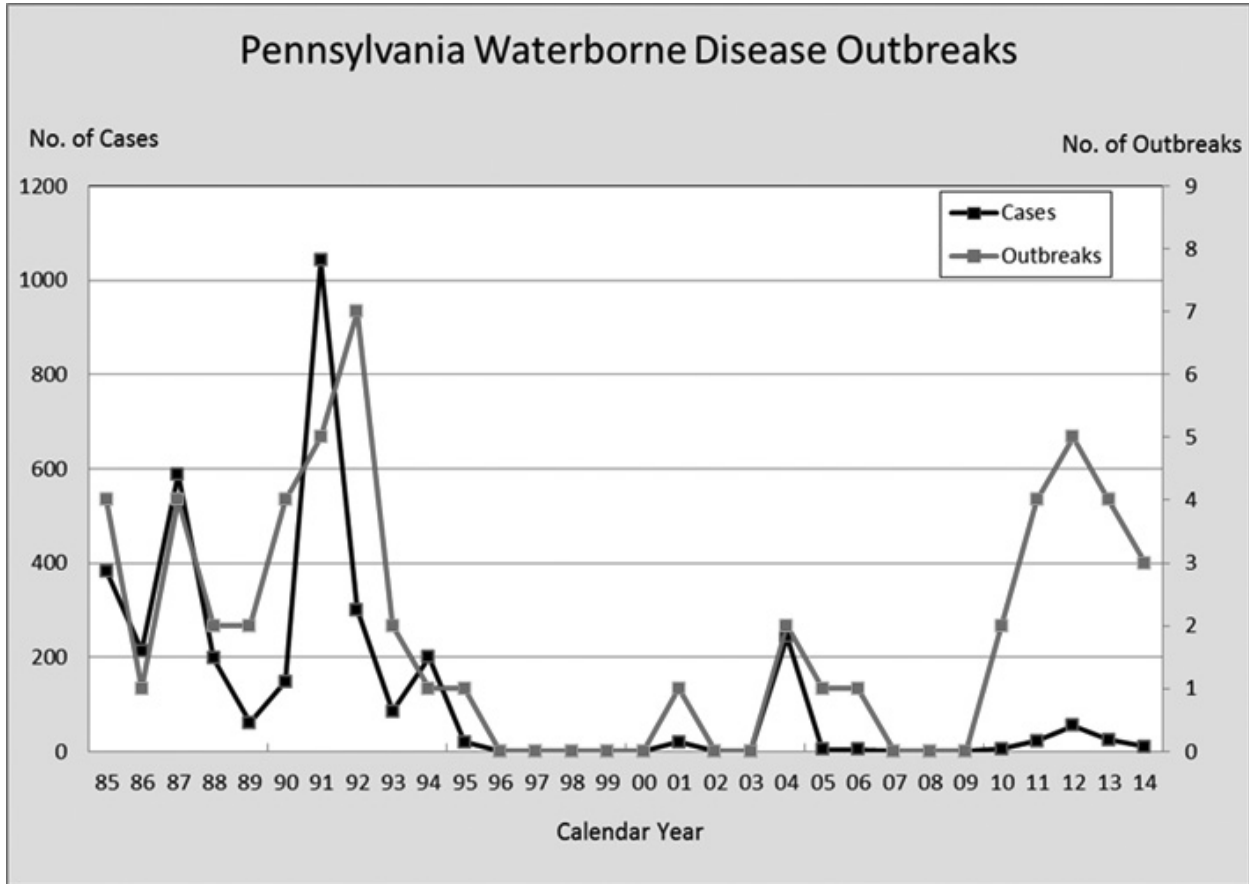


Figure 3. Deficiencies Assigned to Drinking Water Outbreaks (N = 33) and Outbreak-related Cases (N = 1,040), Waterborne Disease and Outbreak Surveillance System, 2009—2010.



Waterborne disease outbreaks in this Commonwealth have followed a similar trend in that nearly all outbreaks since 2010 have been associated with *Legionella* and distribution system deficiencies.

Figure 4. Waterborne Disease Outbreaks in Pennsylvania Associated with Drinking Water, 1985—2014 (Source: Pennsylvania Public Water System Compliance Report for 2014).



There have been a total of 18 *Legionella* outbreaks in this Commonwealth since 2010. The outbreaks occurred at several types of facilities, including personal care homes, apartment buildings, long-term care facilities, hotels, condominiums, correctional facilities, recreational parks and hospitals. The outbreaks resulted in 117 cases of illness, 71 hospitalizations and 8 deaths.

The distribution system is the remaining component of public water supplies yet to be adequately addressed in National efforts to eradicate waterborne disease. This is evident from data indicating that although the number of waterborne disease outbreaks including those attributable to distribution systems is decreasing, the proportion of outbreaks attributable to distribution systems is increasing (NRC, 2006).

What is a true detectable residual?

To answer this question, several terms must first be defined. The Method Detection Limit (MDL) is a statistically derived qualitative value that is determined in the lab and provides a 99% confidence that the detected value in a given matrix is greater than zero. The MDL does not represent a quantitative value. The Method Limit (ML), also known as the practical quantitation limit, is the lowest achievable quantifiable limit at a 95% confidence level and is derived from the MDL. The MDL is multiplied by a factor to yield the ML. The ML is often

rounded based on the precision and sensitivity of the method or the maximum contaminant level (MCL), or both.

According to Hach Company® (Primer, 2015), a leading manufacturer of chlorine residual monitoring devices, the MDL and ML used by the EPA to approve Hach’s Free and Total Chlorine Residual Methods were 0.02 mg/L Cl and 0.1 mg/L Cl, respectively.

$$\text{MDL} = 0.024, \text{ rounded to } 0.02 \text{ mg/L Cl}$$

$$\text{ML} = \text{MDL} * 3.18$$

$$\text{ML} = 0.02 * 3.18$$

$$\text{ML} = 0.06 \text{ mg/L Cl, rounded to } 0.1 \text{ mg/L Cl}$$

In other words, the lowest achievable quantifiable limit is 0.1 mg/L.

In addition, all chlorine residual test methods are subject to interferences from inorganic and organic constituents such as iron, manganese, other oxidants and disinfection byproducts, and organic chloramines. These interferences can cause false positive results (Hach Company®, 2013).

Pressman and Wahman (2014 and 2015) reported that free chlorine and inorganic chloramines may react with dissolved organic nitrogen to form organic chloramines. Organic chloramines are problematic because they interfere with analytical methods and are poor disinfectants

(that is, show little or no bactericidal activity). When total chlorine residuals are very low, between “detectable” and around 0.2 mg Cl₂/L, there may be little to no active disinfectant (that is, inorganic monochloramine) actually present.

The Colorado Department of Public Health and Environment (CDPHE) conducted a study to determine the detection limit for free chlorine using hand-held DPD devices in a field setting. The study included analyzing data from over 450 samples that were collected from 15 public water systems from across the state. The study findings showed a detection limit of 0.09 mg/L (99% confidence) (CDPHE, 2014).

Based on these studies and reports, and the prevalence of iron, manganese and other constituents of concern in raw and finished waters in this Commonwealth, the Department believes that the true detectable residual is likely somewhere between 0.1–0.2 mg/L.

The Board is seeking comments on additional studies and reports related to detection limits for free and total chlorine residual analysis in the field.

What is an adequate residual for the control of microbial growth?

This proposed rulemaking includes a regulatory limit of 0.2 mg/L (free or total chlorine) in the distribution system to ensure a true detectable residual and a meaningful residual for the control of microbial growth. This position is supported by the following studies, reports and data.

Early studies that were used to support the regulatory limit of 0.2 mg/L at the entry point include the following:

- Fair, et al. (1968) reported that the contact time needed to achieve a 99% *E. coli* kill at a free chlorine concentration of 0.2 mg/L was 6 minutes at a temperature of 2–5° C and a pH of 8.5. Additional data suggests that the bactericidal efficacy increases with decreasing pH.
- Berg (1964) reported kill rates in excess of 99% for *E. coli*, Adenovirus 3 and Poliomyelitis virus 1. These kill rates were achieved at 0.2 mg/L of HOCL and 10 minutes of contact time at 0–6° C.
- Butterfield (1948) reported to the United States Public Health Service that the minimum free chlorine residual to disinfect water at 10 minutes of contact time should be 0.2 mg/L. This recommendation was for a pH range of 6.0–7.0.

LeChevallier, et al. (1996, 2007 and 2014) conducted an 18-month survey of 31 water systems in North America to determine the factors that contribute to the occurrence of coliform bacteria in drinking water. The study found that systems that maintained dead-end free chlorine levels of < 0.2 mg/L or monochloramine levels of < 0.5 mg/L had substantially more coliform occurrences than systems that maintained higher disinfectant residuals. Research also showed data from a utility in Utah that experienced occurrences of total coliform bacteria and *E. coli* when free chlorine residuals in its distribution system averaged only 0.1 mg/L. Coliform occurrences were controlled by increasing the free chlorine concentration > 0.2 mg/L. The study concludes that the occurrence of coliform bacteria within a distribution system is dependent upon a complex interaction of chemical, physical, operational and engineering parameters. No one factor could account for all of the coliform occurrences and all of the parameters must be considered in devising a solution to the regrowth problem.

The CDPHE conducted a study to review total coliform and *E. coli* occurrence data. The study showed a relation-

ship between chlorine residuals and occurrence. There was a higher rate of occurrence of both contaminants as the chlorine residual decreased. Specifically, the CDPHE found the following:

*Coliform Bacteria and Residual Chlorine Data
(July 1, 2011–November 15, 2013)*

	<i>Samples Received</i>	<i>Number of TC+</i>	<i>% of Positives</i>
< 0.1 mg/L	3,357	102	3.0%
<0.2 mg/L	7,805	160	2.0%
≥ 0.2 mg/L	83,433	462	0.55%
Totals	91,238	622	0.7%

Regarding *E. coli*, the CDPHE found that ~ 48% of all *E. coli* positive results occurred when disinfectant residuals were < 0.2 mg/L (CDPHE, 2014).

Industry standards

- The 2012 edition of The Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers (Ten States Standards) specifies that the minimum free chlorine residual in water distribution systems should be 0.2 mg/L, and the minimum chloramine residual, where chloramination is practiced, should be 1.0 mg/L at distant points in the distribution system.

- The Water Research Foundation recommends a free chlorine residual of 0.20 mg/L and a total chlorine residual of 0.50 mg/L for an optimized distribution system (Water Research Foundation, 2010, Criteria for Optimized Distribution Systems).

Both the EPA and the Department have developed Area Wide Optimization Programs for Distribution Systems and recommend maintenance of residuals ≥ 0.20 mg/L free chlorine at all locations in the distribution system at all times. In addition, the EPA recommends maintenance of residuals ≥ 1.50 mg/L monochloramine at all locations in the distribution system at all times to provide a disinfection barrier against both microbial contamination and nitrification prevention.

The goal of the Distribution System Optimization Program is to sustain the water quality leaving the plant throughout all points in the distribution system. To further define distribution system optimization, “optimization” refers to improving drinking water quality to enhance public health protection without significant capital improvements to the water treatment plant or distribution system infrastructure.

The distribution system is the last “barrier” for protecting public health, meaning the physical and chemical barriers that have been established are necessary to protect the public from intentional or unintentional exposure to contaminants after the water has been treated. Distribution system optimization focuses on two primary health concerns related to water quality within the distribution system—microbial contamination and disinfection by-product (DBP) formation.

If implemented, distribution system optimization will lead to increased public health protection through increased monitoring and operational oversight, resulting in improved physical protection and improved water quality for all customers.

State data

In addition to reviewing numerous studies, the disinfectant residual requirements of other states were also

reviewed. At least 23 states have promulgated more stringent requirements when compared to the Commonwealth's current standard of 0.02 mg/L. Nineteen of these states have disinfectant residual requirements that are ≥ 0.2 mg/L, which supports the Board's proposed standard of 0.2 mg/L. The following table includes a summary of other states' requirements.

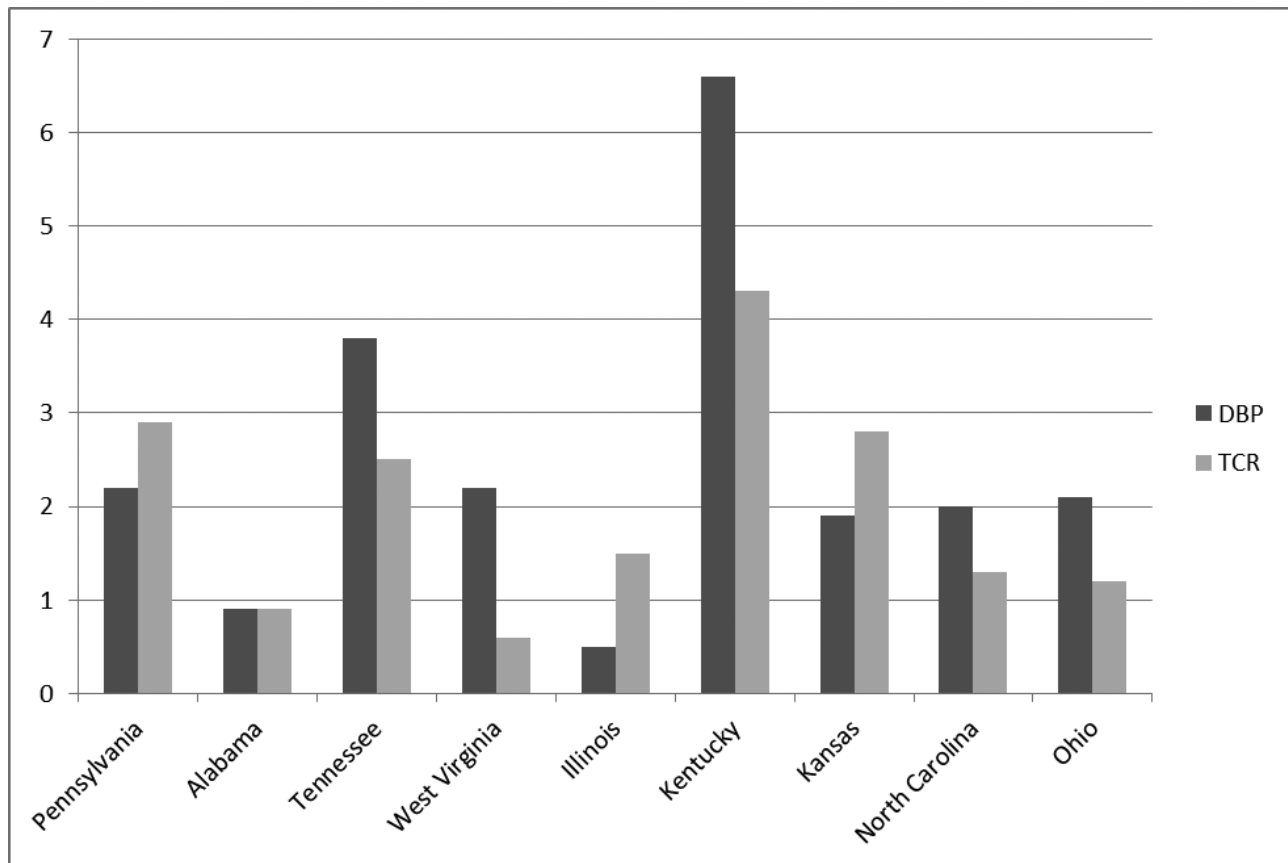
State	Minimum Distribution System Residual (mg/L)
Alabama*	0.2 (free), 0.5 (total)
Colorado*	0.2 (free or total)
Delaware	0.3 (free)
Florida*	0.2 (free), 0.6 (total)
Georgia	0.2 (free)
Illinois*	0.2 (free), 0.5 (total)
Indiana	0.2 (free), 0.5 (total)
Iowa	0.3 (free), 1.5 (total)
Kansas*	0.2 (free), 1.0 (total)
Kentucky*	0.2 (free), 0.5 (total)
Louisiana*	0.5 (free or total)
Minnesota	0.1 (free or total)
Missouri	0.2 (total)

State	Minimum Distribution System Residual (mg/L)
Nebraska	SW-0.2 (free), 0.25 or 0.5 (total); GW-0.1 (free)
Nevada	0.05 (free or total)
New Jersey*	0.05 (free or total)
North Carolina*	0.2 (free), 1.0 (total)
Ohio*	0.2 (free), 1.0 (total)
Oklahoma	0.2 (free), 1.0 (total)
Tennessee*	0.2 (free)
Texas*	0.2 (free), 0.5 (total)
Vermont	0.1 (free)
West Virginia*	0.2 (total)

* States with mandatory disinfection

The proposed disinfectant residual requirements aim to strike a balance between improving microbial inactivation while limiting adverse impacts on DBP formation. Water systems can meet more stringent disinfectant residual requirements and still be in compliance with DBPs as evidenced by a review of TCR and DBP compliance data from other states (EPA, ECHO web site).

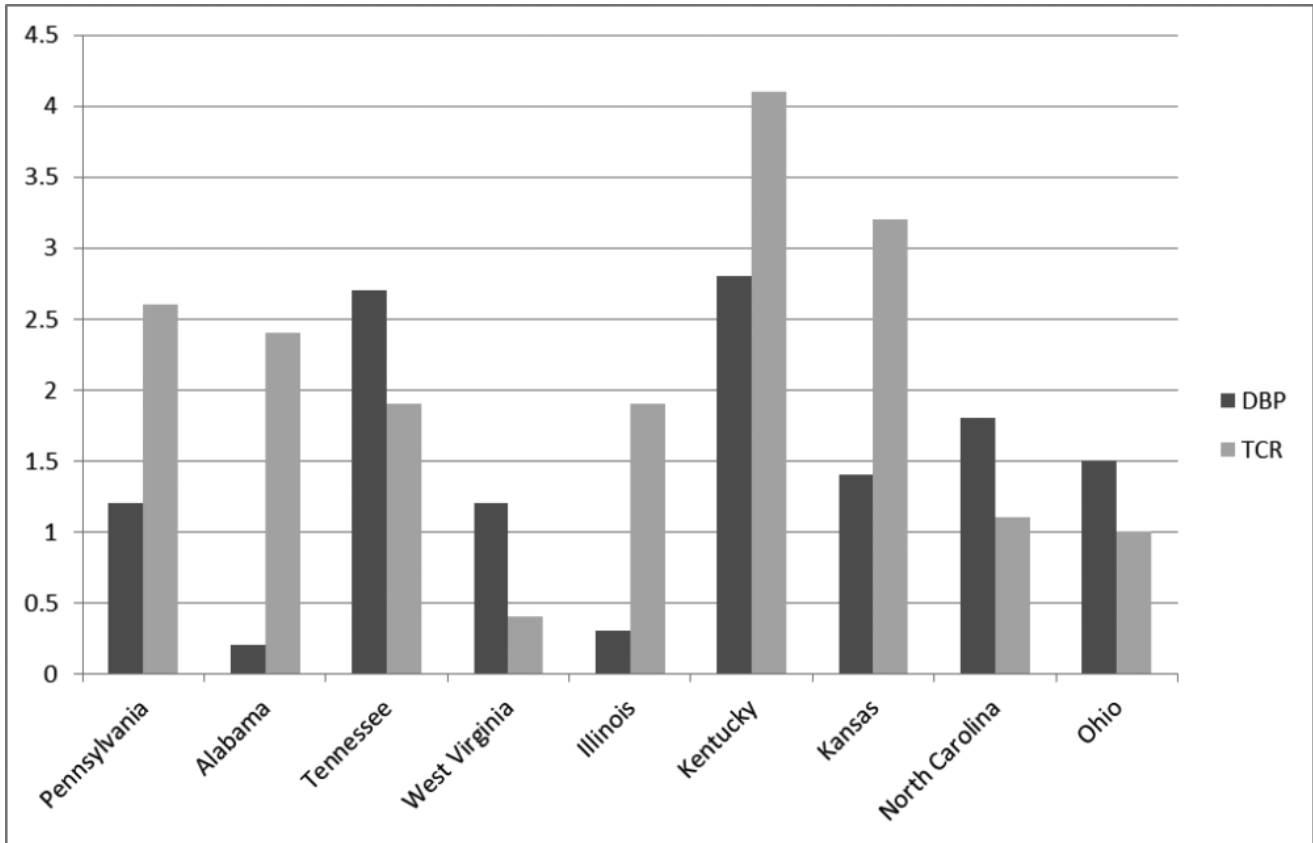
Percentage of Community Water Systems with Fiscal Year 2011 Violations—Commonwealth vs. States with Mandatory Disinfection and Residuals ≥ 0.2 mg/L



In 2011, seven of eight states had better TCR compliance rates than the Commonwealth, while six of eight states had better DBP compliance rates than the Commonwealth.

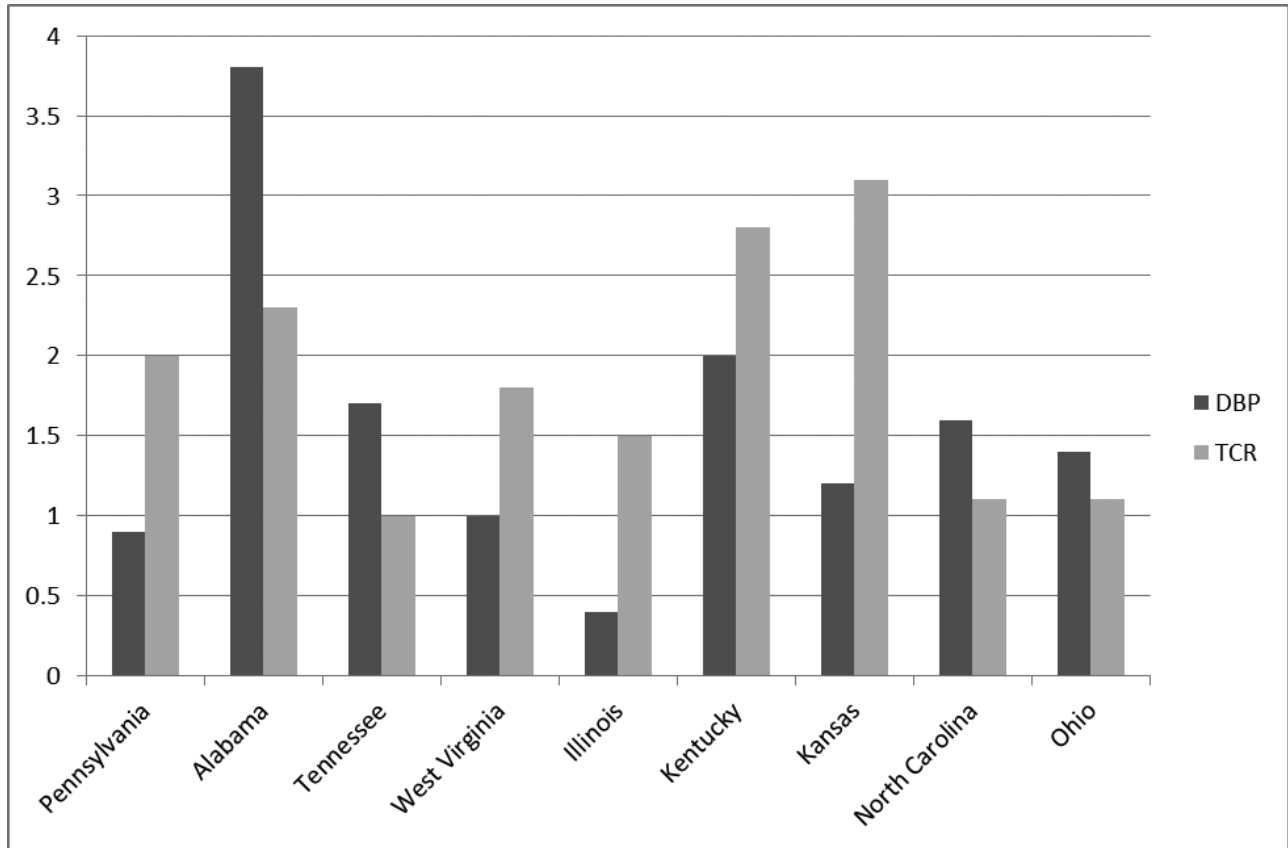
PROPOSED RULEMAKING

Percentage of Community Water Systems with Fiscal Year 2012 Violations—Commonwealth vs. States with Mandatory Disinfection and Residuals ≥ 0.2 mg/L



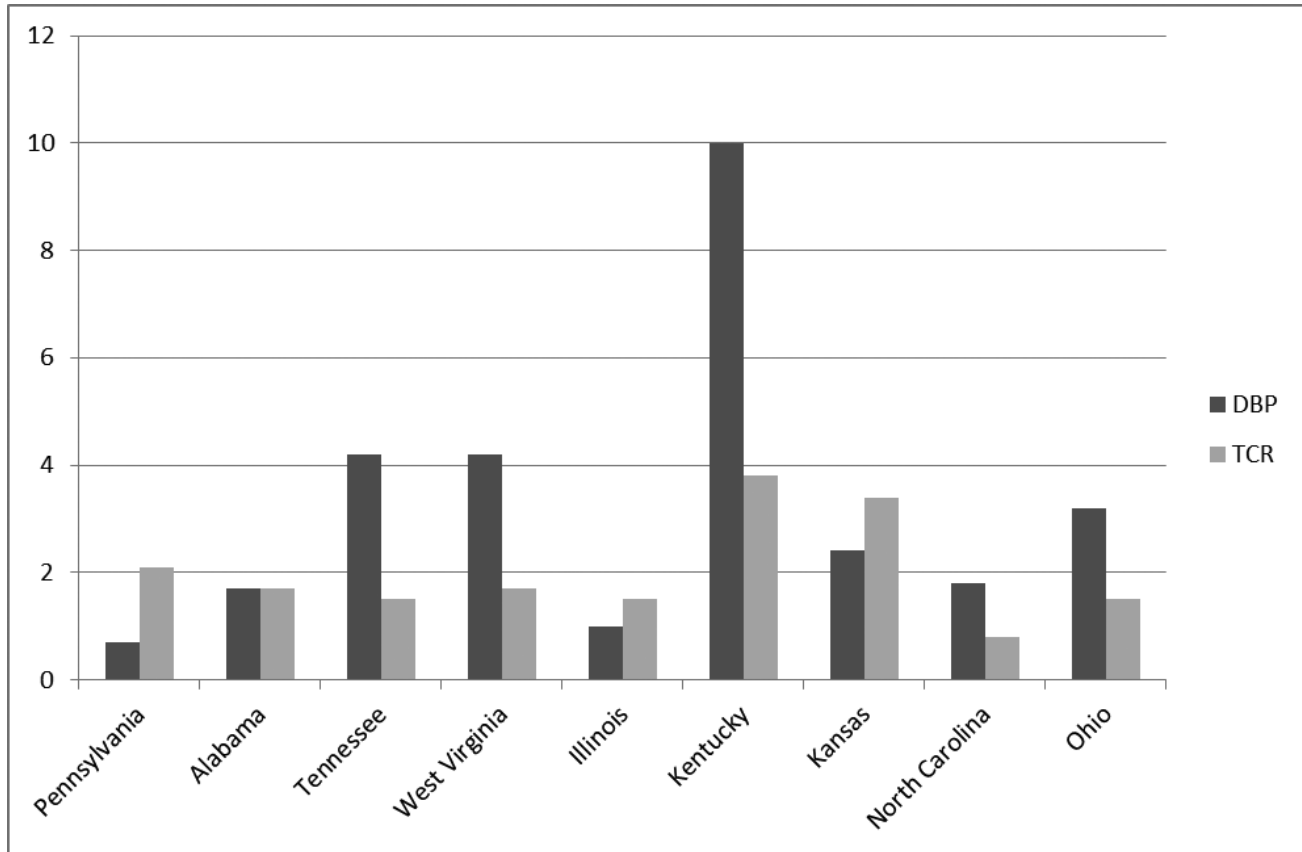
In 2012, six of eight states had better TCR compliance rates than the Commonwealth, while three of eight states had better DBP compliance rates than the Commonwealth.

Percentage of Community Water Systems with Fiscal Year 2013 Violations—Commonwealth vs. States with Mandatory Disinfection and Residuals ≥ 0.2 mg/L



In 2013, five of eight states had better TCR compliance rates than the Commonwealth, while one of eight states had better DBP compliance rates than the Commonwealth.

Percentage of Community Water Systems with Fiscal Year 2014 Violations—Commonwealth vs. States with Mandatory Disinfection and Residuals ≥ 0.2 mg/L



In 2014, six of eight states had better TCR compliance rates than the Commonwealth, while zero of eight states had better DBP compliance rates than the Commonwealth.

In each of the last 4 years, the large majority of states requiring disinfectant residual levels ≥ 0.2 mg/L had better TCR compliance rates than the Commonwealth (that is, had lower percentages of community water systems with TCR MCL violations). Some states were also able to control DBP violations as well.

A disinfectant residual serves as an indicator of distribution system contamination and the effectiveness of distribution system best management practices. Best management practices include flushing, storage tank maintenance, cross-connection control, leak detection, and effective pipe replacement and repair practices. The effective implementation of best management practices will help water suppliers comply with the disinfectant residual treatment technique by lowering chlorine demand and maintaining an adequate disinfectant residual throughout the distribution system. These same practices can also help control DBP formation.

The TAC recommended (by a vote of eight to five) that the minimum required disinfectant residual should be 0.1 mg/L (free or total). No supporting studies or reports were provided in support of a residual of 0.1 mg/L (free or total).

The Board requests comments including references to studies, reports or data that support a disinfectant re-

sidual of 0.1 mg/L or any other disinfectant residual that is equally protective of public health.

The TAC also recommended (by a vote of 12 to 0 with 1 abstention) that the Board retain the requirement for Heterotrophic Plate Count (HPC) monitoring. It was recommended that HPC should be kept as another tool to demonstrate compliance with the distribution system disinfectant residual requirements. No supporting studies or reports were provided to support that an HPC < 500 provides an equivalent level of public health protection when compared to a disinfectant residual of 0.2 mg/L.

The Board requests comments including references to studies, reports or data that provide supporting evidence that an HPC < 500 provides an equivalent level of public health protection when compared to a disinfectant residual of 0.2 mg/L.

Costs

Disinfectant residuals in the distribution system

It is anticipated that the large majority of water systems will be able to comply with this requirement with little to no capital costs. According to Department records for the last 3 years (2012—2014):

- Based on more than 82,000 monthly average distribution system disinfectant residual values reported by 2,583 different water systems: 95.6% of the average values

already meet or exceed the increased minimum residual of 0.2 mg/L (free chlorine); and only 4.4% of the average values are below the minimum residual.

- For the 37 systems that chloramine, based on more than 1,200 monthly average values reported: 99.67% of the average values already meet or exceed the increased minimum residual of 0.2 mg/L (total chlorine); and only 0.33% of the average values are below the minimum residual.

Systems may need to increase the frequency of or improve the effectiveness of existing operation and maintenance best management practices, such as flushing, storage tank maintenance, cross-connection control, leak detection, and effective pipe replacement and repair practices to lower chlorine demand and meet disinfectant residual requirements at all points in the distribution system.

Some systems with very large and extensive distribution systems may need to install automatic flushing systems or booster chlorination stations to achieve a 0.2 mg/L residual at all points in the distribution system. The estimates for these facilities are as follows: costs for automatic flushers: ~\$2,000; and costs for booster chlorination stations: \$200,000—\$250,000.

The Department estimates that 20% of large systems (serving > 50,000), or six systems, may need to install automatic flushing devices or booster chlorination stations, or both. Three systems may need to install up to five automatic flushers for a cost of \$10,000 for each system, a total of \$30,000. Three systems may need to install a booster chlorination station at \$250,000 for each system, a total of \$750,000. The total capital costs to the regulated community may be \$780,000.

Costs for small systems are not expected to increase because most small systems are already maintaining adequate disinfectant residuals (0.40 mg/L) as required by the Groundwater Rule.

The Board requests comments on anticipated costs to comply with the proposed disinfectant residual requirements.

The Board is also seeking comments on whether a deferred effective date of 6 months after final promulgation is warranted to provide water systems with additional time to make any necessary operational changes. If capital improvements are needed, a system-specific compliance schedule may be needed. Comments on the anticipated length of time needed to increase disinfectant residuals and whether capital improvements are anticipated to meet the proposed requirements are requested.

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History of pre-draft proposed rulemaking for disinfection requirements

The pre-draft proposed rulemaking was originally included in the Pre-Draft Proposed Revised Total Coliform Rule (RTCR), which was presented to the TAC on June 18, and September 23, 2014, for review and comment. On April 21, 2015, the Board approved the proposed RTCR with modifications. The modifications included splitting out the non-RTCR provisions for additional stakeholder input. The motion was made with the expectation that the non-RTCR provisions would be revisited promptly. On April 30, 2015, the TAC Board voted to recommend that the regulation be split further, with the non-RTCR rulemaking to focus solely on the disinfection requirements and the minor corrections needed to obtain or maintain primacy.

To provide additional opportunity for stakeholder input on the disinfection requirements, TAC meetings were convened on May 18, May 26, June 16, and June 30, 2015. During these meetings, 14 water systems and organizations delivered presentations to help inform the discussion. These stakeholder presentations and other materials provided by the Department may be found on the Department's web site. Two additional meetings were held with large water systems on June 29, and July 16, 2015, to gather additional comments. As a result of these six additional stakeholder meetings, several revisions were made during the pre-draft rulemaking process, including revisions to the minimum required disinfectant residual levels, monitoring and reporting requirements, and compliance determinations. These revisions were made to address concerns about compliance costs and the frequency of public notification. The TAC provided a final set of recommendations on July 15, 2015. Many of the TAC's recommendations are incorporated into this proposed rulemaking. Other recommendations are incorporated into this preamble as a means to solicit further public comment. Refer to Section E for more information about the TAC's recommendations.

E. Summary of Regulatory Requirements

§ 109.1. Definitions

The existing definition of "consecutive water system" is proposed to be amended to clarify that a system which obtains all of its water from another public water system and provides treatment to meet a primary MCL, MRDL or treatment technique is a consecutive water system.

§ 109.202. State MCLs, MRDLs and treatment technique requirements

The heading of § 109.202(a) (relating to State MCLs, MRDLs and treatment technique requirements) is proposed to be amended to "primary MCLs, MRDLs and treatment technique requirements" to be consistent with the heading of Subchapter B (relating to MCLs, MRDLs or treatment technique requirements).

Section 109.202(a)(1) and (2) is proposed to be amended to add "MRDLs and treatment technique requirements" following any mention of "MCLs" to be consistent with the heading of Subchapter B.

Section 109.202(c)(1)(ii) is proposed to be separated into clauses (A) and (B) to improve readability and to clarify disinfection requirements within filtration plants.

Proposed § 109.202(c)(1)(ii)(A) clarifies that monitoring is required to ensure compliance with existing log inactivation requirements. Refer to Section D of this preamble for more information.

Proposed § 109.202(c)(1)(ii)(B) clarifies the minimum residual disinfectant level at the entry point. By adding a zero to the minimum level (0.20 mg/L), water suppliers will be required to maintain a residual that is equal to or greater than 0.20 mg/L. Currently, levels of 0.15 or higher round up to 0.2 and are in compliance. A level of 0.20 mg/L is necessary due to the importance of meeting CTs and maintaining an adequate disinfectant residual in the water entering the distribution system. Also, this level of sensitivity is consistent with existing requirements for the Groundwater Rule (0.40 mg/L) as specified in § 109.1302(a)(2). Refer to Section D of this preamble for more information.

Log inactivation and entry point disinfectant residual requirements are existing Federal requirements in 40 CFR 141.72(b).

Proposed § 109.202(c)(4) clarifies that disinfectant residual requirements in § 109.710 (relating to disinfectant residual in the distribution system) apply to community water systems using a chemical disinfectant or that deliver water that has been treated with a chemical disinfectant (that is, a consecutive water system).

Proposed § 109.202(c)(5) clarifies that nontransient noncommunity water systems that have installed chemical disinfection and transient noncommunity water systems that have installed chemical disinfection under § 109.202(c)(1) or § 109.1302(b) must comply with the disinfectant residual requirements specified in § 109.710.

The misspelled word "community" is proposed to be corrected in the first line of § 109.202(g).

§ 109.301. General monitoring requirements

Section 109.301(1) (relating to general monitoring requirements) is proposed to be amended to remove an unnecessary reference to the Federal drinking water regulations.

Section 109.301(1)(i)(C) is proposed to be amended to clarify that a public water supplier shall record the number of periods each day when the residual disinfectant concentration at the entry point is less than 0.20 mg/L for more than 4 hours to be consistent with proposed language in § 109.202(c)(1)(ii). This section is also proposed to be amended to clarify that the length of time that grab sampling or manual recording can be substituted for continuous monitoring or recording is 5 working days after the equipment fails which is consistent with Federal requirements in 40 CFR 141.74(c)(2) (relating to analytical and monitoring requirements).

Section 109.301(1)(i)(D) is proposed to be amended to incorporate new monitoring requirements for the residual disinfectant concentration in the distribution system for filtered surface water and GUDI systems. Public water suppliers shall monitor in accordance with a sample siting plan.

Proposed § 109.301(1)(i)(D)(I) and (II) clarifies that public water suppliers shall monitor the residual disinfectant concentration at the same time and from the same location as total coliform samples, and shall ensure that the disinfectant residual is measured at least once per week. Disinfectant residual monitoring conducted at total coliform sample sites can be used to meet the weekly monitoring requirement. For any week that a total coliform sample is not collected, the water supplier shall

measure the disinfectant residual at a representative location within the distribution system as per its sample siting plan. The TAC recommended (by a unanimous vote) that water suppliers be required to measure the distribution system disinfectant residual at least once per week, instead of once per day as initially proposed. This recommendation was incorporated into this proposed rulemaking.

Proposed § 109.301(1)(i)(D)(III) ensures equitable water quality for all consumers by requiring public water suppliers to include sample sites (that do not meet the minimum level) in the monitoring conducted the following month. The expectation is that sample sites that were out of compliance should be returned to compliance by the next month. This ensures that areas of the distribution system with chronically low disinfectant residuals receive additional monitoring and operational oversight.

Proposed § 109.301(1)(i)(D)(IV) cross-references the compliance determination requirements in § 109.710.

Proposed § 109.301(1)(v) and (vi) requires new monitoring requirements to ensure compliance with existing treatment technique requirements proposed in § 109.202(c)(1)(ii)(A). Refer to Section D of this preamble for more information.

Section 109.301(2)(i) is proposed to be amended to change “fecal coliform” to “*E. coli*” to be consistent with the Federal MCL specified under 40 CFR 141.63(c) (relating to maximum contaminant levels (MCLs) for microbiological contaminants).

Section 109.301(2)(i)(E) is proposed to be amended to incorporate new monitoring requirements for the residual disinfectant concentration in the distribution system for unfiltered surface water and GUDI systems. Public water suppliers shall monitor in accordance with a sample siting plan. This language is consistent with the proposed amendments to § 109.301(1)(i)(D).

Section 109.301(5)(iii)(B) and (6)(ii)(B) is proposed to be amended to clarify monitoring requirements after the initial detection of a volatile organic compound or synthetic organic chemical. These proposed amendments are consistent with Federal requirements in 40 CFR 141.24 (relating to organic chemicals, sampling and analytical requirements).

Section 109.301(6)(vii) is proposed to be amended to include a cross-reference regarding submission requirements for waiver requests and renewals in clause (D).

Section 109.301(6)(vii)(A) is proposed to be amended to clarify that dioxin and polychlorinated biphenyls are included in the waiver process. Section 109.301(6)(vii)(E) is proposed to be deleted. These proposed amendments reflect Federal requirements in 40 CFR 141.24.

Section 109.301(7)(i)(A) is proposed to be deleted to reflect Federal requirements in 40 CFR 141.23 (relating to inorganic chemical sampling and analytical requirements).

Existing § 109.301(7)(i)(B) is proposed to be renumbered as § 109.301(7)(i)(A) and retitled to reflect the Federal requirements in 40 CFR 141.23.

Proposed § 109.301(7)(i)(B) clarifies sampling point location requirements for asbestos monitoring. This addition reflects Federal requirements in 40 CFR 141.23.

Section 109.301(7)(i)(C) is proposed to be amended to include a cross-reference to the new waiver language in § 109.301(7)(i)(F).

Proposed § 109.301(7)(i)(F) clarifies asbestos monitoring waiver requirements. This addition reflects Federal requirements in 40 CFR 141.23.

Section 109.301(7)(iii)(C)(II) is proposed to be amended to clarify repeat monitoring requirements for inorganic chemical monitoring.

Section 109.301(12)(iv)(B)(II) is proposed to be amended to reflect Federal analytical requirements for bromate in 40 CFR 141.132(b)(3)(ii)(B) (relating to monitoring requirements).

Section 109.301(13) is proposed to be rewritten for clarity and amended to also require transient noncommunity water systems with 4-log treatment under Subchapter M (relating to additional requirements for groundwater sources) to conduct disinfectant residual monitoring consistent with requirements of this paragraph and § 109.710.

§ 109.303. Sampling requirements

Section 109.303(e) (relating to sampling requirements) is proposed to be amended to correct a Federal citation regarding monitoring requirements for unregulated contaminants and to delete another Federal citation which no longer exists.

§ 109.408. Tier 1 public notice—categories, timing and delivery of notice

Section 109.408(a)(2) (relating to Tier 1 public notice—categories, timing and delivery of notice) is proposed to be amended to correct a Chapter 109 cross-reference.

Section 109.408(a)(6) is proposed to be amended to clarify that Tier 1 public notice is required for a failure to meet log inactivation requirements for more than 4 hours or a failure to maintain minimum entry point disinfectant residuals for more than 4 hours when the log inactivation value was not calculated.

§ 109.701. Reporting and recordkeeping

Section 109.701(a)(2) (relating to reporting and recordkeeping) is proposed to be amended to clarify that water systems must follow reporting requirements under subsection (a)(1) in addition to the requirements specified under subsection (a)(2).

Section 109.701(a)(2)(i)(C) is proposed to be amended to require new reporting requirements for log inactivation values for Giardia to ensure compliance with existing treatment technique requirements in proposed § 109.202(c)(1)(ii)(A). The existing reporting requirements that are in addition to the reporting requirements in subsection (a)(1) are no longer necessary and are proposed to be deleted.

Proposed § 109.701(a)(2)(i)(D) requires new reporting requirements for log inactivation values for viruses to ensure compliance with existing treatment technique requirements in proposed § 109.202(c)(1)(ii)(A). The existing reporting requirements that are in addition to the reporting requirements specified in § 109.701(a)(1) are no longer necessary and are being deleted.

Existing § 109.701(a)(2)(ii)(D) is proposed to be renumbered as § 109.701(a)(2)(ii)(C). Existing § 109.701(a)(2)(ii)(C) is proposed to be deleted because this additional reporting requirement is no longer necessary. The distribution system residual reporting requirements are specified in existing § 109.701(a)(1).

Section 109.701(a)(2)(iv) is proposed to be deleted because the requirement to collect HPC measurements is proposed to be deleted from § 109.710(b). This provision

is no longer necessary due to the changes to residual disinfectant requirements specified in § 109.710.

Section 109.701(a)(8) is proposed to be amended to require a sample siting plan for distribution system disinfectant residual monitoring. The existing reporting requirements that are in addition to the reporting requirements in § 109.701(a)(1) are no longer necessary and are proposed to be deleted.

§ 109.710. *Disinfectant residual in the distribution system*

Section 109.710(a) and (b) is proposed to be amended to strengthen minimum distribution system disinfectant residual requirements for community water systems, nontransient noncommunity water systems with chemical disinfection and any transient noncommunity water system with filtration or 4-log treatment of viruses. These proposed amendments will assist water systems to maintain compliance with the requirement of § 109.4(2) (relating to general requirements) that treatment is adequate to protect the public health. Refer to Section D of this preamble for more information.

Existing § 109.710(c) is proposed to be renumbered as § 109.710(d).

Proposed § 109.710(c) clarifies that a treatment technique violation occurs when the minimum disinfectant residual is not maintained in the distribution system and defines the water system's obligation to respond to this situation. This section also retains the requirement for a water system to investigate the cause and corrective action whenever the minimum residual is not maintained. However, this investigation is only required if the minimum residual is not maintained at the same sample location in 2 consecutive months or more.

The TAC recommended (by a vote of eight to five) that compliance should be required 95% of the time. While this compliance requirement is reasonable for large water systems that collect more than 40 TCR samples per month, it may not be feasible to calculate a 95th percentile for smaller systems that only collect one or two samples per month. Instead of a 95% compliance determination for small systems, the proposed monitoring frequency was increased to four samples per month (one per week) with systems remaining in compliance if no more than one sample per month is below the limit.

The Board requests comments on the compliance determinations, especially for small systems.

§ 109.715. *Nitrification control plan*

Proposed § 109.715 (relating to nitrification control plan) requires a water system that uses chloramines as a disinfection process to develop and implement a nitrification control plan. This plan is instead of requiring a higher residual for systems that chloramine to provide simultaneous control of microbes and nitrification. The TAC recommended (by a vote of eight to five) that nitrification control plans should be system-specific. This recommendation was incorporated into this proposed rulemaking.

§ 109.1002. *MCLs, MRDLs or treatment techniques*

Section 109.1002(a) (relating to MCLs, MRDLs or treatment techniques) is proposed to be amended to clarify that disinfection profiling and benchmarking requirements in § 109.204 (relating to disinfection profiling and benchmarking) apply to bottled, vended, retail and bulk water haulers. These proposed amendments are made in response to EPA comments and are required to obtain primacy for LT2.

Section 109.1002(c) is proposed to be amended to correct the relating to language for Subchapter L (relating to long-term 2 enhanced surface water treatment rule).

§ 109.1003. *Monitoring requirements*

Section 109.1003(a) (relating to monitoring requirements) is proposed to be amended in response to EPA comments to obtain primacy for LT2.

Section 109.1003(a)(1)(ix) is proposed to be amended to clarify that samples for disinfection byproduct monitoring must be collected during the peak historical month and that systems on a quarterly frequency must ensure the samples are evenly spaced. These proposed amendments are necessary to be consistent with existing § 109.301(12) (relating to general monitoring requirements) and the Federal Stage 2 Disinfection Byproducts Rule, and are in response to EPA comments to obtain primacy for the Stage 2 DBPR.

Proposed § 109.1003(a)(1)(xi) clarifies chlorine dioxide monitoring requirements for bottled, vended, bulk and retail water systems. This proposed subparagraph is in response to EPA comments to obtain primacy for the Stage 2 DBPR. Existing § 109.1003(a)(1)(xi) is proposed to be renumbered as § 109.1003(a)(1)(xii).

Proposed § 109.1003(a)(1)(xiii) clarifies that bottled, vended, bulk and retail water systems with filtration for surface water or GUDI sources must meet minimum disinfection residual requirements. This proposed subparagraph is in response to EPA comments to obtain primacy for LT2.

Proposed § 109.1003(a)(1)(xiv) requires that bottled, bulk and retail water systems that use or purchase water from a system that uses surface water or GUDI sources must also meet the minimum distribution system disinfection residual requirements. These proposed amendments are in response to EPA comments to obtain primacy for LT2. The provision allowing HPC less than 500 instead of a disinfectant residual is included because these systems are purchasing finished water that has already been treated with an appropriate level of disinfection, and these systems often remove the chlorine from the water prior to their entry point and add an alternate secondary disinfectant such as ultraviolet light.

Proposed § 109.1003(a)(2)(iv) requires that vended water systems that purchase water from a system that uses surface water or GUDI sources must also meet the minimum distribution system disinfection residual requirements. This proposed subparagraph is in response to EPA comments to obtain primacy for LT2.

Section 109.1003(b)(2) is proposed to be amended to change "certified" to "accredited" in reference to the type of laboratory acceptable to the Department. This amendment reflects the revised terminology in Chapter 252 (relating to environmental laboratory accreditation).

Proposed § 109.1003(b)(6) clarifies sampling and analysis requirements to be consistent with § 109.304(a) (relating to analytical requirements). This proposed paragraph is in response to EPA comments and is required to maintain primacy.

Section 109.1003(e) is proposed to be amended to require retail water facilities to follow the requirements in that subsection. This proposed amendment was made in response to EPA comments and is required to maintain primacy.

Proposed § 109.1003(h) is moved from § 109.1003(a) for clarification of compliance determinations. This pro-

posed amendment is in response to EPA comments and is necessary to maintain primacy.

Proposed § 109.1003(i) is added to be consistent with existing language in § 109.302 (relating to special monitoring requirements).

§ 109.1004. *Public notification*

Section 109.1004(a) (relating to public notification) is proposed to be amended to correct terminology for bottled, vended, retail and bulk public water systems in response to EPA comments to maintain primacy.

§ 109.1008. *System management responsibilities*

Section 109.1008(b) (relating to system management responsibilities) is proposed to be amended to correct the name of the Department's Bureau of Safe Drinking Water.

Proposed § 109.1008(g) requires bottled, vended, retail and bulk hauling water systems to comply with the significant deficiencies requirements in § 109.705 (relating to sanitary surveys).

Proposed § 109.1008(h) clarifies Stage 2 DBPR monitoring plan and operational evaluation level requirements. This proposed subsection is in response to EPA comments and is required to maintain primacy.

§ 109.1103. *Monitoring requirements*

Section 109.1103(c)(1)(ii) (relating to monitoring requirements) is proposed to be amended to clarify the period within which a small or medium water system that exceeded an action level is required to conduct additional lead and copper monitoring. This proposed amendment was made to be consistent with Federal requirements in 40 CFR 141.86 (relating to monitoring requirements for lead and copper in tap water).

Section 109.1103(d) is proposed to be amended to clarify lead service line replacement requirements. This proposed amendment reflects Federal requirements in 40 CFR 141.84 (relating to lead service line replacement requirements).

Section 109.1103(e)(3)(i)(C) is proposed to be amended to clarify that the requirements specified in that clause relate to a water system that exceeded the action level for either lead or copper. This proposed amendment is made to be consistent with existing language in subsection (e)(3).

Section 109.1103(g)(2)(v) is proposed to be amended to clarify the original intent of the subparagraph, which is to require that 50% of the total samples being collected for lead and copper shall be taken from sites served by a lead service line.

Section 109.1103(k)(6)(ii) is proposed to be amended to clarify that a system must monitor in accordance with all of the requirements in subsection (e), including the frequency and timing of monitoring, not just the number of sample sites.

§ 109.1107. *System management responsibilities*

Section 109.1107(d)(4) (relating to system management responsibilities) is proposed to be amended to clarify that a water system is not required to pay for replacement of privately owned lead service lines.

§ 109.1202. *Monitoring requirements*

Sections 109.1202(a)(4)(i) and (ii) (relating to monitoring requirements) is proposed to be amended to change the annual mean *E. coli* concentration triggers for monitoring to be greater than 100 *E. coli*/100 mL. These proposed amendments are made to be consistent with Federal guidance.

Section 109.1202(i) is proposed to be amended to correct a cross-reference.

§ 109.1302. *Treatment technique requirements*

Section 109.1302(a) is proposed to be amended to correct a citation regarding State MCLs, MRDLs and treatment technique requirements.

F. *Benefits, Costs and Compliance*

Benefits

The proposed amendments will affect all 1,982 community water systems and those noncommunity water systems that have installed disinfection (822) for a total of 2,804 public water systems. These public water systems serve a total population of 10.6 million people.

The proposed amendments are intended to reduce the public health risks and associated costs related to waterborne pathogens and waterborne disease outbreaks. Costs related to waterborne disease outbreaks are extremely high. For example, the total medical costs and productivity losses associated with the 1993 waterborne outbreak of cryptosporidiosis in Milwaukee, WI, was \$96.2 million—\$31.7 million in medical costs and \$64.6 million in productivity losses. The average total cost per person with mild, moderate and severe illness was \$116, \$475 and \$7,808, respectively. See Corso, P. S., Kramer, M. H., Blair, K. A., Addiss, D. G., Davis, J. P., Haddix, A. C. (April 2003). "Cost of illness in the 1993 Waterborne Cryptosporidium outbreak, Milwaukee, Wisconsin." *Emerging Infectious Diseases*, <http://wwwnc.cdc.gov/eid/article/9/4/02-0417>.

In 2008, a large Salmonella outbreak caused by contamination of a storage tank and distribution system of the municipal drinking water supply occurred in Alamosa, CO. The outbreak's estimated total cost to residents and businesses of Alamosa using a Monte Carlo simulation model (10,000 iterations) was approximately \$1.5 million (range: \$196,677—\$6,002,879) and rose to \$2.6 million (range: \$1,123,471—\$7,792,973) with the inclusion of outbreak response costs to local, state and nongovernmental agencies and City of Alamosa healthcare facilities and schools. This investigation documents the significant economic and health impacts associated with waterborne disease outbreaks and highlights the potential for loss of trust in public water systems following these outbreaks. See "Economic and Health Impacts Associated with a Salmonella Typhimurium Drinking Water Outbreak—Alamosa, CO, 2008," <http://www.ncbi.nlm.nih.gov/pubmed/23526942>.

Communities in this Commonwealth will benefit from: (1) the avoidance of a full range of health effects from the consumption of contaminated drinking water such as acute and chronic illness, endemic and epidemic disease, waterborne disease outbreaks, and death; (2) the continuity of a safe and adequate supply of potable water; and (3)

the ability to plan and build future capacity for economic growth and ensure long-term sustainability for years to come.

Compliance Costs

Disinfectant residual monitoring at the entry point

It is estimated that 114 out of 352 plants (or ~ 30%) may be using strip chart recorders. Strip chart recorders can record measurements to two decimal places provided the proper scale and resolution is used. In cases where the requisite scale and resolution is not possible, an upgrade to electronic recording devices would cost approximately \$1,500. It is estimated that 25% of these systems or 29 systems may need to upgrade to electronic recording devices. The estimated cost is 29 systems x \$1,500 = \$43,500.

This cost should not be prohibitive for filter plants, and the use of electronic devices offers several advantages. Advantages of using electronic recording devices include improved data reliability, faster and more comprehensive data analysis, better data resolution, elimination of the need for interpolating trace values from a chart, cost savings through the elimination of consumables (pens and chart paper) and reductions in errors associated with transferring analog data to a spreadsheet for recordkeeping or reporting purposes.

Disinfectant residuals in the distribution system

It is anticipated that the large majority of water systems will be able to comply with this requirement with little to no capital costs. According to Department records for the last 3 years (2012—2014):

- Based on more than 82,000 monthly average distribution system disinfectant residual values reported by 2,583 different water systems: 95.6% of the average values already meet or exceed the increased minimum residual of 0.2 mg/L (free chlorine); and only 4.4% of the average values are below the minimum residual.

- For the 37 systems that chloramine, based on more than 1,200 monthly average values reported: 99.67% of the average values already meet or exceed the increased minimum residual of 0.2 mg/L (total chlorine); and only 0.33% of the average values are below the minimum residual.

Systems may need to increase the frequency of or improve the effectiveness of existing operation and maintenance best management practices, such as flushing, storage tank maintenance, cross-connection control, leak detection, and effective pipe replacement and repair practices to lower chlorine demand and meet disinfectant residual requirements at all points in the distribution system.

Some systems with very large and extensive distribution systems may need to install automatic flushing systems or booster chlorination stations to achieve a 0.2 mg/L at all points in the distribution system. The Department's estimates for these facilities are as follows: costs for automatic flushers: ~ \$2,000; and costs for booster chlorination stations: \$200,000—\$250,000.

It is estimated that 20% of large systems (serving > 50,000), or six systems, may need to install automatic flushing devices or booster chlorination stations, or both. Three systems may need to install up to five automatic flushers for a cost of \$10,000 for each system, a total of \$30,000. Three systems may need to install a booster chlorination station at \$250,000 for each system, a total

of \$750,000. The total capital costs to the regulated community may be \$780,000.

Costs for small systems are not expected to increase because most small systems are already maintaining adequate disinfectant residuals (0.40 mg/L) as required by the Groundwater Rule.

Total costs for the regulated community are estimated at \$43,500 + \$780,000 = \$823,500.

The Board requests comments on anticipated costs to comply with the proposed disinfectant residual requirements.

Compliance Assistance Plan

The Safe Drinking Water Program utilizes the Commonwealth's Pennsylvania Infrastructure Investment Authority (PENNVEST) Program to offer financial assistance to eligible public water systems. This assistance is in the form of a low-interest loan, with some augmenting grant funds for hardship cases. Eligibility is based upon factors such as public health impact, compliance necessity and project/operational affordability.

The Safe Drinking Water Program has established a network of regional and Central Office training staff that is responsive to identifiable training needs. The target audience in need of training may be either program staff or the regulated community.

In addition to this network of training staff, the Bureau of Safe Drinking Water has staff dedicated to providing both training and outreach support services to public water system operators. The Department's web site also provides timely and useful information for treatment plant operators.

Finally, the Department also provides various tools and technical assistance to water systems through the Distribution System Optimization Program. The goal of distribution optimization is to sustain the water quality leaving the plant throughout all points in the distribution system. To further define distribution system optimization, "optimization" refers to improving drinking water quality to enhance public health protection without significant capital improvements to the water treatment plant or distribution system infrastructure.

The distribution system is the last "barrier" for protecting public health, meaning the physical and chemical barriers that have been established are necessary to protect the public from intentional or unintentional exposure to contaminants after the water has been treated. Distribution system optimization focuses on two primary health concerns related to water quality within the distribution system—microbial contamination and DBP formation.

If implemented, distribution system optimization will lead to increased public health protection through increased monitoring and operational oversight, resulting in improved physical protection and improved water quality for all customers.

Paperwork Requirements

Paperwork requirements include: reporting of log inactivation values on a monthly basis using existing forms; reporting additional disinfectant residual levels measured in the distribution system using existing forms; development of a disinfectant residual sample siting plan; and development of a nitrification control plan.

G. Sunset Review

This proposed rulemaking will be reviewed in accordance with the sunset review schedule published by the

Department to determine whether the regulations effectively fulfill the goals for which they were intended.

H. *Regulatory Review*

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

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

I. *Public Comments*

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Board. Comments, suggestions or objections must be received by the Board by April 19, 2016. In addition to the submission of comments, interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by the Board by April 19, 2016. The one-page summary will be distributed to the Board and available publicly prior to the meeting when the final-form rulemaking will be considered.

Comments including the submission of a one-page summary of comments may be submitted to the Board online, by e-mail, by mail or express mail as follows. If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>. Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

Written comments should be mailed to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

J. *Public Hearings*

The Board will hold three public hearings for the purpose of accepting comments on this proposed rulemaking. The hearings will be held at 1 p.m. on the following dates:

March 28, 2016 Department of Environmental Protection
Southcentral Regional Office
Susquehanna Room
909 Elmerton Avenue
Harrisburg, PA 17110

April 5, 2016 Department of Environmental Protection
Southeast Regional Office
Delaware and Schuylkill Conference Rooms
2 East Main Street
Norristown, PA 19401

April 7, 2016 Department of Environmental Protection
Southwest Regional Office
Building 500
Waterfront Conference Rooms A and B
400 Waterfront Drive
Pittsburgh, PA 15222

Persons wishing to present testimony at a hearing are requested to contact the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

JOHN QUIGLEY,
Chairperson

Fiscal Note: 7-520. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 109. SAFE DRINKING WATER

Subchapter A. GENERAL PROVISIONS

§ 109.1. Definitions.

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

* * * * *

Consecutive water system—A public water system which obtains all of its water from another public water system and resells the water to a person, provides treatment to meet a primary MCL, **MRDL or treatment technique**, or provides drinking water to an interstate carrier. The term does not include bottled water and bulk water systems.

* * * * *

Subchapter B. MCLs, MRDLs OR TREATMENT TECHNIQUE REQUIREMENTS

§ 109.202. State MCLs, MRDLs and treatment technique requirements.

(a) *Primary MCLs, MRDLs and treatment technique requirements.*

(1) A public water system shall supply drinking water that complies with the primary MCLs, MRDLs and treatment technique requirements adopted by the EQB under the act.

(2) This subchapter incorporates by reference the primary MCLs, MRDLs and treatment technique requirements in the National Primary Drinking Water Regulations[, at 40 CFR Part 141, Subparts B and G (relating to maximum contaminant levels)] 40 CFR Part 141 (relating to National Primary Drinking Water Regulations) as State MCLs, MRDLs and treatment technique requirements under authority of section 4 of the act (35 P. S. § 721.4), unless other MCLs, MRDLs and treatment technique requirements are established by regulations of the Department. The primary MCLs, MRDLs and treatment technique requirements which are incorporated by reference are effective on the date established by the Federal regulations.

* * * * *

(c) *Treatment technique requirements for pathogenic bacteria, viruses and protozoan cysts.* A public water system shall provide adequate treatment to reliably protect users from the adverse health effects of microbiological contaminants, including pathogenic bacteria, viruses and protozoan cysts. The number and type of treatment barriers and the efficacy of treatment provided shall be commensurate with the type, degree and likelihood of contamination in the source water.

(1) A public water supplier shall provide, as a minimum, continuous filtration and disinfection for surface water and GUDI sources. The treatment technique must provide at least 99.9% removal and inactivation of *Giardia lamblia* cysts, and at least 99.99% removal and inactivation of enteric viruses. Beginning January 1, 2002, public water suppliers serving 10,000 or more people shall provide at least 99% removal of *Cryptosporidium* oocysts. Beginning January 1, 2005, public water suppliers serving fewer than 10,000 people shall provide at least 99% removal of *Cryptosporidium* oocysts. The Department, depending on source water quality conditions, may require additional treatment as necessary to meet the requirements of this chapter and to protect the public health.

* * * * *

[(ii) The combined total effect of disinfection processes utilized in a filtration plant shall achieve at least a 90% inactivation of *Giardia* cysts and a 99.9% inactivation of viruses, as determined by CTs and measurement methods established by the EPA. The residual disinfectant concentration in the water delivered to the distribution system prior to the first customer may not be less than .2 mg/L for more than 4 hours, as demonstrated by measurement taken under § 109.301(1). Failure to maintain this level that extends beyond 4 hours constitutes a breakdown in treatment. A system that experiences a breakdown in treatment shall, under § 109.701(a)(3) (relating to reporting and recordkeeping), notify the Department within 1 hour after the water system learns of the violation or the situation, and shall provide public notice in accordance with § 109.408 (relating to Tier 1 public notice categories, timing and delivery of notice).]

(ii) The combined total effect of disinfection processes utilized in a filtration plant shall:

(A) Achieve at least 1.0-log inactivation of *Giardia* cysts and 3.0-log inactivation of viruses as demonstrated by measurements taken under § 109.301(1). Failure to maintain the minimum log inactivation for more than 4 hours of operation constitutes a breakdown in treatment.

(B) Provide a minimum residual disinfectant concentration of 0.20 mg/L at the entry point as demonstrated by measurements taken under § 109.301(1). Failure to maintain the minimum entry point disinfectant residual for more than 4 hours of operation is a treatment technique violation.

(iii) For an unfiltered surface water source permitted for use prior to March 25, 1989, the public water supplier shall:

* * * * *

(3) A community public water system shall provide continuous disinfection and comply with Subchapter M (relating to additional requirements for groundwater sources) for groundwater sources.

(4) Community water systems using a chemical disinfectant or that deliver water that has been treated with a chemical disinfectant shall comply with the minimum disinfectant residual specified in § 109.710 (relating to disinfectant residual in the distribution system).

(5) Nontransient noncommunity water systems that have installed chemical disinfection and transient noncommunity water systems that have installed chemical disinfection in accordance with paragraph (1) or § 109.1302(b) (relating to treatment technique requirements) shall comply with the minimum disinfectant residual specified in § 109.710.

(d) *Fluoride.* A public water system shall comply with the primary MCL for fluoride of 2 mg/L, except that a noncommunity water system implementing a fluoridation program approved by the Department of Health and using fluoridation facilities approved by the Department under § 109.505 (relating to requirements for noncommunity water systems) may exceed the MCL for fluoride but may not exceed the fluoride level approved by the Department of Health. The secondary MCL for fluoride of 2 mg/L established by the EPA under 40 CFR 143.3 (relating to secondary [MCLs] maximum contaminant levels) is not incorporated into this chapter.

* * * * *

(g) *Treatment technique requirements for disinfection byproduct precursors.* [Community] Community water systems and nontransient noncommunity water systems that use either surface water or GUDI sources and that use conventional filtration treatment shall provide adequate treatment to reliably control disinfection byproduct precursors in the source water. Enhanced coagulation and enhanced softening are deemed by the Department to be treatment techniques for the control of disinfection byproduct precursors in drinking water treatment and distribution systems. This subchapter incorporates by reference the treatment technique in 40 CFR 141.135 (relating to treatment technique for control of disinfection byproduct (DBP) precursors). Coagulants approved by the Department are deemed to be acceptable for the purpose of this treatment technique. This treatment technique is effective on the date established by the Federal regulations.

* * * * *

Subchapter C. MONITORING REQUIREMENTS

§ 109.301. General monitoring requirements.

Public water suppliers shall monitor for compliance with MCLs, MRDLs and treatment technique requirements in accordance with the requirements established by the EPA under the National Primary Drinking Water Regulations, 40 CFR Part 141 [(relating to national primary drinking water regulations)] (relating to National Primary Drinking Water Regulations), except as otherwise established by this chapter unless increased monitoring is required by the Department under § 109.302 (relating to special monitoring requirements). Alternative monitoring requirements may be established by the Department and may be implemented in lieu of monitoring requirements for a particular National Primary Drinking Water Regulation if the alternative monitoring requirements are in conformance with the Federal act and regulations. The monitoring requirements shall be applied as follows:

(1) Performance monitoring for filtration and disinfection. A public water supplier providing filtration and disinfection of surface water or GUDI sources shall conduct the following performance monitoring requirements [established by the EPA under the National Primary Drinking Water Regulations], unless increased monitoring is required by the Department under § 109.302.

(i) Except as provided under subparagraphs (ii) and (iii) a public water supplier:

* * * * *

(C) Shall continuously monitor and record the residual disinfectant concentration of the water being supplied to the distribution system and record both the lowest value for each day and the number of periods each day when the value is less than [.2] 0.20 mg/L for more than 4 hours. If a public water system's continuous monitoring or recording equipment fails, the public water supplier may, upon notification of the Department under § 109.701(a)(3) (relating to reporting and recordkeeping), substitute grab sampling or manual recording every 4 hours in lieu of continuous monitoring. Grab sampling or manual recording may not be substituted for continuous monitoring or recording for longer than 5 working days after the equipment fails.

(D) Shall measure and record the residual disinfectant concentration at representative points in the distribution system [no less frequently than the frequency required for total coliform sampling for compliance with the MCL for microbiological contaminants.] in accordance with a sample siting plan as specified in § 109.701(a)(8) and as follows:

(I) A public water supplier shall monitor the residual disinfectant concentration at the same time and from the same location that a total coliform sample is collected as specified in paragraph (3)(i) and (ii). Measurements taken under this subclause may be used to meet the requirements under subclause (II).

(II) A public water supplier shall monitor the disinfectant residual at representative locations in the distribution system at least once per week.

(III) A public water supplier that does not maintain the minimum disinfectant residual specified in § 109.710 (relating to disinfectant residual in the

distribution system) at one or more sample sites shall include those sample sites in the monitoring conducted the following month.

(IV) Compliance with the minimum disinfectant residual shall be determined in accordance with § 109.710.

(ii) For a public water supplier serving 3,300 or fewer people, the Department may reduce the residual disinfectant concentration monitoring for the water being supplied to the distribution system to a minimum of 2 hours between samples at the grab sampling frequencies prescribed as follows if the historical performance and operation of the system indicate the system can meet the residual disinfectant concentration at all times:

* * * * *

(iv) A public water supplier providing conventional filtration treatment or direct filtration and serving 10,000 or more people and using surface water or GUDI sources shall, beginning January 1, 2002, conduct continuous monitoring of turbidity for each individual filter using an approved method under the EPA regulation in 40 CFR 141.74(a) (relating to analytical and monitoring requirements) and record the results at least every 15 minutes. Beginning January 1, 2005, public water suppliers providing conventional or direct filtration and serving fewer than 10,000 people and using surface water or GUDI sources shall conduct continuous monitoring of turbidity for each individual filter using an approved method under the EPA regulation in 40 CFR 141.74(a) and record the results at least every 15 minutes.

* * * * *

(D) A public water supplier serving fewer than 10,000 persons has a maximum of 14 days following the failure of the equipment to repair or replace the equipment before a violation is incurred.

(v) A public water supplier shall calculate the log inactivation of Giardia, using measurement methods established by the EPA, at least once per day during peak hourly flow. The log inactivation for Giardia must also be calculated whenever the residual disinfectant concentration at the entry point falls below the minimum value specified in § 109.202(c) (relating to State MCLs, MRDLs and treatment technique requirements) and continue to be calculated every 4 hours until the residual disinfectant concentration at the entry point is at or above the minimum value specified in § 109.202(c). Records of log inactivation calculations must be reported to the Department in accordance with § 109.701(a)(2).

(vi) In addition to the requirements specified in subparagraph (v), a public water supplier that uses a disinfectant other than chlorine to achieve log inactivation shall calculate the log inactivation of viruses at least once per day during peak hourly flow. The log inactivation for viruses must also be calculated whenever the residual disinfectant concentration at the entry point falls below the minimum value specified in § 109.202(c) and continue to be calculated every 4 hours until the residual disinfectant concentration at the entry point is at or above the minimum value specified in § 109.202(c). Records of log inactivation calculations must be reported to the Department in accordance with § 109.701(a).

(2) *Performance monitoring for unfiltered surface water and GUDI.* A public water supplier using unfiltered surface water or GUDI sources shall conduct the following source water and performance monitoring requirements on an interim basis until filtration is provided, unless increased monitoring is required by the Department under § 109.302:

(i) Except as provided under subparagraphs (ii) and (iii), a public water supplier:

(A) Shall perform [fecal coliform] *E. coli* or total coliform density determinations on samples of the source water immediately prior to disinfection. Regardless of source water turbidity, the minimum frequency of sampling for [fecal or total coliform determination] total coliform or *E. coli* determinations may be no less than the following:

* * * * *

(E) Shall measure the residual disinfectant concentration at representative points in the distribution system [no less frequently than the frequency required for total coliform sampling for compliance with the MCL for microbiological contaminants.] in accordance with a sample siting plan as specified in § 109.701(a)(8) and as follows:

(I) A public water supplier shall monitor the residual disinfectant concentration at the same time and from the same location that a total coliform sample is collected as specified in paragraph (3)(i) and (ii). Measurements taken under this subclause may be used to meet the requirements under subclause (II).

(II) A public water supplier shall monitor the disinfectant residual at representative locations in the distribution system at least once per week.

(III) A public water supplier that does not maintain the minimum disinfectant residual specified in § 109.710 at one or more sample sites shall include those sample sites in the monitoring conducted the following month.

(IV) Compliance with the minimum disinfectant residual shall be determined in accordance with § 109.710.

(ii) For a public water supplier serving 3,300 or fewer people, the Department may reduce the residual disinfectant concentration monitoring for the water being supplied to the distribution system to a minimum of 2 hours between samples at the grab sampling frequencies prescribed as follows if the historical performance and operation of the system indicate the system can meet the residual disinfectant concentration at all times:

* * * * *

(5) *Monitoring requirements for VOCs.* Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for VOCs established by the EPA under 40 CFR 141.61(a) (relating to [MCLs] maximum contaminant levels for organic contaminants). The monitoring shall be conducted according to the requirements established by the EPA under 40 CFR 141.24(f) (relating to organic chemicals, sampling and analytical requirements), incorporated herein by reference, except as modified by this chapter. Initial or first year monitoring mentioned in this paragraph refers to VOC monitoring conducted on or after January 1, 1993.

* * * * *

(iii) *Repeat monitoring for entry points at which a VOC is detected.* For entry points at which a VOC is detected at a level equal to or greater than 0.0005 mg/L, then:

* * * * *

(B) The Department may decrease the quarterly monitoring requirement specified in clause (A) provided it has determined that the system is reliably and consistently below the MCL. [The Department will not make this determination unless a groundwater or GUDI system takes a minimum of 2 quarterly samples and a surface water system takes a minimum of 4 quarterly samples.] For an initial detection of a VOC, the Department will not make this determination until the water system obtains results from a minimum of four consecutive quarterly samples that are reliably and consistently below the MCL.

* * * * *

(6) *Monitoring requirements for SOCs (pesticides and PCBs).* Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for SOCs established by the EPA under 40 CFR 141.61(c). The monitoring shall be conducted according to the requirements established by the EPA under 40 CFR 141.24(h), incorporated herein by reference except as modified by this chapter.

* * * * *

(ii) *Repeat monitoring for SOCs that are detected.* If an SOC is detected (as defined by the EPA under 40 CFR [Part] 141.24(h)(18) or by the Department), then:

* * * * *

(B) The Department may decrease the quarterly monitoring requirement specified in clause (A) provided it has determined that the system is reliably and consistently below the MCL. [The Department will not make this determination unless a groundwater or GUDI system takes a minimum of 2 quarterly samples and a surface water system takes a minimum of 4 quarterly samples.] For an initial detection of a SOC, the Department will not make this determination until the water system obtains results from a minimum of four consecutive quarterly samples that are reliably and consistently below the MCL.

* * * * *

(vii) *Waivers.* A waiver will be granted to a public water supplier from conducting the initial compliance monitoring or repeat monitoring, or both, for an SOC based on documentation provided by the public water supplier and a determination by the Department that the criteria in clause (B), (C) or (D) has been met. A waiver is effective for one compliance period and may be renewed in each subsequent compliance period. If the Department has not granted a use waiver in accordance with clause (B), the public water supplier is responsible for submitting a waiver application and renewal application to the Department for review in accordance with clause (B) [or], (C) or (D) for specific entry points. Waiver applications will be evaluated relative to the vulnerability assessment area described in clause (A) and the criteria in clause (B) [or], (C) or (D). Entry points at which treatment has been installed to remove an SOC are not eligible for a monitoring waiver for the SOCs for which treatment has been installed.

(A) *Vulnerability assessment area for SOCs [except] including dioxin and PCBs.*

* * * * *

(D) *Waiver requests and renewals.* Waiver requests and renewals shall be submitted to the Department, on forms provided by the Department, for review and approval prior to the end of the applicable monitoring period. Until the waiver request or renewal is approved, the public water system is responsible for conducting all required monitoring.

[(E) *Waivers for dioxin and PCBs.* A system is granted a waiver from monitoring for dioxin and PCBs unless the Department determines that there is a source of dioxin or PCB contamination which poses a threat to a drinking water source.]

(viii) *Invalidation of SOC samples.*

* * * * *

(7) *Monitoring requirements for IOCs.* Community water systems and nontransient noncommunity water systems shall monitor for compliance with the MCLs for IOCs established by the EPA under 40 CFR 141.62 (relating to maximum contaminant levels [(MCLs)] for inorganic contaminants). Transient noncommunity water suppliers shall monitor for compliance with the MCLs for nitrate and nitrite. The monitoring shall be conducted according to the requirements established by the EPA under 40 CFR 141.23 (relating to inorganic chemical sampling and analytical requirements). The requirements are incorporated by reference except as modified by this chapter.

(i) *Monitoring requirements for asbestos.*

[(A) *Waivers for asbestos monitoring.* A system is granted a waiver from asbestos monitoring unless the Department determines that the system's distribution system contains asbestos cement pipe and the system has not implemented optimum corrosion control measures, or the Department determines that the system's source water is vulnerable to asbestos contamination.

(B) *Initial monitoring schedule.*] (A) *Monitoring frequency.* Community water systems and nontransient noncommunity water systems not granted a waiver under clause [(A)] (F) shall monitor for compliance with the MCL for asbestos by taking one sample at each vulnerable sampling point during the first 3-year compliance period of each 9-year compliance cycle, with the initial compliance monitoring beginning not later than the calendar year beginning January 1, 1995.

(B) *Sampling points.* A system shall monitor at the following locations:

(I) Each entry point to the distribution system.

(II) At least one representative location within the distribution system identified in a written sample site plan that includes a materials evaluation of the distribution system. The written sample site plan must be maintained on record and submitted to the Department prior to conducting initial monitoring or upon request.

(C) *Monitoring of new entry points.* New entry points which begin operation after December 31, 1995, shall conduct initial monitoring during the first compliance period of the first compliance cycle after the entry point

begins serving the public, if the Department determines that a waiver cannot be granted in accordance with clause [(A)] (F).

(D) *Repeat monitoring for systems that exceed the asbestos MCL.* If a sample exceeds the MCL for asbestos, the monitoring at that sampling point shall be continued quarterly beginning in the quarter following the MCL [violation] exceedance. After [4] four consecutive quarterly samples with results reliably and consistently below the MCL at that entry point, the required monitoring is reduced to one sample at that entry point during the first 3-year compliance period of each subsequent 9-year compliance cycle, if treatment has not been installed to remove asbestos from the source water. Compliance monitoring at entry points at which treatment has been installed to remove asbestos from source water shall be conducted at least annually, and performance monitoring shall be conducted quarterly.

(E) *Confirmation samples.* For asbestos sample results in excess of the MCL during annual or less frequent compliance monitoring, the water supplier shall take a confirmation sample within 2 weeks of notification by the accredited laboratory performing the analysis. The average of the results of the original and the confirmation sample will be used to determine compliance. Monitoring shall be completed by the deadline specified for asbestos compliance monitoring.

(F) *Waivers for asbestos monitoring.* A waiver will be granted to a public water supplier from conducting compliance monitoring for asbestos based on documentation provided by the public water supplier and a determination by the Department that the criteria in this clause have been met. A waiver is effective for one compliance period and may be renewed in each subsequent compliance period. Entry points at which treatment has been installed to remove asbestos are not eligible for a monitoring waiver.

(I) A waiver for entry point compliance monitoring may be granted if the sources supplying the entry point are not vulnerable to asbestos contamination.

(II) A waiver for distribution system monitoring may be granted if the distribution system does not contain asbestos cement pipe as indicated in the materials evaluation or if the water system has optimized corrosion control as specified in Subchapter K (relating to lead and copper).

(III) Waiver requests and renewals shall be submitted to the Department, on forms provided by the Department, for review and approval prior to the end of the applicable monitoring period. Until the waiver request or renewal is approved, the public water system is responsible for conducting all required monitoring.

(ii) *Monitoring requirements for nitrate and nitrite.*

* * * * *

(iii) *Monitoring requirements for antimony, arsenic, barium, beryllium, cadmium, cyanide, chromium, fluoride, mercury, nickel, selenium and thallium.*

* * * * *

(C) *Repeat monitoring for entry points at which an IOC MCL is exceeded.*

* * * * *

(II) After analyses of [4] **four** consecutive quarterly samples [**at an entry point where treatment has not been installed to comply with an IOC MCL**] indicate that contaminant levels are reliably and consistently below the MCLs, the required monitoring **at an entry point where treatment has not been installed to comply with an IOC MCL** for each IOC that is reliably and consistently below the MCL is reduced to the frequencies stated in clause (A). This reduced monitoring option does not apply to entry points at which treatment has been installed for IOC removal. Compliance monitoring for IOCs for which treatment has been installed to comply with an MCL shall be conducted at least annually, and performance monitoring shall be conducted quarterly.

* * * * *

(12) *Monitoring requirements for disinfection byproducts and disinfection byproduct precursors.* Community water systems and nontransient noncommunity water systems that use a chemical disinfectant or oxidant shall monitor for disinfection byproducts and disinfection byproduct precursors in accordance with this paragraph. Community water systems and nontransient noncommunity water systems that obtain finished water from another public water system that uses a chemical disinfectant or oxidant to treat the finished water shall monitor for TTHM and HAA5 in accordance with this paragraph. Systems that use either surface water or GUDI sources and that serve at least 10,000 persons shall begin monitoring by January 1, 2002. Systems that use either surface water or GUDI sources and that serve fewer than 10,000 persons, or systems that use groundwater sources, shall begin monitoring by January 1, 2004. Systems monitoring for disinfection byproducts and disinfection byproduct precursors shall take all samples during normal operating conditions. Systems monitoring for disinfection byproducts and disinfection byproduct precursors shall use only data collected under this chapter to qualify for reduced monitoring. Compliance with the MCLs and monitoring requirements for TTHM, HAA5, chlorite (where applicable) and bromate (where applicable) shall be determined in accordance with 40 CFR 141.132 and 141.133 (relating to monitoring requirements; and compliance requirements) which are incorporated herein by reference.

* * * * *

(iv) *Bromate.* Community water systems and nontransient noncommunity water systems that use ozone for disinfection or oxidation shall monitor for bromate.

* * * * *

(B) *Reduced monitoring.*

* * * * *

(II) Beginning April 1, 2009, a system required to analyze for bromate may reduce monitoring from monthly to quarterly, if the system's running annual average bromate concentration computed quarterly is less than or equal to 0.0025 mg/L based on monthly measurements as prescribed in clause (A) **analyzed using methods specified in 40 CFR 141.132(b)(3)(ii)(B)** for the most recent 4 quarters. Systems qualifying for reduced bromate monitoring under subclause (I) may remain on reduced monitoring as long as the running annual average of quarterly bromate samples **analyzed using methods specified in 40 CFR 141.132(b)(3)(ii)(B)** is less than or equal to 0.0025 mg/L. If the running annual average bromate

concentration is greater than 0.0025 mg/L, the system shall resume routine monitoring as prescribed under clause (A).

* * * * *

(13) *Monitoring requirements for disinfectant residuals.* Community water systems and nontransient noncommunity water systems that use either chlorine[,] or chloramines or [**chlorine dioxide**] that obtain finished water from another public water system that uses either chlorine or chloramines, and transient noncommunity water systems that install chemical disinfection treatment in accordance with § 109.1302(b) (relating to treatment technique requirements) shall monitor for disinfectant residuals in accordance with this paragraph. Community water systems [and], nontransient noncommunity water systems [that obtain finished water from another public water system that uses either chlorine or] and transient noncommunity water systems that use chlorine dioxide to treat the finished water shall monitor for chlorine [residual] dioxide in accordance with this paragraph. [Community water systems and nontransient noncommunity water systems that obtain finished water from another public water system that uses chloramines to treat the finished water shall monitor for chloramine residual in accordance with this paragraph. Transient noncommunity water systems that use chlorine dioxide as either a disinfectant or oxidant shall monitor for chlorine dioxide residual in accordance with this paragraph. Systems that use either surface water or GUDI sources and that serve at least 10,000 persons shall begin monitoring by January 1, 2002. Systems that use either surface water or GUDI sources and that serve fewer than 10,000 persons, or systems that use groundwater sources, shall begin monitoring by January 1, 2004.] Systems monitoring for disinfectant residuals shall take all samples during normal operating conditions. Compliance with the MRDLs and monitoring requirements for chlorine, chloramines and chlorine dioxide (where applicable) shall be determined in accordance with 40 CFR 141.132 and 141.133 [(relating to monitoring requirements; and compliance requirements)] which are incorporated herein by reference. **Compliance with the minimum disinfectant residual shall be determined in accordance with § 109.710.**

(i) *Chlorine and chloramines.* Systems shall measure the residual disinfectant level [**at the same points in the distribution system and at the same time that total coliforms are sampled, as specified in paragraph (3).** Systems that used either surface water or GUDI sources may use the results of residual disinfectant concentration sampling conducted under paragraph (1) or (2) in lieu of taking separate samples.] in accordance with a sample siting plan as specified in § 109.701(a)(8) and as follows:

(A) Public water systems shall monitor the residual disinfectant concentration at the same time and from the same location that a total coliform sample is collected as specified in paragraph (3)(i) and (ii). Systems that use either surface water or GUDI sources may use the results of residual disinfectant concentration sampling conducted under paragraph (1) or (2) instead of taking separate

samples. Measurements taken under this clause may be used to meet the requirements under clause (B).

(B) Public water systems shall monitor the disinfectant residual at representative locations in the distribution system at least once per week.

(C) A public water system that does not maintain the minimum disinfectant residual specified in § 109.710 at one or more sample sites shall include those sample sites in the monitoring conducted the following month.

(ii) Chlorine dioxide.

* * * * *

§ 109.303. Sampling requirements.

* * * * *

(e) Compliance monitoring samples for the contaminants listed under 40 CFR [141.40(n)] 141.40(a), 141.61(a) and (c), 141.62 and 141.88 may be composited in accordance with 40 CFR 141.23(a)(4), 141.24(f)(14) [(g)(7)] and (h)(10) and 141.88(a)(1)(iv) (relating to inorganic chemical sampling and analytical requirements; organic chemicals [other than total trihalomethanes], sampling and analytical requirements; and monitoring requirements for lead and copper in source water) except:

* * * * *

Subchapter D. PUBLIC NOTIFICATION

§ 109.408. Tier 1 public notice—categories, timing and delivery of notice.

(a) General violation categories and other situations requiring a Tier 1 public notice. A public water supplier shall provide Tier 1 public notice for the following circumstances:

* * * * *

(2) Violation of the MCL for nitrate, nitrite or total nitrate and nitrite, as defined in § 109.202(a)(2), or when the water supplier fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL, as specified in [§ 109.301(7)(ii)(C)(V)] § 109.301(7)(ii)(C)(IV).

* * * * *

(6) Violation of a treatment technique requirement for pathogenic bacteria, viruses and protozoan cysts as defined in § 109.202(c), resulting from [a]:

(i) A single exceedance of the maximum allowable turbidity limit.

(ii) A failure to meet the minimum log inactivation for more than 4 hours.

(iii) A failure to maintain the minimum entry point disinfectant residual for more than 4 hours and a failure to calculate the log inactivation in accordance with § 109.301(1)(v) and (vi).

(7) Violation of a treatment technique requirement for Cryptosporidium as defined in § 109.1203 (relating to bin classification and treatment technique requirements), resulting from a failure to provide the level of treatment appropriate for the systems bin classification.

* * * * *

Subchapter G. SYSTEM MANAGEMENT RESPONSIBILITIES

§ 109.701. Reporting and recordkeeping.

(a) Reporting requirements for public water systems. Public water systems shall comply with the following requirements:

* * * * *

(2) Monthly reporting requirements for performance monitoring. In addition to the reporting requirements specified in paragraph (1), public water systems shall report performance monitoring data as follows:

(i) The test results of performance monitoring required under § 109.301(1) (relating to general monitoring requirements) for public water suppliers providing filtration and disinfection of surface water or GUDI sources must include the following at a minimum:

* * * * *

(B) For performance monitoring of the residual disinfectant concentration of the water being supplied to the distribution system:

(I) The date, time and lowest value each day the residual disinfectant concentration remains equal to or greater than the required minimum.

(II) The initial date, time and value for each occurrence that the residual disinfectant concentration is less than the required minimum, and the subsequent date, time and value that the residual disinfectant concentration is equal to or greater than the required minimum.

(III) The date the entry point is not in operation.

[(C) For performance monitoring of the residual disinfectant concentration at representative points in the distribution system report the following:

(I) The number of monthly routine samples required.

(II) The number of monthly routine samples collected and analyzed.

(III) The number of samples in which the residual disinfectant concentration was less than 0.02 mg/L.

(IV) For samples in which the residual disinfectant concentration was less than 0.02 mg/L: the date, time and value of each sample.]

(C) For performance monitoring of the log inactivation for Giardia, public water systems shall report as follows:

(I) The date, time and lowest log inactivation value for each day the value remains equal to or greater than the required minimum.

(II) The initial date, time and value for each occurrence that the log inactivation is less than the required minimum, and the subsequent date, time and value that the log inactivation is equal to or greater than the required minimum.

(III) The date the entry point is not in operation.

(D) For performance monitoring of the log inactivation for viruses, public water systems using a disinfectant other than chlorine to achieve log inactivation of viruses shall report as follows:

(I) The date, time and lowest log inactivation value for each day the value remains equal to or greater than the required minimum.

(II) The initial date, time and value for each occurrence that the log inactivation is less than the required minimum, and the subsequent date, time and value that the log inactivation is equal to or greater than the required minimum.

(III) The date the entry point is not in operation.

(ii) The test results of performance monitoring required under § 109.301(2) for public water suppliers using unfiltered surface water or GUDI sources shall include the following, at a minimum:

* * * * *

(B) For performance monitoring of the residual disinfectant concentration of the water being supplied to the distribution system:

(I) The date, time and lowest value each day the concentration is less than the residual disinfectant concentration required under § 109.202(c)(1)(iii) (relating to State MCLs, MRDLs and treatment technique requirements).

(II) If the concentration does not fall below that required under § 109.202(c)(1)(iii) during the month, report the date, time and lowest value measured that month.

[(C) For performance monitoring of the residual disinfectant concentration at representative points in the distribution system, report the following:

(I) The number of monthly routine samples required.

(II) The number of monthly routine samples collected and analyzed.

(III) The number of samples in which the residual disinfectant concentration was less than 0.02 mg/L.

(IV) For samples in which the residual disinfectant concentration was less than 0.02 mg/L: the date, time and value of each sample.

(D)] (C) For performance monitoring of the [fecal coliform] *E. coli* or total coliform density determinations on samples of the source water immediately prior to disinfection: the date, time and value of each sample.

(iii) The test results from performance monitoring required under § 109.301(8)(v) of the residual disinfectant concentration of the water in the distribution system shall include the date, time and value of each sample.

[(iv) The test results of heterotrophic plate count measurements taken under § 109.710(b) (relating to disinfectant residual in the distribution system) shall include the date, time and value of each sample.]

(3) *One-hour reporting requirements.* A public water supplier shall report the circumstances to the Department within 1 hour of discovery for the following violations or situations:

* * * * *

(7) *Form.* Reports required by this chapter shall be submitted in a manner or form acceptable to the Department.

[(8) *Reporting requirements for disinfectant residuals.* In addition to the reporting requirements

specified in paragraph (1), public water systems shall report MRDL monitoring data as follows:

(i) Systems monitoring for chlorine dioxide under § 109.301(13) shall report the number of days chlorine dioxide was used at each entry point during the last month.

(ii) Systems monitoring for either chlorine or chloramines under § 109.301(13) shall report the following:

(A) The number of samples taken during the month.

(B) The arithmetic average of all distribution samples taken in the last month.]

(8) *Reporting requirements for disinfectant residuals.* In addition to the reporting requirements specified in paragraph (1), public water systems monitoring for disinfectant residuals under § 109.301 shall submit to the Department a written sample siting plan by ____ (*Editor's Note: The blank refers to 6 months after the effective date of adoption of this proposed rulemaking.*). A public water system that begins operation after ____ (*Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.*), shall submit the sample siting plan prior to serving water to the public. At a minimum, the sample siting plan must include the following:

(i) A list of representative sample site locations in the distribution system to be used for disinfectant residual monitoring. Representative locations include, but are not limited to, the following:

- (A) Dead ends.
- (B) First service connection.
- (C) Finished water storage facilities.
- (D) Interconnections with other public water systems.
- (E) Areas of high water age.
- (F) Areas with previous coliform detections.

(ii) Whether the sample site location is also used as a coliform, disinfection byproducts, or lead and copper sampling location.

(iii) A water supplier shall revise and resubmit its sample siting plan within 30 days of notification by the Department that a sample siting plan fails to meet the criteria in subparagraphs (i) and (ii).

(iv) The water supplier shall notify the Department of subsequent revisions to a sample siting plan as they occur. Revisions to a sample siting plan shall be submitted in written form to the Department within 30 days of notifying the Department of the revisions.

(9) *Noncompliance report.* Except where a different reporting period is specified in this chapter, the water supplier shall report to the Department within 48 hours the failure to comply with any National Primary Drinking Water Regulation, including the failure to comply with any monitoring requirement set forth in this chapter.

* * * * *

§ 109.710. Disinfectant residual in the distribution system.

(a) A community water system using a chemical disinfectant or that delivers water that has been treated with a chemical disinfectant shall maintain a minimum disinfectant residual [acceptable to the

Department shall be maintained] throughout the distribution system [of the community water system] sufficient to assure compliance with the microbiological MCLs and the treatment technique requirements specified in § 109.202 (relating to State MCLs, MRDLs and treatment technique requirements). [The Department will determine the acceptable residual of the disinfectant considering factors such as type and form of disinfectant, temperature and pH of the water, and other characteristics of the water system.] The minimum disinfectant residual is 0.2 mg/L measured as free chlorine for systems using chlorine, 0.2 mg/L measured as total chlorine for systems using chloramines or another level approved by the Department for systems using an alternate oxidizing disinfection treatment.

[(b) A public water system that uses surface water or GUDI sources or obtains finished water from another permitted public water system using surface water or GUDI sources shall comply with the following requirements:

(1) As a minimum, a detectable residual disinfectant concentration of 0.02 mg/L measured as total chlorine, combined chlorine or chlorine dioxide shall be maintained throughout the distribution system as demonstrated by monitoring conducted under § 109.301(1) and (2) or (8)(v) (relating to general monitoring requirements).

(2) Sampling points with nondetectable disinfectant residuals which have heterotrophic plate count (HPC) measurements of less than 500/ml are deemed to be in compliance with paragraph (1).

(3) When the requirements of paragraph (1) or (2) cannot be achieved, the supplier shall initiate an investigation under the Department's direction to determine the cause, potential health risks and appropriate remedial measures.]

(b) A nontransient noncommunity water system that has installed chemical disinfection or a transient noncommunity water system that has installed chemical disinfection in accordance with § 109.202(c)(1) or § 109.1302(b) (relating to treatment technique requirements) shall maintain a minimum disinfectant residual throughout the distribution system sufficient to assure compliance with the microbiological MCLs and the treatment technique requirements specified in § 109.202. The minimum disinfectant residual is 0.2 mg/L measured as free chlorine for systems using chlorine, 0.2 mg/L measured as total chlorine for systems using chloramines or another level approved by the Department for systems using an alternate oxidizing disinfection treatment.

(c) Compliance with the disinfectant residual treatment technique will be based on samples collected as specified in the system distribution sample siting plan submitted to the Department under § 109.701(a)(8) (relating to reporting and recordkeeping). Compliance will be determined as follows:

(1) For a public water system that serves 33,000 or fewer persons, if no more than 1 sample collected per month is less than the minimum level specified in subsection (a) or (b) for 2 consecutive months, the system is in compliance with the treatment technique.

(2) For a public water system that serves more than 33,000 persons, if no more than 5% of the samples collected per month are less than the minimum level specified in subsection (a) or (b) for 2 consecutive months, the system is in compliance with the treatment technique.

(3) A public water system that experiences a treatment technique violation shall notify the Department within 1 hour of discovery of the violation in accordance with § 109.701(a)(3) and issue a Tier 2 public notice in accordance with § 109.409 (relating to Tier 2 public notice—categories, timing and delivery of notice).

(4) In addition to the requirements in paragraphs (1)—(3), a public water system that fails to meet the minimum level specified in subsection (a) or (b) at any sample location for 2 consecutive months or more shall conduct an investigation to determine the cause and appropriate corrective actions and shall submit a written report to the Department within 60 days.

[(c)] (d) Public water systems may increase residual chlorine or chloramine, but not chlorine dioxide, disinfectant levels in the distribution system to a level that exceeds the MRDL for that disinfectant and for a time necessary to protect public health or to address specific microbiological contamination problems caused by circumstances such as, but not limited to, distribution line breaks, storm runoff events, source water contamination events or cross-connection events.

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

§ 109.715. Nitrification control plan.

(a) A public water system that uses chloramines or purchases water that contains chloramines shall develop a nitrification control plan. The plan must conform to the guidelines in industry standards such as the American Water Works Association's M56 Manual on Nitrification and contain at least the following information:

(1) A system-specific monitoring plan that includes, at a minimum:

(i) The list of parameters that will be monitored such as pH, free ammonia, total chlorine, monochloramine, HPC, nitrite and nitrate.

(ii) The monitoring locations.

(iii) The monitoring schedule.

(2) A response plan with expected water quality ranges and action levels.

(b) The public water system shall implement the nitrification control plan in accordance with accepted practices of the water supply industry.

(c) The public water system shall review and update the plan as necessary.

(d) The plan shall be retained onsite and shall be made available to the Department upon request.

Subchapter J. BOTTLED WATER AND VENDED WATER SYSTEMS, RETAIL WATER FACILITIES AND BULK WATER HAULING SYSTEMS

§ 109.1002. MCLs, MRDLs or treatment techniques.

(a) Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall supply drinking water that complies with the MCLs, MRDLs and treatment technique requirements under

§§ 109.202 and 109.203 (relating to State MCLs, MRDLs and treatment technique requirements; and unregulated contaminants). **Bottled water systems, vended water systems, retail water facilities and bulk water hauling systems using surface water or GUDI sources shall comply with the requirements in § 109.204 (relating to disinfection profiling and benchmarking).** Bottled water systems, vended water systems, retail water facilities and bulk water hauling systems shall provide continuous disinfection for groundwater sources. Water for bottling labeled as mineral water[,] under § 109.1007 (relating to labeling requirements for bottled water systems, vended water systems and retail water facilities) shall comply with the MCLs except that mineral water may exceed the MCL for total dissolved solids.

* * * * *

(c) Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall comply with the treatment technique requirements under Subchapter L [**relating to bin classification and treatment technique rule**] (**relating to long-term 2 enhanced surface water treatment rule**).

* * * * *

§ 109.1003. Monitoring requirements.

(a) *General monitoring requirements.* Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall monitor for compliance with the MCLs [**and MRDLs in accordance with § 109.301 (relating to general monitoring requirements) and shall comply with § 109.302 (relating to special monitoring requirements). The monitoring requirements shall be applied**], MRDLs and treatment techniques as follows, except that systems which have installed treatment to comply with a primary MCL shall conduct quarterly operational monitoring for the contaminant which the [**facility**] treatment is designed to remove:

(1) Bottled water systems, retail water facilities and bulk water hauling systems, for each entry point shall:

* * * * *

(ix) *TTHM and HAA5 Stage 2 DBP Rule.* Beginning October 1, 2013, monitor annually for TTHM and HAA5 if the system uses a chemical disinfectant or oxidant to treat the water, or obtains finished water from another public water system that uses a chemical disinfectant or oxidant to treat the water as follows:

(A) *Routine monitoring.* Systems shall take at least one dual sample set per year per entry point during the **peak historical month [of warmest water temperature]**.

(B) *Increased monitoring.* If any sample results exceed either a TTHM or HAA5 MCL, the system shall take at least one dual sample set per quarter (**every 90 days**) per entry point. The system shall return to the sampling frequency of one dual sample set per year per entry point if, after at least 1 year of monitoring, each TTHM sample result is no greater than 0.060 mg/L and each HAA5 sample result is no greater than 0.045 mg/L.

(x) Beginning January 1, 2004, monitor daily for chlorite if the system uses chlorine dioxide for disinfection or oxidation. Systems shall take at least one daily sample at the entry point. If a daily sample exceeds the chlorite MCL, the system shall take three additional samples within 24 hours from the same lot, batch, machine, carrier vehicle or point of delivery. The chlorite MCL is based on the average of the required daily sample plus any additional samples.

(xi) *Beginning _____ (Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.),* a system using chlorine dioxide shall take one sample per day at each entry point. If any daily sample exceeds the MRDL, the system shall collect chlorine dioxide check samples as follows:

(A) A bottled water system shall take at least one sample from the same lot or batch and a bulk water hauler shall take at least one sample from the same tanker load.

(B) A vended or retail water system shall take at least one sample as soon as possible but within 24 hours.

(C) A violation of the chlorine dioxide MCL occurs when any check sample result exceeds the chlorine dioxide MCL following a routine sample result that exceeds the MCL.

[(xi)] (xii) Beginning January 1, 2004, monitor monthly for bromate if the system uses ozone for disinfection or oxidation.

(A) *Routine monitoring.* Systems shall take one sample per month for each entry point that uses ozone while the ozonation system is operating under normal conditions.

(B) *Reduced monitoring.*

(I) Until March 31, 2009, systems shall reduce monitoring for bromate from monthly to quarterly if the average source water bromide concentration is less than 0.05 mg/L based upon representative monthly bromide measurements for 1 year. Systems on reduced monitoring shall continue monthly source water bromide monitoring. If the running annual average source water bromide concentration, computed quarterly, is equal to or exceeds 0.05 mg/L, the system shall revert to routine monitoring as prescribed by clause (A).

(II) Beginning April 1, 2009, a system required to analyze for bromate may reduce monitoring from monthly to quarterly, if each sample result is less than or equal to 0.0025 mg/L based on monthly measurements as prescribed in clause (A) for the most recent 12 months. Systems qualifying for reduced bromate monitoring under subclause (I) may remain on reduced monitoring as long as each sample result from the previous 12 months is less than or equal to 0.0025 mg/L. If any sample result exceeds 0.0025 mg/L, the system shall resume routine monitoring as prescribed under clause (A).

(xiii) *Beginning _____ (Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.),* a system that provides filtration of surface water or GUDI sources shall comply with the following:

(A) **Maintain a residual at the entry point as specified in § 109.202(c)(1)(ii) (relating to State MCLs, MRDLs and treatment technique requirements).**

(B) **Monitor disinfectant residual at the entry point in accordance with § 109.301(1)(i)(C).**

(C) **Report the results in accordance with § 109.701(a)(2) (relating to reporting and recordkeeping).**

(xiv) *Beginning _____ (Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.),* a system that uses or obtains finished water from another permitted public

water system using surface water or GUDI sources shall comply with the following requirements:

(A) As a minimum, a detectable residual disinfectant concentration of 0.2 mg/L measured as total chlorine, combined chlorine, chlorine dioxide or another level approved by the Department for systems using an alternate oxidizing disinfection treatment shall be maintained at the entry point as demonstrated by monitoring conducted under § 109.301(1) and (2) or (8)(v).

(B) Sampling points with nondetectable disinfectant residuals which have heterotrophic plate count measurements of less than 500/ml are deemed to be in compliance with clause (A).

(C) When the requirements of clause (A) or (B) cannot be achieved, the supplier shall initiate an investigation under the Department's direction to determine the cause, potential health risks and appropriate remedial measures.

(2) Vended water systems shall monitor in accordance with paragraph (1) except that vended water systems qualifying for permit by rule under § 109.1005(b), for each entry point shall:

- (i) Monitor monthly for microbiological contaminants.
- (ii) Monitor annually for total dissolved solids, lead and cadmium.
- (iii) Conduct special monitoring as required by the Department.
- (iv) Beginning ____ (*Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.*), a system that obtains finished water from another permitted public water system using surface water or GUDI sources shall also monitor in accordance with subparagraph (a)(1)(xiv).

(b) *Sampling requirements.*

* * * * *

(2) For the purpose of determining compliance with the monitoring and analytical requirements established under this subchapter, the Department will consider only those samples analyzed by a laboratory [certified] accredited by the Department, except that measurements of turbidity, fluoridation operation, residual disinfection concentration, temperature and pH may be performed by a person meeting the requirements of § 109.1008(c) (relating to system management responsibilities).

* * * * *

(5) Compliance monitoring samples required under subsection (a)(1)(iii) may be composited in accordance with 40 CFR 141.24(g)(7) (relating to organic chemicals [other than total trihalomethanes], sampling and analytical requirements) except:

* * * * *

(v) Samples obtained from an entry point which contains water treated by a community water supplier or nontransient noncommunity water supplier to specifically meet an MCL for a VOC listed under 40 CFR 141.61(a) may not be composited with other entry point samples.

(6) Sampling and analysis shall be performed in accordance with analytical techniques adopted by the EPA under the Federal act or methods approved by the Department.

(c) *Repeat monitoring for microbiological contaminants.*

* * * * *

(e) A bulk water hauling [or] system, vended water system or retail water facility that serves at least 25 of the same persons over 6 months per year. A bulk water hauling [or] system, vended water system or retail water facility that is determined by the Department to serve at least 25 of the same persons over 6 months per year shall comply with the monitoring requirements for nontransient noncommunity water systems in accordance with § 109.301.

(f) *Additional monitoring requirements for surface water and GUDI sources.* Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall comply with the monitoring requirements under Subchapter L (relating to long-term 2 enhanced surface water treatment rule).

(g) *Additional monitoring requirements for groundwater sources.* Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall comply with the monitoring requirements under Subchapter M (relating to additional requirements for groundwater sources).

(h) **Compliance determinations. Compliance with MCLs, MRDLs and treatment techniques shall be determined in accordance with §§ 109.202 and 109.301.**

(i) **Special monitoring requirements.** Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall comply with § 109.302 (relating to special monitoring requirements).

§ 109.1004. Public notification.

(a) *General public notification requirements.* A bottled water [or retail water] supplier shall give public notification in accordance with this section. A bulk water [or] hauler, vended water supplier or retail water supplier shall give public notification in accordance with Subchapter D (relating to public notification [requirements]). For the purpose of establishing a bulk [water or] hauling, vended or retail water supplier's responsibilities under Subchapter D, a bulk water supplier shall comply with the public notification requirements specified for a community water system and a vended or retail water supplier shall comply with the public notification requirements specified for a noncommunity water system.

(1) A bottled water [or retail water] supplier who knows that a primary MCL or an MRDL has been exceeded or treatment technique performance standard has been violated or has reason to believe that circumstances exist which may adversely affect the quality of drinking water, including, but not limited to, source contamination, spills, accidents, natural disasters or breakdowns in treatment, shall report the circumstances to the Department within 1 hour of discovery of the problem.

(2) If the Department determines, based upon information provided by the bottled water [or retail water] supplier or other information available to the Department, that the circumstances present an imminent hazard to the public health, the water supplier shall issue a water supply warning approved by the Department and, if applicable, initiate a program for product recall approved by the Department under this subsection. The

water supplier shall be responsible for disseminating the notice in a manner designed to inform users who may be affected by the problem.

* * * * *

§ 109.1008. System management responsibilities.

* * * * *

(b) Operation and maintenance plan requirements. Bottled water, vended water, retail water and bulk water suppliers shall develop an operation and maintenance plan for each system. The operation and maintenance plan shall conform to the guidelines contained in Part III of the Department's Public Water Supply Manual which is available from the Bureau of [Water Standards and Facility Regulation] Safe Drinking Water, Post Office Box 8467, Harrisburg, Pennsylvania 17105-8467. The water supplier shall implement the operation and maintenance plan in accordance with this chapter, and if appropriate in accordance with accepted practices of the bottled water, vended water, retail water facility or bulk water hauling industry. The plan shall be reviewed and updated as necessary to reflect changes in the operation or maintenance of the water system. The plan shall be bound and placed in locations which are readily accessible to the water system's personnel, and shall be presented upon request to the Department.

* * * * *

(f) Cross-connection control program. At the direction of the Department, the bottled water, vended water, retail water or bulk water supplier shall develop and implement a comprehensive control program for the elimination of existing cross-connections or the effective containment of sources of contamination, and prevention of future [cross connections] cross-connections. A description of the program, including the following information, shall be submitted to the Department for approval:

- (1) A description of the methods and procedures to be used.
- (2) An implementation schedule for the program.
- (3) A description of the methods and devices which will be used to protect the water system.

(g) Significant deficiencies. Bottled water and vended water systems, retail water facilities and bulk water hauling systems shall comply with § 109.705(d) and (e) (relating to sanitary surveys).

(h) Stage 2 Disinfectants/Disinfection Byproducts Rule monitoring plan and operational evaluation levels. A bulk water hauling system, vended water system or retail water facility that is determined by the Department to meet the definition of a community or nontransient noncommunity public water system and that uses a chemical disinfectant or that obtains finished water from another public water system that uses a chemical disinfectant or oxidant shall comply with § 109.701(g)(2).

Subchapter K. LEAD AND COPPER

§ 109.1103. Monitoring requirements.

* * * * *

(c) Follow-up monitoring after construction or modification of corrosion control treatment facilities. A system which completes construction or modification of corrosion control treatment facilities in accordance with § 109.1102(b)(2) shall conduct the applicable monitoring specified in this subsection. A system which exceeds the

lead action level after construction or modification of corrosion control treatment facilities shall begin lead service line replacement in accordance with § 109.1107(d) (relating to system management responsibilities).

(1) Lead and copper tap monitoring. A system shall monitor for lead and copper at the tap during each specified monitoring period at the number of sample sites specified in subsection (a)(1)(v).

* * * * *

(ii) A small or medium water system shall monitor during each of two consecutive 6-month monitoring periods beginning no later than 60 months from the [date an action level was exceeded] end of the monitoring period in which the action level was exceeded. The water supplier shall submit within 30 days of the end of the second monitoring period a request for the Department to designate optimal corrosion control treatment performance requirements for the system. Upon approval of the request, the Department will designate water quality parameter performance requirements in accordance with § 109.1102(b)(5) or source water treatment performance requirements in accordance with § 109.1102(b)(4). A small or medium water system that does not exceed the lead and copper action levels during each of two consecutive 6-month monitoring periods may reduce the number of sample sites and reduce the frequency of sampling to once per year in accordance with subsection (e)(1)(i). Systems not eligible for reduced monitoring under subsection (e)(1) shall monitor in accordance with subsection (d)(1).

* * * * *

(d) Monitoring after performance requirements are established. A system shall conduct the applicable monitoring under this subsection beginning no later than the next 6-month monitoring period that begins on January 1 or July 1 following the Department's designation of optimal corrosion control treatment water quality parameter performance requirements under § 109.1102(b)(5) or source water performance requirements under § 109.1102(b)(4). A system which exceeds the lead action level after construction or modification of corrosion control treatment facilities shall begin lead service line replacement in accordance with § 109.1107(d).

* * * * *

(e) Reduced monitoring.

* * * * *

(3) Reduced monitoring revocation.

(i) Reduced monitoring revocation for large water systems. A large water system authorized to conduct reduced monitoring under this subsection that fails to meet the lead or copper action level during any 4-month monitoring period or that fails to operate within the range of performance requirements for the water quality parameters specified by the Department under § 109.1102(b)(5) on more than any 9 days in a 6-month period shall comply with the following:

* * * * *

(C) [The] If either the lead or copper action level is exceeded, the water supplier shall conduct source water monitoring in accordance with subsection (d)(3). Monitoring is required only for the parameter for which the action level was exceeded. For systems on annual or less frequent monitoring, the end of the

monitoring period is September 30 of the calendar year in which sampling occurs, or, if the Department has designated an alternate monitoring period, the end of the monitoring period is the last day of the 4-month period in which sampling occurs.

* * * * *

(g) *Sample site location plan.* The water supplier shall complete a sample site location plan which includes a materials evaluation of the distribution system, lead and copper tap sample site locations, water quality parameter sample site locations[,] and certification that proper sampling procedures are used. The water supplier shall complete the steps in paragraphs (1)—(3) by the applicable date for commencement of lead and copper tap monitoring under subsection (a)(1) and the step in paragraph (4) following completion of the monitoring. The water supplier shall keep the sample site location plan on record and submit the plan to the Department in accordance with § 109.1107(a)(1).

* * * * *

(2) *Lead and copper tap sample site selection.* Lead and copper tap sampling sites are classified as tier 1, tier 2 or tier 3. Tier 1 sites are the highest priority sample sites.

* * * * *

(v) *Sample sites with lead service lines.* A system that has a distribution system containing lead service lines shall draw 50% of the samples it collects during each monitoring period from sites that contain lead pipes or copper pipes with lead solder, and 50% of [**those samples**] **the samples it collects during each monitoring period** from sites served by a lead service line. If a water system cannot identify a sufficient number of sampling sites served by a lead service line, the system shall collect first draw samples from each site identified as being served by a lead service line.

* * * * *

(k) *Monitoring waivers for small systems.* A small system that meets the criteria of this subsection may apply to the Department to reduce the frequency of monitoring for lead and copper under this section to once every 9 years if it meets all of the materials criteria specified in paragraph (1) and all of the monitoring criteria specified in paragraph (2). A system that meets the criteria in paragraphs (1) and (2) only for lead, or only for copper, may apply to the Department for a waiver to reduce the frequency of tap water monitoring to once every 9 years for that contaminant only.

* * * * *

(6) *Requirements following waiver revocation.* A water system whose waiver has been revoked is subject to the corrosion control treatment, and lead and copper tap water monitoring requirements as follows:

* * * * *

(ii) If the system meets both the lead and copper action levels, the system shall monitor for lead and copper at the tap no less frequently than once every 3 years [**using**] **in accordance with the frequency, timing and** the reduced number of sample sites specified in subsection (e).

§ 109.1107. System management responsibilities.

* * * * *

(d) *Lead service line replacement.*

* * * * *

(4) *Conditions of replacement.* The water supplier shall replace the portion of the lead service line that it owns. In cases where the system does not own the entire lead service line, the system shall notify the owner of the line, or the owner's authorized agent, that the system will replace the portion of the service line that the system owns and shall offer to replace the owner's portion of the line. A system is not required to **bear the cost of replacing the privately-owned portion of the line or to replace the privately-owned portion of the line** if the owner refuses to pay for the cost of replacement of the privately owned portion of the line, or if any laws prohibit this replacement. A system that does not replace the entire length of service line shall complete the following tasks:

* * * * *

Subchapter L. LONG-TERM 2 ENHANCED SURFACE WATER TREATMENT RULE

§ 109.1202. Monitoring requirements.

(a) *Initial round of source water monitoring.* A system shall conduct the following monitoring on the schedule in subsection (c) unless it meets the monitoring exemption criteria in subsection (d):

* * * * *

(4) Filtered systems serving less than 10,000 people shall sample their source water for *Cryptosporidium* at least twice per month for 12 months or at least monthly for 24 months if they meet one of the following subparagraphs, based on monitoring conducted under paragraph (3):

(i) For systems using lake/reservoir sources, the annual mean *E. coli* concentration is greater than [**10**] **100** *E. coli*/100 mL.

(ii) For systems using flowing stream sources, the annual mean *E. coli* concentration is greater than [**50**] **100** *E. coli*/100 mL.

* * * * *

(i) *Source water sample collection period.* Systems shall collect samples within 2 days before or 2 days after the dates indicated in their sampling schedule (that is, within a 5 day period around the schedule date) unless one of the conditions of [**subsection (b)(1) or (2)**] **paragraph (1) or (2)** applies.

* * * * *

Subchapter M. ADDITIONAL REQUIREMENTS FOR GROUNDWATER SOURCES

§ 109.1302. Treatment technique requirements.

(a) *Community groundwater systems.* Community groundwater systems are required to provide continuous disinfection under [**§ 109.202(c)(2)**] **§ 109.202(c)(3)** (relating to [**state**] **State** MCLs, MRDLs and treatment technique requirements) and in addition shall:

* * * * *

[Pa.B. Doc. No. 16-278. Filed for public inspection February 19, 2016, 9:00 a.m.]

STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

[49 PA. CODE CH. 42]

Code of Ethics

The State Board of Occupational Therapy Education and Licensure (Board) proposes to amend § 42.24 (relating to code of ethics) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 5(b) of the Occupational Therapy Practice Act (act) (63 P. S. § 1505(b)) authorizes the Board to promulgate and adopt rules and regulations not inconsistent with the act as it deems necessary for the performance of its duties and the proper administration of the act.

Background and Purpose

Section 16(a) of the act (63 P. S. § 1516(a)) authorizes the Board to discipline licensees who are guilty of unprofessional conduct which has or is likely to endanger the health, welfare or safety of the public. Section 16(a)(2) of the act further defines "unprofessional conduct" to include conduct that violates a code of ethics adopted by the Board. In 1992, the Board adopted a code of ethics in § 42.24 which was essentially an adaptation and codification of the Code of Ethics promulgated by the American Occupational Therapy Association (AOTA) in 1988. Subsequently, in 2001, the Board updated its regulations to reflect the 1994 version of the AOTA Code of Ethics, which is the version that currently appears in § 42.24.

Beginning in 2011, the Board undertook a review of the language in § 42.24 and compared it to the AOTA *Occupational Therapy Code of Ethics and Ethics Standards* (Code and Standards) promulgated in 2010. As a result of its review, the Board determined that it should update § 42.24 by adopting the 2010 AOTA Code and Standards and voted in 2013 to begin the process to update § 42.24. While the proposed rulemaking was pending, the AOTA updated its Code of Ethics in 2015. At its June 3, 2015, meeting, the Board reviewed the AOTA *Occupational Therapy Code of Ethics (2015)* (Code of Ethics), which the Board now finds to be the minimum standard of ethical conduct for occupational therapists and occupational therapy assistants in this Commonwealth, and voted to revise the proposed rulemaking to adopt the 2015 Code of Ethics. The AOTA Code of Ethics not only reflects the Board's own view of ethical practice, but will also keep the Commonwealth's ethical standards consistent with the National standards. Rather than copy the standards verbatim into § 42.24, the Board proposes to adopt the Code of Ethics by reference. A copy of the 2015 AOTA Code of Ethics may be found on the AOTA web site at <http://www.aota.org/-/media/Corporate/Files/Practice/Ethics/Code-of-Ethics.pdf> and was attached to the Regulatory Analysis Form provided to the Independent Regulatory Review Commission (IRRC). A copy is available upon request. The Board intends to place a copy of the 2015 AOTA Code of Ethics on its web site when the final-form rulemaking is promulgated.

Description of Amendments

The Board would delete the current language in § 42.24. In its place, the Board proposes to add subsections (a)—(c).

Subsection (a) would provide that licensees shall adhere to the AOTA Code of Ethics, except as provided in subsections (b) and (c). Subsection (b) would require licensees to adhere to Federal and State law whenever there is a conflict between the AOTA Code of Ethics and Federal and State law. Likewise, subsection (c) would require licensees to adhere to this chapter whenever there is a conflict between the AOTA Code of Ethics and the Board's regulations.

If the AOTA later updates its Code of Ethics, the Board will review future updates to determine whether to adopt them. If the Board decides not to adopt future updates to the AOTA Code of Ethics, the Board may decide to retain the 2015 Code of Ethics or adopt other ethical standards.

Fiscal Impact and Paperwork Requirements

There are no fiscal impacts or paperwork requirements for this proposed rulemaking. Once this proposed rulemaking becomes effective, the Board will place a copy of the 2015 AOTA Code of Ethics on the Board's web site. The cost of doing so will be de minimis.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 5, 2016, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC). A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Regulatory Counsel, State Board of Occupational Therapy Education and Licensure, P. O. Box 69523, Harrisburg, PA 17106-5923 or RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-6710 (code of ethics) when submitting comments.

KERRI L. HAMPLE, OTC, OTR/L,
Chairperson

Fiscal Note: 16A-6710. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

MINIMUM STANDARDS OF PRACTICE

§ 42.24. Code of [Ethics] ethics.

[*Purpose.* The Board adopts the following Code of Ethics to establish and maintain a high standard of integrity and dignity in the profession and to protect the public against unprofessional conduct on the part of licensees. The Code of Ethics is adapted with permission from the "Occupational Therapy Code of Ethics" of the American Occupational Therapy Association (revised July 1994).

(1) *Principle 1.* Licensees shall demonstrate a concern for the well-being of the recipients of their services. (beneficence)

(i) Licensees shall provide services in an equitable manner for all individuals.

(ii) Licensees shall maintain relationships that do not exploit the recipient of services sexually, physically, emotionally, financially, socially or in any other manner. Licensees shall avoid those relationships or activities that interfere with professional judgment and objectivity.

(iii) Licensees shall take all reasonable precautions to avoid harm to the recipient of services or to his property.

(2) *Principle 2.* Licensees shall respect the rights of the recipients of their services. (autonomy, privacy, confidentiality)

(i) Licensees shall collaborate with service recipients or their surrogates, or both, in determining goals and priorities throughout the intervention process.

(ii) Licensees shall fully inform the service recipients or their surrogates, or both, of the nature, potential risks and outcomes of any interventions.

(iii) Licensees shall obtain written informed consent from subjects involved in research activities indicating they have been fully advised of the potential risks and outcomes.

(iv) Licensees shall respect the individual's right to refuse professional services or involvement in research or educational activities.

(v) Licensees shall protect the confidential nature of information gained from educational, practice, research and investigational activities.

(3) *Principle 3.* Licensees shall achieve and continually maintain high standards of competence. (duties)

(i) Licensees shall use procedures that conform to the standards of acceptable and prevailing occupational therapy practice.

(ii) Licensees shall take responsibility for maintaining competence by participating in professional development and education activities.

(iii) Licensees shall perform their duties on the basis of accurate and current information.

(iv) Licensees shall protect service recipients by ensuring that duties assumed by or assigned to other licensees are commensurate with their qualifications and experience.

(v) Licensees shall provide appropriate supervision to individuals for whom the licensees have supervisory responsibility.

(vi) Licensees shall refer recipients to other service providers or consult with other service providers when additional knowledge and expertise are required.

(4) *Principle 4.* Licensees shall comply with laws and regulations governing the practice of occupational therapy in this Commonwealth. (justice)

(i) Licensees shall understand and abide by applicable local, State and Federal laws.

(ii) Licensees shall inform employers employees, and colleagues about those laws and regulations that apply to the profession of occupational therapy.

(iii) Licensees shall require those they supervise in occupational therapy related activities to adhere to this chapter.

(iv) Licensees shall accurately record and report all information related to professional activities.

(5) *Principle 5.* Licensees shall provide accurate information about occupational therapy services. (veracity)

(i) Licensees shall accurately represent their qualifications, education, experience, training and competence.

(ii) Licensees shall disclose any affiliations that may pose a conflict of interest.

(iii) Licensees shall refrain from using or participating in the use of any form of communication that contains false, fraudulent, deceptive or unfair statements or claims.

(6) *Principle 6.* Licensees shall treat colleagues and other professionals with fairness, discretion and integrity. (fidelity, veracity)

(i) Licensees shall safeguard confidential information about colleagues and staff members.

(ii) Licensees shall accurately represent the qualifications, views, contributions and findings of colleagues.

(iii) Licensees shall report any breaches of the Board's law and this chapter to the Board.]

(a) Licensees shall adhere to the American Occupational Therapy Association (AOTA) *Occupational Therapy Code of Ethics (2015)*, except as provided in subsections (b) and (c).

(b) Whenever there is a conflict between the AOTA *Occupational Therapy Code of Ethics (2015)* and Federal or State law, licensees shall adhere to Federal and State law.

(c) Whenever there is a conflict between the AOTA Occupational Therapy Code of Ethics (2015) and this chapter, licensees shall adhere to this chapter.

[Pa.B. Doc. No. 16-279. Filed for public inspection February 19, 2016, 9:00 a.m.]

[49 PA. CODE CH. 42]

General Revisions

The State Board of Occupational Therapy Education and Licensure (Board) proposes to amend §§ 42.13—42.16, 42.25 and 42.51—42.58 and add §§ 42.61—42.63 (relating to professional liability insurance requirement; notifications; and automatic suspension) to read as set forth in Annex A.

Effective Date

This proposed rulemaking will be effective upon final form publication in the *Pennsylvania Bulletin*.

Statutory Authority

Section 5(b) of the Occupational Therapy Practice Act (act) (63 P. S. § 1505(b)) authorizes the Board to promulgate and adopt rules and regulations not inconsistent with the act as it deems necessary for the performance of its duties and the proper administration of the act. Section 8(5)(vi) of the act (63 P. S. § 1508(5)(vi)) requires the Board to promulgate regulations governing self-insurance. Section 15(a) of the act (63 P. S. § 1515(a)) further provides that “[t]he board may establish additional requirements for license renewal designed to assure continued competency of the applying occupational therapist or occupational therapy assistant.”

Background and Purpose

The act of July 5, 2012 (P. L. 1132, No. 138) (Act 138) amended the act to, among other things, require the maintenance of professional liability insurance by occupational therapists, provide for the imposition of civil penalties in accordance with the act of July 2, 1993 (P. L. 345, No. 48), permit the Board to participate in the Bureau of Professional and Occupational Affairs’ impaired professionals program and authorize the Board to establish additional requirements for licensure renewal designed to ensure continued competency for occupational therapy assistants. The Board established continued competency regulations for occupational therapists at 43 Pa.B. 3350 (June 22, 2013). This proposed rulemaking implements the professional liability insurance and continued competency provisions of Act 138.

Description of Amendments

Professional liability insurance

Section 3 of Act 138 added a requirement that an occupational therapist obtain and maintain professional liability insurance as a condition of licensure effective with the next biennial period following the effective date of Act 138. Act 138 took effect on September 4, 2012. The next biennial period following that date began on July 1, 2013. Therefore, the Board proposes the following amendment to implement the new professional liability insurance requirement.

The Board proposes to amend §§ 42.13—42.15 (relating to application for licensure; foreign-educated applicants; and application for temporary license) to require applicants for licensure as an occupational therapist to submit

proof that the applicant has professional liability insurance as required under the act. In addition, Act 138 provides that it is sufficient for an applicant to file a copy of a letter from the applicant’s professional liability insurance carrier indicating that the applicant will be covered against professional liability upon issuance of the license, or a certification from the applicant that the applicant will be covered by an employer’s professional liability insurance at the beginning of employment, so long as the applicant follows up with actual proof of insurance within 30 days after issuance of the license or beginning of employment. The proposed amendments to §§ 42.13—42.15 implement these provisions as part of the application process.

Because Act 138 requires an occupational therapist to maintain professional liability insurance, the Board also proposes to amend § 42.16 (relating to biennial renewal; inactive status; failure to renew) to include the requirement that upon renewal a licensed occupational therapist shall certify both completion of the continued competency requirements and maintenance of professional liability insurance. Section 42.16 would also be amended to provide that an occupational therapist applying to reactivate an inactive license would need to provide proof of liability insurance coverage. The Board is also proposing additional amendments to this section to improve clarity.

The Board proposes to add §§ 42.61—42.63 to implement the remaining provisions in Act 138 regarding professional liability insurance. Section 42.61 sets forth the general requirement that an occupational therapist is required to obtain and maintain professional liability insurance in the minimum amount of \$1 million per occurrence or claims made. Subsection (b) would prescribe the type of proof required to demonstrate professional liability insurance coverage. Subsection (c) would provide that an occupational therapist who does not maintain professional liability insurance as required may not practice occupational therapy in this Commonwealth.

Section 42.62 would incorporate the provision in Act 138 that requires an occupational therapist to notify the Board within 30 days of a failure to maintain the required professional liability insurance, and the provision that requires an occupational therapist whose license was issued in reliance on a letter from the insurance carrier or an applicant’s certification of coverage by an employer to provide proof on insurance within 30 days after the date of issuance of the license or beginning of employment. Section 42.63 incorporates the provisions of Act 138 that provide for the automatic suspension of an occupational therapist license during any period in which the occupational therapist fails to maintain professional liability insurance.

Continued competency

Act 138 also amended the act to provide the authority to the Board to establish continued competency requirements for occupational therapy assistants. The Board established continued competency regulations for occupational therapists at 43 Pa.B. 3350. At this time, the Board proposes to extend those requirements to occupational therapy assistants by replacing “occupational therapist” with the more general “licensee” throughout §§ 42.51—42.58 (relating to continuing competency). As the Board only licenses occupational therapists and occupational therapy assistants, the term is all-inclusive and the regulations would then apply the continued competency requirements to both classes of licensee.

The continued competency requirements for occupational therapists were effective beginning with the July 1,

2013, to June 30, 2015, biennium. Therefore, occupational therapists were required to complete 24 hours of approved continued competency activities by June 30, 2015, as a condition of biennial renewal. The Board is proposing that the continued competency requirements will begin for occupational therapy assistants in the 2015—2017 biennium. Therefore, § 42.53(a) (relating to continued competency requirements) would be amended to provide that “[b]eginning with the July 1, 2015—June 30, 2017, biennium, an occupational therapy assistant shall complete a minimum of 24 contact hours in each biennial period in acceptable continued competency activities” as a condition of licensure renewal.

Additionally, in considering the continued competency requirements for occupational therapists, the Independent Regulatory Review Commission (IRRC) suggested that, should an opportunity arise, § 42.56 (relating to waivers of continued competency requirements; extension of time to complete) should be clarified to explain the process for requesting an “extension” to complete the continued competency requirements, noting that the first and only time the concept of an extension appears is in § 42.57(b)(2) (relating to documentation and reporting of continued competency activities), which provides that a licensee “who has not completed the required hours of continued competency activities will not be eligible for renewal until the hours are completed, unless a waiver or extension has been granted.” (Emphasis added.) Therefore, the Board proposes to amend § 42.56 to include the process for a licensee to request, and the Board to grant, an extension of time to complete the continued competency activities.

Fiscal Impact and Paperwork Requirements

To implement the statutory requirements of Act 138 and this regulation, the Board must amend its applications for initial licensure, biennial renewal and reactivation. There may be other costs associated with increased prosecutions if occupational therapists fail to obtain and maintain professional liability or occupational therapy assistants fail to complete the continued competency requirements. The Board has determined that it has sufficient funds to absorb these costs without a fee increase at this time. Occupational therapists who wish to become licensed or maintain their licenses must either obtain professional liability insurance, self-insure or have their employers provide coverage. It is estimated that the annual premium for the required professional liability insurance ranges from \$85 to \$230 annually. They will also be subject to increased paperwork requirements because occupational therapists will be required to provide documentary proof that they have obtained the required insurance upon initial licensure and upon reactivation of an inactive license. Occupational therapy assistants will also be subject to additional paperwork requirements because they will be required to maintain a professional continued competence portfolio and make it available to the Board.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 5, 2016, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional

Licensure Committee (SCP/PLC). A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Regulatory Counsel, State Board of Occupational Therapy Education and Licensure, P. O. Box 69523, Harrisburg, PA 17106-5923 or RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-6711 (general revisions) when submitting comments.

KERRI L. HAMPLE, OTC, OTR/L,
Chairperson

Fiscal Note: 16A-6711. Costs associated with the regulation are minimal; the Board has sufficient revenue in its augmentation account to absorb the costs without increasing fees; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

LICENSURE

§ 42.13. Application for licensure.

(a) To apply for licensure, an applicant shall pay the required fee and submit evidence satisfactory to the Board on forms provided by the Board that the applicant meets the following criteria:

* * * * *

(4) Has passed the licensure examination or has qualified for a waiver of the licensure examination under § 42.12 (relating to waiver of licensure examination).

(b) In addition to the requirements in subsection (a), an applicant for an occupational therapist license shall submit one of the following:

(1) Proof that the applicant has professional liability insurance as set forth in § 42.61 (relating to professional liability insurance requirement).

(2) A letter from the applicant’s insurance carrier indicating that the applicant will be covered against professional liability in the amount specified in § 42.61(a) upon the issuance of the applicant’s license to practice occupational therapy in this Commonwealth.

(3) A certification from the applicant indicating that the applicant will be covered by an employer against professional liability in the amount speci-

fied in § 42.61(a) effective upon the beginning of employment as an occupational therapist.

§ 42.14. Foreign-educated applicants.

* * * * *

(b) The foreign-educated applicant may be licensed by the Board, if he has complied with subsection (a) and has met one of the following criteria:

- (1) Passed the licensure examination.
- (2) Qualified for a waiver of the licensure examination under § 42.12 (relating to waiver of licensure examination).

(c) In addition to the requirements in subsections (a) and (b), a foreign-educated applicant for an occupational therapist license shall submit one of the following:

- (1) Proof that the foreign-educated applicant has professional liability insurance as set forth in § 42.61 (relating to professional liability insurance requirement).
- (2) A letter from the foreign-educated applicant's insurance carrier indicating that the applicant will be covered against professional liability in the amount specified in § 42.61(a) upon the issuance of the applicant's license to practice occupational therapy in this Commonwealth.
- (3) A certification from the foreign-educated applicant indicating that the applicant will be covered by an employer against professional liability in the amount specified in § 42.61(a) effective upon the beginning of employment as an occupational therapist.

§ 42.15. Application for temporary license.

* * * * *

(c) The Board may also issue a temporary license to an applicant who:

* * * * *

(4) Certifies that the applicant will perform services for not longer than a 6 consecutive month period in a calendar year, in association with an occupational therapist licensed under the act.

(d) In addition to the requirements in subsection (a) or (c), an applicant for a temporary license as an occupational therapist shall submit one of the following:

- (1) Proof that the applicant has professional liability insurance as set forth in § 42.61 (relating to professional liability insurance requirement).
- (2) A letter from the applicant's insurance carrier indicating that the applicant will be covered against professional liability in the amount specified in § 42.61(a) upon the issuance of the applicant's temporary license.
- (3) A certification from the applicant indicating that the applicant will be covered by an employer against professional liability in the amount specified in § 42.61(a) effective upon the beginning of employment.

§ 42.16. Biennial renewal; inactive status; failure to renew.

* * * * *

(b) Biennial renewal forms and other forms and literature to be distributed by the Board will be forwarded to the last mailing address given to the Board by the licensee. [Whenever the licensee changes his mailing address of record, he shall notify the Board, in writing, within 10 days after making the address change.] The licensee has the responsibility to notify the Board of changes to the mailing address of record in writing within 10 days after making the address change.

(c) [To retain the right to engage in practice, the licensee shall renew his license in the manner prescribed by the Board and pay the required fee prior to the expiration of the next biennium.] To retain the right to engage in practice, the licensee shall renew the licensee's license biennially as follows:

- (1) An occupational therapist shall complete the biennial renewal application, pay the required fee and certify completion of the continued competence requirement as specified in § 42.53 (relating to continued competency requirements) and maintenance of the required professional liability insurance coverage as specified in § 42.61 (relating to professional liability insurance requirement).
- (2) An occupational therapy assistant shall complete the biennial renewal application, pay the required fee and certify completion of the continued competence requirement as specified in § 42.53.

(d) [When a license is renewed beyond June 30 of an odd numbered year, a penalty fee of \$5 for each month or part of a month that the licensee has engaged in practice beyond the renewal date will be charged in addition to the renewal fee.] As set forth in section 225 of the Bureau of Professional and Occupational Affairs Fee Act (63 P.S. § 1401-225), a licensee who has engaged in practice beyond the renewal date without renewing the license will be charged a fee of \$5 for each month or partial month of practice during which the license was not renewed, in addition to the biennial renewal fee.

* * * * *

(g) A licensee who is applying to return to active status is required to pay fees which are due [, submit a] and submit:

- (1) A sworn statement stating the period of time during which [he] the licensee was not engaged in practice in this Commonwealth [, submit a].
- (2) A resume of professional activities since the most recent licensure [, and submit a].
- (3) A letter of good standing from another state or territory where [he] the licensee is currently licensed or registered to practice, if applicable.
- (4) Proof of professional liability insurance coverage as set forth in § 42.61 if applying to reactivate an occupational therapist license.

(h) The applicant for licensure renewal will not be assessed a fee or penalty for preceding biennial periods in which the applicant did not engage in practice in this Commonwealth.

(i) [If the applicant] An applicant who has failed to renew [his] a license and has not practiced for longer

than 4 years [, the applicant] shall pass the licensure examination or qualify for a waiver of examination under § 42.12 (relating to waiver of licensure examination) before [his] the license is renewed. In addition, the Board may require the applicant to do one or more of the following:

* * * * *

(k) A licensee who has engaged in practice during a period in which [he was not licensed] the licensee's license was not active may be subject to criminal prosecution under section 16(c) of the act (63 P. S. § 1516(c)).

CONTINUED COMPETENCY

§ 42.51. Purpose.

The purpose of §§ 42.52—42.58 is to implement section 15(a) of the act (63 P. S. § 1515(a)), which authorizes the Board to establish additional requirements for licensure renewal to ensure continued competency to achieve the legislative purpose in section 2 of the act (63 P. S. § 1502) to ensure the highest degree of professional care and conduct on the part of [occupational therapists] licensees.

§ 42.52. Definitions.

The following words and terms, when used in [§§ 42.51 and 42.53—42.58] in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Continued competency—The multidimensional process by which [an occupational therapist] a licensee demonstrates the development and maintenance of the knowledge, skills, attitudes, judgment, abilities and ethics necessary to practice occupational therapy in a variety of roles and settings.

* * * * *

Mentor—A person who holds a current license, certificate or registration in a health-related or education field, or who is otherwise exempt by statute from the requirement to hold a license, certificate or registration, who is engaged in a one-on-one or group teaching/coaching relationship with [an occupational therapist] a licensee for the stated purpose of imparting specific knowledge and skills that will advance the [occupational therapist's] licensee's competency in occupational therapy.

Mentorship—Participation in a formalized, one-on-one or group teaching/learning relationship for the purposes of building [an occupational therapist's] a licensee's capacity to practice occupational therapy.

* * * * *

Professional continued competence portfolio—A document that evidences the [occupational therapist's] licensee's completion of the continued competency requirement in § 42.53 (relating to continued competency requirements).

Protégé—[An occupational therapist] A licensee who is engaged in a one-on-one or group relationship with a mentor for the stated purpose of acquiring specific skills and knowledge related to the practice of occupational therapy.

* * * * *

§ 42.53. Continued competency requirements.

(a) Beginning with the July 1, 2013—June 30, 2015, biennium, an occupational therapist shall complete a minimum of 24 contact hours in each biennial period in acceptable continued competency activities listed in § 42.55 (relating to acceptable continued competency activities) as a condition of licensure renewal. **Beginning with the July 1, 2015—June 30, 2017, biennium, an occupational therapy assistant shall complete a minimum of 24 contact hours in each biennial period in acceptable continued competency activities listed in § 42.55 as a condition of licensure renewal.**

(b) [An occupational therapist] A licensee is exempt from complying with subsection (a) for the first biennial renewal period following initial licensure.

(c) [An occupational therapist] A licensee seeking to reactivate a lapsed or inactive license shall show compliance with the continued competency contact hour requirement during the 2-year period immediately preceding application for reactivation.

(d) As a condition of reinstatement, [an occupational therapist] a licensee whose license has been suspended or revoked shall complete the required continued competency contact hours for each licensure biennium in which the license was suspended or revoked.

§ 42.54. Education program providers.

(a) *General.* Educational courses offered by preapproved and Board-approved providers will be accepted as satisfying the continued competency requirement. It is the responsibility of the [occupational therapist] licensee to ascertain the approval status of the provider before undertaking a course.

* * * * *

(e) *Individual course approval.*

(1) [An occupational therapist] A licensee may request approval of contact hours for educational courses not otherwise approved by submitting an application for approval to the Board no later than 90 days before the end of the biennial renewal period that includes the following:

* * * * *

§ 42.55. Acceptable continued competency activities.

* * * * *

(b) The following activities are acceptable as long as the specific activity complies with subsection (a):

* * * * *

(3) Fieldwork supervision.

(i) [An occupational therapist] A licensee may earn:

* * * * *

(4) Professional writing.

(i) [An occupational therapist] A licensee may earn the following contact hours, up to a maximum aggregate of 15 per biennium, for professional writing:

* * * * *

(5) Editing.

(i) [**An occupational therapist**] A licensee may earn the following contact hours, up to a maximum aggregate of 15 per biennium, for editing:

* * * * *

(6) Presentation and instruction.

(i) [**An occupational therapist**] A licensee may earn 2 contact hours, up to a maximum aggregate of 12 per biennium, for each 60-minute oral or poster presentation or instruction related to occupational therapy.

* * * * *

(7) Unpaid service.

(i) [**An occupational therapist**] A licensee may earn:

* * * * *

§ 42.56. Waivers of continued competency requirements; **extension of time to complete.**

(a) The Board may waive all or part of the continued competency activity requirements, **or grant an extension of time to complete the requirements**, in the case of a serious illness, injury or emergency which prevents a licensee from completing the continued competency requirements.

(b) [**An occupational therapist**] A licensee seeking a waiver **or extension of time** shall submit a written request [**for a waiver**] and provide documentary evidence to the satisfaction of the Board of the serious illness, injury or emergency which would preclude the completion of the continued competency requirements.

(c) The request for a waiver **or extension of time** shall be filed with the Board 60 days before the end of the biennium in which the contact hours are being accrued unless the [**occupational therapist**] licensee proves to the satisfaction of the Board that it was impracticable to do so.

§ 42.57. **Documentation and reporting of continued competency activities.**

* * * * *

(b) [**An occupational therapist**] A licensee shall:

* * * * *

(2) Verify completion of the required contact hours of continued competency activities when the license is renewed. [**An occupational therapist**] A licensee who has not completed the required hours of continued competency activities will not be eligible for renewal until the hours are completed, unless a waiver or extension has been granted.

* * * * *

§ 42.58. **Disciplinary action.**

[**An occupational therapist**] A licensee who fails to comply with the continued competency activity requirements or the audit requirements or submits false documents in connection with the continued competency requirement will be subject to disciplinary action under section 16 of the act (63 P. S. § 1516).

PROFESSIONAL LIABILITY INSURANCE

(*Editor's Note:* Sections 42.61—42.63 are new and printed in regular type to enhance readability.)

§ 42.61. **Professional liability insurance requirement.**

(a) Effective July 1, 2013, an occupational therapist shall obtain and maintain professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made.

(b) Proof of professional liability insurance coverage may include:

(1) A certificate of insurance or copy of the declaration page from the insurance policy setting forth the effective date, expiration date and dollar amounts of coverage.

(2) Evidence of a plan of self-insurance approved by the Insurance Commissioner of the Commonwealth under regulations of the Insurance Department in 31 Pa. Code Chapter 243 (relating to medical malpractice and health-related self-insurance plans).

(c) An occupational therapist who does not maintain the professional liability insurance required under subsection (a) may not practice occupational therapy in this Commonwealth.

§ 42.62. **Notifications.**

(a) An occupational therapist shall notify the Board within 30 days of a failure to maintain the required professional liability insurance.

(b) An occupational therapist whose license was issued in reliance on a letter or certificate as permitted under section 8(5)(iv)(A) and (B) of the act (63 P. S. § 1508(5)(iv)(A) and (B)) in accordance with §§ 42.13(b)(2) or (3), 42.14(c)(2) or (3) or 42.15(d)(2) or (3) (relating to application for licensure; foreign-educated applicants; and application for temporary license) shall provide the Board with proof of professional liability insurance coverage as set forth in § 42.61 (relating to professional liability insurance requirement) within 30 days after the date of issuance of the license or beginning of employment, as applicable.

(c) Failure to notify the Board within 30 days as required in subsection (a) or (b) constitutes unprofessional conduct and subjects the occupational therapist to disciplinary action under section 16(a)(2) of the act (63 P. S. § 1516(a)(2)).

§ 42.63. **Automatic suspension.**

(a) An occupational therapist's license shall be automatically suspended during any period in which the occupational therapist fails to maintain professional liability insurance.

(b) A license that has been automatically suspended under subsection (a) will be reinstated only upon receipt of a copy of documentation demonstrating that the occupational therapist has the required professional liability insurance as set forth in § 42.61 (relating to professional liability insurance requirement).

[Pa.B. Doc. No. 16-280. Filed for public inspection February 19, 2016, 9:00 a.m.]

NOTICES

BOARD OF COAL MINE SAFETY

Meeting Rescheduled

The Board of Coal Mine Safety (Board) has rescheduled its March 8, 2016, meeting. The next meeting of the Board is now scheduled for Wednesday, March 23, 2016, beginning at 10 a.m. in Conference Rooms 1A and 1B, Department of Environmental Protection, Cambria Office, 286 Industrial Park Road, Ebensburg, PA.

The agenda and meeting materials for the March 23, 2016, meeting will be available on the Department of Environmental Protection's web site at www.dep.pa.gov (select "Businesses," then "Land," then "Mining," then "Bureau of Mine Safety," then "Boards and Committees").

Questions concerning the meetings of the Board may be directed to Allison D. Gaida, (724) 404-3147 or agaida@pa.gov.

JOHN QUIGLEY,
Chairperson

[Pa.B. Doc. No. 16-281. Filed for public inspection February 19, 2016, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Order; Training and Certification for Certified Parking Meter Inspectors

Section 1. Purpose; Authority; Duration.

This Order is a temporary order establishing training and certification requirements and procedures for persons seeking to become Certified Parking Meter Inspectors, and is authorized under the Consolidated Weights and Measures Act, at 3 Pa.C.S.A. § 4115(b).

This Order is effective as of March 8, 2016 and shall remain in effect until March 8, 2017—one year from date of issuance.

Section 2. Definitions.

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

Act—The Consolidated Weights and Measures Act, 3 Pa.C.S. §§ 4101—4194.

Certified parking meter inspector or *CPMI*—An individual who is certified by the Department of Agriculture to inspect and certify the accuracy of parking meters.

Department—The Department of Agriculture of the Commonwealth.

Section 3. Certified parking meter inspector.

(a) *General*. A person may apply to the Department to be designated a certified parking meter inspector ("CPMI") for purposes of the Act and this order.

(b) *Authority*. A CPMI may inspect and certify the accuracy of parking meters as required by the Act.

(c) *Fees*. A CPMI may charge a fee for inspection and testing services.

Section 4. Certification standards.

A person seeking a CPMI certificate from the Department shall do the following:

(1) Successfully complete an approved training course as described in Section 5 (relating to training courses).

(2) Pass a Department-administered or Department-approved written test by a score of at least 70%.

(3) Possess or have access to field standards and test equipment as necessary to inspect, determine and certify the accuracy of parking meters, as required under the Act.

(4) Comply with the application requirements described in Section 7 (relating to applying for certification) and other requirements of this order.

(5) Be at least 18 years of age.

Section 5. Training courses.

(a) *Department-administered courses and Department-approved courses*. The Department-administered parking meter certification training course meets the requirements of subsection (b) and is an approved training course. The Department will approve additional parking meter certification training courses that meet the application and course-content requirements of this Section.

(b) *Training course; hours and content*. A Department-approved parking meter certification training course shall consist of a minimum of four (4) hours of instruction, with at least two (2) hours of classroom training and at least two (2) hours of hands-on training. The training course shall cover the following topics:

(1) Basic operation of mechanical and digital parking meters.

(2) Determination and use of appropriate field standards.

(3) Familiarization with documentation requirements.

(4) Inspection and testing procedures.

(5) Noting deficiencies and reporting results.

(c) *Application for approval by Department*. A person seeking the Department's approval of a parking meter certification training course shall apply in writing to the Department and provide the following:

(1) A course outline.

(2) A description of the subject matter to be addressed in each component of the course, addressing all of the course topic requirements set forth in subsection (a).

(3) The name and background information of each course instructor, a description of the subject matter to be addressed by that instructor and information to demonstrate the familiarity of the instructor with that subject matter.

(4) A list of the dates, times and locations at which the training course is to be presented.

(5) A copy of the proposed written test, together with a copy of the answer key.

(6) Verification that the person conducting the course shall issue a certificate of completion to any person who successfully completes the course, and shall promptly

report the results of the testing required under Section 4, Paragraph (2) (relating to certification standards), above, in writing to the Department.

(7) Such other information as the Department may reasonably require.

(d) *Obtaining the list of current approved training courses.* The Department will provide a current list of approved training courses upon request, and will maintain a copy of the current list on its internet website: www.agriculture.state.pa.us.

(e) *Effect of addition of a course to list of courses.* If a training course is added to the list described in subsection (d), a person who has successfully completed that course within six (6) months preceding the date the Department approved the course will be deemed to have successfully completed an approved training course as described in Section 4, Paragraph 1 (relating to certification standards). That person must also meet the requirements of Section 4, Paragraphs (2), (3), (4) and (5) in order to be designated a CPMI.

Section 6. Audit by Department.

The Department may attend and audit an approved training course to ascertain whether the course is conducted in accordance with the Act and this order. A person offering or conducting an approved training course shall, at least 7 days in advance of conducting the course, mail or deliver to the Department written notification of the date, time and location of the training course. A person offering or conducting an approved training course shall allow the Department's auditors entry to the program and provide copies of course materials.

Section 7. Applying for CPMI certification.

(a) *Application required.* A person who has successfully completed a Department-administered or Department-approved parking meter certification training course may apply to the Department for a CPMI certificate. Certification is granted through issuance of the certificate described in Section 8 (relating to CPMI certificate).

(b) *Form of application.* A person seeking certification under the Act may obtain an application form from the Department using the contact information provided in Section 14 (relating to contacting the Department). The applicant shall complete the form and return it to that same address. The application form shall require the following information:

(1) The name, mailing address and birth date of the person seeking a certificate.

(2) The name, location and date of completion of any approved training course completed by the person seeking a certificate.

(3) A copy of any certificate of completion with respect to the approved training course.

(4) A detailed description of the equipment the person seeking the CPMI certificate will use in conducting parking meter inspections, including applicable verifications of accuracy, inspection records and other documentation demonstrating the equipment is accurate and in working order.

(5) The date of the application.

(6) Other information the Department might reasonably require.

(c) *Departmental action on application.* The Department will, within 30 days of receiving an application, mail the applicant a certificate, a disapproval notice or a

request for additional clarification or documentation. If the Department requests additional clarification or documentation, its review and consideration of the application will cease until the requested material is received, from which time the 30-day review period shall begin again.

Section 8. CPMI certificate.

(a) *CPMI certificate.* The Department will provide a CPMI a CPMI certificate.

(b) *Contents of CPMI certificate.* A CPMI certificate will bear the following information:

(1) The name of the person to whom it is issued.

(2) The date of issuance.

(3) A unique identification number.

(4) A statement that the Department has determined the person identified on the certificate to be a "CPMI" with respect to parking meters.

(5) Other information the Department might reasonably include.

(c) *Ownership of CPMI certificate.* A CPMI certificate issued by the Department will remain the property of the Department. A CPMI or other person having physical possession of a certified parking meter certificate shall, upon written notice from the Department, surrender and return the certificate to the Department.

(d) *Obligation to produce CPMI certificate for inspection.* A CPMI shall produce the CPMI certificate for inspection upon demand by the Department or any person on whose behalf the CPMI is performing the inspection or test.

Section 9. Expiration of CPMI certificate.

A CPMI certificate will remain valid unless or until five (5) years or more elapse between consecutive parking meter inspections by the CPMI to whom the CPMI certificate is issued, or unless the CPMI certificate is suspended or revoked in accordance with the procedures in Section 12 (relating to suspension or revocation of certification).

Section 10. Obtaining a new CPMI certificate.

(a) *No renewals: new certificate required.* The Department will not renew a CPMI certificate or extend the expiration date of a certificate. A person shall, instead, apply for and obtain a new CPMI certificate in accordance with Section 7 (relating to applying for certification) to be issued a successor CPMI certificate.

(b) *Training course.* A person who is applying for a CPMI certificate shall have successfully completed a training course as described in Section 5 (relating to training courses) within six (6) months of the date of the application form.

Section 11. Inspection and testing by the Department.

(a) *Random inspection and testing.* The Department may conduct random inspection and testing of parking meters that have been inspected and tested by a CPMI to determine whether the CPMI conducted the inspection and testing in accordance with the Act and this order.

(b) *Inspections generally.* In addition to the random inspection and testing described in subsection (a), the Department may conduct inspection and testing of any parking meter that has been inspected and tested by a CPMI.

(c) *Time lapse affecting results.* In evaluating the inspection and testing performed by the CPMI, the Department will take into account any lapse of time between an inspection performed by the Department and the inspection performed by the CPMI.

(d) *Reporting of results.* Within 30 days following a random inspection, the Department will mail the CPMI written notice of the inspection and the results of that inspection.

(e) *Use of results.* The Department may use the results of its inspection and testing to suspend or revoke the certificate of a CPMI in accordance with Section 12 (relating to suspension or revocation of certification), or as the basis for a warning or instruction directed to the CPMI.

Section 12. Suspension or revocation of certification.

(a) *Basis for action.* The Department may suspend or revoke a CPMI certificate if the CPMI does one or more of the following:

- (1) Violates a provision of this order.
- (2) Violates a provision of the Act.
- (3) Intentionally or fraudulently reports inaccurate information on an inspection report form.
- (4) Is found, following inspection and testing by the Department in accordance with Section 11 (relating to inspection and testing by the Department), to have inaccurately, improperly or incompetently performed testing and inspections of parking meters issued.

(b) *Notice.* The Department will provide a CPMI with written notice of its intention to suspend or revoke certification, which will afford the CPMI notice and opportunity for an administrative hearing before the Department prior to the effective date of the suspension or revocation.

(c) *Delivery of notice.* The Department will deliver the notice described in subsection (b) to the affected CPMI by personal service or by regular mail to the address provided by the CPMI on his application for a certificate under Section 7 (relating to applying for certification), or to the address most recently provided to the Department in writing by the CPMI as the address to which notices should be sent.

Section 13. CPMI list.

(a) *CPMI list to be maintained.* The Department will maintain a current CPMI list containing the following information with respect to each CPMI:

- (1) Name and address.
- (2) Telephone number.
- (3) Fax number (if available).
- (4) The unique identification number of the CPMI's certificate.

(b) *Distribution of copies.* The Department will provide a copy of the current CPMI list upon request.

Section 14. Contacting the Department.

For purposes of this order, a person may contact the Department at the following address:

Department of Agriculture
Bureau of Ride and Measurement Standards
2301 North Cameron Street
Harrisburg, Pennsylvania 17110-9408
Telephone Number: (717) 787-9089
FAX Number: (717) 783-4158

This Order is effective as of March 8, 2016.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 16-282. Filed for public inspection February 19, 2016, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending February 9, 2016.

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

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
2-5-2016	Covenant Bank Doylestown Bucks County	Effective
	Merger of Covenant Bank, Doylestown, with and into Covenant Interim Bank, Doylestown, continuing under the name of Covenant Bank. As a result of this transaction, Covenant Bank has become the wholly-owned subsidiary of Covenant Financial, Inc., Doylestown, a newly-formed holding company.	

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-3-2016	Compass Savings Bank Wilmerding Allegheny County	87 Rocky Road Irwin Westmoreland County	Approved
2-9-2016	Univest Bank and Trust Company Souderton Montgomery County	1980 South Easton Road Doylestown Bucks County (Limited Service Facility)	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-31-2016	First Citizens Community Bank Mansfield Tioga County	<i>Into:</i> 1 Pearl Street Wellsboro Tioga County <i>From:</i> 11798 Route 6 (201 Weis Plaza) Wellsboro Tioga County	Effective
2-5-2016	Orrstown Bank Shippensburg Cumberland County	<i>To:</i> 4075 Market Street Camp Hill Cumberland County <i>From:</i> 3045 Market Street Camp Hill Cumberland County	Filed

CREDIT UNIONS**Change of Principal Place of Business**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Address</i>	<i>Action</i>
2-5-2016	Healthcare First Credit Union Johnstown Cambria County	<i>To:</i> 1152 Franklin Street Johnstown Cambria County <i>From:</i> 119 Walnut Street Johnstown Cambria County	Effective

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. 16-283. Filed for public inspection February 19, 2016, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Execution of Oil and Gas Lease for Publicly- Owned Streambeds

Effective January 13, 2016, an Oil and Gas Lease for Publicly-Owned Streambeds, Contract No. M-2102033-08, was executed by and between the Commonwealth of Pennsylvania, acting through the Department of Conservation and Natural Resources (Department) (lessor), and Snyder Brothers, Inc. (lessee), with its principal place of business located at P. O. Box 1022, 90 Glade Drive, Kittanning, PA 16201.

The lease is for Streambed Tract 2033, encompassing approximately 71.8 acres of submerged lands located in

East Franklin and Rayburn Townships, and Kittanning Borough, Armstrong County. A Memorandum of Lease was recorded at the Armstrong County Courthouse on January 28, 2016, record book no. 4834, pages 0215—0220. The lease allows for the development of oil and natural gas below and between the ordinary low water marks of the Allegheny River solely by means of directional, including horizontal, drilling on a nondevelopment basis that will not disturb the river or its bed. Contract No. M-2102033-08 may be viewed online at <http://contracts.pat treasury.gov/View2.aspx?ContractID=337985>.

Questions regarding this lease should be directed to the Department's Bureau of Forestry, Minerals Division, (717) 787-2703.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 16-284. Filed for public inspection February 19, 2016, 9:00 a.m.]

Retention of Professional Civil/Structural Engineering Firms; Project Reference No. FDC-500-807

The Department of Conservation and Natural Resources (Department) is seeking proposals from interested and qualified professional design firms (Consultant) for open-end contract or contracts for various civil/structural and related engineering and design services. The contract or contracts will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as-needed basis. The contract or contracts will be managed by the Department's Bureau of Facility Design and Construction (Bureau).

The number of open-end contracts and the dollar amount of each contract shall be at the discretion of the Department for the first year. The extent of the work for the subsequent 4 years of the contract will be dependent on the availability of additional funds and additional projects for those years, also at the discretion of the Department.

Letters of Interest for this project will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of professional design. If an individual, firm or corporation not authorized to engage in the practice of architecture or engineering, or both, wishes to submit a Letter of Interest, the individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering in this Commonwealth.

Background

Established on July 1, 1995, the Department is charged with: maintaining and preserving the 120 State Parks; managing the 2.1 million acres of State Forest land; providing information on the State's ecological and geologic resources; and establishing community conservation partnerships with grants and technical assistance to benefit rivers, trails, greenways, local parks and recreation, regional heritage parks, open space and natural areas.

The Bureau provides multidisciplinary facility and infrastructure technical support to the other bureaus in the Department in the areas of project design, project inspections, construction management, contract administration, surveying and other technical advice and consultation. This Bureau is comprised of three divisions: Dams, Bridges and Roadways Engineering; Environmental Engineering and Architecture; and Field Engineering and Contract Management.

The Bureau's Central Office (located in Harrisburg) is responsible for the development of architectural, landscape architectural, water and sanitary, bridge and roadway and civil and environmental projects required to support the Department's facility construction and maintenance program. The Central Office is comprised of five sections: Architectural Design; Landscape Design; Sanitary and Water Management; Bridges and Road Management; and Civil Design. In addition to project design, staff also provides technical architectural and engineering support and advice to assist field operation in State Parks and State Forests.

The Bureau also has four field offices: Northcentral Office in Emporium; Western Office in Moraine State Park; Southcentral Office in Shawnee State Park; and Eastern Office in Nockamixon State Park. Each office is responsible for providing direct engineering and technical

support to the State Parks and Forests field operation staff in their area. Staff is responsible for project inspection and construction management to ensure contractor compliance with the construction contract documents as well as some project design.

PART I

GENERAL REQUIREMENTS

I-1. *Specific Requirements.* The services may encompass a wide range of civil and structural design efforts with the possibility of several different types of projects being designed under short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacement and rehabilitation (single and multispan), roadway reconstruction/rehabilitation, structural evaluation or design of various building types and other civil engineering related work as assigned by the Department.

Construction budgets for typical projects have ranged from as low as \$25,000 to as high as \$7 million. The average construction budget is likely to be less than \$2 million. Consultants should give strong consideration to the typical project size when considering submitting for this Request for Proposal (RFP).

The services anticipated under the contract may include project planning, scoping and programming, budget estimating, site visits, existing facility review, assessment and documenting, life cycle cost analysis, environmental studies, conceptual design, design development, construction documentation including preparation of drawings and specifications, cost estimating, permit preparation and submission, construction administration including construction submission review and construction inspection and existing building code and facility condition reviews. Permitting services may include Department of Environmental Protection (DEP) Chapter 105 permits, National Pollutant Discharge Elimination System permits, erosion and sedimentation control plans, storm water management plans and land development plans.

Areas of related environmental study associated with these design projects may include, but are not limited to, wetlands, soil, geology, DEP Chapter 105, Corps of Engineers 404 permits, Act 537 planning and DEP water quality management requirements. The environmental studies shall be conducted in accordance with accepted analysis techniques and methodologies and may include any or all of the following to ensure a complete environmental investigation has been performed: provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data; assess impacts; prepare reports; and design mitigation plans. The reports and other graphic material to be prepared may include, but are not limited to, plans of study, meeting minutes, preparation of permit application documents, mitigation plans and reports and wetland and floodplain findings.

Work will be performed with a focus on environmentally sustainable design and construction principles and practices. Projects designed under this contract must achieve a high level of environmental performance, durability, through integrated design and sustainable practices, features and technologies. Designs should implement financially feasible and technologically sound

strategies to conserve energy and to surpass current norms for water conservation, waste management and recycling. Sustainability should be incorporated into the earliest design decisions.

The consultant may be required to perform any and all of the following duties: attend site visits; prepare minutes; perform necessary field surveys; plot topography and cross sections; develop erosion control plans; prepare type, size and location reports; prepare construction drawings, specification and estimates; procure core borings; provide soil and foundation engineering reports; investigate utility involvement; evaluate alternatives using benefit/cost analysis; develop other details and narratives; inspect simple, major and unusual structures; develop rehabilitation strategies; and review shop drawings, catalog cuts and occasional attendance at construction job conferences may be required.

Projects will be located throughout this Commonwealth. Travel to the project sites will be required. Project assignment will be through individual project Work Orders. The scope of the Work Order may range from full responsibility for all aspects of the design to a collaborative design effort with Department in-house staff where only one or more specific design disciplines are required. Work Orders may be for a single phase or portion of a project such as conceptual design or for all phases of the entire project. The work shall be identified in the Work Order by a series of tasks that encompass the full scope of the project. The number and description of the tasks will vary based on a project's scope and complexity. A typical Work Order will require formal submissions at the end of the Sketch (10%), Preliminary (50%), Prefinal (95%) and Final (100%) design stages. Complexity may require more or less submissions for certain projects. The Consultant will be required to develop and maintain a detailed project schedule showing all related project tasks including design phases, submissions, review periods and timelines for required permits. The project schedule shall identify the critical path for completion for the project. A Bureau Project Coordinator will be assigned to each Work Order. The Coordinator may change from project to project. A Performance Review may be performed by the Project Coordinator at the completion of the Work Order and used in assigning additional projects to the Consultant.

The Department's standard contract method is multiple prime, design-bid-build, although other nonbid construction methods, including construction by Department staff and volunteer organizations, may be used. The Consultant will be required to prepare construction documents appropriate to the construction method selected by the Department.

The Consultant will be required to submit project data and documents in both written and electronic form. Drawings will be required to comply with the Department's Computer-Aided Drafting Standard. Three dimensional drawings will be expected throughout the design process; presentation renderings may be required at the completion of design.

I-2. Qualifications. The Consultant shall have staff available to provide rapid services associated with assigned projects. The Consultant may be called upon to provide services on multiple projects at the same time. The Consultant shall have demonstrated knowledge of the building design and construction method.

The following minimum qualification will be expected of all Consultants:

- Possess current professional registrations required to perform required services.
- Be licensed to conduct business in this Commonwealth.
- Have sufficient staff or subconsultants experienced in the various required services.
- Have an established quality control and assurance program for checking documents for accuracy, consistency, coordination, quality and compliance with all necessary codes and regulations.
- Have specialized experience in the field of sustainable design and a demonstrated ability to comprehensively integrate the concept of sustainability into the project.
- Have Leadership and Energy and Environmental Design (LEED) certified designers as current members of staff and available for assigned projects.
- Have design capabilities in digital format (AutoCAD and Revit).
- Have the ability to produce 3-dimensional drawings in to further illustrate design intent.

I-3. Addenda to the RFP. If the Department deems it necessary to revise any part of this RFP before the proposal response date, the Issuing Office will post an addendum to the Department web site at <http://www.dcnr.state.pa.us>. It is the Offeror's responsibility to periodically check the web site for any new information or addenda to the RFP. Answers to the questions asked during the questions and answers period also will be posted, as necessary, to the web site as an addendum to the RFP.

I-4. Small Diverse Business (SDB) Information. The Department encourages participation by SDBs as prime contractors and encourages all prime contractors to make a significant commitment to use SDBs as subcontractors and suppliers.

An SDB is a Department of General Services (DGS) verified minority-owned business, woman-owned business, veteran-owned business or service-disabled veteran-owned business.

A small business is a business in the United States which is independently owned, not dominant in its field of operation, employs no more than 100 full-time or full-time equivalent employees, and earns less than \$7 million in gross annual revenues for building design, \$20 million in gross annual revenues for sales and services and \$25 million in gross annual revenues for those businesses in the information technology sales or service business.

Questions regarding this program can be directed to Department of General Services, Bureau of Small Business Opportunities, Room 611, North Office Building, Harrisburg, PA 17125, (717) 783-3119, fax (717) 787-7052, gs-bsbo@pa.gov.

The DGS' directory of the Bureau of Small Business Owners (BSBO) verified minority, women, veteran and service disabled veteran-owned businesses can be accessed by searching for "Small Diverse Businesses" at www.dgs.state.pa.us.

I-5. *Notification of Selection.* Offerors whose proposals are not selected will be notified when contract negotiations have been successfully completed and the Department has received the final negotiated contract signed by the selected Offeror.

I-6. *Type of Contract.* The type of contract as a result of this RFP shall be an open-end, requirements contract. Work shall be assigned on an as needed basis as determined by the Department. The initial term of the agreement shall be 1 year and renewable for up to 4 subsequent years. Reimbursement for services shall be by fixed fee percentage based upon project allocation or hours of service and qualifying expenses and may vary from project to project. The reimbursement type shall be at the Department's discretion. Direct costs for travel and subsistence will be based on current State rates. Miscellaneous expenses such as copies, prints or postage will be reimbursed at cost. The work shall be reviewed by the staff of the Bureau and when applicable, approved by same staff.

PART II

PROPOSAL REQUIREMENTS

Offerors must submit their proposals in the following format, including heading descriptions. To be considered, the proposal must respond to all requirements in this part of the RFP. Offerors should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to the proposal.

II-1. *Requirements.* Proposals shall include the following items and information:

- Letter of Interest including the Consultant's Federal identification number and the project reference number.
- A description of the Consultant's understanding of the Department's needs and the services required. This description shall include why and how the Consultant is qualified to provide these services.
- A description of the Consultant's project approach and methodology, including the approach to the managerial, technical and administrative aspects of the project. Describe how the scope, schedule, budget and quality of a project are managed and controlled. Address communication and coordination strategies internal to the design team, with the client and with other outside agencies. Describe how an integrated design process is approached and has been used on past projects.
- A description of the Consultant's sustainable design experience, including specialized knowledge and expertise in as many of the following areas of sustainable design as possible: environmentally sound site design and planning; sustainability performance standards for the building; energy efficiency; water efficiency; environmentally sound materials; construction waste management and prevention; and low maintenance design and materials. Include a description of how sustainable design is made an integral part of the Consultant's design process.
- A detailed description of the Consultant's quality control and assurance program, including how subconsultants are included in this program. Describe what steps are taken to assure accurate, fully coordinated construction documents. Provide the name of the person responsible for quality control and describe their qualifications to perform this task.

- A description of the Consultant's qualifications to complete the required services. Include firm history and experience on similar projects. Describe the resources of the firm, including number/discipline of personnel, ability to respond to schedule acceleration, and the like. Describe roles and experience of proposed subconsultants.

- Resumes of personnel who will actually be involved in providing the services described herein to the Department. Describe their relevant experience, years of experience, what roles they will fill in providing the required services and percent of time they will be committing to Department assigned projects. The resumes must include their professional education and professional registrations and licenses. Provide resumes of subconsultant's personnel.

- A description of the consultant's ability to work on multiple projects of various sizes at the same time.

- A list of at least three of the consultant's most recent completed projects similar to the projects anticipated under the contract. In addition to photographs and a descriptive narrative, the list shall include the client, contact person and contact information, the completion date, the estimated or actual total construction cost, the estimated or actual construction cost of the portion of the work which the firm designed, the firm's Project Manager and the names of all of the firm's personnel who made contributions to the project. If the Consultant has experience with LEED projects, at least one LEED project should be added to the list. In addition to the previous information, a summary of the sustainable features, the LEED rating achieved and a description of the integrated design process shall accompany the LEED project.

- A standard DGS Form 150-ASP indicating the individual in charge. The Form 150-ASP is available by downloading from the DGS web site at <http://www.dgs.state.pa.us>. Form 150-ASP shall be submitted in hard copy format as per Part II, II-2 of the RFP. The electronic submission instructions on the DGS web site are for DGS projects only. Additional information pertinent to this firm's qualifications to do the work of this contract may be included.

II-2. *Number of Copies.* Two copies of the SDB participation section bound and sealed separately from the remainder of the proposal and six copies of the complete set consisting of the Letter of Interest and the required forms must be received no later than 4 p.m. on March 23, 2016. The six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one or more of the firms responding to this notice. However, the Department reserves the right to reject all Letters of Interest submitted, cancel the solicitation requested under this notice or readvertise solicitation for this service.

II-3. *SDB Participation Submittal.*

A. To receive credit for being an SDB or for subcontracting with an SDB, an Offeror must include proof of SDB qualification in the SDB participation submittal of the proposal, as indicated as follows:

An SDB verified by the BSBO as a Small Business must provide a photocopy of their verification letter.

B. In addition to the previous verification letter, the Offeror must include in the SDB participation submittal of the proposal the following information:

1. Offerors must include a numerical percentage which represents the total percentage of work.

2. Offerors must include a numerical percentage which represents the total percentage of work that the Offeror commits to the SDB as subconsultants. To support its total SDB Commitment, Offeror must also include:

a. Percentage of each subcontract commitment to an SDB.

b. The name of each SDB. The Offeror will not receive credit for stating that after the contract is awarded it will find an SDB.

c. The services each SDB will provide.

d. The location where each SDB will perform services.

e. The timeframe for each SDB to provide or deliver the goods or services.

f. A subcontract or Letter of Intent signed by the Offeror and the SDB for each SDB identified in the SDB submittal. The subcontract or Letter of Intent must identify the specific work or services the SDB will perform, how the work or services relates to the project and the specific time frame during the term of the contract and any option/renewal periods when the work, good or service will be performed or provided.

g. The name, address and telephone number of the primary contact person for each SDB.

3. Each SDB subconsultant commitment will become contractual obligations once the contract is fully executed.

4. The name and telephone number of the Offeror's project (contact) person for the SDB information.

C. The Offeror is required to submit two copies of its SDB participation submittal. The submittal shall be clearly identified as SDB information and sealed in its own envelope, separate from the remainder of the proposal.

D. An SDB can be included as a subconsultant with as many prime consultants as it choose.

E. An Offeror that qualifies as an SDB and submits a proposal as a prime contractor is not prohibited from being included a subconsultant in separate proposals submitted by other Offerors.

F. Refer to Appendix A for sample SDB Letter of Intent.

II-4. *Contract Requirements—SDB Participation*

Contracts containing SDB participation must also include a provision requiring the selected contractor to meet and maintain those commitments made to SDB at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the BSBO. Contracts containing SDB participation must include a provision requiring SDB subcontractors to perform at least 50% of the subcontracted work.

The selected contractor's commitments to SDBs made at the time of proposal submittal or contract negotiation shall, to the extent so provided in the commitment, be maintained throughout the term of the contract and through any renewal or extension of the contract. Any proposed change must be submitted to the BSBO, which will make a recommendation to the contracting officer regarding a course of action.

If a contract is assigned to another contractor, the new contractor must maintain the SDB participation of the original contract.

The selected contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the Issuing Office within 10 workdays at the end of each quarter the contract is in force. This information will be used to determine the actual dollar amount paid to SDB subcontractors and suppliers. Also, this information will serve as a record of fulfillment of the commitment the selected contractor made and for which is received SDB participation points. If there was no activity during the quarter then the form must be completed by stating "No activity in this quarter."

Note: Equal employment opportunity and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices do not constitute proof of SDB status or entitle an Offeror to receive credit for SDB utilization.

II-5. *Debriefing.* The Department will not offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposal submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

PART III

CRITERIA FOR SELECTION

III-1. *Selection Criteria.* The engineering consulting firm will be evaluated upon, but not limited to, the following criteria:

A. Consultant's experience on past projects of similar scope, type and size.

B. Consultant's staff qualifications, experience and ability to perform the required services, including available manpower to perform the required services. This includes the qualifications, experience and abilities of subconsultant's staff.

C. Consultant's understanding of the problem and the services required.

D. Consultant's project approach and methodology.

E. Knowledge and experience with environmentally sustainable design and LEED accreditation.

F. Quality control and assurance program and procedures.

G. Equitable distribution of contracts.

H. SDB Participation (evaluated by the BSBO), the BSBO has established the weight for the SDB participation criterion for the RFP as 20% of the total points. Each SDB participation submittal will be rated for its approach to enhancing the utilization of SDB in accordance with the following-listed priority ranking and subject to the following requirements:

1. A business submitting a proposal as a prime contractor must perform 60% of the total contract value to receive points for this criterion under any priority ranking.

2. To receive credit for an SDB subcontracting commitment, the SDB subcontractor must perform at least 50% of the work subcontracted to it.

3. A significant subcontracting commitment is a minimum of 5% of the estimated total contract value.

4. A subcontracting commitment less than 5% of the total estimated contract value is considered nominal and will receive reduced or no additional SDB points depending on the priority ranking.

Priority Rank 1: Proposals submitted by SDB as prime Offerors will receive 150 points. In addition, SDB prime Offerors that have significant subcontracting commitments to additional SDBs may receive up to an additional 50 points (200 points total available).

Subcontracting commitments to additional SDBs are evaluated based on the proposal offering the highest total percentage SDB subcontracting commitment. Other Offerors will be scored in proportion to the highest total percentage SDB subcontracting commitment within this ranking. See the following formula.

Priority Rank 2: Proposals submitted by SDBs as prime contractors, with no or nominal subcontracting commitments to additional SDBs, will receive 150 points.

Priority Rank 3: Proposals submitted by non-SDBs as prime contractors, with significant subcontracting com-

mitments to SDBs, will receive up to 100 points. Proposals submitted with nominal subcontracting commitments to SDBs will receive points equal to the percentage level of their total SDB subcontracting commitment.

SDB subcontracting commitments are evaluated based on the proposal offering the highest total percentage SDB subcontracting commitment. Other Offerors will be scored in proportion to the highest total percentage SDB subcontracting commitment within this ranking. See the following formula.

Priority Rank 4: Proposals by non-SDBs as prime contractors with no SDB subcontracting commitments shall receive no points under this criterion.

To the extent that there are multiple SDB participation submittals in Priority Rank 1 or Priority Rank 3, or both, that offer significant subcontracting commitments to SDBs, the proposal offering the highest total percentage SDB subcontracting commitment shall receive the highest score (or additional points) available in that Priority Rank category and the other proposals in that category shall be scored in proportion to the highest total percentage SDB subcontracting commitment. Proportional scoring is determined by applying the following formula:

<u>SDB % Being Scored</u>	x	Points/Additional = Awarded/Additional
Highest % SDB Commitment		Points Available * SDB Points
Priority Rank 1 = 50 Additional Points Available		
Priority Rank 3 = 150 Total Points Available		

Refer to http://www.portal.state.pa.us/portal/server.pt/community/rfp_scoring_formulas_overview/20124 for an illustrative chart which shows SDB scoring based on a hypothetical situation in which the Commonwealth receives proposals for each priority rank:

III-2. *Number of Contracts.* It is the intent of the Department to select more than one firm for projects to be assigned on a regional basis.

PART IV

MAILING AND CONTACT INFORMATION

Firms interested in performing the required services for this project are invited to submit Letters of Interest to Alfred Uzokwe, PE, Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Contact Ray Zomok at (717) 783-3333 for general information concerning this RFP.

CINDY ADAMS DUNN,
Secretary

APPENDIX A

**SMALL DIVERSE BUSINESS
LETTER OF INTENT**

[DATE]
[SDB Contact Name
Title
SDB Company Name
Address
City, State, Zip]

Dear [SDB Contact Name]:

This letter serves as confirmation of the intent of [Offeror] to utilize [Small Diverse Business (SDB)] on RFP [RFP number and Title] issued by the [Commonwealth agency name].

If [Offeror] is the successful vendor, [SDB] shall provide [identify the specific work, goods or services the SDB will perform, and the specific timeframe during the term of the contract and any option/renewal periods when the work, goods or services will be performed or provided].

These services represent [identify fixed numerical percentage commitment] of the total cost in the [Offeror's] cost submittal for the initial term of the contract. Dependent on final negotiated contact pricing and actual contract usage or volume, it is expected that [SDB] will receive an estimated [identify associated estimated dollar value that the fixed percentage commitment represents] during the initial contract term.

[SDB] represents that it meets the small diverse business requirements set forth in the RFP and all required documentation has been provided to [Offeror] for its SDB submission.

We look forward to the opportunity to serve the [Commonwealth Agency Name] on this project. If you have any questions concerning our small diverse business commitment, please feel free to contact me at the number below.

Sincerely,	Acknowledged,
Offeror Name	SDB Name
Title	Title
Company	Company
Phone Number	Phone Number

[Pa.B. Doc. No. 16-285. Filed for public inspection February 19, 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060691 (Sewage)	Moon Lake Park WWTP Moon Lake Road (T530) Plymouth Township, PA 18651	Luzerne County Plymouth Township	Unnamed Tributary of Hunlock Creek (05B)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0022306 (Sewage)	Shady Ave STP PO Box 330 Brownsville, PA 15417	Fayette County Brownsville Borough	Dunlap Creek (19-C)	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

PA0057967, Industrial, SIC Code 3272, 3423, **RAF Pennsburg LP**, 165 Township Line Road Suite 100, Jenkintown, PA 19046. Facility Name: RAF Pennsburg IWTP. This existing facility is located in Upper Hanover Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial and sewage wastewater.

The receiving stream(s), Macoby Creek Branch, is located in State Water Plan watershed 3-E and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	100
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4.0	8.0	XXX	25.0	50.0	50
Total Suspended Solids	3.5	7.0	XXX	20.0	40.0	40
Total Dissolved Solids	167	334	XXX	1,000	2,000	2,500
Oil and Grease	XXX	XXX	XXX	15	30	30
Fecal Coliform	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report Min	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen	0.35	0.70	XXX	2.0	4.0	5
Total Phosphorus	0.35	0.70	XXX	2.0	4.0	5
Chromium III, Total	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Cyanide, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Nickel, Total	XXX	XXX	XXX	Report	XXX	XXX
Silver, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 002, 003, 004, and 005 are based on a storm event.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Obtain necessary property rights
- Proper Sludge Disposal
- BAT/BCT Reopener
- Small Stream Discharge
- O & M Manual Requirements
- Stormwater Requirements

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

The EPA Waiver is in effect.

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

PA0082198, Sewage, SIC Code 4952, **Peters Township Franklin County**, PO Box 88, Lemasters, PA 17231-0088. Facility Name: Peters Township Upton STP. This existing facility is located in Peters Township, **Franklin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.1	XXX	0.36
Carbonaceous Biochemical Oxygen Demand (CBOD5)	5.2	8.3	XXX	25	40	50
Total Suspended Solids	6.3	9.4	XXX	30.0	45.0	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	1.5	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	0.5	XXX	XXX	2.5	XXX	5

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Monthly	Annual	Monthly	Monthly Average	Maximum	Instant. Maximum
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

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.

PA0085367, Sewage, SIC Code 7033, **Sills Family Campground**, PO Box 566, Adamstown, PA 19501-0566. Facility Name: Sills Family Campground. This existing facility is located in Brecknock Township, **Lancaster County**.

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

The receiving stream(s), Little Muddy Creek, is located in State Water Plan watershed 7-J and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00759 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
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	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	10,000	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	1,000	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	12.5	XXX	25

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

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.

PA0023264, Sewage, SIC Code 4952, **Twin Borough Sanitary Authority Juniata County**, PO Box 118, Mifflin, PA 17058-0118. Facility Name: Twin Borough STP. This existing facility is located in Milford Township, **Juniata 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), Juniata River, is located in State Water Plan watershed 12-A 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 0.9 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	185.0	280.0 Wkly Avg	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)						
Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	225.0	335.0 Wkly Avg	XXX	30.0	45.0	60
Total Suspended Solids						
Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	Report	XXX	Report	XXX	Report
May 1 - Oct 31	185.0	Report	XXX	25.0	XXX	Report

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen ³	Report	16,438	XXX	XXX	XXX	XXX
Net Total Phosphorus ³	Report	2,192	XXX	XXX	XXX	XXX

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

- Chesapeake Bay Nutrient Requirements
- Solids Management for Non-Lagoon Treatment Systems
- SBR Batch discharge condition
- Hauled in waste restriction

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

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

PA0253880, Industrial, SIC Code 3532, **Morgantown Technical Services**, 2608 Smithtown Road, Morgantown, WV 26508. Facility Name: Mount Morris facility. This existing facility is located in Perry Township, **Greene County**.

Description of Proposed Activity: The application is for a new NPDES permit for existing discharges of storm water and groundwater.

The receiving stream(s), Dunkard Creek, is located in State Water Plan watershed 19-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 003 are for storm water discharges.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	90.0
Aluminum, Total	XXX	XXX	XXX	5.0	10.0	12.5
Iron, Total	XXX	XXX	XXX	3.0	6.0	7.0
Manganese, Total	XXX	XXX	XXX	2.0	4.0	5.0

The proposed effluent limits for Outfall 002 are for storm water and groundwater discharges.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	90.0
Aluminum, Total	XXX	XXX	XXX	5.0	10.0	12.5
Iron, Total	XXX	XXX	XXX	3.0	6.0	7.0
Manganese, Total	XXX	XXX	XXX	2.0	4.0	5.0

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not in effect.

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

PA0239631, Sewage, SIC Code 4952, **Monroe Township Clarion County**, 17956 Route 68, Sligo, PA 16255. Facility Name: Monroe Township STP. This existing facility is located in Monroe Township, **Clarion 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 is Brush Run, located in State Water Plan watershed 17-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 final effluent limits for Outfall 001 are based on a design flow of 0.08 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
DO interim	XXX	XXX	Report	XXX	XXX	XXX
DO final	XXX	XXX	4.0	XXX	XXX	XXX
BOD ₅						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
TSS						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
CBOD ₅	16	24	XXX	25	40	50
TSS	20	30	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia						
Nov 1 - Apr 30	17.0	XXX	XXX	25.5	XXX	51.0
May 1 - Oct 31	5.5	XXX	XXX	8.5	XXX	17.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	XXX	XXX

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

- A compliance schedule to achieve the 4-mg/L daily minimum dissolved oxygen limitation

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

The EPA Waiver is not in effect.

PA0023043—Amendment No. 1, Sewage, SIC Code 4952, **North East Borough**, 31 W Main Street, North East, PA 16428-1135. Facility Name: North East Borough STP. This existing facility is located in North East Borough, **Erie County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Sixteenmile Creek, is located in State Water Plan watershed 15 and is classified for warm water fishes & migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.9 MGD.

Removal of Chlorodibromomethane limitations and the associated Toxics Reduction Evaluation requirements, based on additional sampling provided since the permit was issued.

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

The EPA Waiver is not in effect.

PA0264318, Sewage, SIC Code 8800, **Darlene & Mark Schlaudecker**, 17506 State Highway 86, Saegertown, PA 16433. Facility Name: Darlene & Mark Schlaudecker SRSTP. This proposed facility is located in Woodcock Township, **Crawford County**.

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

The receiving stream, an Unnamed Tributary to the Bossard Run, is located in State Water Plan watershed 16-A and is classified for High Quality Waters—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 0.0005 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	9.0	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is not in effect.

PA0264253, Sewage, SIC Code 8800, **Robert M. Miller**, 131 Country Estates Drive, Rogersville, TN 37857-7663. Facility Name: Robert M. Miller SRSTP. This proposed facility is located in Woodcock Township, **Crawford County**.

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

The receiving stream, an Unnamed Tributary to the French Creek, is located in State Water Plan watershed 16-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 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	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is not in effect.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900

WQM Permit No. WQG02231601, Sewage, **Rose Hill Developers, LP**, 1 Raymond Drive, Havertown, PA 19083.

This proposed facility is located in Chester Heights Borough, **Delaware County**.

Description of Action/Activity: Construction and operation of a sewage pump station.

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

WQM Permit No. WQG01201601, Sewage, **Street Track N Trail Inc.**, 13723 Conneaut Lake Road, Conneaut Lake, PA 16316.

This proposed facility is located in Vernon Township, **Crawford County**.

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

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.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011515019	Bombay Enterprises, LLC 1806 Zebley Road Wilmington, DE 19810-1502	Chester	Lower Oxford Township	Tributary to West Branch Big Elk Creek (POI #2) HQ-TSF-MF
PAI012316001	PECO, An Exelon Company 2301 Market Street, S7-2 Philadelphia, PA 19103	Delaware	Eddystone Borough	Delaware River WWF-MF

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

Lackawanna County Conservation Dist, 1038 Montdale Road, Suite 109, Scott Twp., PA 18447

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023516001	North Pocono School District 701 Church Street Moscow, PA 18444	Lackawanna	Moscow Borough	Van Brunt Creek (HQ-CWF, MF)

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024015002	PPL Electric Utilities Corporation c/o Colleen Kester 2 North Ninth Street Allentown, PA 18101-1139	Luzerne	Laurel Run Borough Nuangola Borough Conyngham Township Plains Township Bear Creek Township Wilkes-Barre Township Hanover Township Fairview Township Rice Township Slocum Township	Little Wapwallopen Creek (CWF, MF) Pond Creek (CWF, MF) Nanticoke Creek (CWF, MF) Sugar Notch Run (CWF, MF) Big Wapwallopen Creek (CWF, MF) Pine Creek (CWF, MF) Deep Hollow (CWF, MF) Laurel Run (CWF, MF) Mill Creek (CWF, MF) Gardner Creek (CWF, MF) Susquehanna River (WWF, MF) Solomon Creek (HQ-CWF, MF)

Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth, PA 18064-9211

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024815019	Graham & Shelby Simmons 227 Venetian Drive Easton, PA 18040	Northampton	Plainfield Township	Bushkill Creek (HQ-CWF, MF)
PAI024815018	Barnsdale Associates Attn: John Tallarico 221 West Langhorne Avenue Bethlehem, PA 18017	Northampton	Freemansburg Borough and Bethlehem Township	Nancy Run (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030607004(2) Issued	Mr. Curtis Morton 6 Gap Road Macungie, PA 18062	Berks	Longswamp Township	Swabia Creek (HQ-CWF, MF)
PAI034415001 Issued	Mr. Terri Linn J&D's Inc. 35 School Bus Lane Lewistown, PA 17044	Mifflin	Armagh Township	Unnamed Tributary to Laurel 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>
PAI033615012	Exelon Generation Corporation, LLC 300 Exelon Way Kennett Square, PA 19348	Lancaster	Fulton Township	Peters Creek (Designated Use of Water: HQ-WWF, MF; Existing Use of Water: Aquatic life and recreation)
PAI030115004	Knouse Foods Cooperative, Inc. 800 Peach Glen—Idaville Road Peach Glen, PA 17375	Adams	Tyrone Township and Huntington Township	UNT Bermudian Creek (Designated Use of Water: WWF-MF)
PAI032815003	Hissong Farmstead, Inc. 6841 Buchanan Trail West Mercersburg, PA 17236	Franklin	Montgomery Township	UNT West Branch Conococheague Creek (TSF)
PAI034416001	Happy Holiday, LLC 5114 Maple Leaf Court Mechanicsburg, PA 17055	Mifflin	Brown Township	UNT to Kish Creek (Designated Use of Water: HQ-CWF; Existing Use of Water: HQ-CWF)

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>
PAI041416001	Penn State University 139J Physical Plant Bldg University Park, PA 16802	Centre	College Township	Thompson Run, HQ-CWF, 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.

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

<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>
Dr. Joe Jurgielewicz & Son, Ltd. Farm Address: 886 Mountain Road Hegins, PA 17938 Mailing Address: P. O. Box 257 Shartlesville, PA 19554	Schuylkill	0	44.34	Ducks	N/A	Renewal

<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>
Cory Gress 792 Lick Hollow Road Harrisonville, PA 17228	Fulton	408.3	732.04	Swine Finisher	None	Renewal
Roaring Creek Egg Farms LLC	Columbia	0	919.6	Poultry Layers	UNT Mugser Run—HQ-CWF	New

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 2115511 MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania-American Water Company
Municipality	Silver Spring Township
County	Cumberland
Responsible Official	David R. Kauffman 800 West Hershey Park Drive Hershey, PA 17033
Type of Facility	Public Water Supply

Consulting Engineer	Scott M. Thomas, P.E. Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055
Application Received:	1/21/2016
Description of Action	Rehabilitation of Filter No. 1 including repainting of both the interior and exterior, replacement of filter underdrains, and replacement of filter media.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Permit No. 5616501, Public Water Supply.

Applicant	Garrett Borough 307 Municipal Road PO Box 218 Garrett, PA 15542
[Township or Borough]	Garrett Borough
Responsible Official	Kim Gary, President Garrett Borough 307 Municipal Road PO Box 218 Garrett, PA 15542
Type of Facility	Water system
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Application Received Date	February 4, 2016
Description of Action	Construction of a new water supply well, modifications to the existing water treatment plant and treatment processes.

Permit No. 0216502, Public Water Supply.

Applicant	Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
[Township or Borough]	Chartiers Township
Responsible Official	David Kaufman, VP-Engineering Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Water system
Consulting Engineer	Lennon, Smith, Souleret Engineering, Inc. 846 Fourth Avenue Coraopolis, PA 15108

Application Received Date	February 1, 2016
Description of Action	Installation of a booster station; and approximately 4,200 feet of 8-inch diameter and 2,100 feet of 4-inch diameter waterline and appurtenances.

WATER ALLOCATIONS

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

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

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

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

Former Garden State Tanning, 16 South Franklin Street, Fleetwood, PA 19522, Borough of Fleetwood, **Berks County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of Borough of Fleetwood, 110 West Arch Street, Suite 104, Fleetwood, PA 19522, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs, Lead, and PAHs. The site will be remediated to the Residential Statewide Health and Site Specific Standards. Future use of the site is as a paved public parking lot. The Notice of Intent to Remediate was published in *The Reading Eagle* on January 19, 2016.

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

CPV Fairview Energy Center (a.k.a. S.A. Yurasek & Son, Inc./Salvage Heaven), 2862 William Penn Ave (Route 271)/199 Polaris Drive, Jackson Township, **Cambria County**. Haley & Aldrich, Inc., 200 Town Center Road, Suite 200, Rochester, NY 14623 on behalf of CPV Fairview, LLC, 50 Braintree Hill Office Park, Suite 300, Braintree, MA 02184 has submitted a Notice of Intent to Remediate to meet the non-residential Statewide Health standard concerning site soils and groundwater contaminated with volatile and semi-volatile organic compounds (VOCs & SVOCs), inorganics, and polychlorinated biphenyls (PCBs). From the NIR, the intended future use of the property will be a natural gas-fired combined-cycle power generation facility. Notice of the NIR was published in the *Tribune-Democrat* on February 1, 2016.

**MODIFICATIONS AND CONSOLIDATION OF
RESIDUAL WASTE GENERAL PERMITS
WMGM028, WMGM033 AND WMGR034**

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

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.

General Permit Numbers WMGM028, WMGR033 and WMGR034. These general permits authorize the processing and beneficial use of landfill gas (LFG) for use as: (1) a substitute for high or medium Btu-LFG for natural gas or other fuel; (2) a substitute for natural gas or other fuel to be interconnected with another pipeline for consumer use; and (3) an alternative fuel for the electric generators to produce electricity.

The proposed modifications would consolidate the three general permits into a single general permit, WMGR055, and authorize the processing and beneficial use of landfill gas (LFG) for use as: (1) a substitute for high or medium Btu-LFG for natural gas or other fuel; (2) a substitute for natural gas or other fuel to be interconnected with another pipeline for consumer use; and (3) an alternative fuel for the electric generators to produce electricity.

The Department of Environmental Protection (Department) is soliciting public comment on proposed modifications to the consolidated WMGR055 in order to provide clarity for the regulated community, general public and the Department.

Written comments concerning the general permit should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGM055" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

MODIFICATIONS OF RESIDUAL WASTE GENERAL PERMITS WMGR082

Permit Modification Received under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and 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 17106-9170.

General Permit Number WMGR082 is for the processing and beneficial use of steel slag, iron slag, and

refractory bricks that were co-disposed with slag ("slag") as a construction material. The authorized processing is limited to magnetic separation of metallics and mechanical sizing and separation. Uses of slag as a construction material under this permit are limited to the following: as an ingredient in bituminous concrete; as aggregate; as base course; as subbase; and as antiskid material.

The proposed modifications would add the beneficial use of steel slag as an alkaline amendment at coal mining activity sites, abandoned mine lands as defined in 25 Pa. Code § 86.252, and in industrial site remediation or reclamation. The proposed modifications would also remove the limitation granted to only approve beneficial use of slag as a construction material to meet applicable Pennsylvania Department of Transportation (PennDOT) standards when a written statement is obtained from municipality or property owner is obtained indicating that the PennDOT standards are not applicable for the proposed project.

Written comments concerning the general permit should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR082" the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain

the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

PLAN APPROVALS

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

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

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

40-00129B: Moxie Freedom, LLC (565 Fifth Ave., 29th Floor, New York, NY 10017) for the purpose of satisfying the requirements of 25 Pa. Code §§ 127.201—127.217 of plan approval 40-00129A which require the purchase of VOC and NO_x ERCs. There is no change to the process equipment or control devices currently permitted under plan approval 40-00129A at their facility in Salem Township, **Luzerne County**.

48-00003C: Keystone Cement Company (P. O. Box A, Routes 329 and 987, Bath, PA 18014-0058) for the requesting of Plantwide Applicability Limits (PALs) for all New Source Review (NSR) pollutants. There is no change to the process equipment or control devices currently permitted at their facility in East Allen Township, **Northampton County**.

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

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

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

15-0154: Depuy Synthes, (1303 Goshen Pkwy, West Chester, PA 19380) to authorize the installation and operations of nine cold cleaning machines and four batch vapor degreasers at the West Chester facility located in East Goshen Township, **Chester County**. Depuy produces medical appliances and supplies at the West Chester facility, and uses cleaning solvents in cold cleaning machines and vapor degreasers for metal cleaning operations. Depuy is a minor facility and does not have any air quality permit. The facility has a potential to emit 2.60 TPY of VOCs from the metal cleaning operations. The cold cleaning machines and vapor degreasers are subject to 25 Pa. Code § 129.63. The plan approval contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

15-0037G: Oberthur Technologies (523 James Hance Court, Exton, PA 19341; Attn: Mr. Chris Simone), for the modification of an existing screen press, designated as Screen Press No. 4 (Source ID 101F), at their facility located in West Whiteland Township, **Chester County**. This facility is a Title V facility. Source ID 101F has a projected potential-to-emit of 4.16 tons of VOC per year and less than 0.01 ton of HAP per year. All emissions will be fugitive. The permittee is subject to a Plantwide Applicability Limit (PAL) of 47.895 tons per year for VOC. The facility will continue to comply with the PAL. The Plan Approval will contain monitoring and recordkeeping requirements designed to keep the lithographic press operating within the allowable emissions and all applicable air quality requirements.

15-0149A: The Vanguard Group, Inc. (455 Devon Park Drive, Wayne, PA 19087) for the increase in operation of two (2) existing diesel-fired emergency generator sets, each rated at 1,490 bhp for a total electrical production capacity of 2.22 megawatts at their facility in Tredyffrin Township, **Chester County**. The plan approval is for a non-Title V, State-Only facility. These units will be used to provide back-up electrical power to the various buildings during utility power outages and/or electrical infrastructure maintenance. These units will not be used for peak shaving or for sale of electricity to the electrical grid. The facility is applying to operate each engine a maximum of 500 hours in any 12 consecutive month period, or 1,000 hours as an aggregate for all engines at the site. Total emissions (in tons/year) shall not exceed the following: 14.77 (NO_x), 0.30 (NMHC), 2.12 (CO), 1.02 (SO₂) and 0.87 (PM). The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-0003AB: Monroe Energy, LLC (4101 Post Road, Trainer, PA 19061) for the installation of an Ultra-Low Sulfur (ULSG) unit located at 4101 Post Road, Trainer Borough, **Delaware County**. This plan approval will authorize the construction of the project, and the transfer and use of Nitrogen Oxides (NO_x) emission reduction

credits (ERCs). The project is described in the Applicant's application submitted on September 16, 2015, and subsequent submissions.

Based on the information provided by the Applicant and DEP's own analysis, the project will increase emissions of 23.28 tons NO_x per year and VOC emissions of 14.37 tons VOC per year. The required ERCs are 34.0 tons NO_x to offset the contemporaneous net emissions increase of 26.32 tons.

Copies of the application, draft Plan Approval and other documents used in evaluation of the application are available for public inspection during normal business hours at the address shown below.

In order to assure compliance with the applicable standards, DEP will place the following conditions in the plan approval:

25 Pa. Code § 127.208—ERC use and transfer requirements.

- The permittee shall use and transfer ERC in accordance with 25 Pa. Code § 127.208.

25 Pa. Code § 127.210—Offset ratios.

- Before commencement of operation, the permittee shall provide NO_x ERCs at a 1.3:1.0 ratio to offset the net NO_x emissions increase of 26.32 tons as per 25 Pa. Code §§ 127.203(b)(1)(ii), 127.205(3) and 127.210. The requirement of NO_x ERCs is 34.0 tons.

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

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

PA 66-00001E: Procter and Gamble Company (P. O. Box 32, Route 87 South, Mehoopany, PA 18629) for the Removal of two (2) existing diaper line and replace them with two (2) new diaper lines with higher manufacturing capabilities.

As a result in the higher production speeds the PM, PM₁₀, and PM_{2.5} emissions will increase slightly requiring that the existing control equipment be modified to handle the increase air flow and maintain the proper capture efficiency of PM, PM₁₀ and PM_{2.5}. Additionally, there will be a slight increase in VOC emissions as well due to the increase production rates of the new diaper lines in Washington Township, **Wyoming 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

36-05001K: Armstrong World Industries, Inc. (1507 River Road, Marietta, PA 17547) for the installation of new manufacturing areas at their ceiling tile plant in East Donegal Township, **Lancaster County**. One new manufacturing area will consist of (a) finishing operations which will be controlled by two (2) 50,000 cfm dust collectors, (b) three (3) enclosed paint spray booths, each being controlled by four (4) 3,500 cfm cyclones, (c) one (1) 14.0 mmBtus/hr natural gas fired dryer, and (d) a pneumatic dust transfer system controlled by a 7,500 cfm bin vent filter. The other manufacturing area will consist of ceiling tile detailing equipment and will be controlled by a 20,000 cfm dust collector. Potential emissions from the project are estimated to be 8.95 tpy CO, 3.68 tpy NO_x, 12.08 tpy PM, 9.84 tpy PM₁₀, 6.56 tpy PM_{2.5}, 0.04 tpy

SO_x, and 21.20 tpy VOC. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

06-05154A: Birdsboro Power LLC (92 Armorcast Drive, Birdsboro, PA 19508) for the construction of a natural gas-fired combined cycle electric generation facility located in Birdsboro Borough, **Berks County**. The facility is designed to generate up to 450 MWs nominal using a combustion turbine generator and a heat recovery steam generator that will provide steam to drive a steam turbine generator. The heat recovery steam generator will be equipped with a natural gas-fired duct burner which may be utilized during peak power demand to supplement power output. The turbine is rated at 2,944 MMBtus/hr and the duct burner is rated at 500 MMBtus/hr. A selective catalytic reduction (SCR) system and oxidation catalyst in series will control NO_x, CO and VOC. The proposed project will also include a diesel emergency generator, a diesel emergency fire pump and an evaporative cooling tower. The estimated facility potential emissions are: 96.6 tpy of NO_x, 69.5 tpy of CO, 56.7 tpy of PM, 56.7 tpy of PM₁₀, 56.7 tpy of PM_{2.5}, 17.6 tpy of SO₂, 23.7 tpy of VOCs, 9.9 tpy of HAPs, 84.5 tpy of NH₃ and 10.7 tpy of H₂SO₄. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines, 40 CFR Part 60, Subpart TTTT—Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units, 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, the Title IV Acid Rain Program and the Cross-State Air Pollution Rule. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an Operating Permit.

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

46-00221: Upper Moreland—Hatboro Joint Sewer Authority, (2875 Terwood Road, Willow Grove, PA 19090) located in Upper Moreland Township, **Montgomery County**. The facility operates a sewage sludge incinerator and is subject to 40 CFR Part 62 Subpart LLL when promulgated. The facility is required to obtain a Title V operating permit per 40 CFR 60.5240. The permit contains all applicable requirements including monitoring, recordkeeping and reporting.

23-00034: Villanova University (800 E. Lancaster Avenue, Villanova, PA 19085) for operation of 4 boilers, 39 miscellaneous heaters, and 50 emergency generators at the facility located in Radnor Township, **Delaware County**. The permit is for a Title V facility, and Villanova University is a major facility for nitrogen oxide emissions. The applicable requirements of 40 CFR Subpart JJJJJ were incorporated into the permit for the boilers. The applicable requirements of 40 CFR Part 63 Subpart ZZZZ, 40 CFR Part 60 Subpart IIII and 40 CFR Part 60 Subpart JJJJ were incorporated into the permit for the respective emergency engines. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant 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

54-00006: WPS Westwood Generation LLC, (PO Box 312, US Route 309, Tremont, PA 17981) The Department intends to issue a renewal Title V Operating Permit for a power generating facility in Frailey Township, **Schuylkill County**. The facility sources include: one (1) fluidized bed boiler, one (1) fire pump engine and two (2) #2 fuel oil tanks, one (1) culm materials handling system, one (1) lime materials handling system, one (1) ash materials handling system, twelve (12) space heaters, two (2) wet cooling towers and unpaved facility haul roads. These sources have the potential to emit major quantities of regulated emissions above the Title V emission thresholds. The permittee reported total facility emission values for year 2014 as follows: CO—104.77 tpy, Lead—0.001 tpy, NO_x—304.71 tpy, PM₁₀—30.91 tpy, PM_{2.5}—1.86 tpy, SO_x—305.00 tpy, VOC—12.15 tpy, and HAPS 11.72 tpy. The proposed renewal Title V Operating Permit contains all applicable requirements including Federal and State regulations. The facility is also subject to Phase II acid rain requirements under Title IV of the Clean Air Act. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

67-05030: C-P Converters, Inc. (15 Grumbacher Road, York, PA 17402) to issue a Title V Operating Permit for the flexographic printing facility located in Manchester Township, **York County**. The actual emissions from the facility in 2014 year are estimated at 27.3 tons of VOCs, 1.3 ton of HAPs and less than 1 ton each of NO_x, CO, PM and 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 qual-

ity regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.67a—Control of VOC emissions from flexible packaging printing presses; 25 Pa. Code § 129.52b—Control of VOC emissions from paper, film and foil surface coating processes; 25 Pa. Code § 129.63—Degreasing operations; 25 Pa. Code § 129.77—Control of emissions from the use or application of adhesives, sealants, primers and solvents; 40 CFR Part 63, Subpart KK—National Emission Standards for the Printing and Publishing Industry; 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; and 40 CFR Part 64—Compliance Assurance Monitoring.

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

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

10-00285: Waste Management Disposal Services of Pennsylvania, Inc. (1436 West Sunbury Road, West Sunbury, PA 16061) to re-issue the Title V permit for the municipal waste landfill located in Clay Township, **Butler County**. The facility's emission sources include a municipal waste landfill, a diesel fueled emergency generator, and an odor neutralizing system. The facility is not a major source for any criteria pollutants. The facility is considered a Title V facility under paragraph (iv) of 25 Pa. Code § 121.1. Actual reported emissions for the facility for 2014 were: 2.4 tons NO_x; 13 tons SO_x; 0.50 ton CO; 1.45 ton PM₁₀; 10.36 tons VOCs; 0.49 ton all HAPs combined; and 36,861 tonnes CO_{2e}. This facility is subject to 40 CFR Part 60 Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills. It is also subject to 40 CFR Part 63 Subpart AAAA, National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. The emergency engine is subject to 40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The conditions of the previous plan approvals and operating permit are incorporated into the renewal permit.

37-00243: INMETCO (1 Inmetco Drive, Ellwood City, PA 16117-6231) the Department intends to issue a Title V Operating Permit Re-issuance to operate a secondary nonferrous metals recovery facility, located in Ellwood City Borough, **Lawrence County**. The facility is a major facility due to its potential to emit NO_x, CO, and VOCs.

The average emissions from this facility, based on actual emissions from the years of 2012, 2013, and 2014, are as follows. (All values are in tons/year.) PM₁₀ = 11.92, SO_x = 7.72, NO_x = 70.90, CO = 224.35, VOC = 38.02, and Total HAPs = <1.00 ton.

10-00273: Oxbow Activated Carbon/Emlenton Plant (3539 Oneida Valley Road, Emlenton, PA 16373) the Department intends to re-issue a Natural Minor Permit to operate this activated carbon processing plant located in the Allegheny Township, **Butler County**.

The primary pollutant from this facility is particulate matter. The estimated 11 tons per year of particulate matter emissions are well below the major source threshold.

33-00172: Original Fuels, Inc. (PO Box 343, Punxsutawney, PA 15767) to renew a State Only Operating Permit for the Hamilton 2 Mine stone crushing &

processing plant located in Perry Township, **Jefferson County**. The primary sources at the facility are 2 stone crushing and screening plants each rated at 200 tph and 2 diesel engine generators rated at 563 hp and 623 hp. The facility is a Natural Minor. Potential emissions are 4.52 tpy NO_x; 0.63 tpy SO_x; 17.83 tpy PM; 0.5 tpy CO; and 1.20 tpy VOC. Both engines are subject to an operating hour restriction of 1,700 hours per year. The plant is subject to 40 CFR Part 60 Subpart OOO, the Standards of Performance for Nonmetallic Mineral Processing Plants. And the engines are subject to 40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The facility also subject to the conditions of the previously issued plan approvals and operating permits. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

61-00032: Hickman Lumber Company (P. O. Box 130, Emlenton, PA 16373-9305) the Department intends to re-issue a Natural Minor Operating Permit to operate a hardwood sawmill and kiln operation located in Scrubgrass Township, **Venango County**.

The Wood-Fired Boiler (Source ID: 031) continues to be subject to the requirements of 40 CFR 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

The primary emissions are from the boilers used to provide heat to the kilns. Emission of all criterial pollutants are well below the major source thresholds.

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

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

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

23-00105: Hanson Aggregates PA, LLC—Glen Mills Asphalt Plant (533 Forge Road, Glen Mills, PA 19342) for the renewal permit to operate a hot mix asphalt plant at the facility located in Middletown Township, **Delaware County**. The renewal permit is for a non-Title V (State Only) facility. The facility caps criterial pollutants below major source thresholds for the Philadelphia Consolidated Metropolitan Statistical Area; therefore the facility is a Synthetic Minor. The requirements of 40 CFR Part 60 Subpart I apply to the Hot Mix Asphalt Plant (Source ID 100). The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

48-00001: Columbia Gas Transmission/Forks Township Compressor Station (1700 Maccorkle Ave SE, Charleston, WV 25314-1518) The Department intends to issue a renewal of the State-Only Natural Minor operating permit a for natural gas transmission facility located in Forks Township, **Northampton County**. The

sources consist of turbine engines and a generator. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

52-00001: Columbia Gas Transmission/Milford Township Compressor Station (40 Grossett Drive, Kirkwood, NY 13795) The Department intends to issue a renewal of the State-Only Synthetic Minor operating permit a for natural gas transmission facility located in Milford Township, **Pike County**. The sources consist of compressor engines and a generator. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

17-00022: Walker Lumber Company, Inc. (148 Tipple Lane, Woodland, PA 16881) to issue a renewal State Only Operating Permit for their Bigler Plant facility located in Bradford Township, **Clearfield County**. The facility is currently operating under State Only Operating Permit 17-00022. The facility's sources include boilers, lumber drying kilns and sawmill operations. The boilers are fired on green or kiln dried wood waste from the sawmill operations. The facility has potential emissions of NO_x, CO, SO₂, PM, VOC, and HAP in units of tons per year (tpy), as follows: 10.4, 12.6, 0.6, 8.4, 1.9, and 1.2, respectively. The boilers are subject to National Emission Standard of Hazardous Air Pollutants (NESHAP) as codified in 40 CFR Part 63 Subpart JJJJJJ. The applicable tune-up requirements from 40 CFR Part 63 Subpart JJJJJJ have been incorporated into the renewal operating permit.

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. The conditions in the operating permit have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 63 Subpart JJJJJJ. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

17-00007: Sensus USA, Inc. (805 Liberty Boulevard, DuBois, PA 15801-2421) to issue a state only operating permit for their facility located in DuBois, **Clearfield County**. The facility is currently operating under State Only Operating Permit 17-00007. The facility's sources include nine boilers/space heaters (all rated less than 10 million Btus per hour, a manual surface coating operation, a semi-automated surface coating operation, an ink

marking area, an adhesive line, a solvent cleaning operation, a small regulator area, a print pad operation, a burn-off oven, a parts cleaner, an 84 horsepower emergency generator and a sub-slab depressurization system. The facility has potential emissions of 10.10 tons per year of nitrogen oxides, 7.53 tons per year of carbon monoxide, 0.05 ton per year of sulfur oxides, 0.77 ton per year of particulate matter, 28.71 tons per year of volatile organic compounds and 12,334.40 tons per year of carbon dioxide equivalents (greenhouse gases). A parts cleaner, a Vinsol application area, three natural gas-fired drying/curing ovens and a shellac/adhesive application area have been deactivated and will be removed from the operating permit by this action. The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

55-00008: Apex Homes of PA, LLC (7172 Route 522, Middleburg, PA 17842-9488) to issue a renewal state only "synthetic minor" operating permit for their facility located in Middlecreek Township, **Snyder County**. The facility is currently operating under State Only Operating Permit 55-00008. The significant emissions sources at the Apex Homes facility are the Modular Home Assembly Operation, Paint Shop, and Woodworking Operations. The facility has potential emissions of 6.4 tons per year of carbon monoxide, 8.2 tons per year of nitrogen oxides, 4.0 tons per year of sulfur oxides, 28.4 tons per year of particulate matter, 35.3 tons per year of volatile organic compounds, 3.7 tons per year of total Hazardous Air Pollutants, and 5,347 tons per year of carbon dioxide equivalents (greenhouse gases). The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

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

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

10-00273: Oxbow Activated Carbon/Emlenton Plant (3539 Oneida Valley Road, Emlenton, PA 16373) the Department intends to re-issue a Natural Minor Permit to operate this activated carbon processing plant located in the Allegheny Township, **Butler County**.

The primary pollutant from this facility is particulate matter. The estimated 11 tons per year of particulate matter emissions are well below the major source threshold.

33-00172: Original Fuels, Inc. (PO Box 343, Punxsutawney, PA 15767) to renew a State Only Operating Permit for the Hamilton 2 Mine stone crushing & processing plant located in Perry Township, **Jefferson County**. The primary sources at the facility are 2 stone crushing and screening plants each rated at 200 tph and 2 diesel engine generators rated at 563 hp and 623 hp. The facility is a Natural Minor. Potential emissions are 4.52 tpy NO_x; 0.63 tpy SO_x; 17.83 tpy PM; 0.5 tpy CO; and 1.20 tpy VOC. Both engines are subject to an operating hour restriction of 1,700 hours per year. The plant is subject to 40 CFR Part 60 Subpart OOO, the Standards of Performance for Nonmetallic Mineral Processing Plants. And the engines are subject to 40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The facility also subject to the conditions of the previously issued plan approvals and operating permits. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

61-00032: Hickman Lumber Company (P. O. Box 130, Emlenton, PA 16373-9305) the Department intends to re-issue a Natural Minor Operating Permit to operate a hardwood sawmill and kiln operation located in Scrubgrass Township, **Venango County**.

The Wood-Fired Boiler (Source ID: 031) continues to be subject to the requirements of 40 CFR 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

The primary emissions are from the boilers used to provide heat to the kilns. Emission of all criteria pollutants are well below the major source thresholds.

PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Oxbow Creek Energy LLC** (301 Oxford Valley Road, Suite 1603A, Yardley, PA 19067) for their facility to be located in Nicholson Twp., **Wyoming County**. This Plan Approval No. 66-00008D will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 66-00008D is for the construction of 22 MWs electric generating plant. The Plan Approval is for the installation and operation of 3 Rolls-Royce Bergen

Natural gas fired engines with oxidation catalyst and SCR to control emissions. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO_x emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

The facility is subject to NSPS Subpart JJJJ, MACT Subpart ZZZZ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions.

Emissions from the engines will meet BAT, MACT ZZZZ & NSPS Subpart JJJJ requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 66-00008D and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

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

Coal Applications Received

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

Permit No. 56050107 and NPDES No. PA0249866, Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 124.4 acres. Receiving streams: Buffalo Creek and unnamed tributaries to Buffalo Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Meyersdale Municipal Authority. Application Received: February 1, 2016.

Permit No. 56090111 and NPDES No. PA0262871, PBS Coals, Inc., 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, renewal for renewal of an existing bituminous & auger surface mine in Quemahoning and Somerset Townships, **Somerset County**, affecting 233.6 acres. Receiving streams: unnamed tributaries to/and Wells Creek; Stonycreek River classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Water Authority. Application Received: February 2, 2016.

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

65000201 and NPDES Permit No. PA0202835. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Renewal application for continued mining to an existing bituminous surface mine, located in Sewickley Township, **Westmoreland County**, affecting 41 acres. Receiving streams: unnamed tributaries to Sewickley Creek and Sewickley Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 28, 2016.

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

Permit No. 19950101R4. Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine and coal refuse disposal opera-

tion in Conyngham Township and Centralia Borough, **Columbia County** affecting 46.0 acres, receiving streams: Shamokin Creek and Mahanoy Creek, classified for the following uses: cold water and migratory fishes. Application received: January 7, 2016.

Permit No. 19-305-001GP12R. Blaschak Coal Corp., (PO Box 12, Mahanoy City, PA 17948), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 19950101 in Conyngham Township and Centralia Borough, **Columbia County**. Application received: February 2, 2016.

Noncoal Applications Received

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

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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. 56150301, Keystone Lime Company, Inc., P. O. Box 278, Springs, PA 15562 commencement, operation and restoration of a large noncoal (industrial minerals) operation located in Addison and Elk Lick Townships, **Somerset County**, affecting 149.1 acres. Receiving streams: Christner Run, Zehner Run and Big Shade Run classified for the following use: high quality cold water fishes and cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2015.

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

Permit No. 58970836. Stanley Bennett, (6612 SR 367, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Rush Township, **Susquehanna County** affecting 1.0 acre on property owned by Dennis LaRue. Application received: January 29, 2016.

Permit No. 64130801. LCJ Partners, LLC, (197 Criddle Road, Susquehanna, PA 18847), Stage I & II bond release of a quarry operation in Scott Township, **Wayne County** affecting 5.0 acres on property owned by Lars and Kristina Messler. Application received: February 1, 2016.

Permit No. 13760301C7 and NPDES Permit No. PA0124214. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3724 Crescent Court West, Whitehall, PA 18052), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Lower Towamensing Township, **Carbon County** affecting 137.5 acres, receiving stream: Aquashicola Creek, classified for the following use: cold water fishes. Application received: February 1, 2016.

Permit No. 7175SM2C8 and NPDES Permit No. PA0124061. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3724 Crescent Court West, Whitehall, PA 18052), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Washing and Jackson Townships, **Dauphin County** affecting 155.0 acres, receiving stream: Wiconisco and Armstrong Creeks, classified for the following use: cold water fishes. Application received: February 1, 2016.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0262218. (Mining permit No. 4274SM5), New Enterprise Stone and Lime Company, Inc., 3912 Brumbaugh Road, P. O. Box 77, New Enterprise, PA 16664-0077, renewal of an NPDES permit for discharge of treated water from post-mining discharges in Broad Top Township, **Bedford County**, affecting 11.5 acres. Receiving stream: Six Mile Run, classified for the following use: warm water fishes. This receiving stream is included in the Six Mile Run TMDL. Application received: January 21, 2016.

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

The treatment outfall listed below discharges to Six Mile Run.

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

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

<i>Outfall: 001</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

NPDES No. PA0243566 (Mining permit no. 17030112), Clearfield Properties, Inc., 2150 Lisbon Road, Kennerdell, PA 16374. Renewal of an NPDES permit for coal refuse reprocessing in Chest Township, **Clearfield County**, affecting 148.9 acres. Receiving stream(s): Unnamed Tributaries to North Camp Run, classified for the following use(s): CWF. North Camp Run Watershed TMDL. Application received: March 18, 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 coal mining activities.

The outfall(s) listed below discharge to Unnamed Tributaries to North Camp Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TF-1	N
TF-2	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		XXX	XXX	XXX
Manganese (mg/l)		XXX	XXX	XXX
Aluminum (mg/l)		XXX	XXX	XXX
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		XXX	XXX	XXX
Osmotic Pressure (milliosmoles/kg)				XXX

¹The parameter is applicable at all times.

NPDES No. PA0243485 (Mining permit no. 17030107), Swisher Contracting, Inc., P. O. Box 1223, Clearfield, PA 16830. Revision of an NPDES permit for mine drainage treatment in Lawrence Township, **Clearfield County**, affecting 50.2 acres. Receiving stream(s): Unnamed Tributary to Moose Creek, classified for the following use(s): CWF and MF. Moose Creek Watershed TMDL. Application received: July 6, 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 non-coal mining activities.

The outfall(s) listed below discharge to Unnamed Tributary to Moose Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
004	Yes

Outfall 004 is a passive treatment system consisting of a drainable limestone ramp with settling pond which treats an average flow of 1.6 gallons per minute (GPM).

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		6.7	13.4	16.8
Aluminum (mg/l)		7.6	7.6	7.6
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

NPDES No. PA0252387 (Mining permit no. 65-11-04), Coal Loaders, Inc., P. O. Box 556, Ligonier, PA 15658. New NPDES permit for a Government Financed Construction Contract in Unity Township, **Westmoreland County**, affecting 52.1 acres. Receiving streams: unnamed tributaries to Loyalhanna Creek classified for the following use: CWF. This receiving stream is included in the Kiskiminetas-Conemaugh River Watersheds TMDL. Application received: January 17, 2014.

The outfalls listed below will be using a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
001	Y	Sample port before the infiltration gallery for Sediment Pond 1
002	Y	Sample port before the infiltration gallery for Treatment Facility 1
003	Y	Sample port before the infiltration gallery for Treatment Facility 2
004	Y	Sediment Pond 1 Emergency Spillway

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	3.8
Manganese (mg/l)	N/A	N/A	4.8
Aluminum (mg/l)	N/A	N/A	0.75
Total Suspended Solids (mg/l)	N/A	N/A	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

Noncoal NPDES Draft Permits

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

NPDES No. PA0258881 (Permit No. 61100303). Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215) Renewal of an existing NPDES permit for a large industrial minerals surface mine in Irwin Township, **Venango County**, affecting 22.5 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. TMDL: Scrubgrass Creek. Application received: January 6, 2016.

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

The outfall(s) listed below discharge to unnamed tributaries to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA	N
TB	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3	6	7
Manganese (mg/l)		2	4	5
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90

¹The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributary to Scrubgrass Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity ¹				
Total Settleable Solids (ml/l)				0.5

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E36-946: Summit Land Holdings, LLC, 120 North Pointe Boulevard, Lancaster, Pennsylvania 17601 in West Earl Township, **Lancaster County**, U. S. Army Corps of Engineers Baltimore District.

To relocate and maintain: 1) 1,010 lineal feet of an unnamed tributary to Cocalico Creek (WWF, MF), and 2) 650 lineal feet of an unnamed tributary to Cocalico Creek (WWF, MF). Both unnamed tributaries will be relocated to flow into a common 790 lineal feet, 8 inch diameter, PVC pipe. The relocation of the two unnamed tributaries results in the removal of 870 linear feet of stream enclosure. The project is located at Latitude 40°07'23.4", Longitude -76°14'2.5" in West Earl Township, Lancaster County. No wetland impacts are proposed with the relocation.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636

E08-483. Sayre Borough, 110 West Packer Avenue, Sayre, PA 18840. The site is a portion of Cayuta Creek which is near the intersection of SR 1043 and Sayre Hill Road, Sayre Borough, **Bradford County**, ACOE Baltimore District (Sayre, PA Quadrangle Latitude: 41.988549; Longitude: -76.508367).

The applicant, Sayre Borough has applied for a joint permit to restore Cayuta Creek by removing gravel bars and constructing 2 flood prone benches in order to confine the creek base flow and lower storm events. This project proposes to: 1) construct the benches and vegetate to provide a habitat and strength/stability over time through the growth and development of plant root systems (i.e. bio-technical stabilization) 2) construction of fish habitat structures will be incorporated with the new banks, and 3) removal of the accumulated alluvial depositions will take place near the abutment of the North Thomas Bridge. Cayuta Creek is classified as "Warm Water Fishes" and "Migratory Fishes" in Chapter 93 of the Department's Water Quality Standards. No trout designations are assigned to this stream by the Pennsylvania Fish and Boat Commission (PAF&BC). For more detailed information regarding the permit application related to this proposed project, which is available in the DEP regional office, please contact the Region's Waterways and Wetlands Environmental Program Manager at 570-327-3574 to request a file review.

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

E32-513, PennDOT District 10-0, 2550 Oakland Avenue, Indiana, PA 15701, Pine Township, **Indiana County**, Pittsburgh ACOE District.

The applicant is proposing to:

Remove the existing 40' 8" wide concrete slab bridge having a minimum underclearance of 4' carrying SR 422 over Carney Run (CWF) with a drainage area of 0.94 square mile; construct and maintain a replacement 44' 6" long, 14' x 6' reinforced concrete box culvert in the same location. In addition place and maintain fill in a de minimis 0.014 acre of EV PEM/PSS wetland, construct and maintain associated stormwater outfalls, construct and remove a temporary crossing, and temporarily impact 0.0343 acre of EV PEM/PSS/PFO wetland and 120' of stream for the construction of these encroachments. This project is located approximately one mile east of the intersection of SR 422 and SR 403 in Pine Township, Indiana County (Strongstown, PA quadrangle; North 7.75 inches, West 5 inches; Latitude 40° 32' 34.98", Longitude -78° 54' 37.29").

E63-685, Century Equities, Inc./Century Hospitalities, 1233 Main Street, Suite 1500, Wheeling, WV 26003, North Strabane Township, **Washington County**, Pittsburgh ACOE District.

The applicant is proposing to:

Place and maintain fill within approximately 0.11 acre of Palustrine Forested (PFO) Wetland for the purpose of constructing a hotel and restaurant complex. The proposed hotels and restaurant will be located at the intersection of Curry Avenue and Morganza Road (Canonsburg, PA USGS topographic quadrangle; Latitude: 40° 16' 01"; Longitude: -80° 10' 05"; Sub-basin: 20F; ACOE: Pittsburgh District), in North Strabane Township,

Washington County. A 0.11 acre PFO Mitigation Wetland will be created, on-site, to compensate for the permanently impacted PFO wetlands at a 1:1 ratio.

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

E37-197, Robert L. Preston Realty Company, 1500 Wilmington Road, New Castle, PA 16105. Preston

Chevrolet Lot Expansion, in Neshannock Township, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 41°, 03', 57"; W: 80°, 21', 34").

Applicant proposes to permanently fill 0.038 acre of PEM wetland to facilitate the expansion of the display lot at the existing Preston Chevrolet dealership. No mitigation is proposed as the impact is de minimus.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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>
PA0057657 (Sewage)	Kendal Crosslands STP 1109 E Baltimore Ave Kennett Square, PA 19348	Chester County Kennett Township	Unnamed Tributary to Bennetts Run (3-H)	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>
PA0263699 (Sewage)	Kris Ellis SFTF 160 George Road Evans City, PA 16033	Butler County Forward Township	Unnamed Tributary to the Breakneck Creek (20-C)	Yes
PA0239682 (Sewage)	Philip Nastasi SFTF 168 Pleasant Valley Road Portersville, PA 16051	Butler County Muddycreek Township	Unnamed Tributary to Muddy Creek (20-C)	Y
PA0101940 (Sewage)	Country Estates MHP Tiffany Lane Kennerdell, PA 16374-2220	Venango County Clinton Township	Trout Run (16-G)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0020915 (Sewage)	Pine Grove WWTP 235 Suedberg Road Pine Grove, PA 17963	Schuylkill County Pine Grove Township	Swatara Creek (7-D)	N

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

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

NPDES Permit No. PA0101702, Sewage, SIC Code 6515, **Rocky Ridge Village LLC**, 172 Oak Grove Circle, Franklin, PA 16323.

This existing facility is located in Sandycreek Township, **Venango County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage. Monitoring frequency for total residual chlorine, dissolved oxygen, and pH were changed from 1/day in the draft permit to 4/week in the final permit.

NPDES Permit No. PA0264164, Sewage, SIC Code 8800, **Matthew Cobb**, 23 Gilbert Lane, Bradford, PA 16701.

This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

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

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

WQM Permit No. 3915403, Sewage, SIC Code 4952, **Allentown City Lehigh County**, Department of Public Works, Allentown, PA 18101.

This proposed facility is located in Allentown City, **Lehigh County**.

Description of Proposed Action/Activity: Installation of second scumbuster pump(s) in Primary Digester No. 1 and Secondary Digester at LCA Allentown Division Wastewater Treatment Plant (a.k.a. Kline Island WWTP).

WQM Permit No. 5215403, Sewage, SIC Code 4952, **Hawley Area Authority**, 1010 Hudson Street, Hawley, PA 18428.

This facility is located in Lackawaxen Township, **Pike County**.

Description of Proposed Action/Activity: The applicant will be upgrading the existing wastewater treatment plant. The basic treatment process will be altered from an aeration tank with mechanical mixers to a five-stage dual-train biological nutrient removal process. All upgrades will be performed within the existing tanks. Other improvements to the plant include a new vertical automatic headworks screen with an overflow bar screen, conversion of the reed bed sump pump station to include an influent pump station with a magnetic flow meter on the discharge pipe, conversion from chlorine disinfection to ultraviolet disinfection, enhancements to the solids management and utility water systems, a new SCADA system, and other associated appurtenances.

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

WQM Permit No. WQG01201507, Sewage, **James R & Kay L McCartney**, 5220 Hudson Drive, Cochranon, PA 16314.

This proposed facility is located in East Fairfield Township, **Crawford County**.

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

WQM Permit No. 4215401, Sewage, **Matthew Cobb**, 23 Gilbert Lane, Bradford, PA 16701.

This proposed facility is located in Corydon Township, **McKean County**.

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

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011515027	Exeter, 8 Lee, L.P., c/o Exeter Property Group 140 West Germantown Pike Plymouth Meeting, PA 19462	Chester	East Whiteland Township	Valley Creek EV-MF
PAI011515016	John Walsh 268 McCoury Road Nottingham, PA 19362	Chester	Oxford Borough	Unknown Tributary to Little Elk Creek
PAI011508042-R	The Hankin Group 707 Eagleview Boulevard P. O. Box 562 Exton, PA 19341	Chester	Uwchlan and Upper Uwchlan Townships	Pickering Creek HQ-TSF Shamona Creek HQ-TSF-MF

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>
PAI041416017	Penn State University 398J Physical Plant University Park, PA 16802	Centre	State College Borough & College Township	Fox Hollow Run, CWF 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, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.

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

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Antrim Township Franklin County PAG02002815033 Issued	State Line Dollar General James Miller MBC Development PO Box 472 Schuylkill Haven, PA 17922	UNT to West Branch Conococheague Creek (CWF/MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Peters Township Franklin County PAG02002815044 Issued	FCADC—Industrial Building Michael Ross—FCADC 1900 Wayne Road Chambersburg, PA 17202	UNT Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Southampton Township Franklin County PAG020028120081 Issued	Matrix Lot D1 David Sciamanna—CVRDC 100 Lincoln Way East Suite A Chambersburg, PA 17201	Furnace Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Quincy Township Franklin County PAG02002815034 Issued	Quincy Village PHI One Trinity Drive D Suite 201 Dillsburg, PA 17019	West Branch of Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Waynesboro Borough Franklin County PAG02002815028 Issued	Mount Vernon Terrace Bonita Zehler—FCHA 436 West Washington Street Chambersburg, PA 17201	UNT to West Branch of Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Shippensburg Borough Franklin County PAG02002815036 Issued	Rowe Road John Epley Shippensburg Borough PO Box 129 Shippensburg, PA 17257	UNT to Rowe Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
Montgomery Township Franklin County PAG02002815020 Issued	Rowland-On Private Road Amos Rowland 14703 Indian Springs Road Hancock, MD 21750	UNT to West Branch Conococheague Creek (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499
North Middleton Township Cumberland County PAG02002114044(1) Issued	Jeff Garman 575 McClures Gap Road Carlisle, PA 17013	Condoguinet Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Middleton Township Cumberland County	PAG02002114045(1) Issued	James Hall 1071 Rockledge Drive Carlisle, PA 17015	UNT to Congoguinet (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101
<i>Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Bridgewater Borough Beaver County	PAG02000415013	C. J. Betters Real Estate Corporation 3468 Broadhead Road 7 Monaca, PA 15061	Ohio River (WWF, N)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Big Beaver Borough Beaver County	PAG02000416001	Columbia Gas of PA 2021 West State Street New Castle, PA 15017	UNT to Wallace Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
City of Beaver Falls Beaver County	PAG02000416002	Sheetz, Inc. 817 Brookfield Drive Seven Fields, PA 16046	Beaver River (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Conway Borough and New Sewickley Township Beaver County	PAG02000416003	PennDOT Engineering District 11-0 45 Thomas Run Road Bridgeville, PA 15017	Crows Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Cambria Township Cambria County	PAG02001115020	CDM Cambria Realty, LLC 259 Lakemont Park Boulevard Suite 200 Altoona, PA 16602	UNT to South Branch Blacklick Creek (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 (814) 472-2120
Bullskin Township Fayette County	PAG02002615009	Shallenberger Development, LLC 2620A Memorial Boulevard Connellsville, PA 15425	Breakneck Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Bullskin Township Fayette County	PAG02002615003	Verizon Wireless 18 Abele Road Bridgeville, PA 15017	Irish Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
South Union Township Fayette County	PAG02002615004	Oak Hollow, LLC 145 Windwoods Drive Hopwood, PA 15445	Bennington Spring Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
North Union Township Fayette County	PAG02002615013	North Union Township Municipal Services Authority P. O. Box 309 120 Commonwealth Drive Suite 101 Lemont Furnace, PA 15456	Cove Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
South Union Township Fayette County	PAG02002612025(1)	W. D. Common Properties 658 Pittsburgh Street Uniontown, PA 15401	Jennings Run (WWF) and Coal Lick Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Georges Township Fayette County	PAG02002615007	Fairchance-Georges Joint Municipal Sewer Authority 141 Big Six Road Smithfield, PA 15478	Georges Creek (WWF) and York Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Chartiers Township Washington County	PAG02006316001	Pennsylvania American Water 300 Galley Road McMurray, PA 15317	UNT to Allison Hollow (WWF)	Washington County Conservation District Suite 105 2800 North Main Street Washington, PA 15301 (724) 705-7098

General Permit Type—PAG-03

<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>
Washington Township Lehigh County	PAR602247	Hanna's Auto & Truck Recycling, Inc. 4162 Best Station Road Slatington, PA 18080	Unnamed Tributary of Trout Creek—2-C CWF/MF	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Homer City Borough Indiana County	PAR116122	Mgk Technologies Inc. PO Box H Brookville, PA 15825	Unnamed Tributary to Two Lick Creek and Two Lick Creek—18-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-4

<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>
1774 Turk Road Doylestown, PA 18901 Doylestown Township Bucks County	PAG040204	Mark & Justine Flynn 1774 Turk Road Doylestown, PA 18901	Neshaminy Creek Watershed 2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
2961 Upper Ridge Road Pennsburg, PA 18703 Marlborough Township Montgomery County	PAG040144 A-1	Drew Damiani 2961 Upper Ridge Road Pennsburg, PA 18703	Macoby Creek Watershed 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Twin Brook Road Perkasie, PA 18944 Hilltown Township Bucks County	PAG040129 A-1	Mr. John Magovern Twin Brook Road Perkasie, PA 18944	Pleasant Spring Creek Watershed 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

<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>
East Fairfield Township Crawford County	PAG041199	James R & Kay L McCartney 5220 Hudson Drive Cochranton, PA 16314	Unnamed Tributary to French Creek—16-D	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

General Permit Type—PAG-10

<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>
Lathrop Township Susquehanna County	PAG102335	Williams Field Services Company, LLC Park Place Corporate Center 2000 Commerce Drive Pittsburgh, PA 15275	Unnamed Tributary to Martins Creek—04F	DEP North East Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

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

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Permit No. 4013512MA, Minor Amendment, Public Water Supply.

Applicant	PA Department of Corrections (SCI Dallas) 1920 Technology Parkway Mechanicsburg, PA 17050
Municipality	Jackson Township
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Gwin, Dobson & Foreman, Inc. Mark V. Glenn PE 3121 Fairway Drive Altoona, PA 16602
Permit to Construct Issued	February 3, 2016
<i>Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110</i>	
Permit No. 3815507, Public Water Supply.	
Applicant	Cornwall Borough Municipal Authority
Municipality	Cornwall Borough
County	Lebanon
Responsible Official	Barbara Henry PO Box 667 Cornwall, PA 17016
Type of Facility	Installation of a PAX Technologies Tank Mixer in the Alden Rd (Rt. 419) finished water storage tank.
Consulting Engineer	Jason G. Saylor, P.E. Utility Service Group, Inc. 535 Courtney Hodges Boulevard Perry, GA 31069
Permit to Construct Issued	2/2/2016
Permit No. 0615511 MA, Minor Amendment, Public Water Supply.	
Applicant	Borough of Fleetwood

Municipality Fleetwood Borough
 County **Berks**
 Responsible Official Eric Burkert, Water Department Head
 110 West Arch Street
 Suite 104
 Fleetwood, PA 19522

Type of Facility This permit approves replacement of approximately 10,580' of the existing Borough of Fleetwood (Fleetwood) distribution system.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is the funding source for this project. The Department determined that this project will not individually, cumulatively over time, or in conjunction with other Federal, state, local or private actions, have a significant effect on the quality of the environment. On February 8, 2016, the Department approved the project for a categorical exclusion from the State Environmental Review Process (SERP).

Consulting Engineer Bradley D. Smith, P.E.
 ARRO Consulting, Inc.
 50 Berkshire Court
 Suite 104
 Wyomissing, PA 19610

Permit to Construct Issued 12/24/2015

Permit No. 2815505 MA, Minor Amendment, Public Water Supply.

Applicant **Mont Alto Municipal Authority**
 Municipality Mont Alto Borough
 County **Franklin**
 Responsible Official David R. Monn, Chairperson
 PO Box 427
 Mont Alto, PA 17237

Type of Facility Construction of a bulk water loading station.

Consulting Engineer P Fred. Heebrandt, P.E.
 Wm. F. Hill & Associates, Inc.
 207 Baltimore Street
 Gettysburg, PA 17325

Permit to Construct Issued 2/2/2016

Permit No. 2215510 MA, Minor Amendment, Public Water Supply.

Applicant **Millersburg Area Authority**
 Municipality Upper Paxton Township
 County **Dauphin**
 Responsible Official Nick McCarron, Manager
 101 West Street
 Millersburg, PA 17601

Type of Facility Repainting of the Cloverly Acres Standpipe.
 Consulting Engineer D. Jeffrey Golding, P.E.
 Gannett Fleming, Inc.
 PO Box 67100
 Harrisburg, PA 17106-7100

Permit to Construct Issued 1/20/2016

Operation Permit No. 2215508 MA issued to: **United Water Pennsylvania, Inc. (PWS ID No. 7220015)**, Hummelstown Township, **Dauphin County** on 1/29/2016 for facilities approved under Construction Permit No. 2215508 MA.

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

Permit No. 0210504, Public Water Supply.

Applicant **Indiana County Municipal Services Authority**
 602 Kolter Drive
 Indiana, PA 15701

[Borough or Township] Cherryhill Township
 County **Indiana**

Type of Facility Clymer Borough interconnection and Sylvan Acres pump station upgrades

Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650

Permit to Construct Issued February 4, 2016

Permit No. 3015512MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania American Water Company**
 PO Box 187
 1442 Jefferson Road
 Jefferson, PA 15344

[Borough or Township] German Township
 County **Fayette**

Type of Facility Masontown interconnection

Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024

Permit to Construct Issued February 4, 2016

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

Construction/Operation Permit issued to **YMCA of Youngstown, PWSID No. 6250802**, Springfield Township, **Erie County**, for the construction/operation of a new chlorine contact line. Construction and Operation authorized simultaneously under Permit Number EMERGENCY issued February 5, 2016.

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.

Walker Elementary School, 7864 William Penn Highway, Mifflintown, PA 17059, Walker Township, **Juniata County**. P. Joseph Lehman, Inc., 117 Old Farm Office Road, Suite 113, Duncansville, PA 16635, on behalf of Juniata County School District, 7864 William Penn Highway, Mifflintown, PA 17059, submitted a Remedial Investigation and Risk Assessment Report concerning remediation of site groundwater contaminated with heating oil. The combined report is intended to document remediation of the site to meet the Site Specific Standard.

Lee Knepp Residence, 10 Bird Haven Place, McVeytown, Oliver Township, **Mifflin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, PA Fire Claims, PO Box 106110, Atlanta, GA 30348-6110; Lee

Knepp, 10 Bird Haven Place, McVeytown; and Barbara and Thomas Sollers, 15 Bird Haven Place, PO Box 68, McVeytown, PA 17051, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

Malenovsky Property, 2312 South 5th Street, Allentown City, **Lehigh County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Robert Malenovsky, 3214 West Cedar Street, Allentown, PA 18104, submitted a Final Report concerning the remediation of site soils contaminated with Methyl tert-Butyl Ether, Benzene, Toluene, Ethylbenzene, Cumene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Naphthalene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 28, 2016.

Shaskas South Well Pad, 118 Hart Road, Jessup Township, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of J.P. Reilly Construction LP, 559 Turnpike Road, Friendsville, PA 18801, submitted a Final Report concerning the remediation of site soils contaminated with Chloride, Aluminum, Barium, Boron, Iron, Lithium, Manganese, Selenium, Vanadium, and Zinc. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on January 29, 2016.

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

Estate of Nicholas Kilyk, 6101 Perkiomen Avenue, Exeter Township, **Berks County**. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of Nicholas Kilyk Estate, c/o Nancy Wenrich, Executor, 28939 Stockley Road, Milton, DE 19968, and Stanley and Stephanie McCarro, 6101 Perkiomen Avenue, Reading, PA 19301, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 5, 2016.

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

BWXT Parks Township Site (former Babcock & Wilcox Parks Township facility, NUMEC), River Road, Parks Township, **Armstrong County**. RBR Consulting, Inc., 650 Shady Drive, Beaver Falls, PA 15010 on behalf of Babcock & Wilcox Government and Nuclear Operations Group, Inc. (formerly BWX Technologies, Inc.), 109 Ramsey Place, Lynchburg, VA 24501 submitted as Risk Assessment (RA) concerning the remediation of site groundwater contaminated with chlorinated solvents. The Risk Assessment was approved by the Department on February 2, 2016.

South Side Works, South Water Street—Parcels F14 & F15 further subdivided into Parcel A & lots 2, 3, 4, 5, 6, & 7-R (Former LTV South Side Works), City of Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Rivertech Associates, LP, 3700 South Water Street, Suite 100, Pittsburgh, PA 15204 submitted a Final Report concerning remediation of site soils contaminated with volatile and semi-volatile organic compounds (VOCs & SVOCs), cyanide, PCB's and metals. The Final report demonstrated attainment of a non-residential Site-Specific standard for soil and was approved by the Department on February 2, 2016.

Aliquippa Tin Mill Site (former), former LTV Tin Mill site, 300 Woodlawn Road, City of Aliquippa, **Beaver County**. RT Environmental Services, Inc., 591 East Maiden Street, Washington, PA 15301 on behalf of Aliquippa Tin Mill, LP, 100 Bet-Tech Drive, Aliquippa, PA 15001 submitted a Final Report concerning site soils contaminated with metals and polycyclic aromatic hydrocarbons (PAHs). The Final report demonstrated attainment of a non-residential Statewide Health standard for arsenic, manganese and benzo(a)pyrene in soil and was approved by the Department on February 5, 2016.

South Side Works, Parcels E1b & E1g (Former LTV South Side Works), 2915 Sidney Street, City of Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Hot Metal Associates, LP, One Oxford Centre, Suite 4500, Pittsburgh, PA 15219 & Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219 submitted a Final Report concerning remediation of site soils contaminated with volatile and semi-volatile organic compounds (VOCs & SVOCs), cyanide, PCB's and metals. The Final Report demonstrated attainment of the Site Specific standard for soils and was approved by the Department on February 8, 2016.

Hydril Company, intersection of Virginia Avenue & Beaver Street, Rochester Township, **Beaver County**. SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017 on behalf of Hydril Company, 2200 West Loop South Ste 800, Houston, TX 77027 submitted a Remedial Investigation Report (RIR) concerning site soils and groundwater contaminated with: metals—lead, zinc, arsenic; organic hydrocarbons; volatile & semi-volatile organic compounds in specific areas of the 55 acre property. The RIR was approved by the Department on February 5, 2016.

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

Sumac & Kalos Street, 145 Sumac Street, City of **Philadelphia County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Eugene Umansky, Sumac & Kalso Street, LP, 1170 Deer Run Court, Southampton, PA 18966 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 10, 2016. PF807260.

Waterloo Garden Property, 200 North Whitford Road, West Whiteland Township, **Chester County**. Terence A. O'Reilly, PG, TriState Environmental Management Services, Inc., 368 Dunksferry Road, Bensalem, PA 19020 on behalf of Peter J. Clellan, BT Exon, LP, c/o BET Investments, Inc., 200 Witmer Road, Suite 100, Horsham, PA 19044 has submitted a Cleanup Plan, Risk Assessment and Remedial Investigation Report concerning the remediation of site soil contaminated with heavy metals, arsenic and the organics. The Cleanup Plan, Risk Assessment and Remedial Investigation Report were approved by the Department on January 7, 2016. PF781706.

Enterprise Rent A Car Region CC Site, 7001 Essington Avenue, City of Philadelphia, **Philadelphia County**. Gabe Luna, PG, ERM, 75 Valley Stream Parkway, Suite 200, Malvern, PA 19355 on behalf of Scott Schkusko, Enterprise Rent-A-Center, 170 North Radnor-Chester Road, Suite 200, Radnor, PA 19087 has submitted a Final Report concerning the remediation of site soil and

groundwater contaminated with used motor oil. The Final report demonstrated attainment of the Statewide Health Standard and was disapproved by the Department on January 5, 2016. PF719112.

The Isle, 1 Cotton Street, City of Philadelphia, **Philadelphia County**. Alexander Ross, Maser Consulting, P.A., 2000 Midlantic Drive, Suite 2100, Mt Laurel, NJ 08054 on behalf of Chris Cassella, Cornerstone Real Estate Advisors, LLC, 180 Glastonbury Boulevard, Suite 200, Glastonbury, CT 06033 has submitted a 9 day Final Report concerning the remediation of site soil contaminated with diesel fuel. The 90 day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 15, 2016.

Aqua PA Inc., 700 West Sproul Road, Springfield Township, **Delaware County**. Charles Stevenson, Aqua American Inc., 700 Sproul Road, Springfield, PA 19064 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with hydraulic oil. The 90 day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 8, 2016. PF807087.

Pfizer Great Valley Office & Information System Technical Center, 31—43 Morehall Road, East Whiteland Township, **Chester County**. Elizabeth Bongard, Godler Associates Inc., 1100 East Hector Street, Suite 395, Conshohocken, PA 19428 on behalf of Michael A. Bray, Horatio Realty Trust (c/o Vanguard Group Inc.) P. O. Box 2600, Valley Forge, PA 19482-2600 has submitted a Final Report concerning the remediation of site groundwater contaminated with other organics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 11, 2016. PF748303.

Montague Residence, 442 Brookside Avenue, Lower Gwynedd Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates Inc., 1635 Old Plains, Pennsylvania, PA 18973, Ed Applegate, State Farm Insurance Company, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Scott Montague, 42 Brookside Avenue, Ambler, TX 19002 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 22, 2015. PF805852.

E Central Incinerator Site, 601 North Columbus Boulevard, City of Philadelphia, **Philadelphia County**. William F. Schmidt, Pennoni Associates, Inc., 300 1Market Street, Philadelphia, PA 19104, Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Joe Forkin, Delaware River Waterfront Corporation, 121 North Columbus Boulevard, Philadelphia, PA 19106 has submitted a Final Report concerning the remediation of site soil contaminated with benzo(a)pyrene, metals, and pcbs. The Final report did not demonstrate attainment of the Site Specific Standard and was disapproved by the Department on January 19, 2016. PF760986.

Sunoco Twin Oaks Terminal 0234-3268, 4041 Market Street, Upper Chichester Township, **Delaware County**. Michael Sarcinello, Aquaterra Technologies, Inc., P. O. Box 144, West Chester, PA 19381, William Brochu, Sunoco, Inc., (R&M) P. O. Box 4209, Concord, NH 03302-4209 on behalf of Gus Borkland, Sunoco Logistics, LP, 1818 Market Street, Suite 1500, Philadelphia, PA 19103 has submitted a Remedial Investigation and Risk Assessment Report concerning the remediation of site ground-

water and soil contaminated with leaded gasoline. The Remedial Investigation and Risk Assessment Report were approved by the Department December 16, 2016. PF733789.

Hoopes & Townsend Iron & Steel Rolling Mill, 375 Commerce Drive, Upper Darby Township, **Montgomery County**. Jeffery T. Bauer, PG, Whitestone Associates, Inc., 1600 Manor Drive, Suite 20, Chalfont, PA 18914 on behalf of Lauren Grouws, PE, Life Time Fitness, 2902 Corporate Place Chanhassen, Minnesota 55317 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 5, 2016. PF804667.

Colonial Heritage Mobile Homes, 221 Vaux Drive, New Britain Township, **Bucks County**. Alan R. Hirschfeld, PG, L&A Environmental Specialties, Inc., 219 Lauren Road, Schwenksville, PA 19473 on behalf of James Perano, GSP Management, P. O. Box 677, Morgantown, PA 19543 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with diesel and no. 2 heating oil. The Remedial Investigation and Cleanup Plan were approved by the Department on December 30, 2015. PF782124.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170

Hazardous Waste Transporter License Reissued

Action Resources, Inc., 40 County Road 517, Hanceville, AL 35077. License No. PA-AH 0650. Effective Feb 03, 2016.

Environmental Industrial Services Corp. of New Jersey, 288 Oak Grove Road, Swedesboro, NJ 08085. License No. PA-AH 0457. Effective Feb 04, 2016.

Renewal Applications Received

Bestrans, Inc., 19 Davidson Lane, New Castle, DE 19720. License No. PA-AH 0766. Effective Feb 03, 2016.

Environmental Industrial Services Corp. of New Jersey, 288 Oak Grove Rd, Swedesboro, NJ 08085. License No. PA-AH 0457. Effective Feb 02, 2016.

Freehold Cartage, Inc., PO Box 5010, Freehold, NJ 07728. License No. PA-AH 0067. Effective Jan 13, 2016.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170

New Applications Received

Hepaco, LLC, PO Box 26308, Charlotte, NC 28221. License No. PA-HC 0271. Effective Feb 04, 2016.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP14-23-0130: Paw Prints Forever LLC (3711 Foulk Road, Garnet, PA 19060) On February 5, 2016 to operate an animal crematory and/or human crematory in Concord Township, **Delaware County**.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531

GP4-39-003: Stanley Vidmar (11 Grammes Road Allentown, PA, 18103) on February 4, 2016, for the construction and operation of Burn Off Oven at their facility in City of Allentown, **Lehigh County**.

GP3-48-011: Delaware Quarries, Inc. (6603 Route 202, P. O. Box 778, New Hope, PA, 18938) on February 4, 2016, for the construction and operation of screening equipment at Riverton Sand and Gravel Site at their facility in Lower Mt Bethel Township, **Northampton County**.

GP9-48-011: Delaware Quarries, Inc. (6603 Route 202, P. O. Box 778, New Hope, PA, 18938) on February 4, 2016, for the construction and operation of two (2) CAT Engines at Riverton Sand and Gravel Site at their facility in Lower Mt Bethel Township, **Northampton County**.

GP9-48-010: Muschlitz Excavating, Inc. (615 Moorestown Drive, Bath, PA 18014) on January 20, 2016, for the construction and operation of Engines at the Phoenix Quarry at their facility in Wind Gap Township, **Northampton County**.

GP3-48-010: Muschlitz Excavating, Inc. (615 Moorestown Drive, Bath, PA 18014) on January 20, 2016, for the construction and operation of crushing and screening equipment at Phoenix Quarry at their facility in Wind Gap Township, **Northampton County**.

GP5-58-036: UGI Services, Inc. (1 Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610) on January 19, 2016, for the construction and operation of 4 CAT G3516ULB engines with Catalyst at their Auburn Compression Station at their facility in Auburn Township, **Susquehanna County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

23-0120: Agilyx Corporation (401 Penn Avenue, Marcus Hook, PA 19601) On February 5, 2016 for the installation of a new plastic-to-oil manufacturing facility located in Marcus Hook Borough, **Delaware County**.

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

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

58-00017A: Mineral Point Energy, LLC (6051 Wallace Road Extension, Suite 1000, Wexford, PA 15090) On July 31, 2013 for the construction and operation of a 22 MW generation Station with three (3) Rolls-Royce Bergen Engines with SCR and Catalyst at their facility in Oakland Township, **Susquehanna County**.

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

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

36-05015F: Dart Container Corporation of PA (60 East Main Street, Leola, PA 17201) on February 2, 2016, for the construction of three (3) water-based flexographic printing presses at the Leola Plant in Upper Leacock Township, **Lancaster 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

23-0108D: Barry Callebaut USA (903 Industrial HWY, Eddystone, PA 19022) On February 5, 2015 for the completion of construction of a G.W. Barth Alkalize on Roaster #1, Roaster #2 and Nib Grinding Line #3 in Eddystone Borough, **Delaware County**.

46-0031D: GlaxoSmithKline LLC (5 Moore Drive, P. O. Box 13398 RTP, Research Triangle Park, NC 27709-3398) On February 5, 2016 for temporary operation to facilitate shutdown of the boilers in accordance with 40 CFR Part 63 Subpart DDDDD in Upper Providence Township, **Montgomery County**.

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

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

PA-04-00699G: National Gypsum Company, Inc. (P.O. Box 346, Shippingport, PA 15077-0346) Plan Approval Extension issuance date effective February 8, 2016, for 180 days to obtain Plan Approval and Operating Permit for their facility located in Shippingport Borough, **Beaver County**.

PA-03-00246B: Bedrock Mines LP (111 Freeport Road, Aspinwall, PA 15215-2943) on February 2, 2016, to extend the plan approval for 180 days to facilitate shake-down sources and to obtain Operating Permit for their coal blending facility located in Plumcreek Township, **Armstrong County**.

PA-03-00244A: Dominion Transmission, Inc. (5000 Dominion Blvd., 2 NW Glen Allen, VA 23060) date of issuance February 04, 2016, to grant 180-day Plan Approval extension to obtain a State Only Operating Permit for their Rural Valley Compressor Station located in Valley Township, **Armstrong County**.

30-00089C: Dominion Transmission, Inc. (5000 Dominion Blvd., 2 NW, Glen Allen, VA 23060) Extension effective February 19, 2016, to extend the period of temporary operation of the natural gas-fired compressor turbine, microturbine generators, and boiler authorized under plan approval PA-30-00089C, until July 28, 2016 at the Crayne Compressor Station located in Franklin Township, **Greene County**.

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6328

33-002E: Owens-Brockway Glass Container, Inc.—Crenshaw Plant #19 (3831 Route 219 North, Brockport, PA 15823) on February 3, 2016, effective February 28, 2016, has issued a plan approval extension for the modification of Furnace C, due to the age of the furnace and its general condition, to reduce NO_x emissions in Snyder Township, **Jefferson County**. This is a Title V facility.

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

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

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

06-05050: Sunoco Pipeline LP (525 Fritztown Road, Sinking Spring, PA 19608) on January 27, 2016, for the petroleum pumping and storage facility located in Spring Township, **Berks County**. The Title V permit was renewed.

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

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

20-00194: Lord Corporation (601 South Street, Saegertown, PA 16433) on January 28, 2016, the Department re-issued a Title V Permit to operate an adhesive and coating manufacturing facility in Saegertown Borough, **Crawford County**. The facility's primary emission sources include material preparation, milling, grinding, mixing, and miscellaneous natural gas usage. The facility is a major facility due to its potential to emit HAPs and VOCs.

This facility continues to be subject to the requirements of 40 CFR 63, Subpart FFFF—National Emission Standards for Hazardous Air Pollutant Emissions: Miscellaneous Organic Chemical Manufacturing.

The two (2) Boilers at this facility are subject to the recently promulgated requirements of 40 CFR 63—Subpart DDDDD—National Emissions Standards for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.

The Emergency Fire Water Pump and one of the three Emergency Power Generators at this facility is now subject to the requirements of 40 CFR 63—Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Two of the Emergency Power Generators at this facility were manufactured after July 1, 2008, and are subject to Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

The most current versions of the above listed Federal requirements have been incorporated into the operating permit.

The potential emissions from this facility are as follows. (All values are in tons/year.) PM₁₀ = 0.2, PM_{2.5} = 0.2, SO_x = 0.05, NO_x = 8.5, CO = 7.2, CO_{2e} = 10,250, VOC = 160.0, and Total HAPs = 115.00.

24-00123: Advanced Disposal Services Greentree Landfill LLC (635 Toby Road, Kersey, PA 15846-1033) on February 2, 2016, for a renewal of the Title V Operating Permit. The facility is located in the Fox Township, **Elk County**. Advanced Greentree operates a solid waste landfill company. The emitting sources of the facility included, 1) Municipal Waste Landfill, 2) Wastewater Treatment Plant (250,000 GPD), 3) Road/Operation Dust Fugitives, 4) Rock Crushing, 5) Cold Cleaning Degreaser and, 6) Tipper Engine. The facility is major for Title V because the design capacity of plant is more than 2.5 Million cubic meters or 2.5 million mega grams as per § 60.752(b). Source ID # 101: Municipal Waste Landfill is subject to Part 60, Subpart WWW: Standard of Performance of Municipal Solid Waste Landfills and 40 CFR Part 63 Subpart AAAA: National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfill, all applicable conditions of these subparts were included in the source level. The Tipper diesel engine is subject to 40 CFR Part 63, Subpart ZZZZ. All applicable conditions of Subpart ZZZZ have been included in the source level of the permit. The emission inventory report for 2014 submitted by the facility is as follows: CO: 1.75 Ton per Year (TPY), NO_x: 3.24 TPY, PM₁₀: 30.20 TPY, PM_{2.5}: 5.28 TPY, SO_x: 1.71 TPY, VOC: 25.30 TPY.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

06-03075: VF Outlet, Inc. (801 Hill Avenue, Wyomissing, PA 19610-3026) on January 27, 2016, for the shopping complex boiler plant located in Wyomissing Borough, **Berks County**. The State-only permit was renewed.

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

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

08-00036: Talisman Energy USA, Inc. (50 Pennwood Place, Warrendale, PA 15086) on February 3, 2016, was issued a renewal state only (synthetic minor) operating permit for their Putnam Compressor Station located in Armenia Township, **Bradford County**. The state only

operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

55-00014: Bingaman & Son Lumber, Inc. (1195 Creek Mountain Road, Kreamer, PA 17833) on February 1, 2016, was issued a renewal state only operating permit for its Kreamer Lumber Mill located in Middlecreek Township, **Snyder County**. The requirements of Plan Approval 55-00014A for the construction of a 29.15 MMBtu/hr wood-fired boiler have also been included in the renewal operating permit. The facility's main sources include woodworking operations as well as two wood-fired boilers. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110

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

06-05105: Pioneer Crossing Energy, LLC (5087 Junction Road, Lockport, NY 14094-9601) on February 4, 2016, for the landfill gas-to-energy facility associated with the Pioneer Crossing Landfill and located in Exeter Township, **Berks County**. The Title V permit was administratively amended to reflect a change of ownership.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

03831305 and NPDES No. PA0002283. Consol Mining Company LLC (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). To renew and revise the permit for the Jane Mine in Plumcreek, South Bend, Cowanshannock Townships and Elderton Borough, **Armstrong County** for reclamation/water treatment only and to combine the Emilie No. 1 and No. 2 Mine Permit (Permit No. 03841305) with the Jane Mine per-

mit. No additional discharges. The application was considered administratively complete on October 13, 2011. Application received November 17, 2010. Permit issued January 27, 2016.

30743705. Dana Mining Company of Pennsylvania, LLC (308 Dents Run Road, Morgantown, WV 26501). To renew the permit for the Mundell Hollow Refuse Disposal Area in Dunkard Township, **Greene County**. No additional discharges. The application was considered administratively complete on May 2, 2012. Application received April 22, 2011. Permit issued January 28, 2016.

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

16100106. Ancient Sun, Inc. (P. O. Box 129, Shippenville, PA 16254) Renewal of an existing bituminous surface mine in Farmington & Highland Townships, **Clarion County**, affecting 22.5 acres. Receiving streams: Three unnamed tributaries to Toby Creek, one unnamed tributary to Weiser Run and Weiser Run. This renewal is issued for reclamation only. Application received: December 1, 2015. Permit Issued: January 28, 2016.

33130102 and NPDES Permit No. PA0259411. Bedrock Mines, LP (111 Freeport Road, Aspinwall, PA 15215) Transfer of an existing bituminous surface mine and its associated NPDES permit from Ben Hal Mining Company in Porter Township, **Jefferson County**, affecting 85.0 acres. Receiving streams: Unnamed tributary to Nye Branch, unnamed tributary to Pine Run. Application received: October 18, 2015. Permit Issued: January 28, 2016.

Noncoal Permits Issued

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

37062802. Mayberry Sand & Gravel, Inc. (442 18 South, New Castle, PA 16102). Final bond release for a small industrial minerals surface mine in North Beaver Township, **Lawrence County**. Restoration of 5.0 acres completed. Receiving streams: Beaver River. Application Received: December 17, 2015. Final bond release approved: January 27, 2016.

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

26900306 and NPDES Permit No. PA0591483. Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425). Renewal permit issued for continued operation and restoration of a large noncoal surface mine, located in Connellsville Township, **Fayette County**, affecting 51.4 acres. Receiving streams: unnamed tributary to Connell Run. Application received: September 2, 2015. Permit issued: February 2, 2016.

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

Permit No. 58152501 & NPDES Permit No. PA0225550. Brett Excavation, Inc. (9799 Chestnut Ridge Road, Middleport, NY 14105), commencement operation and restoration of a quarry operation and NPDES permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Meylert Creek. Application received: April 20, 2015. Permit issued: February 2, 2016.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E07-460: PA Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Holidaysburg, PA 16648 in Frankstown Township, **Blair County**, U. S. Army Corps of Engineers, Baltimore District.

To remove existing structure and to (1) install and maintain a 175-foot x 44.38-foot bridge over Frankstown Branch Juniata River (WWF, MF) and (2) to extend an existing concrete arch culvert enclosure 33.5 linear feet in

Brush Creek (WWF, MF) along SR 0022 Sec 42S in Frankstown Township, Blair County (Latitude: 40° 26' 22"; Longitude: -78° 21' 8.8") for the purpose of improving roadway safety. The project proposes to permanently affect 166 linear feet of stream channel and temporarily affect 290 linear feet. No wetland impacts are proposed. The permit was issued on February 3, 2016.

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

E5929-047: Talisman Energy USA, Inc., 337 Daniel Zenker Drive, Horseheads, NY 114845, Liberty and Bloss Townships, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,285 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, 2,645 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, and 181 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41°37'55"N, 77°07'06"W);

2) A temporary road crossing using timber mats impacting 507 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41°37'59"N, 77°07'04"W);

3) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,752 square feet of a palustrine emergent (PEM) wetland (Arnot, PA Quadrangle 41°38'01"N, 77°07'02"W);

4) A temporary road crossing using timber mats impacting 340 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41°38'08"N, 77°06'59"W);

5) A temporary road crossing using timber mats impacting 195 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°38'53"N, 77°06'05"W);

6) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 65 linear feet of Flower Run (CWF) (Arnot, PA Quadrangle 41°38'55"N, 77°06'02"W);

7) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 60 linear feet of an unnamed tributary to Bellman Creek (CWF) and 933 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Arnot, PA Quadrangle 41°39'24"N, 77°05'55"W);

8) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 26 linear feet of an unnamed tributary to Bellman Creek (CWF) (Arnot, PA Quadrangle 41°39'26"N, 77°05'57"W);

9) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 65 linear feet of an unnamed tributary to Bellman Creek (CWF) (Arnot, PA Quadrangle 41°39'28"N, 77°05'59"W);

10) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 406 square feet of a palustrine emergent (PEM) wetland (Arnot, PA Quadrangle 41°39'29"N, 77°06'00"W);

11) A 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,117 square feet of a palustrine emergent (PEM) wetland (Arnot, PA Quadrangle 41°39'31"N, 77°06'02"W);

12) A 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 370 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°39'40"N, 77°06'07"W);

13) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 67 linear feet of an unnamed tributary to Johnson Creek (CWF) and 122 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°39'40"N, 77°06'07"W);

14) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 62 linear feet of Johnson Creek (CWF) (Arnot, PA Quadrangle 41°39'41"N, 77°06'08"W);

15) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 79 linear feet of an unnamed tributary to Johnson Creek (CWF), 845 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 431 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Arnot, PA Quadrangle 41°39'43"N, 77°06'08"W);

16) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 2,393 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, 363 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland, 1,895 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Arnot, PA Quadrangle 41°39'56"N, 77°06'05"W);

17) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 618 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°40'56"N, 77°07'10"W);

18) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 5,672 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°41'01"N, 77°07'14"W);

19) A temporary road crossing using timber mats, a 10 inch diameter natural gas pipeline and a 6 inch diameter waterline impacting 1,834 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Arnot, PA Quadrangle 41°41'02"N, 77°07'15"W);

The project will result in 424 linear feet of temporary stream impacts, 16,609 square feet (0.38 acre) of temporary wetland impacts, and 7,295 square feet (0.17 acre) of permanent wetland impacts all for the purpose of installing a natural gas gathering line in Liberty and Bloss Townships, Tioga County. The permittee is providing compensatory mitigation by means of replanting impacted forested and scrub shrub wetlands and 2.46 acres of riparian area along impacted streams.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

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

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335

ESCGP-2 #ESG15-083-0005—Clermont West Branch D07—U Pipeline

Applicant NFG Midstream Clermont, LLC

Contact Duane Wassum

Address 6363 Main St.

City Williamsville State NY Zip Code 14221

County McKean Township(s) Sergeant

Receiving Stream(s) and Classification(s) West Fork West Branch Potato Creek (HQ-CWF-Designated & Existing Use); UNT to Brewer Run (HQ-CWF-Designated & Existing Use); UNT to East Branch Clarion River (HQ-CWF-Designated & Existing Use)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESX10-015-0136(01)

Applicant Name SWN Production Co LLC

Contact Person Jeff Whitehair

Address 917 SR 92 N

City, State, Zip Tunkhannock, PA 18657

County Bradford

Township(s) Stevens

Receiving Stream(s) and Classification(s) UNT to Cold Ck (WWF); UNT to Wyalusing Ck (WWF)
Secondary—Cold Ck & Wyalusing Ck

ESCGP-2 # ESX29-117-16-0001

Applicant Name SWEPI LP

Contact Person Jason Shoemaker

Address 2100 Georgetown Dr., Suite 400

City, State, Zip Sewickley, PA 15143

County Tioga

Township(s) Middlebury

Receiving Stream(s) and Classification(s) Crooked Ck (WWF)

ESCGP-2 # ESG29-117-15-0033

Applicant Name HEP Tioga Gathering LLC

Contact Person Kevin Williams

Address 512 Towne Plaza, Ste 120, Rte 6

City, State, Zip Tunkhannock, PA 18657

County Tioga

Township(s) Morris

Receiving Stream(s) and Classification(s) Dixie Run (EV), Harrison Run (EV), Custard Run (EV), Long Run (EV)

ESCGP-2 # ESG29-117-15-0037
 Applicant Name HEP Tioga Gathering LLC
 Contact Person Kevin Williams
 Address 512 Towne Plaza, Ste 120, Rte 6
 City, State, Zip Tunkhannock, PA 18657
 County Tioga
 Township(s) Morris
 Receiving Stream(s) and Classification(s) Harrison Run
 (EV)

SPECIAL NOTICES

Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

*Northwest Region: Todd Carlson, Waste Management
 Program Manager, 230 Chestnut Street Meadville, PA
 16335-3407.*

The Department of Environmental Protection (Department) approved the Lawrence County Municipal Waste Management Non-Substantial Plan Revision ("Revision") on January 21, 2016. Key features of the revision include updating the Ordinance and Rules and Regulations to reflect the latest court decisions, Commonwealth directives, and county-identified needs and establishing a voluntary registration program for waste and recycling haulers. The Revision is a public document and may be viewed at the Northwest Regional Office, at the address noted above. Questions concerning the approval of the Revision should be directed to Larry Holley, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7382, or to Regina Schweinsberg, Regional Planning and Recycling Coordinator, Waste Management Program, at the Northwest Regional Office at (814) 332-6981.

Persons aggrieved by an action may appeal, 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), 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 may contact the Environmental Hearing Board (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 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, 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.

Municipal Waste Management Landfill Expansion Application #100020-A151

**Submitted by IESI PA Bethlehem
 Landfill Corporation**

Public Hearing

Lower Saucon Township, Northampton County

The Department of Environmental Protection will hold a public hearing to accept comments on Municipal Waste Management Permit Application 100020-A151 for a proposed expansion of the IESI PA Bethlehem Landfill in Lower Saucon Township, Northampton County. The application is currently under review.

The public hearing will be held on Wednesday, March 16, 2016 from 6 to 9 p.m. at the Saucon Valley High School, 2100 Polk Valley Road, Hellertown, PA 18055.

The major permit modification application was submitted to DEP in January 2015 and requests an expansion of 29 acres. The expansion area is to be located within the current permit boundary and involves expanding over existing fill areas and a small portion of new disposal area in the southeast corner of the site. The proposed expansion does not include a change in waste acceptance rates.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Colleen Connolly, Community Relations Coordinator, IESI PA Bethlehem Landfill Public Hearing, PA DEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, coconnolly@pa.gov.

The Department will accept notices up to the day of the hearing. The written notice should include the person's name, address, telephone number and a brief statement as to the nature of their presentation. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify.

Written copies of oral testimony are requested. Relinquishing of time to others will not be allowed. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who pre-register to testify will be given priority on the agenda. Persons unable to attend the hearing may submit written statements/comments to the Department on or before March 16, 2016.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Colleen Connolly, (570) 826-2511 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

The permit application is available for review at the Department's Northeast Regional Office, 2 Public Square, Wilkes-Barre or the Department's Bethlehem District Office located at 4530 Bath Pike, Bethlehem. Contact the Northeast Regional Office at (570) 826-2511 or the Bethlehem District Office at (610) 861-2070 to schedule an appointment to review the application.

For further information, contact Colleen Connolly, DEP Northeast Regional Office at (570) 826-2511.

[Pa.B. Doc. No. 16-286. Filed for public inspection February 19, 2016, 9:00 a.m.]

Alternative Fuels Incentive Grant Program Opportunity

The Department of Environmental Protection (Department), Office of Pollution Prevention and Energy Assistance announces an opportunity to apply for grants under the Alternative Fuels Incentive Grant (AFIG) Program to improve air quality in this Commonwealth and reduce consumption of imported oil through the use of home-grown alternative fuels that will help the economy and environment in this Commonwealth. The Department is seeking applications for innovative, advanced fuel and vehicle technology projects resulting in cleaner advanced alternative transportation within this Commonwealth.

Approximately \$7 million in grants will be available for school districts, municipal authorities, political subdivisions, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth to support:

- 50% of incremental cost expenses relative to retrofitting vehicles to operate on alternative fuels as a bi-fuel, dual-fuel, hybrid or dedicated vehicle.
- 50% of incremental cost expenses to purchase bi-fuel, dual-fuel, hybrid or dedicated vehicles.
- The cost to purchase and install the necessary fleet refueling or home-refueling equipment for bi-fuel, dual-fuel, hybrid or dedicated vehicles.
- The cost to perform research, training, development and demonstration of new applications or next-phase technology related to alternative fuel vehicles.
- Reimbursement incentives for school districts, municipal authorities, political subdivisions and nonprofit entities who purchase and use biofuel blends including E85 and biodiesel blends of 5% biofuel content and higher.

New this year, the AFIG program will remain open to receive proposals throughout the 2016 calendar year. Instead of one deadline for acceptance of applications for the year, AFIG now has multiple submission periods approximately 4 months in length, during which prospective applicants may submit applications for consideration. AFIG will accept applications at any time during the year and evaluate the applications received after each 4-month submission period and determine awards. Applications received during a submission period which do not receive an award will be able to resubmit the project application immediately for consideration during the next submission period in accordance with AFIG rules.

AFIG guidelines and application instructions are available on the Department web site at <http://www.dep.pa.gov> (select "Citizens," then "Grants, Loans and Rebates," then "Alternative Fuels Incentive Grant"). Applications will be accepted online through the eGrants system. Visit www.ahs.dep.pa.gov/eGrants/index.aspx (select "Find a Grant Program," scroll down to "AFIG" and select "Apply for this grant").

The application period will open on February 20, 2016, and remain open throughout 2016. The Department will collect and review applications received by 4 p.m. on Friday, April 29, 2016; 4 p.m. on Friday, August 26, 2016; and 4 p.m. on Friday, December 30, 2016. Hard copy applications will not be accepted.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-287. Filed for public inspection February 19, 2016, 9:00 a.m.]

Bid Opportunity

OSM 54(3629)106.1, Abandoned Mine Reclamation Project, Heckscherville South, Cass and Foster Townships, Schuylkill County. The principal items of work and approximate quantities include backfilling mine openings 750 cubic yards, access roads and seeding 2.0 acres. This bid issues on February 19, 2016, and bids will be opened on March 22, 2016, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. 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—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@pa.gov for more information on this bid.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-288. Filed for public inspection February 19, 2016, 9:00 a.m.]

Small Water Systems Technical Assistance Center Board Meeting Cancellation

The February 23, 2016, meeting of the Small Water Systems Technical Assistance Center Board (Board) has been cancelled. The next Board meeting is scheduled for Wednesday, March 16, 2016, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8467.

Questions concerning the cancellation of the February 23, 2016, meeting or the March 16, 2016, meeting should be directed to Dawn Hissner, Bureau of Safe Drinking Water, (717) 772-2189 or dhissner@pa.gov. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Dawn Hissner at (717) 772-2189 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 16-289. Filed for public inspection February 19, 2016, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Retail Space to the Commonwealth Berks County

Proposers are invited to provide a proposal to the Department of General Services for 2,500 to 4,500 net usable square feet of retail space for the Liquor Control Board in Birdsboro, Berks County, due on or before 3 p.m. on March 11, 2016. For more information on SFP No.

94788, visit www.dgs.state.pa.us or contact the Bureau of Real Estate at (717) 787-4394.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-290. Filed for public inspection February 19, 2016, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Supplemental Payment Program Changes

The Department of Human Services (Department) is announcing its intent to modify eligibility criteria and payment methodologies for the Medical Assistance (MA) Dependency, MA Rehabilitation Adjustment and New Hospital Payment programs as well as increase the funding allocations for the MA Dependency and MA Rehabilitation Adjustment Payments and allocate funding for the New Hospital Payment program.

Background

During State Fiscal Year (SFY) 2010-2011, the Department established several new disproportionate share hospital (DSH) and supplemental payments for hospitals using revenues from the Quality Care Assessment Account. Among other things, the Department implemented new classes of supplemental payments including MA Dependency payments and MA Rehabilitation Adjustment payments.

Beginning in SFY 2013-2014, the Department amended its State Plan and instituted a process to collect data from new hospitals using forms designated by the Department. Beginning with a new hospital's first full State fiscal year of MA enrollment, the Department uses this data instead of the SFY 2007-2008 MA hospital cost report data to determine the hospital's eligibility for certain DSH and supplemental payments and, if eligible, the payment amounts. The payments for which a new hospital may qualify through this process include the MA Stability Payments, MA Dependency Payments, Enhanced Payments to Certain Disproportionate Share Hospitals and MA Rehabilitation Adjustment Payments.

MA Dependency Payments

The Department established MA Dependency Payments as supplemental payments for acute care general hospitals that are highly dependent upon MA Program payment and have a reduced ability to offset the costs with revenue from private insurers and other sources. The Department intends to modify the qualifying criteria used to determine a hospital's eligibility for this payment. Specifically, the Department intends to use inpatient days rather than acute care days in determining a hospital's eligibility. Under this proposed criterion, an acute care general hospital must provide at least 50,000 Fee-for-Service (FFS) and managed care days of inpatient care to Commonwealth MA beneficiaries. Further, the Department intends to use a more recent State fiscal year to determine eligibility. Specifically, the Department intends to use the MA FFS and managed care inpatient days for Commonwealth MA beneficiaries as identified in the hospital's SFY 2012-2013 MA cost report data available to the Department as of December 2015.

The Department also intends to determine a qualifying hospital's annual payment amount by multiplying the

number of the hospital's Commonwealth MA FFS acute care inpatient days as identified in the State fiscal year 2012-2013 MA hospital cost report available to the Department as of December 2015 by either of the following:

- \$600 for qualifying hospitals with greater than 19,000 Commonwealth MA FFS acute care inpatient days.
- \$260 for other qualifying hospitals.

The Department also intends to increase the funding allocated for MA Dependency payments to \$25.377 million in total funds as may be adjusted to reflect the State Plan reconciliation factor.

The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

MA Rehabilitation Adjustment Payments

The Department makes MA Rehabilitation Adjustment Payments as supplemental payments to freestanding rehabilitation hospitals enrolled in the MA Program as an inpatient rehabilitation hospital as of July 1, 2010.

The Department intends to change the percentage used in its payment methodology for these payments. Specifically, the Department intends to calculate an annual payment amount for qualifying freestanding rehabilitation hospitals equal to 147% of the total inpatient FFS MA revenue as reported in the hospital's SFY 2007-2008 MA hospital cost report available to the Department as of July 2010. The Department will continue to distribute payments to qualifying hospitals, adjusted to reflect the total amount allocated per fiscal year for this payment.

The Department also intends to increase the funding allocated for MA Rehabilitation Adjustment payments to \$23.6 million in total funds as may be adjusted to reflect the State Plan reconciliation factor.

The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

New Hospitals

To account for the proposed change to the eligibility criteria for the MA Dependency Payment, the Department intends to modify the eligibility of new hospitals for this payment. Specifically, the Department intends to eliminate a hospital's eligibility for the MA Dependency Payment as a new hospital for those hospitals for which the Department has a SFY 2012-2013 MA hospital cost report as of December 2015. The Department intends to use the eligibility criteria provisions for MA Dependency Payment for these hospitals.

For new hospitals, the Department also intends to revise the per diem amount for a qualifying new hospital's MA Dependency payment to \$600 for new hospitals with more than 19,000 Commonwealth MA FFS inpatient acute care days and to \$260 for other qualifying new hospitals. In addition, the Department intends to revise the percentage applied to the deflated revenue amount for a qualifying new hospital's MA Rehabilitation Adjustment payment to 147%.

The Department intends to allocate \$2.729 million for new hospital payments for SFY 2015-2016.

The Department does not intend to otherwise change its approved State Plan provisions addressing the qualifying criteria or payment methodology for these payments.

Fiscal Impact

For SFY 2015-2016, the Department will allocate \$25.377 million (\$12.178 million in State funds) for the

MA Dependency supplemental payments as may be adjusted to reflect the reconciliation factor described in the State Plan.

For SFY 2015-2016, the Department will allocate \$23.619 million (\$11.335 million in State funds) for the MA Rehabilitation Adjustment supplemental payments as may be adjusted to reflect the reconciliation factor described in the State Plan.

For SFY 2015-2016, the Department will allocate \$2.729 million (\$1.310 million in State funds) for new hospitals for the MA Stability Payments, MA Dependency Payments, Enhanced Payments to Certain Disproportionate Share Hospitals and MA Rehabilitation Adjustment Payments.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered in establishing the final qualifying criteria and payment methodology for this new class of DSH payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

THEODORE DALLAS,
Secretary

Fiscal Note: 14-NOT-993. (1) General Fund; (2) Implementing Year 2015-16 is \$24,823,000; (3) 1st Succeeding Year 2016-17 through 5th Succeeding Year 2020-21 are \$0; (4) 2014-15 Program—\$564,772,000; 2013-14 Program—\$428,041,000; 2012-13 Program—\$718,947,000; (7) MA—FFS; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 16-291. Filed for public inspection February 19, 2016, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$50,000,000 Blowout 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 \$50,000,000 Blowout.

2. *Price:* The price of a Pennsylvania \$50,000,000 Blowout instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania \$50,000,000 Blowout instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20

(TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Dynamite (DYNMT) symbol and a BLOWOUT (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000, \$10,000 and \$100,000. A player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 15,000,000 tickets will be printed for the Pennsylvania \$50,000,000 Blowout 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 \$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.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under that Dynamite (DYNMT) 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 BLOWOUT (WINALL) symbol and a prize symbol of \$1,000 (ONE THO) appears in eight of the “Prize” areas and a prize symbol of \$500 (FIV HUN) appears in four of the “Prize” areas, 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 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.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that Dynamite (DYNMT) 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 BLOWOUT (WINALL) symbol and a prize symbol of \$100 (ONE HUN) appears in eight of the “Prize” areas and a prize

symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas, 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 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.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in six of the "Prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "Prize" areas, 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 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.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in six of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "Prize" areas, 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 BLOWOUT (WINALL) symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(t) 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.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(v) 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 \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (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.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(bb) 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 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.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under that Dynamite

(DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number: Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 15,000,000 Tickets:</i>
\$5 w/ DYNAMITE	\$5	12	1,250,000
\$5	\$5	30	500,000
\$10 w/ DYNAMITE	\$10	30	500,000
\$10	\$10	60	250,000
\$5 x 4	\$20	120	125,000
\$10 x 2	\$20	120	125,000
\$20 w/ DYNAMITE	\$20	120	125,000
\$20	\$20	120	125,000
\$5 x 8	\$40	600	25,000
\$10 x 4	\$40	600	25,000
\$20 x 2	\$40	600	25,000
(\$5 w/ DYNAMITE) x 8	\$40	300	50,000
(\$10 w/ DYNAMITE) x 4	\$40	300	50,000
(\$20 w/ DYNAMITE) x 2	\$40	600	25,000
\$40 w/ DYNAMITE	\$40	600	25,000
\$40	\$40	600	25,000
\$5 x 10	\$50	600	25,000
\$10 x 5	\$50	600	25,000
\$40 + \$10	\$50	600	25,000
\$50 w/ DYNAMITE	\$50	600	25,000
\$50	\$50	600	25,000
BLOWOUT w/ ((\$10 x 8) + (\$5 x 4))	\$100	705.88	21,250
BLOWOUT w/ ((\$10 x 5) + (\$5 x 6) + \$20)	\$100	1,200	12,500
\$10 x 10	\$100	4,000	3,750
\$20 x 5	\$100	4,000	3,750
\$50 x 2	\$100	4,000	3,750
(\$40 x 2) + (\$10 x 2)	\$100	6,000	2,500
\$100 w/ DYNAMITE	\$100	3,000	5,000
\$100	\$100	4,000	3,750
BLOWOUT w/ ((\$100 x 2) + (\$20 x 10))	\$400	12,000	1,250
BLOWOUT w/ ((\$50 x 2) + (\$40 x 5) + (\$20 x 5))	\$400	15,000	1,000
\$40 x 10	\$400	120,000	125
\$50 x 8	\$400	120,000	125
\$100 x 4	\$400	120,000	125
\$400 w/ DYNAMITE	\$400	120,000	125
\$400	\$400	60,000	250
BLOWOUT w/ ((\$50 x 2) + (\$40 x 10))	\$500	20,000	750
BLOWOUT w/ ((\$50 x 6) + (\$20 x 5) + \$100)	\$500	20,000	750
\$50 x 10	\$500	60,000	250
\$100 x 5	\$500	60,000	250
\$400 + \$100	\$500	60,000	250
\$500 w/ DYNAMITE	\$500	40,000	375
\$500	\$500	40,000	375
BLOWOUT w/ ((\$100 x 8) + (\$50 x 4))	\$1,000	30,000	500
\$100 x 10	\$1,000	120,000	125
\$500 x 2	\$1,000	120,000	125
\$1,000 w/ DYNAMITE	\$1,000	60,000	250
\$1,000	\$1,000	60,000	250
BLOWOUT w/ ((\$1,000 x 8) + (\$500 x 4))	\$10,000	2,142,857	7
\$1,000 x 10	\$10,000	5,000,000	3
\$10,000 w/ DYNAMITE	\$10,000	5,000,000	3
\$10,000	\$10,000	7,500,000	2
\$100,000	\$100,000	1,500,000	10

Reveal a "DYNAMITE" (DYNMT) symbol, win prize shown under that symbol automatically.

Reveal a "BLOWOUT" (WINALL) symbol, win all 12 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 \$50,000,000 Blowout 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 \$50,000,000 Blowout, prize money from winning Pennsylvania \$50,000,000 Blowout 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 \$50,000,000 Blowout 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 \$50,000,000 Blowout or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-292. Filed for public inspection February 19, 2016, 9:00 a.m.]

Pennsylvania \$75,000,000 Blowout 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 \$75,000,000 Blowout.

2. *Price:* The price of a Pennsylvania \$75,000,000 Blowout instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania \$75,000,000 Blowout instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Dynamite (DYNMT) symbol, 10X (10TIMES) symbol and a BLOW-OUT (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$30,000 (TRY THO) and \$300,000 (THRHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000, \$10,000, \$30,000, and \$300,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 11,400,000 tickets will be printed for the Pennsylvania \$75,000,000 Blowout instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30,000 (TRY THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$30,000 (TRY THO) appears in

the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(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 \$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.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under that Dynamite (DYNMT) symbol, 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 is a 10X (10TIMES) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$1,000 (ONE THO) appears in five of the "Prize" areas and a prize symbol of \$500 (FIV HUN) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(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 \$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.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in six of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(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 \$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.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$500 (FIV HUN)

appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in three of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(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 \$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.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$400.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X (10TIMES) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears

in the "Prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$50.00 (FIFTY) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.00 (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$40.00 (FORTY) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$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.

(ee) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$20.00 (TWENTY) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15.00 (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(gg) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$15.00 (FIFTEEN) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$15.

(hh) 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 DOLLARS) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ii) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$10.00 (TEN DOLLARS) appears in the "Prize" area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

\$10 w/ DYNAMITE
\$10
\$15 w/ DYNAMITE
\$15
\$10 x 2
\$20 w/ DYNAMITE
\$20
\$10 x 4
\$20 x 2
(\$10 w/ DYNAMITE) + (\$15 x 2)
\$40 w/ DYNAMITE
\$40
\$10 x 5
(\$15 x 2) + \$20
(\$40 w/ DYNAMITE) + (\$10 w/ DYNAMITE)
((\$20 w/ DYNAMITE) x 2) + (\$10 w/ DYNAMITE)
\$50 w/ DYNAMITE
\$50
\$10 x 10
\$50 x 2
\$10 w/ 10X
\$100 w/ DYNAMITE
\$100
BLOWOUT w/ ((\$40 x 5) + (\$20 x 10))
\$40 x 10
\$50 x 8
\$100 x 4

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 11,400,000 Tickets:</i>
\$10	13.33	855,000
\$10	13.33	855,000
\$15	30	380,000
\$15	30	380,000
\$20	120	95,000
\$20	120	95,000
\$20	120	95,000
\$40	300	38,000
\$40	300	38,000
\$40	300	38,000
\$40	300	38,000
\$40	300	38,000
\$50	200	57,000
\$50	600	19,000
\$50	200	57,000
\$50	200	57,000
\$50	200	57,000
\$50	200	57,000
\$100	600	19,000
\$100	600	19,000
\$100	300	38,000
\$100	600	19,000
\$100	600	19,000
\$400	10,000	1,140
\$400	15,000	760
\$400	30,000	380
\$400	15,000	760

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 11,400,000 Tickets:
(\$10 w/ 10X) × 4	\$400	10,000	1,140
(\$20 w/ 10X) × 2	\$400	10,000	1,140
\$40 w/ 10X	\$400	10,000	1,140
\$400 w/ DYNAMITE	\$400	30,000	380
\$400	\$400	15,000	760
BLOWOUT w/ ((\$40 × 10) + (\$20 × 5))	\$500	8,000	1,425
BLOWOUT w/ ((\$100 × 3) + (\$50 × 2) + (\$10 × 10))	\$500	4,800	2,375
\$50 w/ 10X	\$500	6,667	1,710
\$500 w/ DYNAMITE	\$500	24,000	475
\$500	\$500	24,000	475
BLOWOUT w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	9,231	1,235
BLOWOUT w/ ((\$100 × 6) + (\$50 × 4) + (\$40 × 5))	\$1,000	8,000	1,425
\$100 w/ 10X	\$1,000	10,000	1,140
\$1,000 w/ DYNAMITE	\$1,000	24,000	475
\$1,000	\$1,000	24,000	475
BLOWOUT w/ ((\$1,000 × 5) + (\$500 × 10))	\$10,000	2,280,000	5
\$1,000 w/ 10X	\$10,000	2,280,000	5
\$10,000 w/ DYNAMITE	\$10,000	2,280,000	5
\$10,000	\$10,000	2,280,000	5
\$10,000 × 3	\$30,000	2,280,000	5
(\$1,000 w/ 10X) + (\$10,000 × 2)	\$30,000	2,280,000	5
\$30,000 w/ DYNAMITE	\$30,000	2,280,000	5
\$30,000	\$30,000	2,280,000	5
\$300,000	\$300,000	1,140,000	10

Reveal a "DYNAMITE" (DYNMT) symbol, win prize shown under that symbol automatically.

Reveal a "10X" (10TIMES) symbol, win 10 times the prize shown under that symbol.

Reveal a "BLOWOUT" (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 \$75,000,000 Blowout 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 \$75,000,000 Blowout, prize money from winning Pennsylvania \$75,000,000 Blowout 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 \$75,000,000 Blowout 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 \$75,000,000 Blowout or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-293. Filed for public inspection February 19, 2016, 9:00 a.m.]

Pennsylvania \$100,000,000 Blowout 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 \$100,000,000 Blowout.

2. *Price:* The price of a Pennsylvania \$100,000,000 Blowout instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania \$100,000,000 Blowout instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, and a “BONUS” area. The “BONUS” area is played separately. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (EVLN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (EVLN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Dynamite (DYNMT) symbol, \$100 Bill (WIN100) symbol, and a BLOWOUT (WINALL) symbol. The play symbols and their captions located in the “BONUS” area are: Chest (TRY AGAIN) symbol, Vault (NO BONUS) symbol, Bank (TRY AGAIN) symbol, Stack of Coins (NO BONUS) symbol, Gold Bar (TRY AGAIN) symbol and a Burst (BURST) 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), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$20,000 (TWY THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL). The prize symbols and their captions in the “BONUS” area are: \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$100 (ONE HUN) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$50, \$100, \$400, \$500, \$1,000, \$20,000, \$100,000 and \$1,000,000. The prizes that can be won in the “BONUS” area are: \$20, \$40, \$100 and \$500. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania \$100,000,000 Blowout 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 is a Dynamite (DYNMT) symbol, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “Prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(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 \$20,000 (TWY THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$20,000 (TWY THO) appears in the “Prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$1,000 (ONE THO) appears in all twenty of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that Dynamite (DYNMT) symbol, 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 is a BLOWOUT (WINALL) 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.

(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 Dynamite (DYNMT) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets with a Burst (BURST) symbol in the “BONUS” area, and a prize symbol of \$500 (FIV

HUN) appears in the “Prize” area to the right of that Burst (BURST) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) symbol, and a prize symbol of \$30⁰⁰ (THIRTY) appears in ten of the “Prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$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 Dynamite (DYNMT) symbol, and a prize symbol of \$400 (FOR HUN) appears in the “Prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a BLOWOUT (WINALL) 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.

(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 \$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.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that Dynamite (DYNMT) 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 \$100 Bill (WIN100) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that \$100 Bill (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets with a Burst (BURST) symbol in the “BONUS” area, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area to the right of that Burst (BURST) 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 \$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.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets with a Burst (BURST) symbol in the “BONUS” area, and a prize symbol of \$40⁰⁰ (FORTY) appears in the “Prize” area to the right of that Burst (BURST) symbol, on a single ticket, shall be entitled to a prize of \$40.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “Prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$30.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “Prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(bb) Holders of tickets with a Burst (BURST) symbol in the “BONUS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “Prize” area to the right of that Burst (BURST) symbol, on a single ticket, shall be entitled to a prize of \$20.

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:

When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:

\$20 w/ DYNAMITE
 \$20
 \$30 w/ DYNAMITE
 \$30
 \$30 + (\$20 w/ BONUS)
 \$50 w/ DYNAMITE
 \$50
 \$20 x 5
 \$50 x 2
 (\$30 x 2) + (\$40 w/ BONUS)

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
\$20	12	600,000
\$20	15	480,000
\$30	25	288,000
\$30	37.5	192,000
\$50	30	240,000
\$50	60	120,000
\$50	100	72,000
\$100	300	24,000
\$100	300	24,000
\$100	300	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 7,200,000 Tickets:
\$100 w/ \$100 BILL	\$100	60
\$100 w/ DYNAMITE	\$100	300
\$100	\$100	300
BLOWOUT w/ (\$20 × 20)	\$400	2,400
\$50 × 8	\$400	4,800
(\$50 × 6) + (\$100 w/ BONUS)	\$400	3,000
(\$100 w/ \$100 BILL) × 4	\$400	2,400
\$400 w/ DYNAMITE	\$400	12,000
\$400	\$400	4,800
BLOWOUT w/ ((\$30 × 10) + (\$20 × 10))	\$500	500
\$50 × 10	\$500	6,000
\$100 × 5	\$500	12,000
\$400 + (\$100 w/ BONUS)	\$500	2,400
(\$100 w/ \$100 BILL) × 5	\$500	2,400
\$500 w/ DYNAMITE	\$500	12,000
\$500	\$500	6,000
BLOWOUT w/ (\$50 × 20)	\$1,000	12,000
\$100 × 10	\$1,000	24,000
\$500 × 2	\$1,000	24,000
(\$100 × 5) + (\$500 w/ BONUS)	\$1,000	24,000
(\$100 w/ \$100 BILL) × 10	\$1,000	24,000
\$1,000 w/ DYNAMITE	\$1,000	24,000
\$1,000	\$1,000	24,000
BLOWOUT w/ (\$1,000 × 20)	\$20,000	360,000
\$20,000 w/ DYNAMITE	\$20,000	1,440,000
\$20,000	\$20,000	1,440,000
\$20,000 × 5	\$100,000	1,200,000
\$100,000 w/ DYNAMITE	\$100,000	1,440,000
\$100,000	\$100,000	1,440,000
\$1,000,000	\$1,000,000	1,440,000

Reveal a “DYNAMITE” (DYNMT) symbol, win prize shown under that symbol automatically.

Reveal a “\$100 BILL” (WIN100) symbol, win \$100 instantly.

Reveal a “BLOWOUT” (WINALL) symbol, win all 20 prizes shown!

BONUS: Reveal a “BURST” (BURST) symbol, win prize shown to right of that symbol.

BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania \$100,000,000 Blowout instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$100,000,000 Blowout, prize money from winning Pennsylvania \$100,000,000 Blowout 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 \$100,000,000 Blowout instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$100,000,000 Blowout or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-294. Filed for public inspection February 19, 2016, 9:00 a.m.]

Pennsylvania Bingo Night 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 Bingo Night.

2. *Price:* The price of a Pennsylvania Bingo Night instant lottery game ticket is \$5.

3. *Play Symbols:*

(a) Each Pennsylvania Bingo Night instant lottery game ticket will contain eight play areas designated as “CARD 1,” “CARD 2,” “CARD 3,” “CARD 4,” “CARD 5,” “CARD 6,” “CARD 7” and “CARD 8.” A player may win more than one time on a ticket; however a player may only win one prize on each “CARD.” Each “CARD” will consist of 25 spaces on a 5 by 5 grid. The 78 play symbols located in the eight play areas are: The numbers 1 through 75, “FREE” symbol, Orange Dauber Dot symbol and a Green Dauber Dot symbol. The “FREE” symbol is a free space. The Orange Dauber Dot symbol is a free space and when it appears in a winning pattern, the prize is multiplied by 5. The Green Dauber Dot symbol is a free space and when it appears in a winning pattern, the prize is multiplied by 10.

(b) Each Pennsylvania Bingo Night instant lottery game ticket will contain a separate “BONUS NUMBERS” area containing five spaces. The play symbols located in the “BONUS NUMBERS” area are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; the letter O with a number 61 through 75; and a BINGO (WIN50) symbol.

(c) Each ticket will also contain a “CALLER’S CARD” area. The “CALLER’S CARD” area will consist of 30 spaces on a 10 by 3 grid. The play symbols that may be located in each space on the grid are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

4. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000, \$2,500, \$5,000, \$10,000 and \$100,000. The player can win up to eight times on each ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania Bingo Night instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 8,” shall be entitled to a prize of \$100,000.

(b) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “CARD 8,” shall be entitled to a prize of \$10,000.

(c) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 7,” shall be entitled to a prize of \$10,000.

(d) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “CARD 7,” shall be entitled to a prize of \$5,000.

(e) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in an “X” pattern, extending through the “FREE” space and through to each of the four corner spaces, on “CARD 6,” shall be entitled to a prize of \$5,000.

(f) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in a five-space horizontal, vertical or diagonal line on “CARD 8,” on which the winning pattern contains a Green Dauber Dot, shall be entitled to a prize of \$5,000.

(g) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in a five-space horizontal, vertical or diagonal line on “CARD 8,” on which the winning pattern contains an Orange Dauber Dot, shall be entitled to a prize of \$2,500.

(h) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in the four corners on “CARD 8,” shall be entitled to a prize of \$1,000.

(i) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in a five-space horizontal, vertical or diagonal line on “CARD 8,” shall be entitled to a prize of \$500.

(j) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in the four corners on “CARD 7,” shall be entitled to a prize of \$500.

(k) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on “CARD 6,” shall be entitled to a prize of \$500.

(l) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "CARD 5," shall be entitled to a prize of \$500.

(m) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 7," on which the winning pattern contains a Green Dauber Dot, shall be entitled to a prize of \$500.

(n) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in the four corners on "CARD 6," shall be entitled to a prize of \$250.

(o) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the "N" column; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns; and the space appearing in the fifth horizontal row from the top in the "N" column on "CARD 5," shall be entitled to a prize of \$250.

(p) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "CARD 4," shall be entitled to a prize of \$250.

(q) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 7," on which the winning pattern contains an Orange Dauber Dot, shall be entitled to a prize of \$250.

(r) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in the four corners on "CARD 5," shall be entitled to a prize of \$100.

(s) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the "N" column; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns; and the space appearing in the fifth horizontal row from the top in the "N" column on "CARD 4," shall be entitled to a prize of \$100.

(t) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "CARD 3," shall be entitled to a prize of \$100.

(u) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 5" or "CARD 6," on which the winning pattern contains a Green Dauber Dot, shall be entitled to a prize of \$100.

(v) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 7," shall be entitled to a prize of \$50.

(w) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in the four corners on "CARD 4," shall be entitled to a prize of \$50.

(x) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the "N" column; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns; and the space appearing in the fifth horizontal row from the top in the "N" column on "CARD 3," shall be entitled to a prize of \$50.

(y) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "CARD 2," shall be entitled to a prize of \$50.

(z) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 5" or "CARD 6," on which the winning pattern contains an Orange Dauber Dot, shall be entitled to a prize of \$50.

(aa) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 1," "CARD 2," "CARD 3" or "CARD 4," on which the winning pattern contains a Green Dauber Dot, shall be entitled to a prize of \$50.

(bb) Holders of tickets with a BINGO (WIN50) symbol in the "BONUS NUMBERS" area, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in the four corners on "CARD 3," shall be entitled to a prize of \$25.

(dd) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the "N" column; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns; and the space appearing in the fifth horizontal row from the top in the "N" column on "CARD 2," shall be entitled to a prize of \$25.

(ee) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "CARD 1," shall be entitled to a prize of \$25.

(ff) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in a five-space horizontal, vertical or diagonal line on "CARD 1," "CARD 2," "CARD 3" or "CARD 4," on which the winning pattern contains an Orange Dauber Dot, shall be entitled to a prize of \$25.

(gg) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols in the four corners on "CARD 2," shall be entitled to a prize of \$15.

(hh) Holders of tickets matching either the "CALLER'S CARD" or the "BONUS NUMBERS" play symbols to four spaces appearing in a diamond pattern, which includes the space appearing in the top horizontal row in the "N" column; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns; and the space appearing in the fifth horizontal row from the top in the "N" column on "CARD 1," shall be entitled to a prize of \$15.

(ii) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in a five-space horizontal, vertical or diagonal line on “CARD 5” or “CARD 6,” shall be entitled to a prize of \$10.

(jj) Holders of tickets matching either the “CALLER’S CARD” or the “BONUS NUMBERS” play symbols in the four corners on “CARD 1,” shall be entitled to a prize of \$10.

(kk) Holders of tickets matching either the “CALLER’S

CARD” or the “BONUS NUMBERS” play symbols in a five-space horizontal, vertical or diagonal line on “CARD 1,” “CARD 2,” “CARD 3” or “CARD 4,” shall be entitled to a prize of \$5.

7. *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 Caller’s Card and the Bonus Numbers area. Then scratch only the numbers on Bingo Cards 1—8 that match those revealed on the Caller’s Card and the Bonus Numbers area. When each matched number on a Bingo Card is scratched, a white background is revealed. When all numbers are completely matched in a horizontal, vertical or diagonal line, four corners, diamond or an “X” pattern on any individual Bingo Card, win prize shown for the matched pattern in the appropriate legend next to that card. The center spot on each Bingo Card is a “FREE” space. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 14,400,000 Tickets
LINE CARD 1	\$5	60	240,000
LINE CARD 2	\$5	30	480,000
LINE CARD 3	\$5	30	480,000
LINE CARD 4	\$5	30	480,000
(LINE CARD 1) + (LINE CARD 2)	\$10	60	240,000
(LINE CARD 3) + (LINE CARD 4)	\$10	60	240,000
FOUR CORNERS CARD 1	\$10	60	240,000
LINE CARD 5	\$10	60	240,000
LINE CARD 6	\$10	60	240,000
(LINE CARD 1) + (LINE CARD 2) + (LINE CARD 3)	\$15	600	24,000
(LINE CARD 3) + (LINE CARD 5)	\$15	600	24,000
(FOUR CORNERS CARD 1) + (LINE CARD 4)	\$15	600	24,000
DIAMOND CARD 1	\$15	600	24,000
FOUR CORNERS CARD 2	\$15	600	24,000
(LINE CARD 1) + (LINE CARD 2) + (LINE CARD 3) + (LINE CARD 4)	\$20	600	24,000
(LINE CARD 5) + (LINE CARD 6)	\$20	600	24,000
(FOUR CORNERS CARD 1) + (LINE CARD 5)	\$20	600	24,000
(FOUR CORNERS CARD 1) + (LINE CARD 6)	\$20	600	24,000
(FOUR CORNERS CARD 2) + (LINE CARD 4)	\$20	600	24,000
(DIAMOND CARD 1) + (LINE CARD 6)	\$25	600	24,000
LINE CARD 1, CARD 2, CARD 3 OR CARD 4 w/ ORANGE DAUBER DOT	\$25	200	72,000
“X” PATTERN CARD 1	\$25	600	24,000
DIAMOND CARD 2	\$25	600	24,000
FOUR CORNERS CARD 3	\$25	600	24,000
(DIAMOND CARD 1) + (FOUR CORNERS CARD 2) + (LINE CARD 5) + (LINE CARD 6)	\$50	600	24,000
\$50 w/ BONUS	\$50	600	24,000
LINE CARD 1, CARD 2, CARD 3 OR CARD 4 w/ GREEN DAUBER DOT	\$50	600	24,000
LINE CARD 5 OR CARD 6 w/ ORANGE DAUBER DOT	\$50	600	24,000
“X” PATTERN CARD 2	\$50	600	24,000
DIAMOND CARD 3	\$50	600	24,000
FOUR CORNERS CARD 4	\$50	600	24,000
LINE CARD 7	\$50	600	24,000
(“X” PATTERN CARD 2) + (DIAMOND CARD 3)	\$100	6,000	2,400
(“X” PATTERN CARD 1) + (DIAMOND CARD 2) + (DIAMOND CARD 3)	\$100	6,000	2,400
(“X” PATTERN CARD 1) + (DIAMOND CARD 2) + (FOUR CORNERS CARD 3) + (LINE CARD 4) + (LINE CARD 5) + (LINE CARD 6)	\$100	6,000	2,400
(\$50 w/ BONUS) x 2	\$100	1,500	9,600
LINE CARD 5 OR CARD 6 w/ GREEN DAUBER DOT	\$100	2,400	6,000
“X” PATTERN CARD 3	\$100	6,000	2,400

Scratch the Caller's Card and the Bonus Numbers area. Then scratch only the numbers on Bingo Cards 1—8 that match those revealed on the Caller's Card and the Bonus Numbers area. When each matched number on a Bingo Card is scratched, a white background is revealed. When all numbers are completely matched in a horizontal, vertical or diagonal line, four corners, diamond or an "X" pattern on any individual Bingo Card, win prize shown for the matched pattern in the appropriate legend next to that card. The center spot on each Bingo Card is a "FREE" space. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 14,400,000 Tickets
DIAMOND CARD 4	\$100	6,000	2,400
FOUR CORNERS CARD 5	\$100	6,000	2,400
("X" PATTERN CARD 1) + (DIAMOND CARD 2) + (DIAMOND CARD 4) + (FOUR CORNERS CARD 5)	\$250	12,000	1,200
("X" PATTERN CARD 2) + (DIAMOND CARD 4) + (FOUR CORNERS CARD 5)	\$250	12,000	1,200
(DIAMOND CARD 3) + (DIAMOND CARD 4) + (FOUR CORNERS CARD 5)	\$250	12,000	1,200
(\$50 w/ BONUS) x 5	\$250	2,400	6,000
LINE CARD 7 w/ ORANGE DAUBER DOT	\$250	12,000	1,200
"X" PATTERN CARD 4	\$250	12,000	1,200
DIAMOND CARD 5	\$250	12,000	1,200
FOUR CORNERS CARD 6	\$250	12,000	1,200
("X" PATTERN CARD 4) + (FOUR CORNERS CARD 6)	\$500	30,000	480
("X" PATTERN CARD 4) + (DIAMOND CARD 5)	\$500	30,000	480
(\$50 w/ BONUS) x 5) + ("X" PATTERN CARD 4)	\$500	12,000	1,200
(\$50 w/ BONUS) x 5) + (DIAMOND CARD 5)	\$500	12,000	1,200
(\$50 w/ BONUS) x 5) + (FOUR CORNERS CARD 6)	\$500	12,000	1,200
LINE CARD 7 w/ GREEN DAUBER DOT	\$500	20,000	720
"X" PATTERN CARD 5	\$500	30,000	480
DIAMOND CARD 6	\$500	30,000	480
FOUR CORNERS CARD 7	\$500	30,000	480
LINE CARD 8	\$500	30,000	480
("X" PATTERN CARD 5) + (DIAMOND CARD 6)	\$1,000	288,000	50
("X" PATTERN CARD 5) + (FOUR CORNERS CARD 7)	\$1,000	288,000	50
(DIAMOND CARD 6) + (LINE CARD 8)	\$1,000	288,000	50
("X" PATTERN CARD 4) + (DIAMOND CARD 5) + (FOUR CORNERS CARD 6) + ((\$50 w/ BONUS) x 5)	\$1,000	57,600	250
FOUR CORNERS CARD 8	\$1,000	288,000	50
LINE CARD 8 w/ ORANGE DAUBER DOT	\$2,500	960,000	15
LINE CARD 8 w/ GREEN DAUBER DOT	\$5,000	480,000	30
"X" PATTERN CARD 6	\$5,000	960,000	15
DIAMOND CARD 7	\$5,000	960,000	15
"X" PATTERN CARD 7	\$10,000	960,000	15
DIAMOND CARD 8	\$10,000	960,000	15
"X" PATTERN CARD 8	\$100,000	960,000	15

ORANGE DAUBER DOT SYMBOL: The "ORANGE DAUBER DOT" symbol found on each card is also a "FREE" space. When it appears in any winning pattern, win 5 times the prize shown for that win.

GREEN DAUBER DOT SYMBOL: The "GREEN DAUBER DOT" symbol found on each card is also a "FREE" space. When it appears in any winning pattern, win 10 times the prize shown for that win.

BONUS: Reveal a "BINGO" (WIN50) symbol in the BONUS NUMBERS area, win \$50 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Bingo Night instant lottery game tickets.

9. *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.

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Bingo Night, prize money from winning Pennsylvania Bingo Night 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 Bingo Night instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Bingo Night or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-295. Filed for public inspection February 19, 2016, 9:00 a.m.]

Pennsylvania Buried Treasure 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 Buried Treasure.

2. *Price:* The price of a Pennsylvania Buried Treasure instant lottery game ticket is \$3.

3. *Play Symbols:* Pennsylvania Buried Treasure instant lottery game ticket will contain two “play grid” areas and a “WINNING SYMBOLS” area. Each “play grid” area consists of 16 spaces on a grid four vertical “LINES” tall and four horizontal “LINES” wide. The four vertical “LINES” on the first “play grid” are designated as “LINE 1,” “LINE 2,” “LINE 3” and “LINE 4.” The four horizontal “LINES” on the first “play grid” are designated as “LINE 5,” “LINE 6,” “LINE 7” and “LINE 8.” The four vertical “LINES” on the second “play grid” are designated as “LINE 9,” “LINE 10,” “LINE 11” and “LINE 12.” The four horizontal “LINES” on the second “play grid” are designated as “LINE 13,” “LINE 14,” “LINE 15” and “LINE 16.” Each “LINE” offers a separate chance to win. The play symbols and their captions located in the “play grid” areas are: Anchor (ANCHOR) symbol, Cannon (CANNON) symbol, Gold Bar (GLDBAR) symbol, Cannon Ball (CANBAL) symbol, Chest (CHEST) symbol, Oyster

(OYSTR) symbol, Coin (COIN) symbol, Stack of Coins (STACK) symbol, Compass (COMPAS) symbol, Crab (CRAB) symbol, Diamond (DIAMND) symbol, Emerald (EMERAL) symbol, Gem (GEM) symbol, Key (KEY) symbol, Lock (LOCK) symbol, Map (MAP) symbol, Money Bag (MNBAG) symbol, Tree (TREE) symbol, Parrot (PARROT) symbol, Octopus (OCTOPS) symbol, Pearls (PEARLS) symbol, Pirate (PIRATE) symbol, Ring (RING) symbol, Telescope (TELSCP) symbol, Shark (SHARK) symbol, Ship (SHIP) symbol, Seahorse (SEAHRS) symbol, Shovel (SHOVEL) symbol, Skull (SKULL) symbol, Sun (SUN) symbol, Wheel (WHEEL) symbol and Patch (PATCH) symbol. The play symbols and their captions located in the “WINNING SYMBOLS” areas are: Anchor (ANCHOR) symbol, Cannon (CANNON) symbol, Gold Bar (GLDBAR) symbol, Cannon Ball (CANBAL) symbol, Chest (CHEST) symbol, Oyster (OYSTR) symbol, Coin (COIN) symbol, Stack of Coins (STACK) symbol, Compass (COMPAS) symbol, Crab (CRAB) symbol, Diamond (DIAMND) symbol, Emerald (EMERAL) symbol, Gem (GEM) symbol, Key (KEY) symbol, Lock (LOCK) symbol, Map (MAP) symbol, Money Bag (MNBAG) symbol, Tree (TREE) symbol, Parrot (PARROT) symbol, Octopus (OCTOPS) symbol, Pearls (PEARLS) symbol, Pirate (PIRATE) symbol, Ring (RING) symbol, Telescope (TELSCP) symbol, Shark (SHARK) symbol, Ship (SHIP) symbol, Seahorse (SEAHRS) symbol, Shovel (SHOVEL) symbol, Skull (SKULL) symbol, Sun (SUN) symbol, Wheel (WHEEL) symbol and Patch (PATCH) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “Prize” area at the end of each “LINE” are: \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$10, \$15, \$30, \$50, \$100, \$150, \$300, \$1,000, \$3,000 and \$50,000. The player can win up to 6 times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,000,000 tickets will be printed for the Pennsylvania Buried Treasure instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$50,000 (FTY THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$3,000 (THR THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$300 (THR HUN) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$150 (ONEHUNFTY) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$150.

(f) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$30⁰⁰ (THIRTY)

appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$15⁰⁰ (FIFTN) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area at the end of that “LINE,” on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which four of the “WINNING SYMBOLS” play symbols match the same exact four play symbols appearing in a complete vertical or horizontal “LINE,” and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “Prize” area at the end of that “LINE,” 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:

Scratch The Winning Symbols Area. Then Scratch The Corresponding Symbols Found On Either Grid. When You Match All Four Symbols In Any Horizontal Or Vertical Line, Win Prize Shown For That Line. Each Line Played Separately. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 9,000,000 Tickets
\$3	\$3	9.09	990,000
\$5	\$5	13.89	648,000
\$5 × 2	\$10	62.5	144,000
\$10	\$10	58.82	153,000
\$3 × 5	\$15	333.33	27,000
\$5 × 3	\$15	333.33	27,000
\$15	\$15	250	36,000
\$5 × 6	\$30	250	36,000
\$10 × 3	\$30	1,000	9,000
(\$5 × 4) + \$10	\$30	250	36,000
\$30	\$30	1,000	9,000
\$10 × 5	\$50	6,000	1,500
(\$5 × 4) + \$30	\$50	6,000	1,500
(\$15 × 2) + (\$5 × 4)	\$50	6,000	1,500
\$50	\$50	4,000	2,250
(\$10 × 5) + \$50	\$100	2,400	3,750
(\$30 × 2) + (\$10 × 4)	\$100	2,400	3,750
(\$15 × 2) + (\$10 × 2) + \$50	\$100	2,400	3,750
\$100	\$100	2,400	3,750
\$30 × 5	\$150	24,000	375
\$50 × 3	\$150	24,000	375
(\$30 × 3) + \$50 + \$10	\$150	24,000	375
(\$50 × 2) + (\$15 × 2) + (\$10 × 2)	\$150	24,000	375
\$100 + \$50	\$150	24,000	375
\$150	\$150	24,000	375
\$50 × 6	\$300	13,333	675
\$150 × 2	\$300	30,000	300
(\$30 × 5) + \$150	\$300	13,333	675

Scratch The Winning Symbols Area. Then Scratch The Corresponding Symbols Found On Either Grid. When You Match All Four Symbols In Any Horizontal Or Vertical Line, Win Prize Shown For That Line. Each Line Played Separately. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 9,000,000 Tickets
(\$100 × 2) + (\$50 × 2)	\$300	30,000	300
\$300	\$300	30,000	300
(\$150 × 4) + \$300 + \$100	\$1,000	40,000	225
(\$300 × 3) + \$100	\$1,000	40,000	225
\$1,000	\$1,000	30,000	300
\$3,000	\$3,000	120,000	75
\$50,000	\$50,000	600,000	15

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 Buried Treasure 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 Buried Treasure, prize money from winning Pennsylvania Buried Treasure 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 Buried Treasure 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 Buried Treasure or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-296. Filed for public inspection February 19, 2016, 9:00 a.m.]

Pennsylvania Moneybags 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 Moneybags.

2. *Price:* The price of a Pennsylvania Moneybags instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Moneybags 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) and a Moneybags (MNYBGS) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$400 and \$5,000. A player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Moneybags 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 \$5,000 (FIV THO) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(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 \$400 (FOR HUN) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$400 (FOR HUN) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$100 (ONE HUN) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$20⁰⁰ (TWENTY) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$10⁰⁰ (TEN

DOL) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$5.

(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 \$4⁰⁰ (FOR DOL) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$4.

(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 \$2⁰⁰ (TWO DOL) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybags (MNYBGS) symbol and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "prize" area to the right of that Moneybags (MNYBGS) symbol, on a single ticket, shall be entitled to a prize of \$1.

(t) 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 FREE (TICKET) appears in the "prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize one Pennsylvania Moneybags instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown To The Right Of The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
FREE	FREE \$1 TICKET	12	900,000
\$1 w/ MONEYBAGS	\$1	66.67	162,000
\$1	\$1	200	54,000
\$1 × 2	\$2	300	36,000
(\$1 w/ MONEYBAGS) × 2	\$2	60	180,000
\$2 w/ MONEYBAGS	\$2	40	270,000
\$2	\$2	100	108,000
\$1 × 4	\$4	600	18,000
\$2 × 2	\$4	600	18,000
(\$1 w/ MONEYBAGS) × 4	\$4	150	72,000
(\$2 w/ MONEYBAGS) × 2	\$4	150	72,000
\$4 w/ MONEYBAGS	\$4	100	108,000
\$4	\$4	300	36,000
\$5 w/ MONEYBAGS	\$5	150	72,000
\$5	\$5	300	36,000
\$5 × 2	\$10	600	18,000
((\$4 × 2) + (\$1 × 2))	\$10	1,000	10,800
((\$4 w/ MONEYBAGS) × 2) + ((\$1 w/ MONEYBAGS) × 2)	\$10	428.57	25,200
(\$5 w/ MONEYBAGS) × 2	\$10	428.57	25,200
\$10 w/ MONEYBAGS	\$10	333.33	32,400
\$10	\$10	1,000	10,800
\$5 × 4	\$20	3,000	3,600
\$10 × 2	\$20	3,000	3,600
(\$5 w/ MONEYBAGS) × 4	\$20	1,000	10,800
(\$10 w/ MONEYBAGS) × 2	\$20	1,500	7,200
\$20 w/ MONEYBAGS	\$20	1,500	7,200
\$20	\$20	3,000	3,600
\$10 × 4	\$40	8,000	1,350
\$20 × 2	\$40	8,000	1,350
(\$20 w/ MONEYBAGS) × 2	\$40	4,364	2,475
\$40 w/ MONEYBAGS	\$40	4,364	2,475
\$40	\$40	8,000	1,350
((\$40 × 2) + (\$10 × 2))	\$100	12,000	900
((\$40 w/ MONEYBAGS) × 2 + ((\$10 w/ MONEYBAGS) × 2)	\$100	9,600	1,125
\$100 w/ MONEYBAGS	\$100	12,000	900
\$100	\$100	12,000	900
\$100 × 4	\$400	540,000	20
(\$100 w/ MONEYBAGS) × 4	\$400	540,000	20
\$400 w/ MONEYBAGS	\$400	540,000	20
\$400	\$400	540,000	20
\$5,000	\$5,000	720,000	15

Reveal a "MONEYBAGS" (MNYBGS) symbol, win prize shown to the right of that symbol automatically.

Prizes, including the 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 Moneybags 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 Moneybags, prize money from winning Pennsylvania Moneybags 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 Moneybags 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 Moneybags or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-297. Filed for public inspection February 19, 2016, 9:00 a.m.]

Pennsylvania Red Hot Tripler '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 Red Hot Tripler '16.

2. *Price:* The price of a Pennsylvania Red Hot Tripler '16 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Red Hot Tripler '16 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "TRIPLE BONUS PLAY" area. The play symbols and their captions located in the "WINNING NUMBERS" and the "TRIPLE BONUS PLAY" areas 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) and a HOT (TRIPLR) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$6.⁰⁰ (SIX DOL), \$9.⁰⁰ (NIN DOL), \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$30.⁰⁰ (THIRTY), \$60.⁰⁰ (SIXTY), \$90.⁰⁰ (NINTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO) and \$30,000 (TRY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$3, \$5, \$6, \$9, \$10, \$15, \$30, \$60, \$90, \$100, \$300, \$1,000, \$3,000 and \$30,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Red Hot Tripler '16 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 \$30,000 (TRY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$3,000 (THR THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(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 \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$300 (THR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a HOT (TRIPLR) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that HOT (TRIPLR) symbol, on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "TRIPLE BONUS PLAY" symbol, 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 \$300.

(g) 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.

(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 \$90.⁰⁰ (NINTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$90.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a HOT (TRIPLR) symbol, and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the "Prize" area under that HOT (TRIPLR) symbol, on a single ticket, shall be entitled to a prize of \$90.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "TRIPLE BONUS PLAY" symbol, and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$90.

(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 \$60⁰⁰ (SIXTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$60.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HOT (TRIPLR) symbol, and a prize symbol of \$15⁰⁰ (FIFTN) appears in the “Prize” area under that HOT (TRIPLR) symbol, on a single ticket, shall be entitled to a prize of \$45.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “TRIPLE BONUS PLAY” symbol, and a prize symbol of \$15⁰⁰ (FIFTN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$45.

(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 \$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.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HOT (TRIPLR) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area under that HOT (TRIPLR) symbol, on a single ticket, shall be entitled to a prize of \$30.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “TRIPLE BONUS PLAY” symbol, and a prize symbol of \$10⁰⁰ (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 \$30.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$15⁰⁰ (FIFTN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HOT (TRIPLR) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under that HOT (TRIPLR) symbol, on a single ticket, shall be entitled to a prize of \$15.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “TRIPLE BONUS PLAY” symbol, and a prize symbol of \$5⁰⁰ (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 \$15.

(t) 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 \$10⁰⁰ (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.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$9⁰⁰ (NIN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$9.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HOT (TRIPLR) symbol, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “Prize” area under that HOT (TRIPLR) symbol, on a single ticket, shall be entitled to a prize of \$9.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “TRIPLE BONUS PLAY” symbol, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$9.

(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 \$6⁰⁰ (SIX DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$6.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a HOT (TRIPLR) symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area under that HOT (TRIPLR) symbol, on a single ticket, shall be entitled to a prize of \$6.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “TRIPLE BONUS PLAY” symbol, 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 \$6.

(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 \$5⁰⁰ (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.

(bb) 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 \$3⁰⁰ (THR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(cc) 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.

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:*

\$2
\$3
\$5

Win:
\$2
\$3
\$5

*Approximate
Odds Are 1 In:*
7.89
50
37.5

*Approximate
No. Of Winners
Per 8,400,000
Tickets:*
1,064,000
168,000
224,000

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 8,400,000 Tickets:
\$3 x 2	\$6	300	28,000
\$2 w/ TRIPLE BONUS PLAY	\$6	100	84,000
\$2 w/ HOT	\$6	100	84,000
\$6	\$6	300	28,000
\$3 x 3	\$9	1,500	5,600
\$3 w/ TRIPLE BONUS PLAY	\$9	375	22,400
\$3 w/ HOT	\$9	375	22,400
\$9	\$9	1,500	5,600
\$2 x 5	\$10	750	11,200
\$5 x 2	\$10	1,500	5,600
\$10	\$10	750	11,200
\$5 x 3	\$15	750	11,200
\$5 w/ TRIPLE BONUS PLAY	\$15	500	16,800
\$5 w/ HOT	\$15	500	16,800
\$15	\$15	750	11,200
\$3 x 10	\$30	1,500	5,600
\$6 x 5	\$30	1,500	5,600
\$10 w/ TRIPLE BONUS PLAY	\$30	500	16,800
\$10 w/ HOT	\$30	500	16,800
\$30	\$30	750	11,200
\$6 x 10	\$60	4,000	2,100
\$10 x 6	\$60	3,000	2,800
\$30 x 2	\$60	4,000	2,100
(\$15 w/ TRIPLE PLAY BONUS) + (\$5 w/ HOT)	\$60	3,000	2,800
(\$10 w/ TRIPLE BONUS PLAY) + (\$10 w/ HOT)	\$60	3,000	2,800
\$60	\$60	3,000	2,800
\$9 x 10	\$90	8,000	1,050
\$15 x 6	\$90	8,000	1,050
\$30 x 3	\$90	8,000	1,050
(\$3 w/ TRIPLE BONUS PLAY) x 10	\$90	4,800	1,750
\$30 w/ TRIPLE BONUS PLAY	\$90	4,800	1,750
(\$3 w/ HOT) x 10	\$90	4,800	1,750
\$30 w/ HOT	\$90	4,800	1,750
\$90	\$90	8,000	1,050
\$10 x 10	\$100	120,000	70
(\$30 x 3) + (\$5 x 2)	\$100	120,000	70
(\$15 w/ TRIPLE BONUS PLAY + (\$15 w/ HOT) + \$10	\$100	120,000	70
\$100	\$100	120,000	70
\$30 x 10	\$300	280,000	30
\$100 x 3	\$300	840,000	10
(\$10 w/ TRIPLE BONUS PLAY) + ((\$10 w/ HOT) x 9)	\$300	210,000	40
(\$10 w/ TRIPLE BONUS PLAY) + ((\$30 w/ HOT) x 3)	\$300	210,000	40
\$100 w/ TRIPLE BONUS PLAY	\$300	210,000	40
\$100 w/ HOT	\$300	210,000	40
\$300	\$300	336,000	25
\$100 x 10	\$1,000	840,000	10
(\$100 w/ TRIPLE BONUS PLAY) + (\$100 x 7)	\$1,000	280,000	30
((\$100 w/ HOT) x 3) + \$100	\$1,000	280,000	30
\$1,000	\$1,000	840,000	10
\$300 x 10	\$3,000	1,680,000	5
(\$100 w/ TRIPLE BONUS PLAY) + (\$300 x 9)	\$3,000	560,000	15
(\$100 w/ HOT) x 10	\$3,000	560,000	15
\$3,000	\$3,000	1,680,000	5
\$30,000	\$30,000	560,000	15

When the TRIPLE BONUS PLAY number matches any YOUR NUMBER, win triple the prize shown under the matching number.

Reveal a "HOT" (TRIPLR) symbol, triple the prize shown under that symbol.

Prizes, including top prizes, are subject to availability at the time of purchase.

sell Pennsylvania Red Hot Tripler '16 instant lottery game tickets.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who

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 Red Hot Tripler '16, prize money from winning Pennsylvania Red Hot Tripler '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 Red Hot Tripler '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 Red Hot Tripler '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-298. Filed for public inspection February 19, 2016, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

**Western Beaver County School District v. DEP;
EHB Doc. No. 2016-019-B**

Western Beaver County School District has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Western Beaver County School District for a facility in Ohioville Borough, Beaver County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 16-299. Filed for public inspection February 19, 2016, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The March 15, 2016, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is scheduled for Tuesday, April 19, 2016, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and meeting materials for the April 19, 2016, meeting will be available on the Department of Environmental Protection's web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board (EQB)," then "2016 Meetings").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger, (717) 783-8727 or ledinger@pa.gov.

JOHN QUIGLEY,
Chairperson

[Pa.B. Doc. No. 16-300. Filed for public inspection February 19, 2016, 9:00 a.m.]

FISH AND BOAT COMMISSION

Boat and Marine Forfeiture; Maximum Amount

Chapter 53, Subchapter C of 30 Pa.C.S. (relating to boat and marine forfeiture) applies only to boats and related equipment with a resale value based upon established industry standards equal to or less than the maximum amount in 30 Pa.C.S. § 5331(c) (relating to scope of subchapter). This subsection provides that for the year 2006 the maximum amount will be \$5,000 and for each year thereafter the maximum amount will be fixed annually by the Fish and Boat Commission (Commission) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for

all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and that the Commission will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*. The Commission previously fixed the maximum amount for 2015 at \$5,935.

Under 30 Pa.C.S. § 5331(c), the Commission has fixed the maximum amount for 2016 as \$5,975.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 16-301. Filed for public inspection February 19, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Brian Fleuridor; Doc. No. SC15-11-011

Notice is hereby given of the Order to Show Cause issued on February 8, 2016, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(8) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P. S. §§ 310.11(8) and (20) and 310.78(a)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna Fleischauer, Agency ADA Coordinator at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-302. Filed for public inspection February 19, 2016, 9:00 a.m.]

Genworth Life Insurance Company (GEFA-130373045); Rate Increase Filing for Individual LTC Forms

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 59.8% on 4,018 policyholders with the following individual policy forms: 6484 et al., 50000 et al., 50001 et al., 50003N, 50003P, 60394 et al., 60407 et al., 50020 et al., 50021 et al., 50022 et al., 60491 et al., 60494 et al., 7021 et al.,

62100D and 62100R. The company is requesting an 83% increase on policies with unlimited benefit periods and a 33% increase on policies with limited benefit periods.

Unless formal administrative action is taken prior to May 5, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-303. Filed for public inspection February 19, 2016, 9:00 a.m.]

John Hancock Life Insurance Company (MULF-130417902); Proposed Rate Increase for Several LTC Forms

John Hancock Life Insurance Company is requesting approval to increase the premium an aggregate 20.2% on the following individual LTC forms: LTC-PA-91, NH-PA-91, LTC-94 PA, LTC-94 PA 2/95, NH-94 PA, NH-94 PA 2/95, LTC-96 PA 9/96, LTC-96 PA 6/98, LTC-98FR PA 6/98, LTC-96CL PA 9/96, NH-99 PA 4/99, NH-99FR PA 4/99, LTC2000 PA 4/00, LTC-02 PA, BSC-02 PA, LTC-02FR PA and BSC-02FR PA. The increase will affect 7,572 policyholders in this Commonwealth.

Unless formal administrative action is taken prior to May 5, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-304. Filed for public inspection February 19, 2016, 9:00 a.m.]

Mutual of Omaha Insurance Company (MUTA-130415826); Rate Increase Filing for Several LTC Forms

Mutual of Omaha Insurance Company is requesting approval to increase the premium an average of 12.5% on 690 policyholders with the following individual LTC policy form numbers: LT50, NH50, HCA, HCAQ, NHA, NHAQ, LTA and LTAQ.

Unless formal administrative action is taken prior to May 5, 2016, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over "Consumers" in the blue bar at the top of the webpage then select "Product Notices" from the drop down menu.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-305. Filed for public inspection February 19, 2016, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Management Directive No. 205.34—Commonwealth of Pennsylvania Information Technology Acceptable Use Policy, Amended January 22, 2016.

Management Directive No. 515.2—Transfer of Employees From One Agency to Another, Amended January 20, 2016.

Administrative Circular No. 16-01—Distribution of the 2016-17 Commonwealth Budget, Dated January 19, 2016.

Administrative Circular No. 16-02—2016-17 Budget Hearing Materials, Dated January 19, 2016.

LAURA CAMPBELL,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 16-306. Filed for public inspection February 19, 2016, 9:00 a.m.]

MILK MARKETING BOARD

Special Sunshine Meeting

The Milk Marketing Board will hold a special sunshine meeting to approve an over-order premium on Wednesday, March 23, 2016, at 10 a.m. in Room 202, Agriculture Building, Harrisburg, PA 17110.

TIM MOYER,
Secretary

[Pa.B. Doc. No. 16-307. Filed for public inspection February 19, 2016, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 7, 2016. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-2016-2526696. Corio, LLC (1380 Mount Cobb Road, Jefferson Township, PA 18436) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania.

Application of the following for approval to *begin operating as a broker for transportation of household goods as described under the application.*

A-2016-2527407. Progressive Realty, Inc. (1101 Hamilton Street, Suite 167A, Allentown, Lehigh County, PA 18101) for a brokerage license, evidencing the Commission's approval of the right and privilege to operate as a broker to arrange for the transportation of household goods in use between points in Pennsylvania.

Application of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

A-2016-2527158. Sharon M. Ault t/a Sharon Ault Tours (2435 Reed Street, Williamsport, PA 17701) for the discontinuance of service and cancellation of her certificate, as a broker of passengers, at A-6910952, authorizing

the arrangement for transportation of persons, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-308. Filed for public inspection February 19, 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 March 7, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Unisur Trucking, LLC; Docket No. C-2016-2522028

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 Unisur Trucking, LLC, (respondent) is under suspension effective December 08, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 116 North 17th Street, Harrisburg, PA 17103.
3. That respondent was issued a Certificate of Public Convenience by this Commission on July 01, 2013, at A-8915753.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915753 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in

this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/12/2016

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.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-309. Filed for public inspection February 19, 2016, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Commission Meeting

The Susquehanna River Basin Commission (Commission) will hold its regular business meeting on March 10, 2016, at 9 a.m. at the University Center, Room 130/131, 1201 Technology Drive, Aberdeen, MD 21001. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436.

Supplementary Information

The business meeting will include actions or presentations on the following items: (1) informational presentation of interest to the Lower Susquehanna Subbasin area; (2) adoption of final Fiscal Year 2017 budget; (3) a recommendation for new independent auditors; (4) ratification/approval of contracts/grants; (5) regulatory compliance matters for Cabot Oil & Gas Corporation, King Valley Golf Course and Aqua Pennsylvania, Inc.; and (6) Regulatory Program projects.

Projects listed for Commission action are those that were the subject of a public hearing conducted by the Commission on February 4, 2016, and identified in the notice for the hearing, which was published at 81 FR 566 (January 6, 2016).

The public is invited to attend the Commission's business meeting. Comments on the Regulatory Program projects are subject to a deadline of February 15, 2016. Written comments pertaining to other items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <http://www.srbc.net/pubinfo/publicparticipation.htm>. The comments are due to the Commission on or before March 4, 2016. Comments will not be accepted at the business meeting.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: February 5, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-310. Filed for public inspection February 19, 2016, 9:00 a.m.]

