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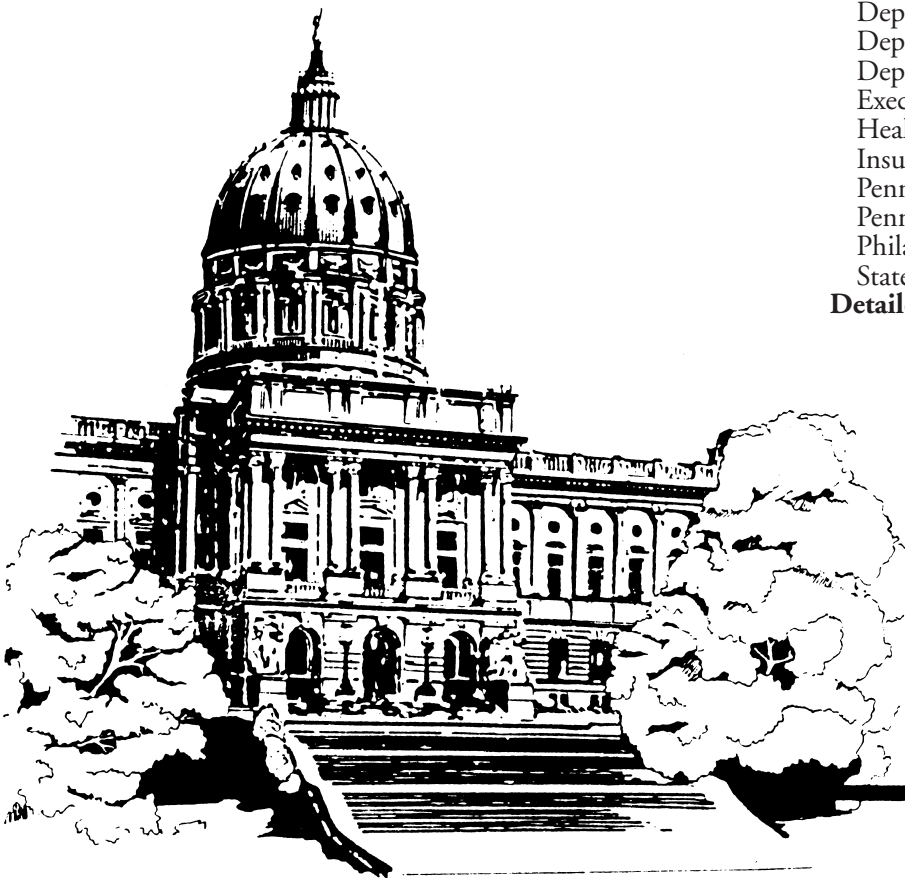
See Part II Page 123
for the Subject Index for
January—December 2017

Part I

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The Courts
Department of Banking and Securities
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Department of Revenue
Executive Board
Health Care Cost Containment Council
Insurance Department
Pennsylvania Gaming Control Board
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Board of Nursing

Detailed list of contents appears inside.



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

No. 518, January 2018

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

Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published weekly. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. It is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations, Statewide court rules, and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, rescission, repeal or emergency action, must be published in the *Pennsylvania Bulletin*.

The following documents are published in the *Pennsylvania Bulletin*: Governor's Executive Orders; 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 rescind regulations must first publish in the *Pennsylvania Bulletin* a Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The 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. A Final Rulemaking must be published in the *Pennsylvania Bulletin* before the changes can take effect. If the agency wishes to adopt changes to the 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, Statewide court rules and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes when they are adopted. 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.

How to Find Rules and Regulations

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.

A quarterly List of *Pennsylvania Code* Sections Affected 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

Rules, Regulations and Statements of Policy in Titles 1—107 of the Pennsylvania Code

Text proposed to be added is printed in **underscored bold face**. Text proposed to be deleted is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and sections are printed in regular type to enhance readability. Final rulemakings and statements of policy are printed in regular type.

Ellipses, a series of five asterisks, indicate text that is not amended.

In Proposed Rulemakings and proposed Statements of Policy, existing text corresponds to the official codified text in the *Pennsylvania Code*.

Court Rules in Titles 201—246 of the Pennsylvania Code

Added text in proposed and adopted court rules is printed in **underscored bold face**. Deleted text in proposed and adopted court rules is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and rules are printed in regular type to enhance readability.

Ellipses, a series of five asterisks, indicate text that is not amended.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires the Governor's Budget Office to prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions and authorities receiving money from the State Treasury. The fiscal note states whether the action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions. The fiscal note is required to be published in the *Pennsylvania Bulletin* at the same time as the 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; and (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

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, 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 item (8) the recommendation, if any, made by the Secretary of the Budget is published with the fiscal note. "No fiscal impact" means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended. See 4 Pa. Code Chapter 7, Subchapter R (relating to fiscal notes).

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§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the [Legislative Reference] Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

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 2018.

4 Pa. Code (Administration)

Statements of Policy

9 37

58 Pa. Code (Recreation)

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THE GOVERNOR

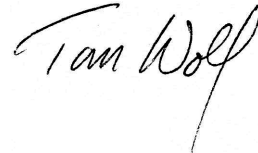
GOVERNOR'S OFFICE

Proclamation; Senate Bill No. 3, Printer's No. 283

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2017.

Senate Bill No. 3, Printer's No. 283, entitled "Amending Title 18 (Crimes and Offenses) of the *Pennsylvania Consolidated Statutes*, in abortion, further providing for definitions, for medical consultation and judgment and for the offense of abortion on unborn child of 24 or more weeks gestational age, providing for dismemberment abortion ban and further providing for reporting."

Given under my hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this twenty-second day of December, in the year of our Lord two thousand and seventeen, and of the Commonwealth the two hundred and forty-second.



Governor

Attest:
ROBERT TORRES,

Acting Secretary of the Commonwealth

[Pa.B. Doc. No. 18-1. Filed for public inspection January 5, 2018, 9:00 a.m.]

GOVERNOR'S OFFICE

Notice of Veto; Senate Bill 3, Printer's No. 283

December 18, 2017

To the Honorable Senate of the
Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, Senate Bill 3, Printer's Number 283.

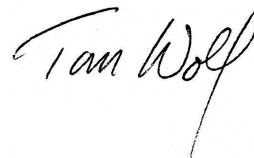
This legislation eliminates the right for women to make informed decisions regarding their health care and criminalizes medical procedures used by physicians in consultation with their patients. Further, the bill provides no exception for victims of rape or incest or for fetal anomalies incompatible with life, even though these anomalies may not be discovered until the fetus reaches 20 weeks.

This legislation is an extreme restriction on women and medical professionals and interferes with crucial decision-making between patients and their physicians. Physicians and their patients must be able to make choices about medical procedures based on best practices and standards of care. The

prohibitions under this bill are not consistent with the fundamental rights vested by the Fourteenth Amendment of the United States Constitution.

For the reasons set forth above, I must withhold my signature from Senate Bill 3, Printer's Number 283.

Sincerely,

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive style with a long, sweeping tail on the letter "f".

Governor

[Pa.B. Doc. No. 18-2. Filed for public inspection January 5, 2018, 9:00 a.m.]

THE COURTS

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Taxicab Medallion Loan Case Management Program; Joint Administrative Doc. No. 05 of 2017

Order

And now, this 15th day of December 2017, due to the increasing number of actions involving, inter alia, breach of contract, confession of judgment, and foreign judgments in connection with commercial loans to entities and persons who purchased taxicab medallions, or taxi licenses, in Pennsylvania, in order to streamline the filing and disposition of these cases without straining available judicial resources, consistent with Pa.R.C.P. No. 214 and Phila.Civ.R. *215, it is hereby *Ordered* and *Decreed* as follows:

(1) A “Taxicab Medallion Loan Program” involving defaults on Taxicab Medallion loans is established as part of the Commerce Program under the general supervision of the Commerce Court Supervising Judge, who may from time to time designate a “Taxicab Medallion Loan Program Judge” to whom all cases in the Taxicab Medallion Loan Program will be assigned.

(2) The Taxicab Medallion Program Judge shall be responsible for establishing and implementing, upon consultation with the Administrative Judge of the Trial Division, the Supervising Judge of the Commerce Program and other stakeholders as appropriate, processes designed to provide early Court intervention which may include:

- a) Self-executing disclosure or other forms of expedited discovery;
- b) Regularly scheduled conferences with court staff, Commerce Program judges pro tempore, or other designees of the Taxicab Medallion Loan Program Judge;
- c) Motions or proceedings designed to obtain expedited rulings on issues of law or fact applicable to all or a portion of the cases in the Taxicab Medallion Loan Program;
- d) Mediation or other forms of alternative dispute resolution;
- e) Stays or other limits on judgment execution proceedings;
- f) Expedited, consolidated, or other standardized trial procedures; and
- g) Any other appropriate process.

(3) Commencing on January 22, 2018, all cases identified as involving Taxicab Medallion Loans upon filing shall be automatically assigned to the Taxicab Medallion Loan Program. Any pending case identified by the court, designated by court staff or the parties as involving

Taxicab Medallion Loans may be transferred to the Taxicab Medallion Loan Program at any time.

By the Court

HONORABLE SHEILA WOODS-SKIPPER,
*President Judge, Court of Common Pleas
Philadelphia County*

HONORABLE JACQUELINE F. ALLEN,
*Administrative Judge, Trial Division
Court of Common Pleas, Philadelphia County*

[Pa.B. Doc. No. 18-3. Filed for public inspection January 5, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LACKAWANNA COUNTY

Adoption of Rules of Judicial Administration; No. 2017 Misc. 1

Order

And Now, this 5th day of December, 2017, it is hereby *Ordered* and *Decreed* that the Lackawanna County Court of Common Pleas adopts a Local Rule of Administration as follows:

1. The Lackawanna County Court of Common Pleas hereby adopts Local Rule 101 of the Local Rules of Judicial Administration.

2. Local Rule 101, a copy of which follows as Exhibit “A”, shall provide as follows:

Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, any person or persons who files documents that contain confidential information as defined by the Policy shall use and file a Confidential Information Form in order to comply with the Policy. A copy of this form is available in the Appendix to the Lackawanna County Local Rules of Judicial Administration as “FORM 1. CONFIDENTIAL INFORMATION FORM.” This form will also be available in each filing office for the Court of Common Pleas of Lackawanna County. The form will also be available on the Court Administration website at:

<http://www.lackawannacounty.org/index.php/departments/agencies/courts-and-judiciary/court-administrators-office-2>.

3. Pursuant to Pa.R.C.P. 239(c), this Local Rule of Judicial Administration shall be disseminated and published in the following manner:

(a) Seven (7) certified copies shall be filed with the Administrative Office of the Pennsylvania Courts;

(b) Two (2) certified copies and a computer diskette containing the text in Microsoft Word format and labeled with the court’s name and address and computer file

name shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) One (1) certified copy shall be filed with each Rules Committee of the Lackawanna Bar Association;

(d) This local rule, and all other local rules, shall be kept continuously available for public inspection and copying in the Offices of the Clerks of Judicial Records, and upon request and payment of reasonable costs of production and mailing, any Clerk shall furnish a copy to any person requesting the same;

(e) A computer diskette containing the text in Microsoft Word format and labeled with the court's name and address and computer file name shall be distributed to the Lackawanna Bar Association for publication on its website.

4. This Local Rule of Judicial Administration shall become effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

HONORABLE MICHAEL J. BARRASSA,
President Judge

Exhibit A

LOCAL RULE OF JUDICIAL ADMINISTRATION

Rule 101. Public Access Policy: Case Records of the Trial Court.

Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, any person or persons who files documents that contain confidential information as defined by the Policy shall use and file a Confidential Information Form in order to comply with the Policy. A copy of this form is available in the Appendix to the Lackawanna County Local Rules of Judicial Administration as "FORM 1. CONFIDENTIAL INFORMATION FORM." This form will also be available in each filing office for the Court of Common Pleas of Lackawanna County. The form will also be available on the Court Administration website at:

<http://www.lackawannacounty.org/index.php/departmentsagencies/courts-and-judiciary/court-administrators-office-2>.

THE COURTS

FORM 1. CONFIDENTIAL INFORMATION FORM

CONFIDENTIAL
INFORMATION
FORM



APPELLATE/TRIAL COURT
CASE RECORDS

*Public Access Policy of the Unified Judicial System of Pennsylvania:
Case Records of the Appellate and Trial Courts
204 Pa. Code § 213.81
www.pacourts.us/public-records*

(Party name as displayed in case caption)

Docket/Case No.

Vs.

(Party name as displayed in case caption)

Court

This form is associated with the pleading titled _____, dated _____.

Pursuant to the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
_____ (full name of adult) OR This information pertains to a minor with the initials of _____ and the full name of _____ _____ (full name of minor) and date of birth: _____	Social Security Number (SSN): _____ Financial Account Number (FAN): _____ Driver's License Number (DLN): _____ State of Issuance: _____ State Identification Number (SID): _____	Alternative Reference: SSN 1 Alternative Reference: FAN 1 Alternative Reference: DLN 1 Alternative Reference: SID 1
_____ (full name of adult) OR This information pertains to a minor with the initials of _____ and the full name of _____ _____ (full name of minor) and date of birth: _____	Social Security Number (SSN): _____ Financial Account Number (FAN): _____ Driver's License Number (DLN): _____ State of Issuance: _____ State Identification Number (SID): _____	Alternative Reference: SSN 2 Alternative Reference: FAN 2 Alternative Reference: DLN 2 Alternative Reference: SID 2

Rev. 11/2017

THIS FORM IS CONFIDENTIAL

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

Additional page(s) attached. _____ total pages are attached to this filing.

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature of Attorney or Unrepresented Party

Date

Name: _____

Attorney Number: (if applicable) _____

Address: _____

Telephone: _____

Email: _____

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

Additional page (if necessary)

This Information Pertains to:	Confidential Information:	References in Filing:
<p>_____</p> <p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of _____</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN _____</p> <p>Alternative Reference: FAN _____</p> <p>Alternative Reference: DLN _____</p> <p>Alternative Reference: SID _____</p>
<p>_____</p> <p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of _____ and the full name of _____</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN _____</p> <p>Alternative Reference: FAN _____</p> <p>Alternative Reference: DLN _____</p> <p>Alternative Reference: SID _____</p>

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

Instructions for Completing the Confidential Information Form

The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.
3. Driver License Numbers
4. State Identification (SID) Numbers
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355). "Minor" is a person under the age of eighteen.
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. § 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S. § 62A01 et seq. **If necessary, this information must be provided on the separate Abuse Victim Addendum. Please note there are separate instructions for the completion of the Addendum located on the form.**

Please note this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.).

- **The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.**
- Do not include confidential information in any other document filed with the court under this docket.
- If you need to refer to a piece of confidential information in a document, use the alternate references. If you need to attach additional pages, sequentially number each alternate reference – i.e. SSN 3, SSN 4, etc.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the requirements of the above referenced policy, a court may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof. A court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

Rev. 11/2017

THIS FORM IS CONFIDENTIAL

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

Abuse Victim Addendum

Instructions for Completing the Abuse Victim Addendum: The Abuse Victim Addendum shall accompany a filing where confidential information is being provided by an abuse victim, as defined in this policy, in family court actions (see Pa.R.C.P. No. 1931(a)), as required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter. This addendum, and any additional pages, shall only be provided to the court and shall remain confidential. The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.

Type of Family Court Action		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage	<input type="checkbox"/> Child Custody	
<input type="checkbox"/> Support	<input type="checkbox"/> Paternity	<input type="checkbox"/> Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
_____	AV Address:	Alternative Reference: AV 1 Address
(full name of abuse victim)	_____	
_____	AV Employer's Name & Address:	Alternative Reference: AV 1 Employer's Name & Address
Docket/Case No. of Protection Order	_____	
_____	AV Work Schedule:	Alternative Reference: AV 1 Work Schedule
Court/County	_____	
	AV Other contact information:	Alternative Reference: AV 1 Other contact information

Attach additional page(s) if necessary.

**CONFIDENTIAL
INFORMATION
FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

Abuse Victim Addendum
Additional page (if necessary)

Type of Family Court Action		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage		<input type="checkbox"/> Child Custody
<input type="checkbox"/> Support	<input type="checkbox"/> Paternity	<input type="checkbox"/> Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
_____ (full name of abuse victim)	AV Address: _____	Alternative Reference: AV __ Address
_____ Docket/Case No. of Protection Order	AV Employer's Name & Address: _____	Alternative Reference: AV __ Employer's Name & Address
_____ Court/County	AV Work Schedule: _____	Alternative Reference: AV __ Work Schedule
	AV Other contact information: _____	Alternative Reference: AV __ Other contact information

Type of Family Court Action		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage		<input type="checkbox"/> Child Custody
<input type="checkbox"/> Support	<input type="checkbox"/> Paternity	<input type="checkbox"/> Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
_____ (full name of abuse victim)	AV Address: _____	Alternative Reference: AV __ Address
_____ Docket/Case No. of Protection Order	AV Employer's Name & Address: _____	Alternative Reference: AV __ Employer's Name & Address
_____ Court/County	AV Work Schedule: _____	Alternative Reference: AV __ Work Schedule
	AV Other contact information: _____	Alternative Reference: AV __ Other contact information

Rev. 11/2017

THIS FORM IS CONFIDENTIAL

**CONFIDENTIAL
DOCUMENT FORM**



**APPELLATE/TRIAL COURT
CASE RECORDS**

*Public Access Policy of the Unified Judicial System of Pennsylvania:
Case Records of the Appellate and Trial Courts
204 Pa. Code § 213.81
www.pacourts.us/public-records*

(Party name as displayed in case caption)

Docket/Case No.

Vs.

(Party name as displayed in case caption)

Court

This form is associated with the pleading titled _____, dated _____.

Pursuant to the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the Confidential Document Form shall accompany a filing where a confidential document is required by law, ordered by the court, or is otherwise necessary to effect the disposition of a matter. This form shall be accessible to the public, however the documents attached will not be publicly accessible, except as ordered by a court. The documents attached will be available to the parties, counsel of record, the court, and the custodian. **Please only attach documents necessary for the purposes of this case.** Complete the entire form and check all that apply. This form and any additional pages must be served on all unrepresented parties and counsel of record.

Type of Confidential Document	Paragraph, page, etc. where the confidential document is referenced in the filing:
<input type="checkbox"/> Financial Source Documents	
<input type="checkbox"/> Tax Returns and schedules	
<input type="checkbox"/> W-2 forms and schedules including 1099 forms or similar documents	
<input type="checkbox"/> Wage stubs, earning statements, or other similar documents	
<input type="checkbox"/> Credit card statements	
<input type="checkbox"/> Financial institution statements (e.g., investment/bank statements)	
<input type="checkbox"/> Check registers	
<input type="checkbox"/> Checks or equivalent	
<input type="checkbox"/> Loan application documents	
<input type="checkbox"/> Minors' educational records	
<input type="checkbox"/> Medical/Psychological records	
<input type="checkbox"/> Children and Youth Services' records	
<input type="checkbox"/> Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33	
<input type="checkbox"/> Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)	
<input type="checkbox"/> Agreements between the parties as used in 23 Pa.C.S. §3105	

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Signature of Attorney or Unrepresented Party

Date

Name: _____

Attorney Number: (if applicable) _____

Address: _____

Telephone: _____

Email: _____

Rev. 09/2017

CONFIDENTIAL
DOCUMENT FORM



APPELLATE/TRIAL COURT
CASE RECORDS

Instructions for Completing the Confidential Document Form

The following documents are confidential and shall be filed with a court or custodian with the "Confidential Document Form":

1. Financial Source Documents as listed on the form
2. Minors' educational records
3. Medical/Psychological records are defined as "records relating to the past, present, or future physical or mental health or condition of an individual"
4. Children and Youth Services' records
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33
6. Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)
7. Agreements between the parties as used in 23 Pa.C.S. §3105

For each confidential document, list the paragraph, page, etc. where the document is referenced in the filing. Please note, this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.)

- **Please only attach documents necessary for the purposes of this case.**
- Complete the entire form and check all that apply.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*. A party's or attorney's failure to comply shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the above referenced policy, a court may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof. A court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

Rev. 09/2017

[Pa.B. Doc. No. 18-4. Filed for public inspection January 5, 2018, 9:00 a.m.]

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts

The Administrative Office is required by Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, effective January 6, 2018, to design and publish the following forms: Request for Access Form, Confidential Information Form, Confidential Document Form, Request for Correction of Clerical Errors and sample Certificate of Compliance. These forms can be found at <https://www.pacourts.us/public-records/public-records-forms>.

Filed in the Administrative Office of Pennsylvania Courts on December 21, 2017.

THOMAS B. DARR,
Court Administrator of Pennsylvania

[Pa.B. Doc. No. 18-5. Filed for public inspection January 5, 2018, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated November 16, 2017, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective December 16, 2017 for Compliance Group 1.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

Bivans, Lorenzo A., Jr.
Washington, DC

Brooks, Huda Aziz
Haddon Township, NJ

Gosse, Thomas J.
Haddon Heights, NJ

Graves, Lisa Rachelle
Cross Plains, WI

Hodak, Michelle Lee
Mount Laurel, NJ

Issenberg, Adam D.
Silver Spring, MD

Klein, Jeffrey Neil
Highland Park, NJ

Knutsen, Mary Elizabeth
Virginia Beach, VA

McCrary, Nina Y.
Centerville, GA

McCutcheon, Miliene
Jacksonville, FL

Osei, Edward K.
Hillside, NJ

Prevoznik, Michael E.
Madison, NJ

Rightmyer, John N.
Alameda, CA

Santee, Alexander Cole
Hackensack, NJ

Staggers, LeNarda Rahmond
Juno Beach, FL

Stouffer, Chad Owen
Mount Laurel, NJ

Strachan, Gerald Fox
Medford, NJ

Wilks, David Edwin
Wilmington, DE

Wren, Lisa Sue
Princeton, NJ

SUZANNE E. PRICE,
Attorney Registrar

[Pa.B. Doc. No. 18-6. Filed for public inspection January 5, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CHS. 801—803]

Interactive Gaming; Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 13B03(b) (relating to regulations) and the specific authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers), adds the relevant terms associated with interactive gaming implementation in this Commonwealth and delineates the petition and application requirements for interactive gaming certificates and interactive gaming operators to read set forth in Annex A.

Purpose of this Temporary Rulemaking

This temporary rulemaking defines the relevant terms associated with interactive gaming implementation in this Commonwealth and delineates the petition and application requirements for interactive gaming certificates and interactive gaming operators.

Explanation of Chapters 801—803

Chapters 801—803 (relating to general interactive gaming provisions—temporary regulations; interactive gaming certificates—temporary regulations; and interactive gaming operators—temporary regulations) provide definitions of the terms associated with interactive gaming implementation in this Commonwealth and delineate the petition and application requirements for interactive gaming certificates and interactive gaming operators.

Affected Parties

This temporary rulemaking provides interested parties information relative to the entities who may participate in interactive gaming in this Commonwealth and the petition and application processes for some of those parties.

Fiscal Impact

Commonwealth

The Board does not expect that this temporary rulemaking will have fiscal impact on the Board or any other Commonwealth agency. Petitions for interactive gaming certificates and applications for interactive gaming operator licenses will be reviewed by existing Board staff.

Political subdivisions

This temporary rulemaking will not have direct fiscal impact on political subdivisions of this Commonwealth. Host municipalities and counties benefit from the local share funding that is mandated by the act of January 7, 2010 (P.L. 1, No. 1).

Private sector

This temporary rulemaking defines the relevant terms associated with interactive gaming implementation in this Commonwealth and delineates the petition and application requirements for interactive gaming certificates and interactive gaming operators. It is anticipated that this temporary rulemaking will have an impact only on those individuals seeking to acquire these certificates or licenses, the impact being for licensing costs which will be recouped through proceeds from the provision of interactive gaming.

General public

This temporary rulemaking will not have direct fiscal impact on the general public.

Paperwork Requirements

Individuals eligible for an interactive gaming certificate will have to file a petition with the Board seeking approval to conduct this activity. The contents of the petition are set forth in Annex A.

Individuals eligible for an interactive gaming operator license shall file an application to participate in these activities in this Commonwealth. These applications will be made available on the Board's public web site at a later date.

Effective Date

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin* and expire 2 years after publication.

Public Comments

While this temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how these temporary regulations might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Laura R. Burd, Senior Counsel, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060, lburd@pa.gov, Attention: Public Comment on Regulation # 125-209.

Contact Person

The contact person for questions about this temporary rulemaking is Laura R. Burd, Senior Counsel, (717) 346-8300, lburd@pa.gov.

Regulatory Review

Under 4 Pa.C.S. § 13B03, the Board has the authority to promulgate temporary regulations to facilitate the prompt implementation of interactive gaming in this Commonwealth. The temporary regulations adopted by the Board are not subject to sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1205), known as the Commonwealth Documents Law, the Regulatory Review Act (71 P.S. §§ 745.1—745.14) and section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732-204(b)). Under 4 Pa.C.S. § 13B03(c), these temporary regulations expire 2 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13B03, these temporary regulations are exempt from the Regulatory Review Act, sections 201—205 of the Commonwealth Documents Law and section 204(b) of the Commonwealth Attorneys Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to Pennsylvania Race Horse Development and Gaming Act).

Order

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

(1) The regulations of the Board, 58 Pa. Code, are amended by adding §§ 801.1—801.4, 802.1—802.3 and 803.1—803.3 to read as set forth in Annex A.

(2) These temporary regulations will be posted on the Board's web site.

(3) These temporary regulations are subject to amendment as deemed necessary by the Board.

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

(5) These temporary regulations are effective upon publication in the *Pennsylvania Bulletin* and expire 2 years after publication.

DAVID M. BARASCH,
Chairperson

Fiscal Note: 125-209. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 58. RECREATION****PART VII. GAMING CONTROL BOARD****Subpart L. INTERACTIVE GAMING****Chap.**

801.	GENERAL INTERACTIVE GAMING PROVISIONS—TEMPORARY REGULATIONS
802.	INTERACTIVE GAMING CERTIFICATES—TEMPORARY REGULATIONS
803.	INTERACTIVE GAMING OPERATORS—TEMPORARY REGULATIONS

CHAPTER 801. GENERAL INTERACTIVE GAMING PROVISIONS—TEMPORARY REGULATIONS**Sec.**

801.1.	Scope.
801.2.	Definitions.
801.3.	Certificate or license required.
801.4.	Initial and renewal certificate and license fees.

§ 801.1. Scope.

The purpose of this subpart is to govern the operation of interactive gaming. The act and the Board's regulations promulgated thereunder otherwise apply when not in conflict with this subpart.

§ 801.2. Definitions.

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

Airport authority—Any of the following:

(i) The governing body of a municipal authority organized and incorporated to oversee the operations of a qualified airport under 53 Pa.C.S. §§ 5601—5623 (relating to Municipality Authorities Act).

(ii) A city of the first class that regulates the use and control of a qualified airport located partially in a county of the first class and partially in a county contiguous to a county of the first class.

Airport gaming area—A location within a qualified airport area approved by the airport authority and the Board for the conduct of interactive gaming through the use of multiuse computing devices by eligible passengers.

Associated equipment—Any equipment or mechanical, electromechanical or electronic contrivance, component or machine used in connection with interactive gaming, including equipment which affects the proper reporting

and counting of gross interactive gaming revenue, computerized systems for controlling and monitoring interactive games, including interactive gaming devices necessary for the operation of interactive games as approved by the Board.

Authorized interactive game—An interactive game approved by regulation of the Board to be suitable for interactive gaming offered by an interactive gaming certificateholder or an interactive gaming operator on behalf of an interactive gaming certificateholder in accordance with sections 13B01—13B63 of the act (relating to interactive gaming). The term includes an interactive game approved by regulation of the Board to be suitable for interactive gaming through use of a multiuse computing device.

Cash equivalent—An asset that is readily convertible to cash, including any of the following:

(i) Chips or tokens.

(ii) Travelers checks.

(iii) Foreign currency and coin.

(iv) Certified checks, cashier's checks and money orders.

(v) Personal checks or drafts.

(vi) A negotiable instrument applied against credit extended by a certificateholder, an interactive gaming certificateholder, an interactive gaming operator or a financial institution.

(vii) A prepaid access instrument.

(viii) Any other instrument or representation of value that the Board deems a cash equivalent.

Cheat—

(i) To defraud or steal from any player, interactive gaming certificateholder, interactive gaming operator or the Commonwealth while operating or playing an authorized interactive game, including causing, aiding, abetting or conspiring with another person to do so.

(ii) The term also means to alter or causing, aiding, abetting or conspiring with another person to alter the elements of chance, method of selection or criteria which determine:

(A) The result of an authorized interactive game.

(B) The amount or frequency of payment in an authorized interactive game.

(C) The value of a wagering instrument.

(D) The value of a wagering credit.

(iii) The term does not include altering an interactive gaming device or associated equipment for maintenance or repair with the approval of an interactive gaming certificateholder or interactive gaming operator.

Cheating device—A device, software or hardware used or possessed with the intent to be used to cheat during the operation or play of any authorized interactive game. The term also includes any device used to alter an authorized interactive game or interactive gaming device or associated equipment without the interactive gaming certificateholder's or interactive gaming operator's approval.

Communication technology—Any method used and the components employed to facilitate the transmission and receipt of information, including transmission and reception by systems using wire, wireless, cable, radio, micro-

wave, light, fiber optics, satellite or computer data networks, including the Internet and intranets.

Concession operator—A person engaged in the sale or offering for sale of consumer goods or services to the public at a qualified airport, or authorized to conduct other commercial activities related to passenger services at a qualified airport, in accordance with the terms and conditions of an agreement or contract with an airport authority, government entity or other person.

Conduct of gaming—The licensed placement, operation and play of interactive games under this subpart, as authorized and approved by the Board. The term includes the licensed placement, operation and play of authorized interactive games through the use of multiuse computing devices at a qualified airport under sections 13B20—13B20.7 of the act (relating to multi-use computing devices).

Contest—An authorized interactive game competition among players for cash, cash equivalents or prizes.

Eligible passenger—An individual 21 years of age or older who has cleared security check points with a valid airline boarding pass for travel from one destination to another.

Gaming employee—An employee of any of the following who the Board determines, after a review of the work to be performed, requires a gaming employee permit for the protection of the integrity of interactive gaming operations in this Commonwealth:

- (i) An interactive gaming certificateholder or interactive gaming operator licensee.
- (ii) An interactive gaming manufacturer licensee or interactive gaming supplier licensee.
- (iii) An interactive service provider.
- (iv) Any other person as determined by the Board.

Gaming-related restricted area—A room or area of a licensed facility which is specifically designated by the Board as restricted or by the interactive gaming certificateholder or interactive gaming operator as restricted in its Board-approved internal controls.

Gaming school—An educational institution approved by the Department of Education as an accredited college or university, community college, Pennsylvania private licensed school or its equivalent and whose curriculum guidelines are approved by the Department of Labor and Industry to provide education and job training related to employment opportunities associated with interactive games, including interactive gaming devices and associated equipment maintenance and repair.

Gross interactive airport gaming revenue—

(i) Revenue is the total of all cash or cash equivalent wagers paid by an eligible passenger to an interactive gaming certificateholder at a qualified airport through the use of multiuse computing devices in consideration for the play of authorized interactive games at a qualified airport through the use of multiuse computing devices, including cash received as entry fees for contests or tournaments, minus:

(A) The total of cash or cash equivalents paid out to an eligible passenger as winnings.

(B) The actual cost paid by the interactive gaming certificateholder at a qualified airport through the use of multiuse computing devices for personal property distributed to a player as a result of playing an authorized

interactive game. This clause does not include travel expenses, food, refreshments, lodging or services.

(ii) Amounts deposited with an interactive gaming certificateholder for purposes of interactive gaming at a qualified airport through the use of multiuse computing devices and amounts taken in fraudulent acts perpetrated against an interactive gaming certificateholder for which the interactive gaming certificateholder is not reimbursed and may not be considered to have been paid to the interactive gaming certificateholder for purposes of calculating gross interactive airport gaming revenue.

Gross interactive gaming revenue—

(i) The total of all cash or cash equivalent wagers paid by registered players to an interactive gaming certificateholder in consideration for the play of authorized interactive games, including cash received as entry fees for contests or tournaments, minus:

(A) The total of cash or cash equivalents paid out to registered players as winnings.

(B) The actual cost paid by the interactive gaming certificateholder for any personal property distributed to a player as a result of playing an authorized interactive game. This clause does not include travel expenses, food, refreshments, lodging or services.

(ii) Amounts deposited with an interactive gaming certificateholder for purposes of interactive gaming and amounts taken in fraudulent acts perpetrated against an interactive gaming certificateholder for which the interactive gaming certificateholder is not reimbursed may not be considered to have been paid to the interactive gaming certificateholder for purposes of calculating gross interactive gaming revenue.

Interactive game—

(i) A gambling game offered through the use of communications technology that allows a person utilizing money, checks, electronic checks, electronic transfers of money, credit cards or any other instrumentality to transmit electronic information to assist in the placement of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information.

(ii) The term does not include any of the following:

(A) A lottery game or Internet instant game as defined in the State Lottery Law (72 P.S. §§ 3761-101—3761-2103).

(B) Lottery under 4 Pa.C.S. §§ 501—505 (relating to lottery).

(C) A nongambling game that does not otherwise require a license under the laws of the Commonwealth.

(D) A fantasy contest under 4 Pa.C.S. §§ 301—342 (relating to fantasy contests).

Interactive gaming—The placing of wagers with an interactive gaming certificateholder or interactive gaming operator using a computer network of Federal and non-Federal interoperable packet switched data networks through which an interactive gaming certificateholder may offer authorized interactive games to registered players. The term includes the placing of wagers through the use of a multiuse computing device.

Interactive gaming account—The formal electronic system implemented by an interactive gaming certificateholder to record the balance of a registered player's debits, credits and other financial activity related to interactive gaming.

Interactive gaming account agreement—An agreement entered into between an interactive gaming certificateholder and a registered player which governs the terms and conditions of the registered player's interactive gaming account and the use of the Internet for purposes of placing wagers on authorized interactive games operated by an interactive gaming certificateholder or interactive gaming operator.

Interactive gaming agreement—An agreement entered into by or between an interactive gaming certificateholder and an interactive gaming operator related to the offering or operation of interactive gaming or an interactive gaming system by the interactive gaming operator on behalf of the interactive gaming certificateholder. The term includes an interactive gaming agreement entered into between an interactive gaming certificateholder and an interactive gaming operator for the conduct of interactive gaming through the use of multiuse computing devices at a qualified airport in accordance with sections 13B01—13B63 of the act.

Interactive gaming certificate—The authorization issued to a slot machine licensee by the Board authorizing the operation and conduct of interactive gaming by a slot machine licensee in accordance with sections 13B01—13B63 of the act.

Interactive gaming certificateholder—A slot machine licensee that has been granted authorization by the Board to operate interactive gaming in accordance with sections 13B01—13B63 of the act.

Interactive gaming device—The hardware, software and other technology, equipment or device of any kind as determined by the Board to be necessary for the conduct of authorized interactive games.

Interactive gaming license—A license issued to an interactive gaming operator by the Board under sections 13B01—13B63 of the act.

Interactive gaming manufacturer—

(i) A person who manufactures, builds, rebuilds, fabricates, assembles, produces, programs, designs or otherwise makes modifications to an authorized interactive games for use or play of authorized interactive games in this Commonwealth for gaming purposes.

(ii) The term includes operators of live gaming studios.

(iii) The term does not include a person who manufactures, builds, rebuilds, fabricates, assembles, produces, programs, designs or otherwise makes modifications to multiuse computing devices used in connection with the conduct of interactive gaming at a qualified airport.

Interactive gaming manufacturer license—A license issued by the Board authorizing a manufacturer to manufacture or produce interactive gaming devices or associated equipment for use in this Commonwealth for gaming purposes. The term includes the operators of live gaming studios.

Interactive gaming operator—A person licensed by the Board to operate interactive gaming or an interactive gaming system, through the provision of an interactive gaming platform, on behalf of an interactive gaming certificateholder. The term includes a person that has received conditional authorization under section 13B14 of the act (relating to interactive gaming operators) for as long as the authorization is effective.

Interactive gaming platform—The combination of hardware and software or other technology designed and used to manage, conduct and record interactive games and the

wagers associated with interactive games, as approved by the Board. The term includes emerging or new technology deployed to advance the conduct and operation of interactive gaming, as approved through regulation by the Board.

Interactive gaming reciprocal agreement—An agreement negotiated by the Board and approved by the Governor on behalf of the Commonwealth with the regulatory agency of one or more states or jurisdictions where interactive gaming is legally authorized which will permit the conduct of interactive gaming between interactive gaming certificateholders in this Commonwealth and gaming entities in the states or jurisdictions that are parties to the agreement.

Interactive gaming restricted area—A room or area, as approved by the Board, used by an interactive gaming certificateholder or interactive gaming operator to manage, control and operate interactive gaming, including, when approved by the Board, redundancy facilities and remote gaming server locations.

Interactive gaming service provider—A person that is not required to be licensed as a manufacturer, supplier, management company, gaming junket enterprise or a gaming service provider under this part who:

(i) Provides goods or services to an interactive gaming certificateholder or interactive gaming operator for the operation of interactive gaming.

(ii) Is determined to be an interactive service provider by the Board.

Interactive gaming skin or skins—The portal to an interactive gaming platform or interactive gaming web site through which authorized interactive games are made available by an interactive gaming certificateholder or interactive gaming operator to registered players in this Commonwealth or registered players in any other state or jurisdiction which has entered into an interactive gaming reciprocal agreement.

Interactive gaming supplier—

(i) A person who sells, leases, offers or otherwise provides, distributes or services an interactive gaming device or associated equipment for use or play of interactive games in this Commonwealth.

(ii) The term includes a person that sells, leases, offers or otherwise provides, distributes or services multiuse computing devices approved by the Board.

(iii) The term does not include the seller of a device that does not contain or operate interactive gaming software or systems or that has not been configured as a multiuse computing device at the time it is sold.

Interactive gaming supplier license—A license issued by the Board authorizing a supplier to provide products or services related to interactive gaming devices, including multiuse computing device or associated equipment, to interactive gaming certificateholders or interactive gaming operators for use in this Commonwealth for gaming purposes.

Interactive gaming system—The hardware, software and communications that comprise a type of server-based gaming system for the purpose of offering authorized interactive games.

Interactive gaming web site—The interactive gaming skin or skins through which an interactive gaming certificateholder or interactive gaming operator makes authorized interactive games available for play.

Key employee—

(i) All of the following:

(A) An individual who is employed in a director or department head capacity and who is empowered to make discretionary decisions that regulate interactive gaming operations, including the director of interactive gaming, director of interactive gaming system programs or other similar job classifications associated with interactive gaming.

(B) Persons who manage, control or administer interactive gaming or the bets and wagers associated with authorized interactive games.

(C) An employee who is not otherwise designated as a gaming employee and who supervises the operations of the interactive gaming department or to whom the interactive gaming department directors or interactive gaming department heads report and other positions not otherwise designated or defined under this part which the Board will determine based on detailed analyses of job descriptions as provided in the internal controls of the licensee as approved by the Board.

(ii) All other gaming employees unless otherwise designated by the Board shall be classified as nonkey employees.

Licensed facility—

(i) The physical land-based location at which a licensed gaming entity is authorized to place and operate slot machines and, if authorized by the Board under sections 13A01—13A63 of the act (relating to table games), to conduct table games and, if authorized under sections 13B01—13B63 of the act, to conduct interactive gaming.

(ii) The term includes any of the following:

(A) An area of a licensed racetrack at which a slot machine licensee was previously authorized under section 1207(17) of the act (relating to regulatory authority of board) to operate slot machines prior to January 6, 2018.

(B) A Board-approved interim facility or temporary facility.

(C) An area of a hotel which the Board determines is suitable to conduct table games.

(D) An area of a licensed facility where casino simulcasting is conducted, as approved by the Board.

(iii) The term does not include a redundancy facility or an interactive gaming restricted area which is not located on the premises of a licensed facility as approved by the Board and which is maintained and operated by an interactive gaming certificateholder or interactive gaming operator in connection with interactive gaming or casino simulcasting. A license to conduct live thoroughbred or harness horse race meetings respectively with parimutuel wagering from the State Horse Racing Commission under 3 Pa.C.S. §§ 9301—9374 (relating to race horse industry reform).

*Live gaming studio—*A physical location that utilizes live video streaming technology to provide live casino games to a player’s interactive gaming device or multiuse computing device that permits the player to participate in live streamed casino games, interact with gaming studio dealers and interact with fellow players.

*Multiuse computing device—*A computing device, including a tablet computer, that:

(i) Is located and accessible to eligible passengers only in an airport gaming area.

(ii) Allows an eligible passenger to play an authorized interactive game.

(iii) Communicates with a server that is in a location approved by the Board.

(iv) Is approved by the Board.

(v) Has the capability of being linked to and monitored by the Department’s central control computer system, as applicable for any particular interactive game, in accordance with section 1323 of the act (relating to central control computer system).

(vi) Offers a player additional functions which includes Internet browsing, the capability of checking flight status, and ordering food or beverages.

*Multistate agreement—*The written agreement, approved by the Governor, between the Board and regulatory agencies in other states or jurisdictions for the operation of an interactive multistate wide-area progressive system.

*Multistate wide-area progressive system—*The linking of interactive games offered by interactive gaming certificateholders or interactive gaming operators in this Commonwealth with interactive games located in one or more states or jurisdictions whose regulatory agencies have entered into written agreements with the Board for the operation of the system.

*Net terminal revenue—*The net amount of the gross terminal revenue less the tax and assessments imposed by sections 1402, 1403, 1405 and 1407 of the act.

*Non-peer-to-peer interactive game—*An authorized interactive game in which the player does not compete against players and which is not a peer-to-peer interactive game.

*Peer-to-peer interactive game—*An authorized interactive game which is nonbanking, in which a player competes against one or more players and in which the interactive gaming certificateholder collects a rake.

*Player—*An individual wagering cash, a cash equivalent or other thing of value in the play or operation of an authorized interactive game, including during a contest or tournament, the play or operation of which may deliver or entitle the individual playing or operating the authorized interactive game to receive cash, a cash equivalent or other thing of value from another player or an interactive gaming certificateholder or interactive gaming operator.

*Prepaid access instrument—*A card, code, electronic serial number, mobile identification number, personal identification number or similar device that:

(i) Allows patron access to funds that have been paid in advance and can be retrieved or transferred through the use of the device.

(ii) Qualifies as an access device for purposes of regulations issued by the Board of Governors of the Federal Reserve System under 12 CFR Part 205 (relating to electronic fund transfers (Regulation E)).

(iii) Shall be distributed by a slot machine licensee or its affiliates to be considered a cash equivalent at the slot machine licensee’s licensed facility or the location of the slot machine licensee’s affiliates.

(iv) Shall be used in conjunction with an approved cashless wagering system or electronic credit system to transfer funds for gaming purposes.

*Progressive payout—*An interactive game wager payout that increases in a monetary amount based on the

amounts wagered in a progressive system, including a multistate wide-area progressive interactive game system.

Progressive system—A computerized system linking interactive games offered by interactive gaming certificateholders or interactive gaming operators in this Commonwealth and offering one or more common progressive payouts based on the amounts wagered. The term includes a multistate wide-area progressive system.

Qualified airport—A publicly owned commercial service airport.

Qualified gaming entity—A gaming entity licensed in a jurisdiction that has satisfied the requirements of this subpart and any other criteria established by the Board, including financial and character suitability requirements.

Redundancy facilities—Rooms or areas used by an interactive gaming certificateholder, an interactive gaming operator, or other licensed or authorized entity associated with the provision of interactive gaming for emergency backup, redundancy or secondary operations attendant to interactive gaming as approved by the Board.

Registered player—An individual who has entered into an interactive gaming account agreement with an interactive gaming certificateholder.

State gaming receipts—Revenues and receipts required under this subpart to be paid into the State Gaming Fund, the Pennsylvania Race Horse Development Trust Fund and the Pennsylvania Gaming Economic Development and Tourism Fund, and all rights, existing on January 6, 2018, or coming into existence later, to receive revenues and receipts.

§ 801.3. Certificate or license required.

The Board will initiate formal procedures for the acceptance, consideration and final adjudication of petitions and applications by setting filing requirements and deadlines for interactive gaming certificates and interactive gaming operator licenses. The filing requirements and deadlines will be posted on the Board's public web site.

§ 801.4. Initial and renewal certificate and license fees.

Prior to the Board issuing an interactive gaming certificate or interactive gaming operator license or renewal thereof, the interactive gaming certificateholder or interactive gaming operator licensee shall pay the certificate or license fee.

CHAPTER 802. INTERACTIVE GAMING CERTIFICATES—TEMPORARY REGULATIONS

Sec.	
802.1.	Interactive gaming certificate requirements.
802.2.	Interactive gaming certificate petition and standards.
802.3.	Interactive gaming certificate term and renewal.

§ 802.1. Interactive gaming certificate requirements.

(a) A slot machine licensee seeking to offer interactive gaming in this Commonwealth may petition the Board for an interactive gaming certificate.

(b) Three categories of interactive gaming are authorized in this Commonwealth:

- (1) A peer-to-peer interactive game.
- (2) A non-peer-to-peer interactive game which simulates slot machines.

(3) A non-peer-to-peer interactive game which simulates table games.

(c) A slot machine licensee seeking to offer interactive gaming in this Commonwealth shall adhere to all of the following time and eligibility restrictions:

(1) No later than 90 days after the date the Board begins accepting petitions under this chapter, a slot machine licensee may file a petition with the Board for an interactive gaming certificate. If the Board approves a petition for an interactive gaming certificate under this paragraph, the Board will authorize the interactive gaming certificateholder to offer any category of interactive gaming.

(2) Between 90 days and 120 days or more after the date the Board begins accepting petitions under this chapter, a slot machine licensee may file a petition with the Board for an interactive gaming certificate. If the Board approves a petition for an interactive gaming certificate under this paragraph, the Board will authorize the interactive gaming certificateholder to offer only the categories of interactive gaming identified in the slot machine licensee's petition filed under this chapter.

(3) One hundred twenty days after the date the Board begins accepting petitions under this chapter, a qualified gaming entity may file a petition with the Board for an interactive gaming certificate. If the Board approves a petition for an interactive gaming certificate under this paragraph, the Board will authorize the interactive gaming certificateholder to offer only the categories of interactive gaming identified in the slot machine licensee's petition under this chapter.

(4) A qualified gaming entity which files a petition for an interactive gaming certificate under paragraph (3) will be considered a slot machine licensee for the purposes of this chapter.

(5) A slot machine licensee who becomes licensed after January 6, 2018, shall have 90 days from the date of licensure and the Board's opening of the petition process to submit a petition with the Board for an interactive gaming certificate. If the Board approves a petition for an interactive gaming certificate under this paragraph, the Board will authorize the interactive gaming certificateholder to offer any category of interactive gaming. After 90 days but before 120 days from the date of licensure and the Board's opening of the petition process, the slot machine licensee may file a petition with the Board for an interactive gaming certificate. If the Board approves a petition for an interactive gaming certificate under this paragraph, the Board will authorize the interactive gaming certificateholder to offer only the categories of interactive gaming identified in the slot machine licensee's petition filed under this chapter.

(d) An interactive gaming certificate issued under this subpart will list the categories of interactive games authorized under the interactive gaming certificate. An interactive gaming certificate which authorizes multiple categories of interactive games will count as an interactive gaming certificate in each category of interactive game authorized under this section.

§ 802.2. Interactive gaming certificate petition and standards.

(a) A petitioner for an interactive gaming certificate shall submit all of the following to the Board:

- (1) The name, business address and contact information of the slot machine licensee applying for an interactive gaming certificate.

(2) The name, business address and contact information of any affiliate or other person that will be a party to an agreement with the interactive gaming certificate petitioner related to the operation of interactive gaming or an interactive gaming system on behalf of the interactive gaming certificate petitioner, including a person applying for an interactive gaming operator license.

(3) The name, business address, job title and a photograph of each principal and key employee of the interactive gaming certificate petitioner who will be involved in the conduct of interactive gaming, whether or not the principal or key employee is currently licensed by the Board.

(4) The name, business address, job title and a photograph of each principal and key employee of the interactive gaming operator, if any, who will conduct interactive gaming or an interactive gaming system on behalf of the interactive gaming certificate petitioner, whether or not the principal or key employee is currently licensed by the Board.

(5) A statement identifying which categories of interactive games the interactive gaming certificate petitioner intends to offer:

- (i) Peer-to-peer interactive games.
- (ii) Non-peer-to-peer interactive games which simulate slot machines.
- (iii) Non-peer-to-peer interactive games which simulate table games.

(6) An itemized list of the interactive games, including identifying the category of each interactive game for which authorization is being sought.

(7) The estimated number of full-time and part-time employment positions that will be created as a result of interactive gaming and the jurisdictions in which the positions will be located, including positions at the interactive gaming certificate petitioner's licensed facility or at any interactive gaming restricted area if an interactive gaming certificate is issued, and an updated hiring plan under section 1510(a) of the act (relating to labor hiring preferences) which outlines the interactive gaming certificate petitioners plan to promote the representation of diverse groups and Commonwealth residents in the employment positions.

(8) A brief description of the economic benefits expected to be realized by the Commonwealth if an interactive gaming certificate is issued.

(9) The details of any financing obtained or that will be obtained to fund an expansion or modification of the interactive gaming certificate petitioners licensed facility to accommodate interactive gaming and to otherwise fund the cost of commencing interactive gaming.

(10) Information and documentation concerning financial background and resources, as the Board may require, to establish by clear and convincing evidence the financial stability, integrity and responsibility of the interactive gaming certificate petitioner, and information or documentation concerning any person that will operate interactive gaming or an interactive gaming system on behalf of the interactive gaming certificate petitioner as an interactive gaming operator, as the Board may require. The interactive gaming agreement with a person is subject to the review and approval of the Board.

(11) Information and documentation, as the Board may require, to establish by clear and convincing evidence that the interactive gaming certificate petitioner has sufficient

business ability and experience to conduct a successful interactive gaming operation. In making this determination, the Board may consider the results of the interactive gaming certificate petitioner's slot machine and table game operations, including financial information, employment data and capital investment.

(12) Information and documentation, as the Board may require, to establish by clear and convincing evidence that the interactive gaming certificate petitioner has or will have the financial ability to pay the interactive gaming authorization fee.

(13) Detailed site plans identifying the proposed interactive gaming restricted area where interactive gaming operations will be managed, administered or controlled as approved by the Board.

(14) A detailed description of all of the following:

(i) The interactive gaming certificate petitioner's initial system of internal and accounting controls applicable to interactive gaming.

(ii) The interactive gaming certificate petitioner's proposed standards to protect, with a reasonable degree of certainty, the privacy and security of its registered players.

(iii) How the interactive gaming certificate petitioner will facilitate compliance with the requirements in this chapter and section 802(a)(10)(b) of the Unlawful Internet Gambling Enforcement Act of 2006 (31 U.S.C.A. § 5362(10)(b)), including all of the following:

(A) Age, identity and location verification requirements.

(B) Appropriate data security standards to prevent unauthorized access by a person whose age, identity or location have not been verified or cannot be verified in accordance with this subpart and applicable regulations of the Board.

(C) Except as provided in sections 13B61—13B63 of the act (relating to miscellaneous provisions), the requirement that all wagers made in the conduct of interactive gaming be initiated and received or otherwise made exclusively in this Commonwealth.

(D) The interactive gaming certificate petitioner's proposed age, identity and location verification standards designed to block access to persons under 21 years of age and other persons excluded or prohibited from participating in interactive gaming under this chapter.

(E) The procedures the interactive gaming certificate petitioner will use to register individuals as registered players.

(F) The procedures the interactive gaming certificate petitioner will use to establish interactive gaming accounts for registered players.

(G) The interactive games and services the interactive gaming certificate petitioner proposes to offer to registered players.

(H) Documentation and information relating to known proposed contractors of the interactive gaming certificate petitioner and subcontractors of the contractors.

(15) The interactive gaming devices and associated equipment and interactive gaming system that the interactive gaming certificate petitioner plans to or will utilize to manage, administer or control its interactive gaming operations.

(16) Compliance certification of the interactive gaming certificate petitioner's proposed interactive gaming devices and associated equipment, including interactive gaming software and hardware, by a Board-approved gaming laboratory to ensure that the gaming software and hardware comply with this subpart and regulations of the Board.

(17) A detailed description of accounting systems, including accounting systems for all the following:

- (i) Interactive gaming accounts.
- (ii) Per hand charges, if applicable.
- (iii) Transparency and reporting to the Board and the Department.
- (iv) Distribution of revenue to the Commonwealth and winnings to registered players.
- (v) Ongoing auditing and internal control compliance reviews.

(18) Detailed information on security systems to protect the interactive gaming skins or interactive gaming web site from internal and external breaches and threats.

(19) Any other information the Board may require.

(b) In addition to the materials required under subsection (a), the petitioner for an interactive gaming certificate shall show, by clear and convincing evidence, all the following:

(1) The petitioner's proposed conduct of interactive gaming complies in all respects with the requirements of this subpart and the Board's regulations.

(2) Age, identity and location verification requirements designed to block access to individuals under 21 years of age and persons otherwise excluded or prohibited from engaging in interactive gaming in accordance with this subpart, as approved by the Board, have been implemented by the slot machine licensee.

(3) The petitioner has implemented or will implement appropriate data security standards to prevent unauthorized access by a person whose age, identity and location has not been verified or cannot be verified in accordance with the Board's regulations.

(4) The petitioner has implemented or will implement appropriate standards to protect the privacy and security of registered players with a reasonable degree of certainty.

(5) The petitioner's initial system of internal and accounting controls applicable to interactive gaming, and the security and integrity of all financial transactions in connection with the system, complies with this chapter and the Board's regulations.

(6) The petitioner is in good standing with the Board.

(7) The petitioner agrees that the number of slot machines and table games in operation at its licensed facility as of January 6, 2018, will not be reduced as a result of interactive gaming.

(c) In determining whether a petitioner is suitable to be issued an interactive gaming certificate under this subpart, the Board will consider all of the following:

(1) The financial fitness, good character, honesty, integrity and responsibility of the petitioner.

(2) If all principals of the petitioner are eligible and suitable under the standards in section 1311.1 of the act (relating to licensing of principals).

(3) The integrity of financial backers.

(4) The suitability of the petitioner and the principals of the petitioner based on the satisfactory results of all of the following:

(i) The background investigation of the principals.

(ii) A current tax clearance review performed by the Department.

(iii) A current Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review performed by the Department of Labor and Industry.

§ 802.3. Interactive gaming certificate term and renewal.

(a) An interactive gaming certificate and the renewal thereof is valid for 5 years from the date of approval of the petition by the Board.

(b) A renewal application for an interactive gaming certificate shall be filed at least 6 months prior to the expiration of the current certificate.

(c) An interactive gaming certificate for which a completed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board.

CHAPTER 803. INTERACTIVE GAMING OPERATORS—TEMPORARY REGULATIONS

Sec.

- 803.1. Interactive gaming operator requirements.
- 803.2. Interactive gaming operator application and standards.
- 803.3. Interactive gaming operator license term and renewal.

§ 803.1. Interactive gaming operator requirements.

(a) A person seeking to operate interactive gaming or an interactive gaming system on behalf of an interactive gaming certificateholder in this Commonwealth may apply with the Board for an interactive gaming operator license.

(b) The Board may issue conditional authorization to a person applying for an interactive gaming operator license until July 6, 2019.

(1) Conditional authorization issued under this subpart shall remain in effect until the earlier of the date occurring 12 months after the issuance of the authorization or the date upon which the Board makes a final determination on the person's application.

(i) The effectiveness of a conditional authorization may be extended by the Board not more than once, upon a showing of good cause.

(ii) Conditional authorization will allow an applicant for an interactive gaming operator license to engage in all of the functions of a licensed interactive gaming operator for the duration of the conditional authorization.

(2) A conditional authorization will not be issued unless:

(i) The applicant has submitted a complete application for an interactive gaming operator license to the Board.

(ii) The applicant agrees to pay or has paid the fee prescribed in section 13B51 of the act (relating to interactive gaming authorization fee) prior to the issuance of conditional authorization.

(iii) The Bureau has no objection to the issuance of a conditional authorization to the applicant.

§ 803.2. Interactive gaming operator application and standards.

An applicant for an interactive gaming operator license shall submit all of the following:

- (1) An original and one copy of the Interactive Gaming Operator Application and Disclosure Information Form unless otherwise directed by the Board.
- (2) The nonrefundable application fee posted on the Board's web site.
- (3) A diversity plan as set forth in section 1325(b) of the act (relating to license or permit issuance) and Chapter 481a (relating to diversity).
- (4) An application from every key employee under this chapter and principal under Chapter 433a (relating to principal licenses) as specified by the Interactive Gaming Operator Application and Disclosure Information Form.
- (5) A sworn or affirmed statement that the applicant has developed and implemented internal safeguards and policies to prevent a violation of section 1513 of the act (relating to political influence) and a copy of the safeguards and policies.

§ 803.3. Interactive gaming operator license term and renewal.

- (a) An interactive gaming operator license and the renewal thereof is valid for 5 years from the date of approval of the application by the Board.
- (b) A renewal application for an interactive gaming operator license shall be filed at least 6 months prior to the expiration of the current certificate.
- (c) An interactive gaming operator license for which a competed renewal application and fee has been received by the Board will continue in effect until acted upon by the Board, whichever occurs first.

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of the race horse and commercial gaming industry in this Commonwealth. See 4 Pa.C.S. § 13F01 (relating to legislative intent and purpose).

Explanation

Section 1001.1 (relating to definitions) provides the relevant definitions used throughout Chapter 1001 (relating to casino simulcasting—temporary regulations) for the conduct of casino simulcasting.

Section 1001.2 (relating to general requirements) establishes the general requirements a Category 2, 3 or 4 casino licensee shall fulfill to obtain a casino simulcasting permit including submitting an application for a casino simulcasting permit, and providing supplemental information as requested by the Board. Sections 1001.3 and 1001.4 (relating to preliminary application submission review; and application processing) provide for a preliminary review of the application and processing by Board staff. Section 1001.5 (relating to deficient and abandoned applications) deals with deficient and abandoned applications. Section 1001.6 (relating to application withdrawal) provides how an applicant withdraws an application from consideration.

Section 1001.7 (relating to casino simulcasting permit issuance and statement of conditions) establishes the criteria for the Board's issuance of a casino simulcasting permit upon a finding that the applicant fulfills each condition set by the Board and 4 Pa.C.S. Part II (relating to Pennsylvania Race Horse Development and Gaming Act), is found suitably consistent with the laws of the Commonwealth and is otherwise qualified to be issued the casino simulcasting permit.

Section 1001.8 (relating to license, registration or permitting of employees) provides for the licensing, registration or permitting of persons employed by the licensed gaming entity or licensed racing entity engaged directly in wagering-related activities at a simulcast facility.

Section 1001.9 (relating to casino simulcasting agreements) establishes a requirement that agreements between licensed gaming entities and licensed racing entities to facilitate casino simulcasting shall be approved by the Board and the State Horse Racing Commission (Commission), and prescribes requirements for each agreement which must be present for the agreement to be effective.

Sections 1001.10—1001.18 provide the requirements for a casino simulcasting facility, permissible hours of operation, mandate compliance with rules of the Commission, permissible areas of wagering and wagering prohibitions, forfeiture, signage requirements restricted areas, and transmissions and displays of live races.

Sections 1001.19 and 1001.20 (relating to casino simulcasting accounting controls and audit protocols; and casino simulcasting record retention) address casino simulcasting accounting controls and audit protocols as well as record retention. These latter provisions provide assurances of mechanisms to audit and assure proper payments of taxes, and fairness of wagering and patron dispute resolution.

Fiscal Impact

Commonwealth

The Board does not expect that this temporary rulemaking will have a fiscal impact on the Board or any other Commonwealth agency as review of request to approve petitions for simulcasting will be reviewed and approved by existing Board personnel. In addition, exiting

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CH. 1001]

Casino Simulcasting; Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13F07 (relating to temporary regulations), promulgates temporary regulations governing casino simulcasting to read as set forth in Annex A.

Purpose of this Temporary Rulemaking

This temporary rulemaking will provide Category 2, 3 and 4 casinos in this Commonwealth with the option to provide live simulcasting of horse racing and associated simulcast wagering as a gambling product in this Commonwealth.

This temporary rulemaking is necessary to implement 4 Pa.C.S. §§ 13F01—13F44 (relating to casino simulcasting). The intent of 4 Pa.C.S. §§ 13F01—13F44 is to give licensed gaming entities the authority to conduct casino simulcasting to expand horse racing opportunities through simulcasting and, thereby, enhance the viability

Commission staff will review, oversee and regulate the simulcasting wagering activity in accordance with Commission regulations.

Political subdivisions

This temporary rulemaking will not have fiscal impact on political subdivisions of this Commonwealth.

Private sector

This temporary rulemaking is not anticipated to impose a negative fiscal impact on the regulated entities. Providing casino simulcasting is not mandated by the Board. It is a business decision to be made by the regulated entities to provide the gaming option. If pursued, there will be some equipment costs for video monitors and wagering equipment to the regulated entities to develop the simulcasting area. In addition, casino entities may need to hire, train and license a limited number of staff in the conduct of simulcasting wagering. Costs incurred to hire, train and license employees or purchase/lease equipment should be offset by the proceeds of the simulcasting wagering on horse race simulcasting.

General public

This temporary rulemaking will not have fiscal impact on the general public.

Paperwork Requirements

A Category 2, 3 or 4 casino licensee that wishes to offer casino simulcasting at its facility will be required to file a petition with the Board providing information regarding the proposed simulcasting area and equipment, security and surveillance, as well as updated accounting and internal control protocols. In addition, applications for licensure for any individuals to conduct and oversee the simulcast wagering will be submitted to the Board, either in paper form or electronically.

Effective Date

This temporary rulemaking will become effective upon publication in the *Pennsylvania Bulletin* and expire 2 years after publication.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin*. Public comments should be sent to R. Douglas Sherman, Chief Counsel, Attention: Regulation # 125-208 Public Comment, Pennsylvania Gaming Control Board, P.O. Box 69060, Harrisburg, PA 17106-9060.

Contact Person

The contact person for questions about this temporary rulemaking is R. Douglas Sherman, Chief Counsel, (717) 346-8300.

Regulatory Review

Under 4 Pa.C.S. § 13F07, the Board is granted the authority to promulgate temporary regulations which expire not later than 2 years following publication in the *Pennsylvania Bulletin*. The temporary regulations are not subject to sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1205), known as the Commonwealth Documents Law, the Regulatory Review Act (71 P.S. §§ 745.1—745.14) and section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732-204(b)). Under 4 Pa.C.S. § 13F07, the authority to adopt temporary regulations expires 2 years after the publication of the

temporary regulations, after which regulations adopted by the Board shall be promulgated as provide by law.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13F07, these temporary regulations are exempt from the Regulatory Review Act, sections 201—205 of the Commonwealth Documents Law and section 204(b) of the Commonwealth Attorneys Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II.

Order

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

(1) The regulations of the Board, 58 Pa. Code, are amended by adding §§ 1001.1—1001.20 to read as set forth in Annex A.

(2) These temporary regulations will be posted on the Board's web site.

(3) These temporary regulations are subject to amendment as deemed necessary by the Board.

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

(5) These temporary regulations are effective upon publication in the *Pennsylvania Bulletin* and expire 2 years after publication.

DAVID M. BARASCH,
Chairperson

Fiscal Note: 125-208. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart M. CASINO SIMULCASTING

Chap.

1001. CASINO SIMULCASTING—TEMPORARY REGULATIONS

CHAPTER 1001. CASINO SIMULCASTING—TEMPORARY REGULATIONS

Sec.

- 1001.1. Definitions.
- 1001.2. General requirements.
- 1001.3. Preliminary application submission review.
- 1001.4. Application processing.
- 1001.5. Deficient and abandoned applications.
- 1001.6. Application withdrawal.
- 1001.7. Casino simulcasting permit issuance and statement of conditions.
- 1001.8. License, registration or permitting of employees.
- 1001.9. Casino simulcasting agreements.
- 1001.10. Simulcasting facilities.
- 1001.11. Hours of operation.
- 1001.12. Rules of Commission.
- 1001.13. Wagering limited to simulcasting facility.
- 1001.14. Prohibition of wagering.
- 1001.15. Forfeited winnings.
- 1001.16. Signage requirements.
- 1001.17. Restricted areas.
- 1001.18. Transmission and display of live races.
- 1001.19. Casino simulcasting accounting controls and audit protocols.
- 1001.20. Casino simulcasting record retention.

§ 1001.1. Definitions.

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

Casino simulcasting—The simultaneous transmission of live thoroughbred or harness horse race meetings from an in-State sending track, out-of-State sending track or a satellite facility, regardless of licensure status or whether the horse race meetings originate in this Commonwealth or any other state or jurisdiction, to a simulcasting facility in this Commonwealth by satellite devices, television cables, television lines or any other telecommunications technology for the purposes of conducting pari-mutuel wagering.

Casino simulcasting permit or simulcasting permit—A permit awarded by the Board under section 13F12 of the act (relating to casino simulcasting permit) which authorizes a licensed gaming entity to conduct casino simulcasting.

Casino simulcasting permit holder—A licensed gaming entity that holds a casino simulcasting permit issued by the Board in accordance with section 13F12 of the act.

Commission—The State Horse Racing Commission.

In-State sending track—A racetrack in this Commonwealth which is operated by a licensed racing entity and is permitted to conduct casino simulcasting.

Licensed gaming entity—A person who has been approved for and issued a Category 2 slot machine license, a Category 3 slot machine license or a Category 4 slot machine license in accordance with sections 1304, 1305, 1305.1 and 1325 of the act, and who holds a casino simulcasting permit.

Licensed racing entity—A legal entity that has obtained a license to conduct live thoroughbred or harness horse race meetings respectively with pari-mutuel wagering from the Commission under 3 Pa.C.S. §§ 9301—9374 (relating to race horse industry reform).

Out-of-State sending track—An interstate or international racetrack in a state or jurisdiction other than this Commonwealth which is equipped to conduct casino simulcasting and the operator of which is lawfully permitted to conduct horse race meetings and to provide simulcast horse races to slot machine licensees in this Commonwealth.

Pari-mutuel wagering—A form of wagering, including manual, electronic, computerized and other forms as approved by the Commission, on the outcome of a horse racing event in which all wagers are pooled and held by a licensed racing entity or secondary pari-mutuel wagering organization for distribution of the total amount, less the deductions authorized by law, to holders of winning tickets.

Simulcast horse race—A thoroughbred or harness horse race meeting conducted at a racetrack, whether within or outside this Commonwealth, which is simultaneously transmitted by an approved telecommunications technology to racetracks or simulcasting facilities in this Commonwealth in accordance with regulations of the Commission.

Simulcasting facility—An area of a licensed facility established and maintained by a licensed gaming entity for the conduct of casino simulcasting in accordance with this chapter, 3 Pa.C.S. §§ 9301—9374, and regulations of the Board and the Commission.

Totalisator—A computer system used to pool wagers, record sales, calculate payoffs and display wagering data on a display device that is located at a simulcasting facility.

§ 1001.2. General requirements.

(a) A casino simulcasting permit holder may conduct casino simulcasting in a simulcasting facility in accordance with the act and this chapter.

(b) An application for a casino simulcasting permit shall be submitted on forms or in an electronic format supplied or approved by the Board and contain all of the following information:

(1) The name, business address and contact information of the applicant.

(2) The name, location of the applicant's licensed facility.

(3) The name, business address, job title and a photograph of each principal and key employee of the applicant who will be involved in the conduct of casino simulcasting who is not currently licensed by the Board or the Commission, if known.

(4) The estimated number of full-time and part-time employment positions that will be created at the licensed facility if casino simulcasting is authorized and an updated hiring plan under section 1510(a) of the act (relating to labor hiring preferences) which outlines the applicant's plan to promote the representation of diverse groups and Commonwealth residents in the employment positions.

(5) A brief description of the economic benefits expected to be realized by the Commonwealth, the Department of Agriculture and the race horse industry in this Commonwealth if casino simulcasting is authorized at the applicant's licensed facility.

(6) The details of any financing, if applicable, obtained or that will be obtained to fund an expansion or modification of the licensed facility to accommodate casino simulcasting or construct a simulcasting facility or to otherwise fund the cost of commencing casino simulcasting operations.

(7) Information and documentation concerning financial background and resources, as the Board may require, to establish by clear and convincing evidence the financial stability, integrity and responsibility of the applicant.

(8) A copy of or a detailed description of the terms and conditions of any agreement the licensed gaming entity has entered into or will enter into with a licensed racing entity to facilitate the conduct of casino simulcasting.

(9) A detailed description of any financial arrangements between a licensed gaming entity and a licensed racing entity related to the conduct of casino simulcasting.

(10) Detailed site and architectural plans of the proposed simulcasting facility within the applicant's licensed facility.

(11) A statement demonstrating compliance with the Interstate Horse Racing Act of 1978 (15 U.S.C.A. §§ 3001—3007).

(12) Any other information as the Board may require.

(c) Upon request of the Board or Board staff, the applicant shall cooperate and provide supplemental information in support of its application. The applicant shall provide requested documents, records, supporting data and other information within the time period specified in the request or, if no time is specified, within 30 days of the date of the request. If the applicant fails to provide the requested information within the required time period in the request, the Board may deny the application.

(d) The application, and amendments thereto, and other specific documents designated by the Board shall be sworn to or affirmed by the applicant before a notary public which shall be filed promptly with the Board.

(e) An application and related materials that have been submitted to the Board will become the property of the Board and will not be returned to the applicant.

§ 1001.3. Preliminary application submission review.

(a) Upon receipt, an application will be reviewed to ensure that it contains all of the following:

(1) The applicable application forms and additional information and accompanying documentation required by the act or the Board.

(2) Completed authorization forms, if required, for release of information from governmental agencies and other entities.

(b) If an applicant fails to include any required information, the applicant will be notified and given an opportunity to cure the deficiency.

§ 1001.4. Application processing.

(a) Upon a determination that the prerequisites for filing have been met, the application will be accepted for filing and Board staff, if applicable, will:

(1) Obtain information as may be necessary to determine the qualifications of the applicant and any matter relating to the application.

(2) Promptly conduct an investigation of the applicant and on any matter relating to the application.

(3) Request the Department to promptly conduct a tax clearance review.

(4) Request the Department of Labor and Industry to perform an Unemployment Compensation Tax clearance review and a Workers Compensation Tax clearance review.

(5) Request any agencies, entities or persons to provide information to the Board as deemed necessary by the Board.

(b) An application submitted under this subpart and information obtained by Board staff relating to the application will be part of the evidentiary record to be utilized by the Board when deciding to approve, condition, issue or deny a casino simulcasting permit.

§ 1001.5. Deficient and abandoned applications.

(a) If an application is found to be deficient, Board staff will notify the applicant of the deficiencies in the application and provide an opportunity for the applicant to cure the deficiencies within a specified time period.

(b) Failure to provide the information necessary to cure the deficiencies required under subsection (a) may result in the denial of the application or in the application being declared abandoned. The Bureau of Licensing may recommend to the Board that an application is abandoned. An applicant whose application has been declared abandoned may file a new application at any time.

(c) When an application is denied or declared abandoned under subsection (b), the applicant will be given written notice of this action.

§ 1001.6. Application withdrawal.

A request for withdrawal of an application may be made at any time prior to the Board taking action by notarized letter sent to the Office of Hearings and Appeals.

§ 1001.7. Casino simulcasting permit issuance and statement of conditions.

(a) *Issuance criteria.* In addition to the criteria in the act, the Board will not issue a casino simulcasting permit unless all of the following criteria have been established by the applicant:

(1) The applicant has fulfilled each condition set by the Board or in the act, including the execution of a statement of conditions.

(2) The applicant is found suitable consistent with the laws of the Commonwealth and is otherwise qualified to be issued a casino simulcasting permit.

(b) *Statement of conditions.*

(1) The applicant, as a condition precedent to the issuance of a casino simulcasting permit, shall execute a Statement of Conditions in the manner and form required by the Board. Execution of the Statement of Conditions constitutes the acceptance of each provision in the Statement of Conditions by the applicant. The execution of the Statement of Conditions constitutes the acceptance of each provision in the Statement of Conditions by the applicant.

(2) Failure to fully comply with any provision in an executed Statement of Conditions constitutes a violation and may result in Board-imposed administrative sanctions, up to and including revocation, against a casino simulcasting permit holder.

§ 1001.8. License, registration or permitting of employees.

(a) Except as provided for under section 13F15 of the act (relating to key employees and occupation permits), individuals engaged directly in wagering-related activities at a simulcasting facility, whether employed by the licensed gaming entity or licensed racing entity and all other employees of the licensed gaming entity or licensed racing entity who work or will work in the simulcasting facility, shall be licensed, registered or permitted by the Board in accordance with §§ 433a.8, 435a.2, 435a.3 and 435a.5.

(b) A principal, key employee or gaming employee may obtain an emergency credential or a temporary credential under §§ 435a.7 and 435a.8 (relating to emergency credentials; and temporary credentials).

§ 1001.9. Casino simulcasting agreements.

(a) An agreement between a licensed gaming entity and a licensed racing entity to facilitate casino simulcasting shall be filed with an application for a casino simulcasting permit and shall be approved by the Board and separately by the Commission. An agreement is not effective until approved by the Board and the Commission.

(b) An agreement must include all of the following:

(1) The percentage of the money wagered each racing day at the simulcasting facility and remaining in the wagering pools after the required distributions under 3 Pa.C.S. § 9335 (relating to pari-mutuel pool distribution) that will be paid to the licensed gaming entity. The amount retained by the licensed gaming entity may not exceed 25% of the money retained by the licensed racing entity under 3 Pa.C.S. § 9335.

(2) The times during which a licensed gaming entity may conduct casino simulcasting.

(3) A provision that provides the grounds and mechanisms for modifying or terminating the contract upon approval by the Board and the Commission.

(4) Provisions that contain a mechanism to resolve patron disputes and disputes between the licensed gaming entity and the licensed racing entity.

(5) Design, implementation and amendment of the system of internal controls required under section 13F11 of the act (relating to application for permit and requirements) and this chapter including the financial reporting requirements.

(6) Hiring, terminating, training and promoting of employees and the employment practices attendant thereto.

(7) The payment of local, State and Federal taxes, and slot machine license deposits required under the act and this chapter and any penalties imposed by the Board for violations thereof.

(8) Obtaining and maintaining insurance coverage, including coverage of public liability and property loss or damage.

(9) Selection of the casino simulcasting permit holder's independent auditor which may be the same as independent auditor employed by the licensed gaming entity.

§ 1001.10. Simulcasting facilities.

(a) A licensed gaming entity approved for and issued a casino simulcasting permit to operate casino simulcasting shall establish a simulcasting facility as part of its licensed facility.

(b) A simulcasting facility may be adjacent to, but may not be a part of, a room or location in which slot machines or table gaming are operated or conducted in.

(c) The space or area required for the establishment of a simulcasting facility may not be used to decrease the number of slot machines or table games in operations at the licensed facility or to reduce the space approved by the Board for the operation of slot machines and the conduct of table games.

(d) A casino simulcasting permit holder shall establish and maintain a simulcasting facility of sufficient square footage to promote:

- (1) Efficient operation of the facility.
- (2) Viewing of simulcast horse races by patrons in a manner which is not obtrusive to the conduct of gaming within the licensed facility.
- (3) Security of the simulcasting facility shall include the installation and maintenance of security and surveillance equipment, including closed circuit television equipment, according to specifications approved by the Board. The Board shall have direct access to the system or its signal.

§ 1001.11. Hours of operation.

The times during which a licensed gaming entity may conduct casino simulcasting shall be the same as the times authorized for the conduct of casino simulcasting by Category 1 slot machine licensees as set forth in the casino simulcasting agreement.

§ 1001.12. Rules of Commission.

Except as otherwise provided in the act or this chapter, the standards and rules of racing, simulcasting and the conduct of pari-mutuel wagering in simulcasting facilities are subject to 3 Pa.C.S. §§ 9301—9374 (relating to race horse industry reform), regulations of the Commission

promulgated under 3 Pa.C.S. (relating to Agriculture Code), and the Interstate Horse Racing Act of 1978 (15 U.S.C.A. §§ 3001—3007).

§ 1001.13. Wagering limited to simulcasting facility.

Wagering on simulcast horse races within the premises of a licensed facility shall be conducted only in a simulcasting facility. Simulcast horse races may be shown in other areas of the licensed facility as approved by the Board, in consultation with the Commission.

§ 1001.14. Prohibition of wagering.

A casino simulcasting permit holder shall establish procedures:

(1) To prohibit an individual under 21 years of age from entering a simulcasting facility at a licensed facility except that an individual 18 years of age or older who is employed by a slot machine licensee, a gaming service provider, the Board, or other regulatory or emergency response agency may enter and remain in that area while engaged in the performance of the individual's employment duties.

(2) To train employees and establish policies to:

(i) Identify and remove individuals who are less than 21 years of age and not otherwise authorized to be in the simulcasting facility.

(ii) Immediately notify a casino compliance representative at the licensed facility and the Pennsylvania State Police at a time an individual less than 21 years of age is discovered in the simulcasting facility.

(iii) Refuse wagers from an individual less than 21 years of age.

(iv) Deny check cashing privileges, extensions of credit, complementary goods and services, and other similar privileges and benefits to an individual less than 21 years of age.

(v) Ensure that individuals less than 21 years of age do not receive, either from the casino simulcasting permit holder or an agent thereof, targeted mailing, telemarketing promotions or other promotional materials relating to casino simulcasting activity as provided for under sections 13F01—13F44 of the act (relating to casino simulcasting).

§ 1001.15. Forfeited winnings.

(a) An individual under 21 years of age may not collect in any manner or in any proceeding, whether personally or through an agent, winnings or recover losses arising as a result of any casino simulcasting activity.

(b) Winnings incurred by an individual under 21 years of age shall be remitted to the Board to support compulsive and problem gambling programs of the Board. For the purposes of this section, winnings issued to, found on or about, or redeemed by an individual under 21 years of age shall be presumed to constitute winnings and be subject to remittance to the Board.

§ 1001.16. Signage requirements.

(a) A casino simulcasting permit holder shall post signs that include a statement providing the following:

(1) "It is unlawful for any individual under 21 years of age to enter or remain in a simulcasting facility. Individuals violating this prohibition will be removed and may be subject to arrest and criminal prosecution."

(2) "If you or someone you know has a gambling problem, help is available. Call (1-800-GAMBLER)."

(b) The signs shall be prominently posted at each entrance and exit of the simulcasting facility.

§ 1001.17. Restricted areas.

(a) A casino simulcasting permit holder who wishes to conduct casino simulcasting shall, unless otherwise approved by the Board, in consultation with the Commission, establish and maintain restricted areas, which are not accessible to the general public, including all of the following:

(1) A satellite cage in its simulcasting facility utilized for conducting pari-mutuel wagering and the counting and recording of assets.

(2) Designated areas for the placement and operation of all of the following:

(i) A totalisator system used to pool wagers, records sales, calculate payoffs and display wagering data on a display device.

(ii) Audio/video equipment utilized to receive and transmit simulcast signals.

(b) A casino simulcasting permit holder shall develop and submit to the Board, as part of the submission required under § 1001.19 (relating to casino simulcasting accounting controls and audit protocols), procedures for safeguarding and limiting access to the totalisator system and audio/video equipment utilized to transmit simulcast signals.

§ 1001.18. Transmission and display of live races.

(a) Video display monitors shall be installed in approved areas of a licensed facility to deliver simulcast horse race meetings to patrons on video walls and other innovative video display technology.

(b) A casino simulcasting permit holder shall offer all of the following to patrons at a simulcasting facility:

(1) Audio and video coverage of every race upon which patrons of the simulcasting facility are permitted to wager.

(2) Video coverage of race-related information for every race upon which patrons of the simulcasting facility are permitted to wager.

(c) A simulcasting facility shall be equipped with a system permitting the reception of transmissions of races and race-related information without interference or interception.

(d) All simulcast signals shall be encoded, and a casino simulcasting permit holder may not send the signals anywhere other than the licensed facility authorized in the act or this chapter.

(e) A casino simulcasting permit holder shall develop and implement a security system to protect the equipment being used to receive transmissions of races and race-related information from tampering.

(f) If the reception of the video coverage of a race is interrupted, the audio coverage of the race must continue to be presented.

(g) If the reception of the audio coverage of the race is interrupted, the video coverage of the race must continue to be displayed.

(h) If the reception of the audio and video coverage of a race is interrupted during the running of the race, wagering being conducted on future races at the simulcasting facility shall cease until the transmissions are restored. If the interruption of audio or video coverage, or

both, prevents the display of a race at the simulcasting facility, a replay of the interrupted race must be displayed at the simulcasting facility as soon after the restoration as possible.

(i) At least 30 minutes prior to the commencement of wagering at the simulcasting facility, a test of the equipment used to receive and display races and race-related information at the simulcasting facility shall be conducted to ensure that the system is operating properly.

(j) A licensed racing entity which operates interstate or international simulcasting of horse race meetings in this Commonwealth shall have discretion to transmit all or some of the live races conducted at the racetrack to the licensed facility of a licensed gaming entity which has established a simulcasting facility. A race which is transmitted from an in-State sending track may be transmitted to all licensed gaming entities which have established simulcasting facilities.

(k) A licensed gaming entity which establishes a simulcasting facility and conducts casino simulcasting shall, as a condition of continued operation of casino simulcasting, receive all live races which are transmitted by in-State sending tracks.

(l) Casino simulcasting shall be limited to the transmission and display of thoroughbred horse racing and standardbred harness racing permitted under 3 Pa.C.S. §§ 9301—9374 (relating to race horse industry reform).

(m) The Board and the Commission shall have access to the simulcast system or its signal.

§ 1001.19. Casino simulcasting accounting controls and audit protocols.

(a) At least 90 days before the commencement of casino simulcasting, a casino simulcasting permit holder shall submit to the Board for approval all internal control systems and audit protocols for the casino simulcasting permit holder's casino simulcasting operations.

(b) A casino simulcasting permit holder's internal controls and audit protocols shall:

(1) Provide for reliable records, accounts and reports of any financial event that occurs in the conduct of casino simulcasting, including reports to the Board and the Commission related to casino simulcasting.

(2) Provide for accurate and reliable financial records related to the conduct of casino simulcasting and the pari-mutuel system of wagering.

(3) Establish procedures and security for the counting, recording and storage of money generated from the conduct of casino simulcasting.

(4) Establish procedures and security standards for the maintenance of telecommunications equipment and video display technology used in connection with the conduct of casino simulcasting.

(5) Establish procedures and rules to govern the conduct of casino simulcasting and the responsibility of employees related to casino simulcasting.

(6) Establish procedures for the collection, recording and deposit of revenue from the conduct of casino simulcasting, including the roles of the Commission, the Department, licensed racing entities and licensed gaming entities in the collection and recording of the revenue.

(7) Establish reporting procedures and records required to ensure that all money generated from casino simulcasting is accounted for and winners' names, when required

under applicable Federal or State law, are filed with the appropriate taxing authorities.

(8) Ensure that the system of pari-mutuel wagering used in the conduct of casino simulcasting is in accordance with 3 Pa.C.S. §§ 9301—9374 (relating to race horse industry reform) and regulations of the Commission promulgated under 3 Pa.C.S. (relating to Agriculture Code).

(9) Ensure, in consultation with the Commission, the proper and timely accounting for and retention of percentages for pari-mutuel pools and the proper and timely distribution of money in any pari-mutuel pool generated from casino simulcasting.

(10) Ensure that all functions, duties and responsibilities related to casino simulcasting are appropriately segregated and performed in accordance with sound financial practices by qualified employees.

(11) Permit use of its simulcasting facility by the Board, the Bureau, the Commission and other persons authorized by the Board and the Commission to facilitate their ability to perform regulatory and oversight functions.

(c) The submission required under subsection (a) must include a detailed description of the casino simulcasting permit holders administrative and accounting procedures related to casino simulcasting, including its written system of internal controls. Each written system of internal controls must include all of the following:

(1) An organizational chart depicting appropriate functions and responsibilities of employees involved in casino simulcasting.

(2) A description of the duties and responsibilities of each position shown on the organizational chart.

(3) The record retention policy of the casino simulcasting permit holder.

(4) The procedure to be utilized to ensure that money generated from the conduct of casino simulcasting is safeguarded, including mandatory counting and recording procedures.

(5) Other items the Board, in consultation with the Commission, may request in writing to be included in the internal controls.

(6) A statement signed by the casino simulcasting permit holder's chief financial officer or other competent person attesting that the signatory believes, in good faith, that the system satisfies the requirements of the act and this section.

(d) Prior to authorizing a casino simulcasting permit holder to commence the conduct of casino simulcasting, the Board, in consultation with the Commission, will review the system of internal controls submitted under subsection (c) to determine whether it conforms to the requirements of this subchapter and whether it provides adequate and effective controls for the conduct of casino simulcasting.

(e) The submission of internal control systems and audit protocols under subsection (a) must also be accompanied by a report from an independent registered public accounting firm licensed to practice in this Commonwealth. The report should express an opinion as to the effectiveness of the design of the submitted system of internal controls over financial reporting and should further express an opinion as to whether the submitted system of internal controls materially deviates from the requirements of applicable laws and regulations, includ-

ing sections 13F01—13F44 of the act (relating to casino simulcasting), this chapter, 3 Pa.C.S. §§ 9301—9374 (relating to race horse industry reform), regulations of the Commission promulgated under 3 Pa.C.S. (relating to Agriculture Code), and the Interstate Horse Racing Act of 1978 (15 U.S.C.A. §§ 3001—3007).

(f) If a casino simulcasting permit holder intends to make a change or amendment to its system of internal controls, it shall submit the change or amendment electronically to the Bureau of Gaming Operations, in a manner prescribed by the Bureau of Gaming Operations. The casino simulcasting permit holder may implement the change or amendment on the 30th calendar day following the filing of a complete submission unless the casino simulcasting permit holder receives written notice tolling the change or amendment in accordance with subsection (g) or written notice from the Board's Executive Director rejecting the change or amendment.

(g) If during the 30-day review period in subsection (f), the Bureau of Gaming Operations, in consultation with the Commission, preliminarily determines that a procedure in a submission contains an insufficiency likely to negatively affect the integrity of casino simulcasting or the control of revenue generated from pari-mutuel wagering, the Bureau of Gaming Operations, by written notice to casino simulcasting permit holder, will:

(1) Specify the nature of the insufficiency and, when possible, an acceptable alternative procedure.

(2) Direct that the 30-calendar-day review period in subsection (f) be tolled and that any internal controls at issue not be implemented until approved under subsection (i).

(h) Examples of submissions that may contain an insufficiency likely to negatively affect the integrity of casino simulcasting and the pari-mutuel system of wagering include the following:

(1) Submissions that fail to provide information sufficient to permit the review of casino simulcasting or the reconstruction of pari-mutuel wagering handle and pari-mutuel wagering pool distributions.

(2) Submissions that fail to provide for the segregation of incompatible functions so that no employee is in a position to both commit an error or perpetrate a fraud and to conceal the error or fraud in the normal course of the employee's duties.

(3) Submissions that do not include forms or other materials referenced in the submission or required under the act or this chapter.

(4) Submissions that would implement operations or accounting procedures not authorized by the act or this subpart.

(5) Submissions that are dependent upon the use of equipment or related devices or software not approved by the Board or the Commission, unless the submissions are required as part of an authorized test of the equipment or related device or software.

(i) Whenever a change or amendment has been tolled under subsection (g), the casino simulcasting permit holder may submit a revised change or amendment within 30 days of receipt of the written notice from the Bureau of Gaming Operations. The casino simulcasting permit holder may implement the revised change or amendment upon receipt of written notice of approval from the Board's Executive Director, in consultation with the Commission, or on the 30th calendar day following

the filing of the revision unless the casino simulcasting permit holder receives written notice tolling the change or amendment in accordance with subsection (g) or written notice from the Board's Executive Director, in consultation with the Commission, rejecting the change or amendment.

§ 1001.20. Casino simulcasting record retention.

(a) For the purposes of this section, "books, records and documents" means any book, record or document pertaining to, prepared in or generated by the operation of the licensed facility including all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence and personnel records.

(b) As a condition of continued operation, a casino simulcasting permit holder shall agree to maintain all books, records and documents pertaining to casino simulcasting in a manner and location in this Commonwealth as approved by the Board, in consultation with the Commission. All books, records and documents shall:

(1) Be organized in a manner to clearly depict by separate records the total amount of money contributed to every pari-mutuel pool in accordance with the applicable provisions of 3 Pa.C.S. §§ 9301—9374 (relating to race horse industry reform) and any regulation promulgated under 3 Pa.C.S. §§ 9301—9374.

(2) Be segregated by separate accounts within the licensed gaming entity's books, records and documents, except for any books, records and documents that are common to slot machine operations, table game operations and casino simulcasting, as determined by the Board, in consultation with the Commission.

(3) Be immediately available for inspection upon request of the Board, the Commission, the Bureau, the Department, the Pennsylvania State Police or the Attorney General, or agents thereof, during all hours of operation of the casino simulcasting permit holder's simulcasting facility.

(4) Prepared and maintained in a complete, accurate and legible form. Electronic data must be stored in a format that ensures readability, regardless of whether the technology or software that created or maintained it has become obsolete.

(5) Retained in a secure location in the licensed facility that is equipped with a fire suppression system or at another location approved under subsection (d).

(6) Organized and indexed in a manner to provide immediate accessibility to the Board, the Commission, the Bureau, the Department, the Pennsylvania State Police or the Attorney General, or agents thereof.

(7) Destroyed only after expiration of the minimum retention period specified in subsection (c), except that the Board may, in consultation with the Commission,

upon the written request of a casino simulcasting permit holder and for good cause shown, permit the destruction at an earlier date.

(c) Original books, records and documents shall be retained by a casino simulcasting permit holder for a minimum of 5 years.

(d) A casino simulcasting permit holder may request, in writing, that the Board's Executive Director, in consultation with the Commission, approve a location outside the licensed facility to store original books, records and documents. The request must include all of the following:

(1) A detailed description of the proposed location, including security and fire suppression systems.

(2) The procedures under which of the Board, the Commission, the Bureau, the Department, the Pennsylvania State Police or the Attorney General, or agents thereof, shall be able to gain access to the original books, records and documents retained at the location outside the licensed facility.

(e) A casino simulcasting permit holder may request, in writing, that the Board's Executive Director, in consultation with the Commission, approve the electronic copying and storage of original books, records and documents. The request must include representations regarding all of the following:

(1) The processing, preservation and maintenance methods which will be employed to insure that the books, records and documents are available in a format which makes them readily available for review and copying.

(2) The inspection and quality control methods which will be employed to insure that the electronic books, records and documents exhibit a high degree of legibility and readability when displayed electronically or reproduced on paper.

(3) The availability of a computer and printer for use by the Board, the Commission, the Bureau, the Department, the Pennsylvania State Police or the Attorney General, or agents thereof, at the licensed facility or other location approved by the Board, in consultation with the Commission, and the readiness with which the books, records or documents being stored electronically can be located, read and reproduced.

(4) The availability of a detailed index of all information maintained electronically and arranged in a manner to permit the immediate location of any particular book, record or document.

(f) Nothing herein shall be construed as relieving a casino simulcasting permit holder from meeting any obligation to prepare or maintain any book, record or document required by any Federal, State or local government body, authority or agency.

[Pa.B. Doc. No. 18-8. Filed for public inspection January 5, 2018, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Aging

The Executive Board approved a reorganization of the Department of Aging effective December 19, 2017.

The organization chart at 48 Pa.B. 38 (January 6, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 18-9. Filed for public inspection January 5, 2018, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Transportation

The Executive Board approved a reorganization of the Department of Transportation effective December 19, 2017.

The organization chart at 48 Pa.B. 40 (January 6, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 18-11. Filed for public inspection January 5, 2018, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Community and Economic Development

The Executive Board approved a reorganization of the Department of Community and Economic Development effective December 19, 2017.

The organization chart at 48 Pa.B. 39 (January 6, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 18-10. Filed for public inspection January 5, 2018, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

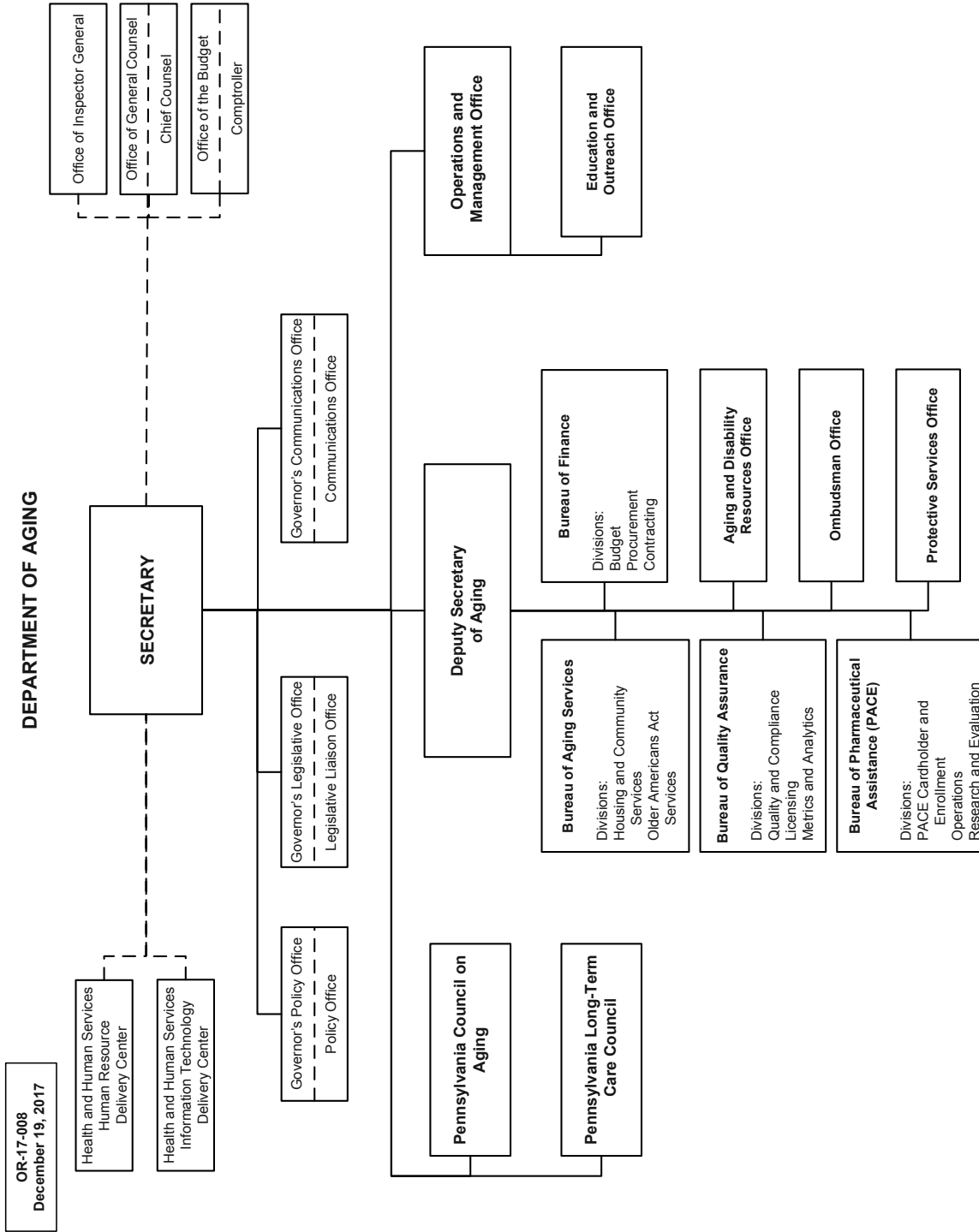
Reorganization of the Pennsylvania State Police

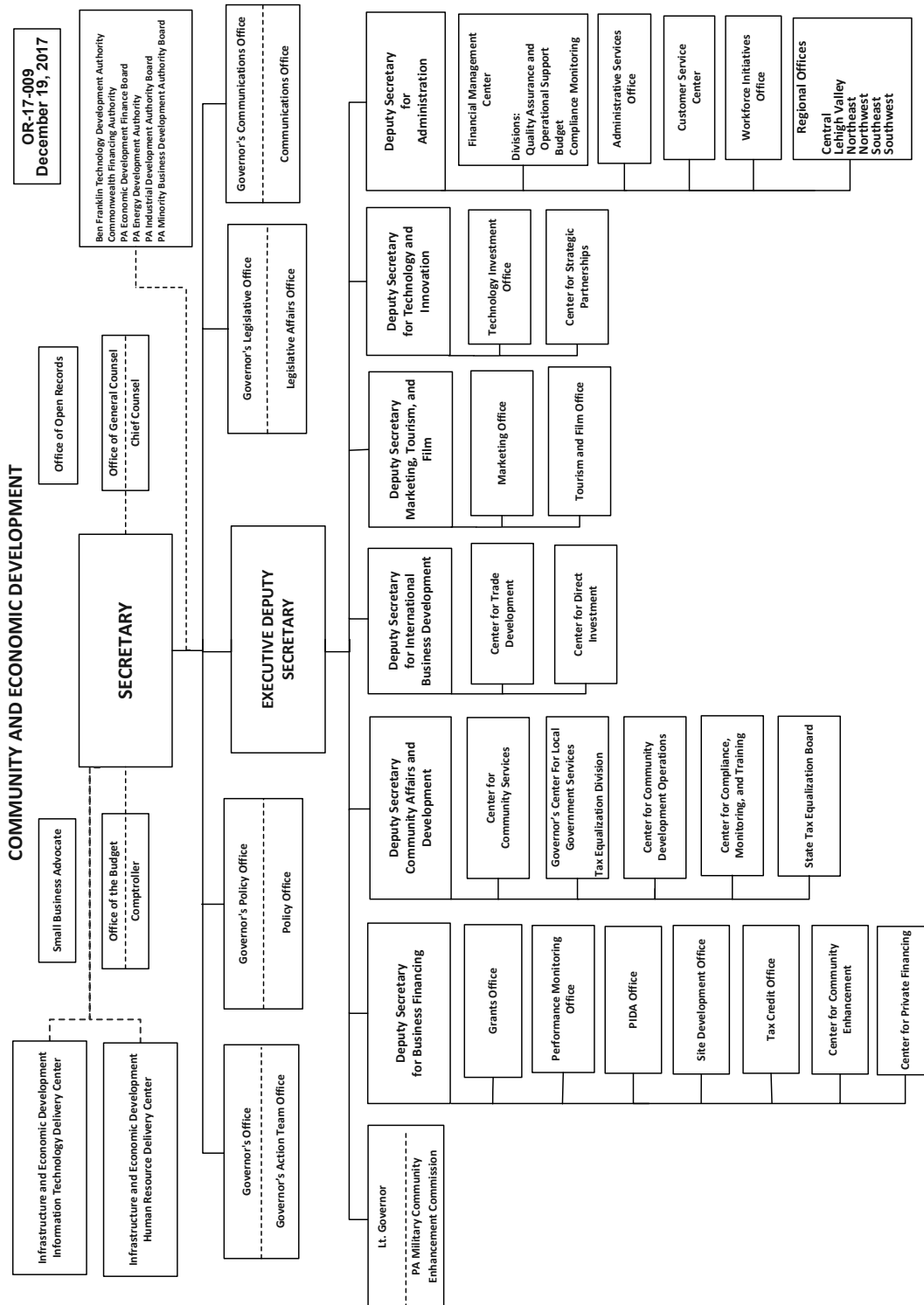
The Executive Board approved a reorganization of the Pennsylvania State Police effective December 19, 2017.

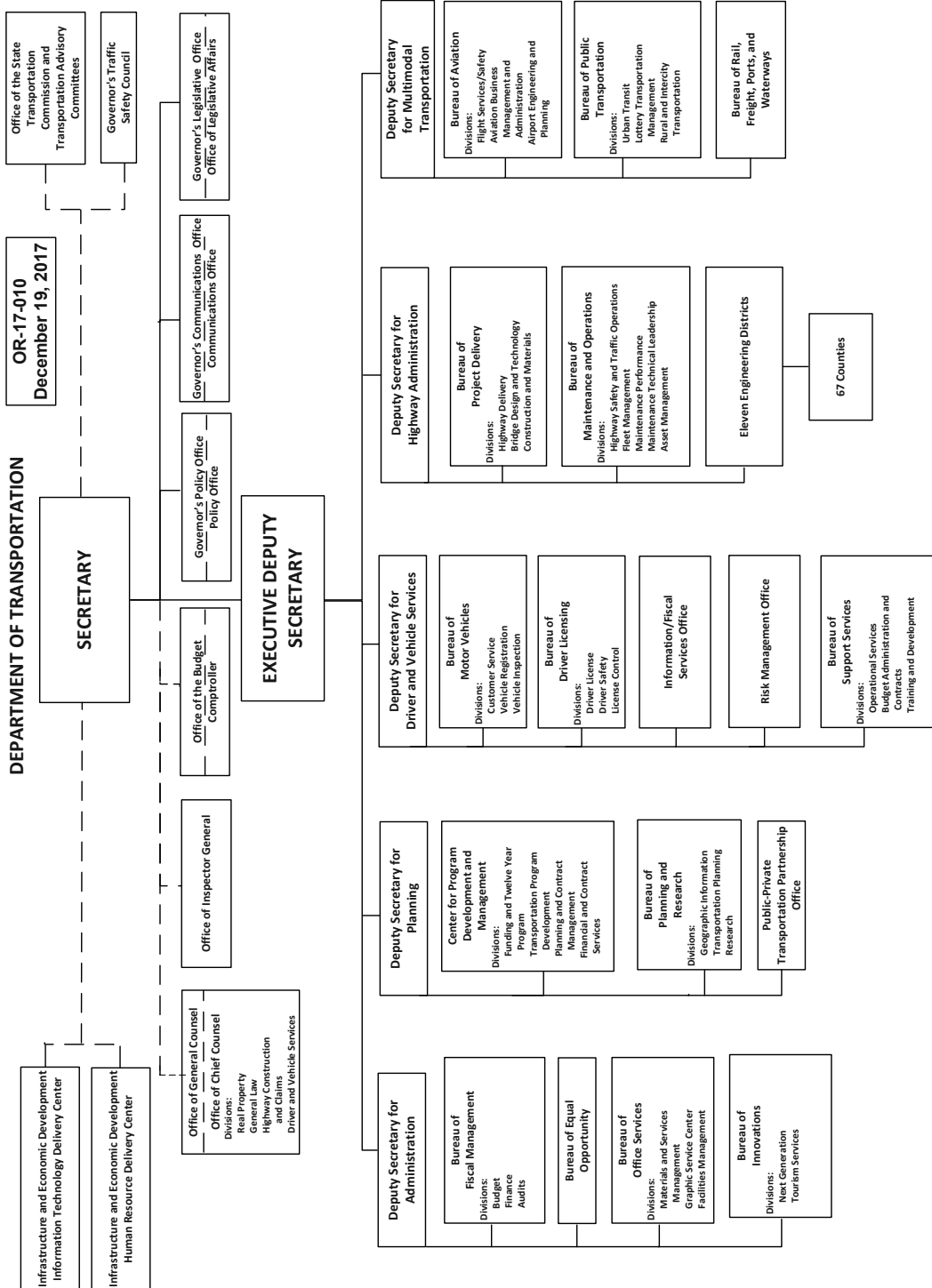
The organization chart at 48 Pa.B. 41 (January 6, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

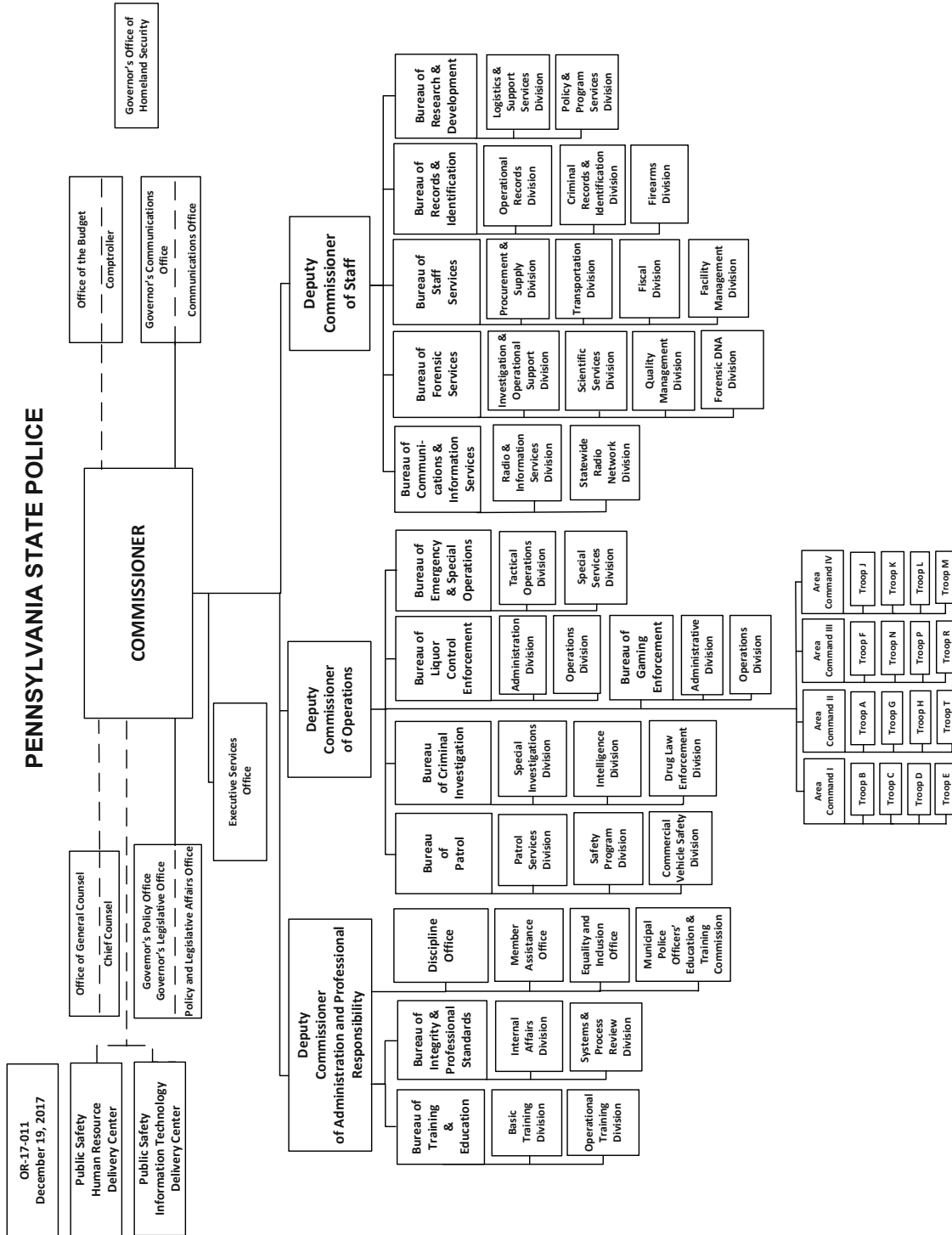
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 18-12. Filed for public inspection January 5, 2018, 9:00 a.m.]









NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending December 26, 2017.

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

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-23-2017	From: The First National Bank of Lilly Lilly Cambria County To: First Bank of Lilly Lilly Cambria County Application for approval to convert from a National bank to a Pennsylvania State-chartered savings bank.	Effective

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-11-2017	First Citizens Community Bank Mansfield Tioga County Application for approval to purchase assets and assume liabilities of one branch of S&T Bank, Indiana, located at: 141 West Beaver Avenue State College Centre County	Effective

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-15-2017	Asian Bank Philadelphia Philadelphia County	6509 Castor Avenue Philadelphia Philadelphia County	Opened
12-21-2017	First Northern Bank and Trust Co. Palmerton Carbon County	114 North Harford Street Milford Pike County	Withdrawn

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
12-20-2017	Sageworth Trust Company Lancaster Lancaster County Amendment to Article II of the institution's Articles of Incorporation provides for change in principal place of business from 160 North Point Boulevard, Lancaster, Lancaster County, PA 17601 to 1861 Santa Barbara Drive, Lancaster, Lancaster County, PA 17601.	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-13. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**Revisions to Schedule of Prices for State Parks***A. Summary and Background*

Under section 314 of the Conservation and Natural Resources Act (71 P.S. § 1340.314) and 17 Pa. Code § 11.224 (relating to prices), the Department of Conservation and Natural Resources (Department), Bureau of State Parks (Bureau), will revise its price schedule for State Park activities, uses and privileges effective January 1, 2018. The new schedule, which is in section D, includes revisions to the schedule to add an equestrian campsite fee range, updates to the multifamily overnight unit fees, clarifications of additional charges to base campsite prices and weekly discount language.

The new schedule includes an increase in the range for multifamily overnight units to allow for implementation of fees at the Penn Scenic property at Laurel Hill State Park. This is only applicable to structures and not campsites.

Due to the implementation of new equestrian sites at Promised Land State Park, the schedule includes a range to allow for market based pricing for this facility type.

The new price schedule is comparable to those of state parks in neighboring states, and is needed to increase revenue to the Bureau. In addition to offsetting inflation, the new price schedule narrows the gap between State Parks and private facilities, resulting in a more favorable competitive climate for the private sector.

The Bureau will be eliminating the specialty pricing for S.B. Elliott State Park Rustic Cabins on the effective date of this notice. The aforementioned facilities were recently upgraded, elevating the site amenities to match those at all other rustic cabins Statewide. The rustic cabins will now be charged the published standardized Statewide rate.

Finally, the Bureau is updating the language regarding the add-on fee portion to alter the premium classification. Premium add-on will be for weekends as defined by the site type and special events. The holiday fee will be a stand-alone add-on fee. This amendment clarifies that both fees may be charged (that is, Memorial Day Weekend Friday would have the premium and the holiday fee add-on fee).

In addition to new ranges and an add-on fee adjustment, the Bureau is making adjustments to their cancellation policy and discounts. These modifications follow:

- The Bureau will eliminate the weekly senior/ADA discount and allow for the standard \$4.50 reduction to occur on all 7 days.
- The Bureau's current cancellation/change policy states "If you cancel six days or less prior to the arrival date, you will forfeit the first night's fee or \$75, whichever is the lesser amount." The Bureau will eliminate the section of the policy which states ". . .or \$75 whichever is the lesser amount." The new language for this section will read "If you cancel six days or less prior to the arrival date, you will forfeit the first night's fee." A current reservation cancellation policy can be found at <http://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx>.

The Bureau will also update the current discount language from "Weekly Discount (per 7 days)" to "Weekly Discount (per 7 days/same campsite)." As designed the software can only provide a discount while on the same site for 7 days. This clarifies that the weekly discount cannot be applied to multiple reservations if a patron elects to change sites or book two different sites.

For comparison purposes, the current price schedule can be found on the State Parks web site at <http://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx>. It can also be obtained by calling State Parks Reservations and Information at (888) PA-PARKS. When the new price schedule becomes effective, it will be posted on the previously listed State Parks web site.

B. Contact Person

Any questions may be directed to Ryan Dysinger, Assistant Director, Bureau of State Parks, Rachel Carson State Office Building, P.O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640, rdysinger@pa.gov. Persons with a disability may use the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users).

C. Effective Date

The effective date of the new price schedule is January 26, 2018.

D. Price Schedule

<i>Facility Type Unit</i>	<i>Unit</i>	<i>Resident</i>	<i>Nonresident</i>
<i>Multifamily Overnight Unit Peak Rate</i>			
Multifamily Overnight Unit	Friday or Saturday night, per night	\$280—\$1,300	\$311.32—\$1,600
Multifamily Overnight Unit	Sunday through Thursday nights, per night	\$249.06—\$1,100	\$280.19—\$1,400
Multifamily Overnight Unit	Weekly rate	\$1,338.68—\$5,300	\$1,463.21—\$5,600
<i>Multifamily Overnight Unit Non-Peak Rate</i>			
Multifamily Overnight Unit	Friday or Saturday night, per night	\$247.17—\$1,200	\$284.91—\$1,500
Multifamily Overnight Unit	Sunday through Thursday nights, per night	\$194.84—\$1,000	\$256.60—\$1,300
Multifamily Overnight Unit	Weekly rate	\$1,216.04—\$5,100	\$1,463.21—\$5,200
<i>Additional Charges to Base Campsite Price</i>			
Premium—Friday, Saturday, Events	Per night	\$4	\$4
Holiday	Per night on a holiday weekend and holiday day	\$4	\$4
<i>Miscellaneous Camping Prices</i>			
Camping Equestrian Site	Per reservation/registration	\$19—\$29	\$24—\$34
<i>Discounts to Campsites</i>			
Weekly Discount (per 7 days/same campsite)	Per week	\$15	\$17

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 18-14. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0092037 (Sewage)	Covenant Mobile Park LLC 1 Vandercastel Road Sterling, VA 20165-5622	Westmoreland County Unity Township	Little Crabtree Creek (18-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0221619 (Sewage)	Otto Township STP PO Box 213 Duke Center, PA 16729-0213	McKean County Otto Township	Knapp Creek (16-C)	Yes

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

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

PA0234117, Sewage, SIC Code 4952, **West Branch Regional Authority**, PO Box 428, Muncy, PA 17756-0428. Facility Name: West Branch Regional Authority WWTP. This existing facility is located in Clinton Township, **Lycoming 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), West Branch Susquehanna River, is located in State Water Plan watershed 10-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.4 MGD.—Limits.

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	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	500	800 Wkly Avg	XXX	25.0	40.0 Wkly Avg	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	600	900	XXX	30.0	45.0	XXX
		Wkly Avg			Wkly Avg	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	XXX	XXX	XXX	Report	XXX	XXX
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Chromium, Hexavalent	XXX	Report	XXX	XXX	Report	XXX
Copper, Total (µg/L)	1.29	2.58	XXX	64.60	129.20	161.5
Cyanide, Free	XXX	Report	XXX	XXX	Report	XXX
3,3-Dichlorobenzidine (µg/L)	XXX	Report	XXX	XXX	Report	XXX
2,3,7,8-Tetrachlorodibenzo-p-dioxin (µg/L)	XXX	Report	XXX	XXX	Report	XXX

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

<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>	
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Effluent Net	XXX	42,508	XXX	XXX	XXX	XXX
		Total Annual				
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Effluent Net	XXX	5,728	XXX	XXX	XXX	XXX
		Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

The EPA Waiver is not in effect.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.

PA0244970, Storm Water, SIC Code 2821, **DSM Biomedical Inc.**, 735 Pennsylvania Drive, Exton, PA 19341. Facility Name: DSM Biomedical Inc—Sierra Drive.

This proposed facility is located at 260 Sierra Drive, Upper Uwchlan Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Marsh Creek, is located in State Water Plan watershed 3-H and is classified for Migratory Fishes and High Quality Waters—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 storm event.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Authorized Discharges
- Best Management Practices
- Routine Inspections
- PPC Plans
- Stormwater Monitoring Requirements
- Obtain Necessary Property Rights
- Proper Sludge Disposal

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

The EPA Waiver is in effect.

Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

NPDES Permit No. PA0275948, Storm Water, SIC Code 2655, **Mauser USA LLC**, 7 McFadden Road, Easton, PA 18045.

This proposed facility is located in Palmer Township, **Northampton County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

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

PA0265489, Sewage, SIC Code 8800, **Willis Duell**, 874 Route 44, Shinglehouse, PA 16748-3632. Facility Name: Willis Duell SRSTP. This proposed facility is located in Ceres Township, **McKean County**.

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

The receiving stream(s), Unnamed Tributary to Oswayo Creek, is located in State Water Plan watershed 16-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average	Maximum	
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 3617407 Sewerage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster PA 17603-4007.

This proposed facility is located in West Hempfield Township, **Lancaster County**.

Description of Proposed Action/Activity: New.

WQM Permit No. 0605408, Sewerage, **Bear Creek Management Co. LLC**, 1650 Old Gallows Road, Suite 600, Vienna, VA 22182.

This proposed facility is located in Longswamp Township, **Berks County**.

Description of Proposed Action/Activity: Amendment.

WQM Permit No. 2217403, Sewerage, **Lower Paxton Township Authority**, 425 Prince Street, Harrisburg, PA 17112.

This proposed facility is located in Lower Township, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of Nyes Road Interceptor for PennDOT's SR 2019 Nye's Road and Devonshire Heights Road Intersection Improvements.

WQM Permit No. 2895401, Amendment No. 1, Sewerage, **Letterkenny Township Municipal Authority**, 4824 Orrstown Road, Orrstown, PA 17244.

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

Description of Proposed Action/Activity: Seeking permit approval for modifications to the minor activated sludge wastewater treatment facility.

WQM Permit No. 0517401, Sewerage, **Daniel & Ida Harris**, 5178 Cortland Road, New Paris, PA 15554.

This proposed facility is located in Lincoln Township, **Bedford County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow treatment facility to serve their single family residence located at 1061 Lovely Road, Alum Bank.

WQM Permit No. 3617408, Sewerage, **Weaverland Valley Authority**, 4610 Division Highway, East Earl, PA 17519.

This proposed facility is located in Lincoln Township, **Bedford County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new sewage treatment plant and the removal of the Terre Hill STP.

WQM Permit No. 3417201, CAFO, **Reinford Farms, Inc.**, 505 Cedar Grove Road, Mifflintown, PA 17059.

This proposed facility is located in Walker Township, **Juniata County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a manure storage pit.

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

WQM Permit No. 4217408, Sewage, **Tonya Gebauer**, PO Box 74, Eldred, PA 16731.

This proposed facility is located in Otto Township, **McKean County**.

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

WQM Permit No. 6217201, **Lindell Farms LLC**, 5207 Route 957, Russell, PA 16345-2045.

This proposed facility is located in Farmington Township, **Warren County**.

Description of Proposed Action/Activity: Construction of an HDPE lined manure storage and farmstead BMP's, and related appurtenances.

WQM Permit No. 2517201, Industrial, **AAAG-Pennsylvania LLC**, 12141 Route 6, Corry, PA 16407.

This proposed facility is located in Concord Township, **Erie County**.

Description of Proposed Action/Activity: Installation of new drainage tank with grit chamber for existing car wash facility.

WQM Permit No. 1612402 A-1, Sewage, **PA American Water Co.**, 425 Waterworks Road, Clarion, PA 16214-2343.

This existing facility is located in Monroe Township, **Clarion County**.

Description of Proposed Action/Activity: Improvements to wastewater treatment plant solids handling.

WQM Permit No. 1690402 A-3, Sewage, **PA American Water Co.**, 425 Waterworks Road, Clarion, PA 16214.

This existing facility is located in Paint Township, **Clarion County**.

Description of Proposed Action/Activity: Paint-Elk wastewater treatment facility improvements.

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150052	The Vanguard Group/ Horatio Realty Trust 400 Devon Park Drive Wayne, PA 19087	Chester	East Whiteland Township	Little Valley Creek EV
PAD230017	AG-RW Edgmont Owner, LLC 25A Hanover Road Suite 310 Florham Park, NJ 07932	Delaware	Edgmont Township	Ridley Creek Plumsock Run HQ-TSF

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

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390051	Lower Macungie Township 3400 Brookside Rd. Macungie, PA 18062	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF)

Northampton County Conservation District, 14 Gracedale Ave.—Greystone Building 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>
PAD480039	George Strucko, Crafted Landscape Corp Faith Ann Piatt, Crafted Landscape Corp 3230 Richmond Rd Easton, PA 18040	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)
PAD480046	Taras Zawarski, Nic Zawarski and Sons Developers, Inc. 1441 Linden St Bethlehem, PA 18018	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)

Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450036	Mount Airy # 1, LLC 312 Woodland Road Mount Pocono, PA 18344-9703	Monroe	Paradise Township	Forest Hill Run (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>
PAD210017	Ridge Penn Commerce Partners I, LLC 3340 Peachtree Road Atlanta, GA 30326	Cumberland	Penn Township	West Branch Mount Rock Spring Creek (WWF, MF) Yellow Breeches Creek (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3574.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140024	RSE, Inc. 223 Paradise Road Bellefonte, PA 16823	Centre	Benner Twp	Spring Creek HQ-CWF

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

PAG-12 CAFOs

CAFO Notices of Intent Received.

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

NPDES Permit No. PAG124864, CAFO, Country View Family Farms, LLC—Pine Hill Farm, 1301 Fulling Mill Road, Suite 3000, Middletown, PA 17057-5990.

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

Description of size and scope of proposed operation/activity: The facility is comprised of approximately 19,200 nursery swine, 5,050 sows, 750 sows with litter, 2,000 gilts, and 12 boars. There is a total of 3,263.90 AEUs. The liquid manure is handled in shallow pits, underbarn manure storages, and lined earthen manure storage structures.

The receiving stream, Beckwith Creek and Mill Creek, is in watershed 4-B and 4-A and classified for: Cold Water Fishes, Migratory Fishes, and Trout Stocking.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

NPDES Permit No. PAG124865, CAFO, Irwin S. Martin, 231 Brosius Hill Road, Mt Pleasant Mills, PA 17853-8433.

This proposed facility is located in Perry Township, **Snyder County**.

Description of size and scope of proposed operation/activity: The facility is comprised of approximately 28,000 turkeys, 50 beef cows, and 8 goats. There is a total of 556.20 AEUs. The turkey manure is dry stacked two existing barns. Two additional barns are proposed along with a roofed mortality composting facility.

The receiving stream, Unnamed Tributary of North Branch Mahantango Creek, is in watershed 6-C and classified for: Cold Water Fishes and Migratory Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

MS4 PAG-13 Notices of Intent Received.

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG132285	McAdoo Borough 23 N. Hancock Street McAdoo, PA 18237-1517	McAdoo Borough, Schuylkill County	N	Y
PAG132322	Hazle Township P.O. Box 506 Harleigh, PA 18225	Hazle Township, Luzerne County	N	Y
PAG132320	Port Clinton Borough P.O. Box 246 Port Clinton, PA 19549	Port Clinton Borough, Schuylkill County	Y	N
PAG132297	Pringle Borough 89 Evans Street Pringle, PA 18704	Pringle Borough, Luzerne County	N	Y
PAG132272	Wilkes-Barre City 40 East Market Street Wilkes-Barre, PA 18711	Wilkes-Barre City, Luzerne County	N	Y

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG132219	Wilkes-Barre Township 150 Watson Street Wilkes-Barre Twp., PA 18702	Wilkes-Barre Township, Luzerne County	N	Y
PAG132220	Plymouth Borough 162 W. Shawnee Avenue Plymouth, PA 18651	Plymouth Borough, Luzerne County	N	Y
PAG132217	Edwardsville Borough 470 Main Street Edwardsville, PA 18704	Edwardsville Borough, Luzerne County	N	Y
PAG132224	Ashley Borough 149 Cemetery Street Ashley, PA 18706	Ashley Borough, Luzerne County	N	Y
PAI132275	Pittston Township 421 Broad Street Pittston Township, PA 18640	Pittston Township, Luzerne County	N	Y
PAG132251	West Wyoming Borough 464 W. 8th Street West Wyoming, PA 18644	West Wyoming Borough, Luzerne County	N	Y
PAG132245	Wyoming Borough 277 Wyoming Avenue Wyoming, PA 18644	Wyoming Borough, Luzerne County	N	Y
PAG132266	Yatesville Borough 33 Pittston Avenue Yatesville, PA 18640	Yatesville Borough, Luzerne County	N	Y
PAG132221	Pittston City 35 Broad Street Pittston, PA 18640	Pittston City, Luzerne County	N	Y
PAG132265	West Pittston Borough 555 Exeter Avenue West Pittston, PA 18643	West Pittston Borough, Luzerne County	N	Y
PAG132229	Jenkins Township 46 1/2 Main Street Jenkins Township, PA 18640	Jenkins Township, Luzerne County	N	Y
PAG132277	Hughestown Borough 42 Center Street Hughestown, PA 18640	Hughestown Borough, Luzerne County	N	Y
PAG132243	Exeter Borough 1101 Wyoming Avenue Exeter, PA 18643	Exeter Borough, Luzerne County	N	Y
PAG132206	Duryea Borough 315 Main Street Duryea, PA 18642	Duryea Borough, Luzerne County	N	Y
PAG132225	Forty Fort Borough 1271 Wyoming Avenue Forty Fort, PA 18704-2215	Forty Fort Borough, Luzerne County	N	Y
PAG132223	Sugar Notch Borough 742 Main Street Sugar Notch, PA 18706	Sugar Notch Borough, Luzerne County	N	Y
PAG132207	Clarks Summit Borough 304 S. State Street Clarks Summit, PA 18411-1543	Clarks Summit Borough, Lackawanna County	N	Y
PAG132205	Taylor Borough 122 Union Street Taylor, PA 18617	Taylor Borough, Lackawanna County	N	Y
PAG132212	Slatington Borough 125 S. Walnut Street Slatington, PA 18080	Slatington Borough, Lehigh County	N	N

NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG132316	Glenburn Township P.O. Box 694 Dalton, PA 18414	Glenburn Township, Lackawanna County	Y	Y
PAG132298	Glendon Borough 24 Franklin Street Glendon, PA 18042	Glendon Borough, Northampton County	Y	N
PAG132255	Lower Mount Bethel Township P.O. Box 257 Martins Creek, PA 18063	Lower Mount Bethel Township, Northampton County	Y	N
PAG132303	Upper Mount Bethel Township 387 Ye Olde Highway Mount Bethel, PA 18343	Upper Mount Bethel Township, Northampton County	Y	N
PAG132317	Washington Township 7951 Center Street Emerald, PA 18080	Washington Township, Lehigh County	N	Y
PAG132213	Coopersburg Borough 5 N. Main Street Coopersburg, PA 18036	Coopersburg Borough, Lehigh County	N	Y
PAG132237	Northampton Borough 1401 Laubach Avenue Northampton, PA 18067	Northampton Borough, Northampton County	N	Y
PAG132263	Pen Argyl Borough 11 North Robinson Avenue Pen Argyl, PA 18072	Pen Argyl Borough, Northampton County	Y	Y
PAG132242	Swoyersville Borough 675 Main Street Swoyersville, PA 18704	Swoyersville Borough Luzerne County	N	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133600	Elizabeth Township Lancaster County 423 Southview Drive Lititz, PA 17543	Elizabeth Township, Lancaster County	Y	N
PAG133519	Lower Alsace Township Berks County 1200 Carsonia Avenue Reading, PA 19606-1005	Lower Alsace Township, Berks County	N	N
PAG133637	Derry Township Dauphin County 670 Clearwater Road Hershey, PA 17033	Derry Township, Dauphin County	N	Y
PAG133632	East Hempfield Township Lancaster County 1700 Nissley Road Landisville, PA	East Hempfield Township, Lancaster County	N	Y
PAG133547	Londonderry Township Dauphin County 783 S Geyers Church Road Middletown, PA 17057	Londonderry Township, Dauphin County	N	Y
PAG133612	East Donegal Township Lancaster County 190 Rock Point Road Marietta, PA 17547	East Donegal Township, Lancaster County	N	Y
PAG133513	Mount Penn Borough Berks County Mount Penn Reading, PA 19606	Mount Penn Borough, Berks County	N	N

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133597	Blair Township Blair County 375 Cedarcrest Drive Duncansville, PA 16635-7467	Blair Township, Blair County	N	Y
PAG133536	West Hempfield Township Lancaster County 3401 Marietta Avenue Lancaster, PA 17601	West Hempfield Township, Lancaster County	N	Y

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136391	Redstone Township 225 Twin Hills Road Grindstone, PA 15442	Redstone Township, Fayette County	N	Y
PAG136121	Neville Township Allegheny County 5050 Grand Avenue Pittsburgh, PA 15225-1326	Neville Township, Allegheny County	N	N
PAG136109	North Charleroi Borough 555 Walnut Street North Charleroi, PA 15022-2358	North Charleroi Borough, Washington County	N	N
PAG136161	Robinson Township 1000 Church Hill Road Pittsburgh, PA 15205	Robinson Township, Allegheny County	N	Y
PAG136205	South Union Township 151 Township Drive Uniontown, PA 15401-6547	South Union Township, Fayette County	N	Y
PAG136400	Vandergrift Borough Westmoreland County 109 Grant Avenue Vandergrift, PA 15690	Vandergrift Borough, Westmoreland County	Yes	No
PAG136206	Amwell Township Washington County 885 Amity Ridge Road Amity, PA 15311-1326	Amwell Township, Washington County	Yes	No
PAG136201	North Braddock Borough 600 Anderson Street North Braddock, PA 15104	North Braddock Borough, Allegheny County	Y	N

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.

NPDES PUBLIC NOTICE

Application for National Pollutant Discharge Elimination System (NPDES) Permit to Discharge to State Waters

Southeast Regional Office: Regional Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone: 484.250.5970.

Application No. PA0262013, Concentrated Animal Feeding Operation (CAFO), **Kerwin M. King (King Duck Operation Manure Storage)**, 375 Forest Manor Road, Cochranville, PA 19330-9463.

Kerwin M. King has submitted an application for an Individual NPDES permit for a renewal of a CAFO known as Kerwin King Duck Operation, located in Upper Oxford Township, **Chester County**.

The CAFO is situated near Unnamed Tributary to East Branch Big Elk Creek in Watershed 7-K, which is classified for High Quality Waters—Trout Stocking Fishery. The CAFO is designed to maintain an animal population of approximately 137 animal equivalent units (AEUs) consisting of 15 Heifers and 38,000 Ducks. Manure is collected and stored in an on-site storage impoundment. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25 year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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 per-

mit. 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.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 1117516MA, Minor Amendment.

Applicant	Cresson Township Municipal Authority 730 Portage Road Cresson, PA 16630
[Township or Borough]	Gallitzin Township
Responsible Official	Veronica Harkins, Chairperson Cresson Township Municipal Authority 730 Portage Road Cresson, PA 16630
Type of Facility	Water system
Consulting Engineer	Tetra Tech, Inc. 661 Andersen Drive Pittsburgh, PA 15220
Application Received Date	December 19, 2017
Description of Action	Installation of 8-inch diameter waterline (Vampire Road waterline project).

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 06-1019C, Water Allocations. **Bern Township Municipal Authority (PWS ID No. 3060045), Berks County**. Bern Township Municipal Authority is requesting the right to purchase up to 517,000 gallons per day, based on a 30-day average, from the Reading Area Water Authority. Applicant Address: Reading Area Water Authority, Reading City Hall, 1801 Kutztown Road, Reading, PA 19604. Application Received: 6/8/2017.

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

WA-737A, Water Allocations—Returned. Croyle Township Water Authority, PO Box 249, Summerhill, PA 15958, **Cambria County**. The applicant is requesting the right to purchase 100,000 gallons of water per day, average annual, from the Highland Sewer and Water Authority.

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:

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Volo Group Cleanup I-80 at MM 217E, East Chillisquaque Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Volo Group, Inc., 1326 E. Algonquin Road, Apt. 3H, Schaumburg, IL 60173, has submitted a Notice of Intent to Remediate concerning remediation of site soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on November 14, 2017.

Sisters of Saint Cyril, Danville Borough, **Montour County**. Molesevich Environmental, LLC, P.O. Box 654, Lewisburg, PA 17837, on behalf of Sisters of Saint Cyril, 1002 Railroad Street, Danville, PA 17821 has submitted a Notice of Intent to Remediate concerning remediation of site soil contaminated with gasoline. The applicant proposes to remediate the site to meet the either the Statewide Health Standard or Site-Specific Standard for soil, and the Site-Specific Standard for groundwater. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on December 11, 2017.

Power & Construction Group SR 220 at MM 114S, Wayne Township, **Clinton County**. EnviroTrac, Ltd., 178 Thorn Hill Road, Warrendale, PA 15086, on behalf of Power & Construction Group, Inc., 96 West River Road, P.O. Box 30, Scottsdale, New York, 14546, has submitted a Notice of Intent to Remediate concerning remediation of site soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Lock Haven Express* on November 22, 2017.

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

Sheetz Store No. 136R, 105 North Erie Street, Borough of Mercer, **Mercer County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sheetz, Inc., 351 Sheetz Way, Claysburg, PA 16625, submitted a Notice of Intent to Remediate. Data from a post-excavation soil sample showed site soil to be impacted with Benzene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Statewide Health Standard has been selected for remediation. Future use of the property will be non-residential. The Notice of Intent to Remediate was published in *The Herald* and *The Allied News* on November 30, 2017.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an “integrated” plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to

make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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

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

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

09-0048E: H&K Materials/Chalfont Batch Asphalt Plant (300 Skunk Hollow Road, Chalfont, PA 19474) a plan approval for the modification of an existing VOC emission restriction of the Batch Asphalt Plant located in Hilltown Township, **Bucks County**. The VOC emission restriction is being modified as a result of a performance test conducted in June 2017 to re-establish the limit in the facility's State Only Operating Permit, 09-00048. This plan approval does not authorize any physical changes to the Batch Asphalt Plant nor does it alter any previously approved emission restrictions. This plan approval does not re-establish BAT, or Best Available Technology of the source. The plan approval includes monitoring, record keeping, and reporting requirements designed to address all applicable air quality regulations.

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

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

60-00019A: Playworld Systems, Inc. (1000 Buffalo Road, Lewisburg, PA 17837) for the construction of a fluidized sand bed cleaning system and the installation of an associated dual cyclone collector at its Lewisburg Plant located in Buffalo Township, **Union County**. The Department of Environmental Protection's (Department's) review of the information submitted by Playworld Systems, Inc. indicates that the air contamination source will comply with all regulatory requirements, including monitoring, testing, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including 25 Pa. Code Chapter 123 and the best available technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the construction and installation.

The emissions from the fluidized sand bed cleaning system, after control through the dual cyclone collector, will not exceed the following limits: 0.71 pound per hour NO_x, 2.38 pounds per hour CO, 0.43 pound per hour non-methane hydrocarbons, 1.25 pound per hour particulate matter (PM), 0.02 grain per dry standard cubic foot of PM.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: natural gas firing only; source testing of the system for non-methane hydrocarbons; maintain minimum sand bed and exhaust duct temperatures; restrict annual hours of operation to 1,464 hours; monitoring and reporting of the collector's pressure drop and the cleaning system's sand bed and duct temperatures.

The facility is a State Only facility. If the Department determines that the source is operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 60-00019A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.

03-00125: Peoples Natural Gas Company, LLC (1201 Pitt St., Pittsburgh, PA 15221-2029) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 03-00125 to allow the construction and initial temporary operation of a natural gas-fired, 4-stroke ultra-lean burn, Caterpillar Model No. G3606TALEI compressor engine rated at 1,775 bhp as a permanent replacement for Source 103 which was decommissioned and removed from service in 2016 at the Valley Compressor Station (Valley) located in Cowanshannock Township, **Armstrong County**.

Potential to emit from the unit is estimated to be 8.57 tons per year (tpy) of NO_x, 3.29 tpy of CO, 0.59 tpy of PM₁₀, 0.03 tpy of SO₂, 4.29 tpy of non-methane, non-ethane hydrocarbons, 0.86 tpy of formaldehyde, 1.92 tpy total HAPs, and 7,649.12 tpy of greenhouse gases (CO₂ equivalents). Best available technology (BAT) for controlling emissions from the compressor engine is installation of the ultra-lean burn technology for NO_x control and oxidation catalyst for CO, non-methane, non-ethane hydrocarbons, and formaldehyde as well as proper maintenance and operation of the unit.

The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.21, 123.31 and 123.41. It is also subject to the Federal New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart JJJJ, and National Emission Standards for Hazardous Air Pollutants (NESHAPs) 40 CFR Part 63, Subpart ZZZZ. The Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

The plan approval application, the Department's review memorandum, the proposed plan approval, and other relevant information are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact Nick Waryanka at 412-442-4172.

A person may oppose the proposed plan approval by filing a written protest with the Department through Nicholas Waryanka, Pennsylvania Department of Envi-

ronmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; nwaryanka@pa.gov; or fax 412.442.4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-03-00125), and concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

PLAN APPROVAL

PUBLIC HEARINGS

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

Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

35-00069C: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1900, Chicago, IL 60606) Notice is hereby given under 25 Pa. Code § 127.48, that the Department of Environmental Protection (Department) will hold a public hearing to solicit comments on the proposed Air Quality Plan Approval 35-00069C for Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1900, Chicago, IL 60606) for making the facility NO_x and VOC Emission Reduction Credits (ERC's) federally enforceable as described in their September 13, 2017 Plan Approval Application and associated subsequent supplemental submissions.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval. The hearing will be held on Wednesday, January 31, 2018 from 6 P.M. to 9 P.M. at Valley View High School, 1 Columbus Dr., Archbald, PA 18403. Persons interested in commenting are invited to appear at the public hearing.

Copies of the applications, the Department's technical reviews and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Mark Wejkszner, PE, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915. You can also email Mark Wejkszner, PE at mwejkszner@pa.gov or Colleen Connolly at coconnolly@pa.gov to register. The Department will accept notices up to the day of the public hearing. This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to present their comments.

Each individual will have up to 5 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through February 14, 2018.

The Department will address comments from the public before any final action is taken on the plan approval application. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Mark Wejkszner, PE, Air Quality Program Manager, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown previously, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information, contact Mark Wejkszner, PE at (570)-826-2511, Colleen Connolly at 570-826-2035, or write to the Department at the Wilkes-Barre address given previously.

OPERATING PERMITS

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

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

Contact: Thomas 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.

06-05034: Approval of a Reasonably Available Control Technology 2 (RACT 2) plan to supersede the existing RACT I plan for the **Texas Eastern Transmission LP**, Bechtelsville facility, located in the Washington Township, **Berks County** as a significant modification to their Title V operating permit.

In accordance with 25 Pa. Code §§ 129.91—129.100, the Department has made a preliminary determination to approve a RACT 2 plan to supersede the existing RACT 1 plan, to be submitted as part of the State Implementation Plan (SIP) for the Texas Eastern Transmission LP, Bechtelsville natural gas compressor station.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT 2 approval, and the RACT 1 plan supersedure approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed RACT 2 plan and RACT 1 plan supersedure, if approved by DEP, will be issued as a significant modification to the facility's Title V operating permit (06-05034). The relevant RACT 2 requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 2 approval will be excluded from the SIP submittal.

The following is a summary of the proposed RACT 2 requirements for this facility that will be submitted to the EPA as part of the SIP:

RACT 2 Case-by-Case Requirements (to replace in their entirety the current RACT 1 requirements for the affected sources)

Source ID 102—Westinghouse Turbine (31903), Source ID 103—Westinghouse Turbine (31902) and Source ID 104—G.E. Turbine (31905)

(a) The permittee shall not permit emissions of NO_x from the gas turbines in excess of the following. These emission limits apply at all times, including startup and shutdown periods.

(1) Westinghouse W-52 (31902 and 31903)—116 ppmdv each corrected to 15 percent oxygen and 101 tpy each on a 12-month running total.

(2) General Electric Frame 5 MS 5001 LMD (31905)—120 ppmdv corrected to 15 percent oxygen and 421 tpy on a 12-month running total.

(b) For Source IDs 102 & 103, the fuel consumption for each turbine shall not exceed 461.4 million standard cubic feet (MMSCF) of natural gas during any consecutive 12-month period.

(c) For Source ID 104, the fuel consumption for the turbine shall not exceed 1,868.5 million standard cubic feet (MMSCF) of natural gas during any consecutive 12-month period.

(d) For Source IDs 102, 103 & 104, the permittee shall not operate each turbine more than 8,000 hours during any consecutive 12-month period.

(e) Once in each 5-year calendar period, the permittee shall conduct, on each of the sources in this group, a Department approved emissions source test for NO_x (as NO₂) emissions that meets the requirements of Chapter 139, Subchapter A (relating to sampling and testing methods and procedures). The test shall be conducted prior to expiration of this permit, or during the applicable heating season determined by the Department. During the four years of each permit cycle when a full source test is not required, the permittee shall annually conduct a portable analyzer compliance verification of NO_x emissions for each source in this group. Results from source tests or portable analyzer tests shall be submitted to DEP no later than 60 calendar days after completion of the on-site testing portion of the emission test program. Test results for NO_x shall be reported as follows: (1) ppmdv as measured; (2) ppmdv corrected to 15 percent oxygen; (3) lb/hr; (4) lb/MMBtu of heat input. All test results shall be retained by the permittee at the test location and provided annually with emission statements and at other times as requested by the Department.

(f) The permittee shall maintain comprehensive and accurate records of the following for each source in this group:

(1) The number of operating hours on both a monthly and 12-month rolling basis.

(2) The amount of fuel consumed on both a monthly and 12-month rolling basis.

(g) The permittee shall maintain records including sufficient data and calculations to demonstrate that the RACT emission limitations for nitrogen oxides are met for each source in this group.

(h) All records required by this source group shall be retained by the permittee for 5 years and made available to the Department upon request.

(i) The permittee will maintain and operate each of the sources in this group in accordance with the manufacturer's specifications and with good operating practices. The permittee shall follow a routine and preventive maintenance schedule. This includes inspection of the combustion system and hot gas path on an annual basis.

(j) Source ID 104 shall be permanently shut down by no later than January 1, 2024.

Public Comment Details:

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 Thomas Hanlon, Environmental Engineering Manager, Air Quality Program, at 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice 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 RACT 2 condition, including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the RACT 2 approval.

Public hearing. A public hearing will be held on February 13, 2018, at 10 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, contact Thomas Hanlon at 717-705-4862. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be February 6, 2017.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Thomas Hanlon at 909 Elmerton Avenue, Harrisburg, PA 17110.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Thomas Hanlon at 717-705-4862.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Thomas Hanlon at 717-705-4862 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

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

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

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

13-00015: Arfan, Inc., Palmerton Facility (525 Delaware Ave., Palmerton, PA 18071-1910). The Department intends to issue a renewal State-Only Natural Minor Permit for the human crematory facility located in the Borough of Palmerton, **Carbon County**. The primary sources consist of one (1) crematory incinerator. The control device consists of an afterburner. The source is considered a minor emission source 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.

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.

67-03033: Sheridan Press Company/Hanover (450 Fame Avenue, Hanover, PA 17331) to issue a State Only Operating Permit for operation of the lithographic printing facility in Penn Township, **York County**. The 2016 emissions were 18.95 tons VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

38-03036: Cargill, Inc. (320 N. 16th St., Lebanon, PA 17046-4511) for their animal feed mill located in Lebanon City, **Lebanon County**. This is for renewal of the existing state-only permit. The facility potential emissions of criteria pollutants are estimated at 14 tpy PM₁₀, 4 tpy NO_x, 3 tpy CO, and <1 tpy each of VOC and SO₂. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63 Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.

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

Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.

OP-04-00468: S.H. Bell Company (644 Alpha Drive, Pittsburgh, PA 15238-0495), In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a State Only Operating Permit (SOOP-04-00468) to S.H. Bell Company ("S.H. Bell") to authorize the operation of processing, crushing, screening, packaging, and transferring ferrous and non-ferrous materials at the Pennsylvania portion of their facility located in Ohioville Township, **Beaver County**.

The facility's air contamination sources consist of a KUX Crusher/Simplicity Screen rated at 250 tph; one Fine Size Screener rated at 140 tph; two Screen Boxes rated at 75 tph; an emergency diesel-fired Generator rated at 85 bhp; Storage Piles; and Miscellaneous Material handling operations.

The potential emissions from the facility include the emissions from material handling and material processing operations for 8,760 hours per year as well from the emergency generator for 500 hours of operation per year. The potential emissions are estimated to be 102.0 tons PM, 31.0 tons PM₁₀, 6.6 tons CrPM₁₀, 3.6 tons MnPM₁₀,

4.8 tons FeCr, 3.7 tons FeMn, 0.2 ton NO_x, 0.2 ton CO, 0.1 ton SO_x, and 0.1 ton VOC.

This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed SOOP includes conditions relating to applicable emission restrictions, throughput restrictions, monitoring, recordkeeping, reporting and work practice standard requirements. The emergency generator is subject to the applicable requirements of 40 CFR Part 60 Subpart IIII.

S.H. Bell's State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project are available for review by any interested party at the Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality State Only Operating Permit for this project, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4097.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 04-00468) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests, and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 (jparihar@pa.gov, fax 412.442.4194).

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

Contact: Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6131.

43-00349: Custom Container Valley Can, LLC (1264 Fredonia Rd, Hadley, PA 16130). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the facility located in

the Perry Township, **Mercer County**. The facility's primary emission sources include a paint spray booth and the welding and plasma cutting operation. The potential emissions of the primary pollutants from the facility are as follows: 4.78 TPY NO_x, 0.42 TPY CO, 6.03 TPY VOC, 15.52 TPY PM₁₀ and PM_{2.5}, and 0.00 TPY SO_x; thus, the facility is a natural minor. The facility must comply with 25 Pa. Code § 129.52d for control of VOC emissions from the paint booth. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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: Norman Frederick, P.E., Environmental Engineer—Telephone: 570-826-2409.

40-00127B: Acton Technologies (100 Thompson Street, Pittston, PA 18640) 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 Acton Technologies (100 Thompson Street, Pittston, PA 18640) for their facility located in Jenkins Twp., **Luzerne County**. This Plan Approval No. 40-00127B will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00127B is to increase the Line 4 production activities from the 500 batches per year based on 12 month rolling sum to 1,200 batches per year based on 12 month rolling sum. NH₃ emissions will continue to be controlled by the RTO. NO_x & VOC emissions from the plant will remain under 100 TPY & 50 TPY respectively. Malodorous emissions will be controlled by the use of the RTO. The oxidizer will be required to have a destruction efficiency of at least 98%. These limits will meet BAT requirements for this source.

The Department will place a condition for the facility to continuously monitor the combustion temperature in the oxidizer. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00127B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

54-00089A: Louis D. Truskowsky Funeral Home and Crematory Inc. (300 West Center Street, Mahanoy City, PA 17948) for their facility in Mahanoy Township, Schuylkill County.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Louis D. Truskowsky Funeral Home and Crematory Inc. (300 West Center Street, Mahanoy City, PA 17948) for their facility in Mahanoy Township, Schuylkill County. This Plan Approval No. 54-00089A will be incorporated into a Natural Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00089A is for the installation and operation of one (1) human remains incinerator. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and shall be required to maintain the temperature at the exit of the secondary (or last) chamber at 1,800° F or higher and be maintained throughout the cremation cycle. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00089A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Envi-

ronmental Protection (DEP) has received and intends to issue a Plan Approval to Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) for their Tidewood facility located in Rush Twp., Schuylkill County. This Plan Approval No. 54-00066C will be incorporated into the companies State Only Permit through an administrative amendment at a later date.

Plan Approval No. 54-00066C is for the construction and operation of strap reactor process line which include a process vessel reactor. Reactor will process strap metal and Ethyl Acetate together to produce a metal slurry batch in eight hours. The slurry then transferred to surge tanks and to existing centrifuge and mixer to remove Ethyl Acetate. Ethyl Acetate emissions from the process line will be controlled by existing RTO capable to destructing 98% of VOC's. The total VOC emissions from the plant will remain under their 50 TPY threshold limit, 12-month rolling sum. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00066C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, 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

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

17170102 and NPDES PA0269824. P & N Coal Company, Inc. (240 West Mahoning Street, Punxsutawney, PA 15767). Commencement, operation, and restoration of a bituminous surface and auger mine located in Westover Borough, **Clearfield County** affecting 51.4 acres. Variance for stream crossing of an existing previ-

ously approved permit on Unnamed Tributary 1 to Chest Creek. Also, variance for purpose of mining through and reconstructing portion, approximate 450 feet, of Unnamed Tributary 2 to Chest Creek. Receiving stream(s): Unnamed Tributaries to Chest Creek and Chest Creek classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 11, 2017.

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

02823014 and PA0617661. IREIT Pittsburgh Settlers Ridge, LLC, (2901 Butterfield Road, Oak Brook, IL 60523). Application received for transfer of permit currently issued to Settlers Ridge, LLC for continued treatment of a bituminous surface mining site located in Robinson Township, **Allegheny County**, affecting .321 acres. Receiving stream: Campbells Run, classing for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received: December 11, 2017.

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

Permit No. 49110101R. Joseph E. Shingara, (270 Grively Hill Road, Herndon, PA 17830), renewal of an existing anthracite surface mine operation in West Cameron Township, **Northumberland County** affecting 80.0 acres, receiving streams: Mahanoy Creek and Zerbe Run, classified for the following uses: warm water and migratory fishes and cold water and migratory fishes. Application received: December 11, 2017.

Permit No. 54803019T3 and NPDES Permit No. PA0224995. Rausch Creek Anthracite Coal, LLC, (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite surface mine operation and NPDES Permit for discharge of treated mine drainage from Rausch Creek Land, LP in Hegins and Porter Townships, **Schuylkill County** affecting 1,313.0 acres, receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: December 8, 2017.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 44170803. Ezra S. Peachey, 92 Sunnyhill Lane, Belleville, PA 17004, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Menno Township, **Mifflin County**, affecting 5.0 acres, receiving streams: unnamed tributary to Little Kishacoquillas Creek. Application received: December 8, 2017.

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

Permit No. 7674SM1C1 and NPDES Permit No. PA0613312. Pennsy Supply, Inc., P.O. Box 3331, Harrisburg, PA 17105, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in South Lebanon and Jackson Townships, **Lebanon County** affecting 461.0 acres, receiving stream: Tulpehocken Creek, classified for the following use: cold water fishes. Application received: October 19, 2017.

Permit No. 45000801. Elmer F. Possinger & Sons, Inc., P.O. Box 520, Bartonsville, PA 18321, Stage I & II bond release of a quarry operation in Hamilton Township, **Monroe County** affecting 1.0 acre on property owned by Nyles & Kitty Possinger. Application received: December 11, 2017.

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. PA0262498 Mining Permit No. 56150102, PBS Coals, Inc., P.O. Box 260, Friedens, PA 15541, revised NPDES permit for a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 286.1 acres. Receiving streams: unnamed tributary to Glades Creek and Schrock Run, classified for the following uses: cold water fishes and warm water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: October 23, 2017.

The following treated wastewater outfall discharges to Schrock Run:

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

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

<i>Outfalls: 004 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following stormwater outfalls discharge to Schrock Run:

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

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

<i>Outfalls: 005 & 010 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

The following stormwater outfalls discharge to unnamed tributary to Glades Creek:

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

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

<i>Outfalls: 006-008 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

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

NPDES No. PA0257605 (Mining permit no. 17110103), RES Coal LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, renewal of an NPDES permit for bituminous surface coal mining in Girard Township, **Clearfield County** affecting 257.0 acres. Receiving stream(s): Unnamed Tributaries to Bald Hill Run and Bald Hill Run classified for the following use(s): CWF. West Branch Susquehanna River TMDL. Application received: November 6, 2017.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon existing baseline pollution load or the standards found at 25 Pa. Code § 87.102(a) group A, whichever is least stringent.

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

The following outfalls discharge to Bald Hill Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
005	N

The proposed effluent limits for the previously 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)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (mOsm/k)		50.0	50.0	50.0

¹ The parameter is applicable at all times.

Noncoal NPDES Draft Permits

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

NPDES No. PA021261 (Mining Permit No. 05920301), New Enterprise Stone and Lime Co., Inc., P.O. Box 77 New Enterprise, PA 16664, revision of an NPDES permit for discharge of water resulting from limestone mining in Snake Spring Valley Township, **Bedford County**, affecting 372.2 acres. Receiving streams: Cove Creek and Raystown Branch Juniata River, classified for the following uses: Exceptional Value and Migratory Fishes and Warm Water Fishes. Application received: September 11, 2017.

The following outfall discharges to Cove Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N

The proposed effluent limits for the previously listed outfall is as follows:

<i>Outfalls: 001 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	30.0	60.0	70.0
Temperature (°F)	72	72	72
Oil & Grease		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

The following outfall discharges to Raystown Branch Juniata River:

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

The proposed effluent limits for the previously listed outfall is as follows:

<i>Outfalls: 003 (dry weather discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Oil & Grease		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 003 (>10-yr/24-hr Precipitation Event) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

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

NPDES Permit No. PA0595349 on Surface Mining Permit No. 8274SM6. Pennsy Supply, Inc., P.O. Box 3331, Harrisburg, PA 17105, renewal of an NPDES Permit for a limestone quarry operation in East Hempfield Township, **Lancaster County**, affecting 241.0 acres. Receiving stream: unnamed tributary to Little Conestoga Creek, classified for the following use: trout stocking fishes. Application received: August 4, 2017.

The following outfall discharges to unnamed tributary to Little Conestoga Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	MDT/Non-Process Groundwater—Pit Sump

The proposed effluent limits for the previously listed outfall are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Average Discharge		4.32 MGD		
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

NPDES Permit No. PA0613312 on Surface Mining Permit No. 7674SM1. Pennsy Supply, Inc., (P.O. Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in South Lebanon and Jackson Townships, **Lebanon County**, affecting 461.0 acres. Receiving stream: Tulpehocken Creek, classified for the following use: cold water fishes. Application received: October 19, 2017.

The following outfalls discharge to Tulpehocken Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	MDT (Non-Process Groundwater Pit Sump)
002	No	MDT (Non-Process Groundwater Pit Sump)
003	No	MDT (Non-Process Groundwater Pit Sump)

The proposed effluent limits for the previously listed outfall are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Average Discharge		40.0 MGD*		
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

* Combined all points

NPDES Permit No. PA0612880 on Surface Mining Permit No. 7874SM2. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3724 Crescent Court West, Whitehall, PA 18052), renewal of an NPDES Permit for a limestone quarry operation in North Whitehall Township, **Lehigh County**, affecting 272.0 acres. Receiving stream: Coplay Creek, classified for the following use: cold water fishes. Application received: November 13, 2017.

The following outfall discharges to Coplay Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
01	No	MDT (Non-Process Groundwater Pit Sump)

The proposed effluent limits for the previously listed outfall are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Average Discharge		1.4 MGD		
pH ¹ (S.U.)	6.0			9.0
Total Suspended Solids		35.0	70.0	90.0

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E51-279. Philadelphia Water Department, 1101 Market Street, 4th Floor, Philadelphia, PA 19107, Philadelphia City, **Philadelphia County**, ACOE Philadelphia District.

Project involves approximately 1,300 linear feet of stream restoration and daylighting with functional floodplain restoration on a 6.4 acre wooded lot. This includes approximately 7,460 cubic yards of excavation and 1,106 cubic yards of fill placed within the floodway of Walton Run (WWF, MF). This site is located near Bennett Road (Lat. 40° 06' 29.30"; Long. -75° 00' 50.49") at 11500 Roosevelt Boulevard, Philadelphia.

E15-892. PA Turnpike Commission, 700 South Eisenhower Boulevard, Middleton, PA, 17057, Upper Uwchlan, Uwchlan, West Pikeland and Charlestown Townships, **Chester County**, ACOE Philadelphia District.

Pennsylvania Turnpike Commission (PTC) is proposing to perform the below listed water obstruction and encroachment activities associated the PA Turnpike (I-76) MP 312-316 Total Reconstruction and Widening Project.

1. To perform earth disturbance activities in association with the construction of a stormwater basin adjacent to the emergent wetland WJ-PEM that drains to an unnamed tributary to Pickering Creek (HQ-TSF) at Sta. 114+00 LT resulting in temporary wetland impacts of 10 square feet.

2. To perform temporary earth and channel disturbance in association with the construction of additional highway lanes in a perennial unnamed tributary to Pickering Creek (HQ-TSF) (Waterway 4) (R4) at Sta. 170+00 resulting in temporary stream impacts of 60 linear feet.

3. To fill and relocate an intermittent unnamed tributary to Pickering Creek (HQ-TSF) (Waterway 2) (R2) between Sta. 169+54 RT to Sta. 170+02 RT resulting in 130 linear feet of permanent stream impact.

4. To fill and relocate an intermittent unnamed tributary to Pickering Creek (HQ-TSF) (Waterway 3B) (R3B) between Sta. 170+02 RT to Sta. 170+47 RT resulting in permanent stream impacts of 70 linear feet.

5. To perform temporary earth and channel disturbance in association with the construction of additional highway lanes in an intermittent unnamed tributary to Pickering Creek (HQ-TSF) (Waterway 3A) (R3A) at Sta. 170+47 RT resulting in temporary stream impacts of 81 linear feet.

6. To perform temporary earth and channel disturbance in association with the construction of a stormwater basin outfall structure located in an intermittent unnamed tributary to Pickering Creek (HQ-TSF) (Waterway 12) (R12) near Sta. 177+00 resulting in temporary stream impacts of 27 linear feet.

7. To place fill for the construction of the additional highway lanes in an emergent wetland WC-PEM that drains to an unnamed tributary to Pine Creek (HQ-TSF)

between Sta. 195+00 RT and 197+00 RT resulting in permanent wetland impacts of 0.04 acre and less than 0.01 acre of temporary wetland impact.

8. To place fill for the construction of the additional highway lanes in an emergent wetland WC1-PEM that drains to an unnamed tributary to Pine Creek (HQ-TSF) located between Sta. 199+00 RT and 200+25 RT resulting in permanent wetland impacts of 0.04 acre and less than 0.01 acre of temporary wetland impact.

9. To replace and extend a 159-foot long, 30-inch diameter RCP stream enclosure with a 196-foot long stream enclosure that carries a perennial unnamed tributary to Pine Creek (HQ-TSF) (Waterway 5) (R5) located at between Sta. 200+25 RT to Sta. 201+18 RT resulting in permanent stream impacts of 37 linear feet and temporary stream impact of 106 linear feet. This activity also includes the construction of appurtenant structures (headwall and wingwalls) and the placement of riprap rock apron.

10. To place fill in an intermittent unnamed tributary to Pine Creek (HQ-TSF) (Waterway 6) (R6) and redirect an existing 30-inch RCP stormwater outfall to a new stormwater facility in association with the construction of the additional highway lanes at Sta. 208+00 resulting in permanent impacts of 148 linear feet and 26 linear feet of temporary impact.

11. To extend one 144-foot long, 66-inch RCP stream enclosure to 261 feet that carries a perennial unnamed tributary to Pine Creek (HQ-TSF) (Waterway) (R5) at Sta. 216+43 RT/LT resulting in permanent stream impacts of 90 linear feet and 139 linear feet of temporary stream impact.

12. To fill and relocate an intermittent unnamed tributary to Pine Creek (HQ-TSF) (Waterway 15) (R15) located between Sta. 215+25 LT and 216+5 LT resulting in permanent stream impacts of 80 linear feet with the creation of 58 linear feet of new channel.

13. To perform temporary earth and channel disturbance in association with the construction of additional highway lanes located in a perennial unnamed tributary to Pine Creek (HQ-TSF) (Waterway 8) (R8) near Sta. 232+00 RT resulting in temporary stream impacts of 30 linear feet.

14. To perform temporary earth and channel disturbance in association with the construction of additional highway lanes located in an intermittent unnamed tributary to Pine Creek (HQ-TSF) (Waterway 26) (R26) near Sta. 232+00 RT resulting in temporary stream impacts of 23 linear feet.

15. Temporary impacts related to the replacement of existing ROW fencing within the forested wetland WIPFO at Sta. 243+97 resulting in temporary wetland impacts of 0.02 acre.

16. To extend one 154-long, 42-inch RCP stream enclosure to 232 linear feet that carries a perennial unnamed tributary to Pine Creek (HQ-TSF) (Waterway 25) (R25) at Sta. 346+23 resulting in permanent stream impacts of 78 linear feet and 67 linear feet of temporary impact. This activity also includes the placement of riprap rock apron.

17. To place fill for the construction of the additional highway lanes in the forested wetland WW-PFO that drains to an unnamed tributary to Pine Creek (HQ-TSF) located between Sta. 345+50 RT and 350+25 RT resulting in permanent wetland impacts of 0.19 acre and 0.11 acre of temporary wetland.

18. To place fill in a forested wetland WU1-PFO in association with the highway widening and extension of a 42-inch stream enclosure that drains to an unnamed tributary to Pine Creek (HQ-TSF) (Waterway 25) (R25) located between Sta. 345+25 LT and 346+00 resulting in permanent wetland impacts of less than 0.01 acre and 0.05 acre of temporary wetland impact.

19. To fill and relocate 301 linear feet of an intermittent unnamed tributary to Pine Creek (HQ-TSF) (Waterway 29) (R29) located between Sta. 345+50 and 346+23 in association with the construction of additional highway lanes.

20. To fill an adjacent intermittent watercourse (Waterway 27) (R27) and extend a 48-inch diameter, 121-foot long RCP stream enclosure and 53-foot long RCP culvert that carries an intermittent unnamed tributary to Pine Creek (HQ-TSF) (Waterway 27) (R27) located at Sta. 380+00 RT/LT resulting in permanent stream impacts of 261 linear feet. This activity also includes the placement of 25 linear feet of riprap rock apron.

21. To construct two (2) mitigation sites located on land owned by the Natural Lands organization located near Flint Road in West Vincent Township, Chester County. This will include mitigation for the proposed 0.49 acre of wetland impacts and 1,485 linear feet stream impacts associated with the PA Turnpike (I-76) MP 312-316 Total Reconstruction and Widening Project.

The project will traverse Upper Uwchlan, Uwchlan, West Pikeland and Charlestown Townships in Chester County. The project includes compensatory mitigation for 0.19 acre of temporary impacts and 0.30 acre of permanent wetland impacts as well as 1,485 linear feet of perennial and intermittent stream loss. Project is expected to commence in the Fall of 2019 and to be completed in the Fall of 2022.

Work will commence at Milepost 311.60, located 0.43 mile west of the Downingtown Interchange with SR 100 (Downingtown, PA USGS Quadrangle—Latitude 40.069835 N, Longitude 75.674797 W) in Uwchlan Township, and terminates at Milepost 316.19, located 0.33 mile east of Bodine Road (Downingtown, PA USGS Quadrangle—Latitude 40.064973 N, Longitude 75.592675 W) in Charlestown Township.

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

E10-514, Leslie Farms, L.P., 11279 Perry Hwy., Suite 509, Wexford, PA 15090. Leslie Farms P.R.D.—Connoquenessing, PA in Connoquenessing Borough, Butler County, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40°, 48', 47"; W: 80°, 01', 20").

Applicant proposes to construct Phase 3 of Leslie Farms P.R.D., a single and double family development with associated roadways, utilities, and stormwater management facilities. Project will permanently impact 0.85 acre of wetland, 427 LF (0.0156 acre) UNT Connoquenessing Creek. Mitigation for these impacts is proposed in the form of the creation of a minimum of 1.03 acre of new wetland on-site.

E25-787, David F. Putnam/Julie M. Putman, 10055 Sampson Road, Erie, PA 16509. Sampson Road Culvert Project, in Greene Township, **Erie County**, ACOE Pittsburgh District (Hammett, PA Quadrangle N: 42°, 2', 17.3077"; W: -79°, 58', 24.8026").

The Applicant proposes to operate and maintain an existing private driveway crossing of an unnamed tributary to East Branch LeBoeuf Creek consisting of two 48-inch diameter and two 24-inch diameter corrugated plastic culvert pipes at a point approximately 1.5 mile south of the Lake Pleasant Road and Sampson Road intersection.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

D15-396EA. Robin McGill, President, Longview Culbertson Group, LP, 1055 Westlakes Drive, Suite 170, Berwyn, PA 19312-2420, West Brandywine Township, **Chester County**, USACOE Philadelphia District.

Project proposes to breach and remove Culbertson Village Dam across Culbertson Run (HQ-CWF) to eliminate a threat to public safety and restore the stream to a free-flowing condition. The project will restore approximately 550 lineal feet of stream channel. The dam is located approximately 500 feet south of the intersection of Andover Drive and SR 322 (Wagontown, PA Quadrangle; Latitude: 40.051789, Longitude: -75.793849).

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

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>
PA0047198 (Sewage)	Schuylkill Mall STP 830 Schuylkill Mall Frackville, PA 17931-2502	Schuylkill County New Castle Township	Unnamed Tributary to Mud Run (3-A)	Yes
PA0060496 (Sewage)	Aqua PA Wastewater Inc. Mast Hope WWTP Plank Road Lackawaxen, PA 18435	Pike County Lackawaxen Township	Delaware River (1-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0031551 SEW	Chambersburg School District 435 Stanley Avenue Chambersburg, PA 17201-3605	Lurgan Township Franklin County	UNT to Conodoguinet Creek in Watershed(s) 7-B	Y
PA0247821 SEW	Planks Field Planned Community, Inc. PO Box 4208 Gettysburg, PA 17325-4208	Straban Township Adams County	Rock Creek in Watershed(s) 13-D	Y
PA0266604 SEW	Amato Properties 176 Mountain View Drive Tyrone, PA 16686	Antis Township Blair County	Sugar Run in Watershed(s) 11-A	Y
PA0084638 IW	Boyertown Borough Water System 100 S. Washington Street Boyertown, PA 19512-1599	Earl Township Berks County	UNT to Ironstone Creek in Watershed(s) 3D	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>
PA0221589 (Industrial)	Linesville Bus Park 789 Bessemer Street Meadville, PA 16335-1857	Crawford County Linesville Borough	Linesville Creek (20-A)	Yes

<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>
PA0034916 (Industrial)	Ilsco Extrusions 93 Werner Road Greenville, PA 16125-9434	Mercer County Sugar Grove Township	Little Shenango River and Unnamed Tributary to Little Shenango River (20-A)	Yes

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

North East Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

NPDES Permit No. PA0275948, Storm Water, SIC Code 2655, **Mauser USA LLC**, 7 McFadden Road, Easton, PA 18045.

This proposed facility is located in Palmer Township, **Northampton County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Storm Water.

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

NPDES Permit No. PA0265501, Sewage, SIC Code 8800, **Stephanie Weisensee**, 768 Saxonburg Boulevard, Saxonburg, PA 16056.

This proposed facility is located in Clinton Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0223034, Industrial, SIC Code 3316, **NLMK PA LLC**, 15 Roemer Boulevard, Farrell, PA 16121-2201.

This existing facility is located in Farrell City, **Mercer County**.

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

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

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

QM Permit No. 1017406, Sewage, **Stephanie Weisensee**, 768 Saxonburg Boulevard, Saxonburg, PA 16056.

This proposed facility is located in Clinton Township, **Butler County**.

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

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG133502	Bally Borough Berks County 425 Chestnut Street Bally, PA 19503-9614	Bally Borough Berks County	UNT to West Branch Perkiomen Creek/ CWF and MF

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>
PAD510018	Delaware Valley Recycling, Inc. 2052 Lucon Road P.O. Box 323 Skippack, PA 19474	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD020005	Almono, LP 210 Sixth Avenue Suite 3620 Pittsburgh, PA 15222	Allegheny County	City of Pittsburgh	Monongahela River (WWF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD020005-1	Almono, LP 210 Sixth Avenue Suite 3620 Pittsburgh, PA 15222	Allegheny County	City of Pittsburgh	Monongahela River (WWF)

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

Elk County Conservation District, 850 Washington Street, St. Marys, PA 15857 814-776-5373.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD240003	US Army Corps of Engineers, Pittsburgh District 1000 Liberty Avenue Pittsburgh, PA 15224	Elk	Jones Township	East Branch Clarion River HQ-CWF

Individual Permit Type—PAD

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD680004	Attention: Patrick M. Webb Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800	Butler County	Allegheny Township	North Branch Bear Creek (CWF)

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02 Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Tinicum Township Delaware County	PAC230047	Tinicum Township 629 North Governor Printz Boulevard Essington, PA 19029-1732	Delaware River Estuary—WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Oakland Township Susquehanna County	PAC580007	Corporation of the Presiding Bishop Church of Latter-Day Saints a Utah Corporation 50 East North Temple COB 10th Floor Salk Lake City, UT 84150	UNT to the Susquehanna River (CWF, MF)	Susquehanna County Conservation District 570-278-4600
Jessup Township Susquehanna County	PAC580001	Clearwater Technology, LLC 1345 Hilltop Place York, PA 17403	East Branch of the Wyalusing (CWF, MF)	Susquehanna County Conservation District 570-278-4600
Jessup Borough Lackawanna County	PAC350030	Scranton Lackawanna Industrial Building Comp 222 Mulberry St. P.O. Box 431 Scranton, PA 18501	Sterry Creek (CWF, MF)	Lackawanna County Conservation District 570-382-3086

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Pennsboro Township Cumberland County Issued	PAC210052	Floribunda Associates, LP PO Box 719 Mechanicsburg, PA 17050	Conodoguinet Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717.240.7812
Warwick Township Lancaster County Issued	PAC360146	United Zion Retirement Community 711 Furnace Hills Road Lititz, PA 17543	Santo Domingo Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Brecknock Township Lancaster County Issued	PAC360179	Talon Holdings LLC 1737 West Main Street Ephrata, PA 17522	Muddy Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
East Hempfield Township Lancaster County Issued	PAC360049	Robert Krimmel 1700 Nissley Road PO Box 128 Landisville, PA 17538	Swarr Run (TWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Earl Township Lancaster County Issued	PAC360127	Earl Hurst 141 State Street Brownstown, PA 17508	Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Warwick Township Lancaster County Issued	PAC30148	David Briggs 250 Parkcenter Boulevard Boise, ID 83706	Little Muddy Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Lancaster City Lancaster County Issued	PAC360165	Lancaster General Hospital 555 North Duke Street Lancaster, PA 17603	Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361
Warwick Township Lancaster County Issued	PAC360167	Joshua Martin 1150 Pine Hill Road Lititz, PA 17543	Trib to Hammer Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Wayne Twp Clinton Cnty	PAC180003	Wayne Twp Landfill Phase II PO Box 209 264 Landfill Lane McElhatten, PA 17748	UNT to West Branch Susquehanna River	Clinton County Conservation District 45 Cooperation Ln Mill Hall, PA 17751 (570) 726-3798

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake,
Waterways and Wetlands Program Manager, 412-442-4000.*

<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 Fayette Township	PAC630033	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Harrisburg, PA 17057	Coal Run (WWF); UNTs to Coal Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Franklin Township South Franklin Township	PAC630034	CNX Water Assets, LLC CNX Center 1000 Consol Energy Drive Canonsburg, PA 15317	Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

<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>
Robinson Township Mount Pleasant Township	PAC630068	Joseph B. Fay PO Box 11351 Pittsburgh, PA 15238	Robinson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
South Fayette Township	PAC020137	Municipal Authority of South Fayette Township 900 Presto Sygan Road Bridgeville, PA 15017	Millers Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Elizabeth Township	PAC020161	Peoples Natural Gas, LLC 375 North Shore Drive Pittsburgh, PA 15212	Wylie Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Mount Lebanon Township	PAC020173	Municipality of Mount Lebanon 710 Washington Road Pittsburgh, PA 15228	UNT to Painters Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Etna Borough	PAC020180	Etna Properties 2201 Main Street Pittsburgh, PA 15215	Pine Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Moon Township	PAC020148	Moon Township 1000 Beaver Grade Road Moon Township, PA 15108	Meeks Run (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Bellevue Borough	PAC020160	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	UNT to Ohio River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Upper Saint Clair Township	PAC020122	William and Jefferson, Inc. 212 Sussex Way McMurray, PA 15317	UNT to Painters Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
City of Pittsburgh	PAC020179	Sports and Exhibition Authority 171 Tenth Street Second Floor Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
South Fayette Township	PAC020172	Cuddy Partners, LP 619 Millers Run Road Cuddy, PA 15031	UNT to Millers Run (WWF) Fishing Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Mount Lebanon Township	PAC020177	Municipality of Mount Lebanon 710 Washington Road Pittsburgh, PA 15228	UNT to Sawmill Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
McCandless Township	PAC020192	Sheetz, Inc. 817 Brookfield Drive Seven Fields, PA 16046	Girtys Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

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

<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>
City of New Castle Lawrence County	PAC370020	Ellwood Remelt Steel Michael Morgus 700 Moravia Street New Castle, PA 16101	Shenango River WWF	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
North Beaver Township Lawrence County	PAC370024	Kiewit Power Constructors Co. Keenan Blunt 9701 Renner Boulevard Lenexa, KS 66219	UNTs to Mahoning River WWF	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
North Beaver Township Lawrence County	PAC370022	Hickory Run Energy Mr. Garrick Venteicher 7500 College Boulevard Suite 400 Overland Park, KS 66210	UNTs to Mahoning River WWF	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512

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>
Springdale Township Allegheny County	PAG036209	Allegheny Energy Supply Co. LLC 800 Cabin Hill Drive Greensburg, PA 15601-1650	Allegheny River—18-A	DEP South West Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Union Township Washington County	PAR806185	Norfolk Southern Railway Co. 1200 Peachtree Street NE # 13 Atlanta, GA 30309-3579	Monongahela River—19-C	DEP South West Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Reading City Berks County	PAG033569	Matos Used Auto LLC 500 Old Wyomissing Rd Reading, PA 19611-1510	Schuylkill River in Watershed 3-C	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Silver Spring Township Cumberland County	PAG033570	PO Box 7635 Reading, PA 19603	Hogestown Run in Watershed 7-B	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-13

<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>
Harrison Township Allegheny County	PAG136177	Harrison Township Municipal Drive— P.O. Box 376 Natrona Heights, PA 15065-0376	Little Bull Creek and Allegheny River—18-A (TSF, WWF, N)	DEP South West Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Conway Borough Beaver County	PAG136209	Borough of Conway 1208 3rd Avenue Conway, PA 15027-1598	UNT to Crows Run, Crows Run & Ohio River/WWF	DEP South West Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Upper Mount Bethel Township Northampton County	PAG132303	Upper Mount Bethel Township Northampton County 387 Ye Olde Highway Mount Bethel, PA 18343	West Fork Martins Creek—1-F (TSF, MF)	DEP North East Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

STATE CONSERVATION COMMISSION**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

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

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office

Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Penn England Farm 10341 Fox Run Road Williamsburg, PA 16693	Blair, Huntingdon	3,315.3	3,854.53	Dairy	Clover Creek, Fox Run, New Creek, Piney Creek— All HQ	Acknowledged

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act.

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

Permit No. 4617514, Public Water Supply.

Applicant	Pottstown Borough Authority 100 East High Street Pottstown, PA 19464
Borough	Pottstown
County	Montgomery
Type of Facility	PWS
Consulting Engineer	BCM Engineers 920 Germantown Pike Suite 200 Plymouth Meeting, PA 19462
Permit to Construct Issued	December 18, 2017

Operations Permit No. 4617520 issued to **North Wales Water Authority**, 200 West Walnut Street, P.O. Box 1339, PWS ID # **1460048**, Upper Dublin Township, **Montgomery County** on December 19, 2017 for the operation of Susquehanna Road Storage Tank-Rehabilitation facilities approved under construction permit # 4617507.

Operations Permit No. 4616530 issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, PWS ID # **1460028**, Borough of Hatboro, **Montgomery County** on December 18, 2017 for the operation of Addition of Ammonia Feed System at Hatboro Well No. 15 facilities approved under construction permit # 4616530.

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit No. 2450034, Public Water Supply.

Applicant	Brodhead Creek Regional Authority 410 Mill Creek Road East Stroudsburg, PA 18301
[Township or Borough]	Stroud Township Monroe County

Responsible Official David Horton
410 Mill Creek Road
East Stroudsburg, PA 18301

Type of Facility PWS

Consulting Engineer Max Stoner, PE
Glace Associates, Inc
3705 Trindle Road
Camp Hill, PA 17011

Operation Permit Issued Date 12/05/2017

Permit No. 2450034, Public Water Supply.

Applicant **Brodhead Creek Regional Authority**
410 Mill Creek Road
East Stroudsburg, PA 18301

[Township or Borough] Stroud Township
Monroe County

Responsible Official David Horton
410 Mill Creek Road
East Stroudsburg, PA 18301

Type of Facility PWS

Consulting Engineer Russell D. Scott IV, PE
RKR HESS
112 North Courtland Street
East Stroudsburg, PA 18301

Operation Permit Issued Date 12/05/2017

Permit No. 4017508MA, Public Water Supply.

Applicant **Aqua PA, Inc.**
1 Aqua Way
White Haven, PA 18661

[Township or Borough] Butler Township
Luzerne County

Responsible Official Patrick R. Burke, PE
Aqua PA, Inc.
204 E. Sunbury Street
Shamokin, PA 17872

Type of Facility PWS

Consulting Engineer Peter Lusardi, PE
GHD
1240 North Mountain Road
Harrisburg, PA 17112
(717) 541-0622

Permit to Construct Issued 12/06/2017

Permit No. 3480045, Operations Permit, Public Water Supply.

Applicant **Whispering Hollow South MHP SPG Inc.**
139 Country Club Rd.
Northampton, PA 18067

[Borough or Township] Allen Township

County **Northampton**

Type of Facility PWS

Consulting Engineer Angelika B. Forndran, PE
Cowen Associates, Inc.
120 Penn-Am Dr.
P.O. Box 949
Quakertown, PA 18951

Permit to Operate Issued 12/11/2017

Permit No. 2408001, Operations Permit, Public Water Supply.

Applicant **Hazleton City Authority**
400 East Arthur Gardner
Parkway
Hazleton, PA 18201-7359

[Borough or Township] Hazle Township

County **Luzerne**

Type of Facility PWS

Consulting Engineer John Synoski, PE
Hazleton City Authority
400 East Arthur Gardner
Parkway
Hazleton, PA 18201-7359

Permit to Operate Issued 12/13/2017

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

Permit No. 2817508 MA, Minor Amendment, Public Water Supply.

Applicant **Greencastle Area, Franklin County, Water Authority**
Greencastle Borough

County **Franklin**

Responsible Official Julian Miraglia, Chairperson
75 Grace Boulevard
Morgantown, PA 19543

Type of Facility Installation of a bulk water loading station.

Consulting Engineer Jamie R. Shambaugh, P.E.
Gannett Fleming, Inc.
PO Box 67100
Harrisburg, PA 17106-7100

Permit to Construct Issued 12/14/2017

Operation Permit No. 2808501 issued to: **Guilford Water Authority (PWS ID No. 7280038)**, Guilford Township, **Franklin County** on 12/14/2017 for facilities approved under Construction Permit No. 2808501.

Comprehensive Operation Permit No. 7380386 issued to: **Kenbook Bible Camp, Inc. (PWS ID No. 7380386)**, Swatara Township, **Lebanon County** on 12/20/2017 for the operation of facilities at Kenbrook Bible Camp approved under Construction Permit No. 3817502.

Operation Permit No. 3617514 issued to: **Lancaster Mennonite School (PWS ID No. 7360570)**, Pequea Township, **Lancaster County** on 12/11/2017 for facilities approved under Construction Permit No. 3617514.

Comprehensive Operation Permit No. 7010835 issued to: **Lutheran Camping Corporation of Central PA (PWS ID No. 7010835)**, Menallen Township, **Adams County** on 12/20/2017 for the operation of facilities at Camp Nawakwa approved under Construction Permit No. 0117505 MA.

Comprehensive Operation Permit No. 7380419 issued to: **Dela-Ches Fishing Association, Inc. (PWS ID No. 7380419)**, South Londonderry Township, **Lebanon County** on 12/20/2017 for the operation of facilities approved under Construction Permit No. 3817506 MA.

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

Permit No. 0217529, Public Water Supply.

Applicant **Standard Carson Venture, LP**
2117 E Carson Street
Pittsburgh, PA 15203

[Borough or Township] City of Pittsburgh

County **Allegheny**

Type of Facility Carson Towers water system

Consulting Engineer GAI Consultants
385 East Waterfront Drive
Homestead, PA 15120

Permit to Construct Issued December 19, 2017

Permit No. 5617502, Public Water Supply.

Applicant **Indian Lake Borough**
1301 Causeway Drive
Central City, PA 15926

[Borough or Township] Indian Lake Borough

County **Somerset**

Type of Facility Water system

Consulting Engineer Somerset Planning & Engineering Services, LLC
222 West Main Street
Suite 100
Somerset, PA 15501

Permit to Construct Issued December 21, 2017

Operations Permit issued to: **Borough of Garrett**, 307 Municipal Road, PO Box 218, Garrett, PA 15542, (**PWSID # 4560035**) Summit Township and Garrett Borough, **Somerset County** on December 18, 2017 for the operation of facilities approved under Construction Permit # 5617510.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (**PWSID # 5020039**) Union Township, **Washington County** on December 19, 2017 for the operation of facilities approved under Construction Permit # 0217507MA.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (**PWSID # 5020039**) Robinson Township, **Washington County** on December 21, 2017 for the operation of facilities approved under Construction Permit # 0217506MA.

Operations Permit issued to: **UMH Properties, Inc.**, 150 Clay Street, Suite 450, Morgantown, WV 26501, (**PWSID # 5020019**) Somerset Township, **Somerset County** on December 21, 2017 for the operation of facilities approved under Construction Permit # 0416506.

Permit No. 1117511MA, Minor Amendment. Public Water Supply.

Applicant **Greater Johnstown Water Authority**
640 Franklin Street
PO Box 1407
Johnstown, PA 15901

[Borough or Township] Stonycreek Township

County **Cambria**

Type of Facility Raw waterline at the Riverside WTP

Consulting Engineer Gibson-Thomas Engineering Co., Inc.
1004 Ligonier Street
PO Box 853
Latrobe, PA 15650

Permit to Construct Issued December 18, 2017

Permit No. 0417503MA, Minor Amendment. Public Water Supply.

Applicant **Creswell Heights Joint Water Authority**
3961 Jordan Street
South Heights, PA 15081

[Borough or Township] South Heights Borough

County **Beaver**

Type of Facility Chlorine contact pipe

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Permit to Construct Issued December 18, 2017

Permit No. 6517527GWR, Minor Amendment. Public Water Supply.

Applicant **Hillview Estates, Inc.**
135 Bailey Road
Greensburg, PA 15601

[Borough or Township] Salem Township

County **Westmoreland**

Type of Facility Hillview Estates

Consulting Engineer

Permit to Operate Issued December 19, 2017

Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 1014506-MA1. Public Water Supply.

Applicant **Slippery Rock Municipal Authority**

Township or Borough Slippery Rock Borough

County **Butler**

Type of Facility Public Water Supply

Consulting Engineer Iran Gabin
 Dixon Engineering
 815 West Liverty Street
 Ste 1
 Medina, OH 44256

Permit to Construct December 19, 2017
 Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5).

Southwest Regional Office, Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Plan Location: City of McKeesport, Allegheny County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of McKeesport	500 Fifth Avenue McKeesport, PA 15132	Allegheny
City of Duquesne	12 S. Second Street Duquesne, PA 15110	Allegheny
Borough of Dravosburg	226 Maple Street Dravosburg, PA 15034	Allegheny
Borough of Port Vue	1191 Romine Avenue Port Vue, PA 15133	Allegheny

Plan Description: The approved plan provides for the Pennsylvania American Water Company (PAWC) to purchase the Municipality Authority of the City of McKeesport’s (MACM) wastewater collection and treatment systems in the City of McKeesport, City of Duquesne, Borough of Dravosburg and the Borough of Port Vue (Direct Service Communities). PAWC will assume the operation and maintenance of these wastewater collection and treatment facilities. PAWC will also assume MACM’s obligations under intermunicipal agreements with the following municipalities: Boroughs of Liberty, Lincoln, Glassport, White Oak, Versailles, West Mifflin and East McKeesport and the Townships of North Versailles and Elizabeth (Intermunicipal Service Communities).

Plan Location: Single Residence Small Flow Treatment Facility at 209 Lisbon Road, Beaver, PA 15009.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Ohioville Borough	6268 Tuscarawas Road Industry, PA 15052	Beaver

Plan Description: The approved plan provides for the installation of a Wastewater Treatment Plant to be located at 209 Lisbon Road, Ohioville Borough, Allegheny County. The facility is intended to treat 500 gallons per day of sanitary waste from a single residence. The proposed discharge is to South Branch Brady Run designated under Chapter 93 as a Trout Stock Fishery (TSF). This approval was granted in part based on the Department’s Water Quality Antidegradation Implementation Guidance policy. The approved sewage facility plan, evaluated all non-discharge alternatives and determined no environmentally sound and cost effective non-discharge alternative is available under subsection (b)(1)(i)(A).

The Department’s review of the sewage facility plan has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of Adcam Properties.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Dallas Township	P.O. Box 518 Dallas, PA 18612	Luzerne

Plan Description: The Department of Environmental Protection (DEP) has reviewed the Minor Act 537 Update Revision—Component 3M Sewage Facilities Planning Module (Module) dated March 2017 (received by the Department on June 12, 2017), with a request for extension of time to respond to the Department’s November 30, 2017 technical deficiency letter, dated December 5, 2017 (received by the Department on December 5, 2017), as prepared by Quad Three Group Inc., on behalf of Dallas Township (Township) and the Dallas Area Municipal Authority (Authority).

At this time, the request for an extension of time to respond to the Department’s November 30, 2017 technical deficiency letter is denied, based on time limitations in 25 Pa. Code § 71.32(c), and the Department has determined that the application continues to be technically deficient. Therefore, the application was denied on December 8, 2017 via correspondence forwarded to the Township and the Authority.

Dallas Township and the Authority may elect to address adequately address all of the deficiencies contained in the Department’s November 30, 2017 technical deficiency letter and resubmit the project for reconsideration. Any resubmittal must contain a complete and updated Minor Act 537 Update Revision—Component 3M Sewage Facilities Planning Module. All materials must be newly adopted by resolution, and otherwise meet the requirements of Chapter 71 of the Department’s regulations.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995
 PREAMBLE 2**

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act’s remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania*

Bulletin. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Lehigh Valley Industrial Park VII-Lot 84, 1019 Gilchrist Drive, Bethlehem City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, submitted a Site-Specific Final Report concerning remediation of site soils contaminated due to historic use as coal storage area used in the production of steel. The predominant contaminants found are metals. The report is intended to document remediation of the site to meet Site-Specific Standards.

North Range CPF # 1 Compressor Station, 705 Four Star Pass, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Susquehanna Gathering Company-DTE Energy, 1429 Oliver Road, New Milford, PA 18834, has submitted a Final Report concerning remediation of site soils contaminated with compressor oil. The report is intended to document remediation of the site to meet Statewide Health Standards.

Leonard Range Unit 65 Pad 1, 1181 Creek Road, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, has submitted a Final Report concerning remediation of site soils contaminated with brine. The report is intended to document remediation of the site to meet Statewide Health Standards.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

United Authority Transportation Cleanup @ I-80 MM 189E, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of United Authority Transportation, dba UA Transportation, 245 Shadowbend Drive, Wheeling, IL 60090, has submitted a Final Report concerning site soil contaminated with diesel fuel and antifreeze. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Zavcor Trucking Limited Cleanup @ I-180 MM 13E, Muncy Creek Township, **Lycoming County**. North-

ridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Zavcor Trucking Limited, P.O. Box 180, Stevensville, ON L05150, Canada, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Volo Group Inc. Cleanup @ I-80 MM 217E, East Chillisquaque Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Volo Group, Inc., 1326 E. Algonquin Road, Apt. 3H, Schaumburg, IL 60173, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Keane Frac L.P.—Mansfield Facility, 14235 Route 6, Charleston Township, **Tioga County**. Keane Group Holdings, LLC, 2121 Sage Road, Suite 370, Houston, TX 77056, has submitted a Final Report concerning remediation of the site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

R.W. Bird Trucking, Inc. Cleanup US Route 15N near SR 304, Union Township, **Union County**. Northridge Group, P.O. Box 231, Northumberland, PA 17857, on behalf of R.W. Bird Trucking, Inc., 701 East College Avenue, Pleasant Gap, PA 16823, has submitted a Final Report concerning remediation of site soil contaminated with motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

GlaxoSmithKline/Balmer Brothers Diesel Fuel Release, 325 North Bridge Street, Marietta, PA 17547, East Donegal Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Balmer Brothers, 1102 Brenneman Road, Manheim, PA 17545, and GlaxoSmithKline, 325 North Bridge Street, Marietta, PA 17547, submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Former Yorktowne Cabinets, 100 Redco Avenue, Red Lion, PA 17356, Red Lion Borough and Windsor Township, **York County**. Buchart Horn, Inc., 445 West Philadelphia Street, P.O. Box 15040, York, PA 17405-7040, on behalf of Tri Boro Construction, 465 Locust Street, P.O. Box 8, Dallastown, PA 17313, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated from historic industrial use. The combined report is intended to document remediation of the site to meet the Nonresidential Statewide Health and Site Specific Standards.

Allegheny Veterinary Hospital, 110 North Jefferson Street, Mount Union, PA 17066, Mount Union Borough, **Huntingdon County**. McKee Environmental, Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of Allegheny Veterinary Hospital, 110 North Jefferson Street, Mount Union, PA 17066, submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. 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.

POCAL Industries-Scranton Facility, 100 Electric Street, Scranton City, **Lackawanna County**. Hocage Consulting, Inc., 987 Haddon Ave, Collingswood, NJ 08108 on behalf of Tamares Real Estate Holdings, Inc.,

1500 Broadway, 24th Floor, New York, NY 10036 submitted a Final Report concerning remediation of site soils contaminated with cadmium and lead. The Final Report demonstrated attainment of non-residential Statewide Health Standards for soil, and was approved by the Department on December 20, 2017.

Former Bridges Market, 582 Route 183, Wayne Township, **Schuylkill County**. United Environmental Services Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Mr. Herman Clauser, 105 Schuylkill Mountain Road, Schuylkill Haven, PA 17972, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Naphthalene, Ethylbenzene, and MTBE. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Final Report was disapproved by the Department on September 21, 2017.

Dibose Residence, 214 Church Street, Bangor Borough, **Northampton County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Ms. Lori Dibose, 214 Church Street, Bangor, PA 18013, submitted a Final Report concerning remediation of site soils contaminated with Toluene, Ethylbenzene, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Final Report was approved by the Department on March 1, 2017.

Wolf Property, 303 South Arch Street, Allentown City, **Lehigh County**. APTIM, 200 Horizon Center, Trenton, NJ 08691, on behalf of Petro Oil Company, 6330 Farm Bureau Road, Allentown, PA 18106, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Cumene, MTBE, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Final Report was disapproved by the Department on September 6, 2017.

Fidorack Property, 267 Moreland Avenue, Bethlehem City, **Northampton County**. Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 16335 on behalf of the Estate of Ruth O. Fidorack, c/o Joseph C. Petraglia Co-Executor, 2404 Lafayette Avenue, Bethlehem, PA 18017 submitted a Final Report concerning remediation of site soils and groundwater contaminated with Toluene, Ethylbenzene, Isopropylbenzene (Cumene), Naphthalene, 1,3,5-Trimethylbenzene, and 1,2,4-Trimethylbenzene. The report is intended to document remediation of the site to meet Site Specific Standards. The Final Report was approved by the Department on December 21, 2017.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Ogontz Fishing Club Unit 29H—Cummings Township, **Lycoming County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Range Resources Appalachia, LLC, 80 Health Drive, Lock Haven, PA 17745, has submitted a Final report concerning remediation of the site soil contaminated with produced water. The Final Report demonstrated attainment of the Background and Statewide Health Standards and was approved by the Department on December 11, 2017.

Seneca Resources DCNR Tract 100 Pad T Brine Release, Lewis Township, **Lycoming County**. ARM Group, Inc., 1129 West Governor Road, PO Box 797, Hershey, PA 17033, on behalf of Seneca Resources Corpo-

ration, 5800 Corporate Boulevard, Suite 300, Pittsburgh, PA 15237, has submitted a Final Report concerning remediation of site soils contaminated with brine. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 11, 2017.

Hawkins Chevrolet, Danville Borough, **Montour County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406-8472 on behalf of Hawkins Chevrolet, Inc., 435 Mill Street, Danville, PA 17821, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with volatile organic compounds, semi-volatile organic compounds and lead related to petroleum spills. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on December 20, 2017.

161 Treverton Road, Zerbe Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Rick Derck, 179 Treverton Road, Shamokin, PA 17872, has submitted a Final report concerning remediation of site soil contaminated with diesel fuel and motor oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 20, 2017.

942 Saint Paul Street—Lewisburg Borough, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of D. Brandyn Cozza, 942 Saint Paul Street, Lewisburg, PA 17837, has submitted a Final report concerning remediation of site soil contaminated with # 2 heating oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 8, 2017.

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

NFG Midstream Clermont West Compressor Station, 12753 Shawmut Grade Road, Jones Township, **Elk County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of NFG Midstream Clermont, LLC, P.O. Box 2081, 1100 State Street, Erie, PA 16512, submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, xylene, sec-butyl benzene, tert-butyl benzene, cyclohexane, 1,3,4-trimethylbenzene, 1,3,5-trimethylbenzene, cumene, naphthalene, acenaphthene, anthracene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[g,h,i]perylene, chrysene, fluoranthene, fluorene, indeno[1,2,3-c,d]pyrene, 2-methylnaphthalene, phenanthrene, pyrene, 1,1-biphenyl, phenol, chlorides, aluminum, barium, boron, iron, lithium, manganese, vanadium, zinc, selenium, and ethylene glycol. The Report was disapproved by the Department on December 15, 2017.

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

Gerald W. and Ilona A. Houp Property, 23 Houp Road, Oley, PA 19547, Oley Township, **Berks County**. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of Wm. R. Gift Company, 2314 Farmington Avenue, Boyertown, PA 19512, and Gerald W. and Ilona A. Houp, 23 Houp Road, Oley, PA 19547 submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The

Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on December 14, 2017.

J&J Material Handling Systems, Inc., 1820 Franklin Street, Columbia, PA 17512, West Hempfield Township, **Lancaster County**. Reliance Environmental, Inc., 236 North Duke Street, Lancaster, PA 17602, on behalf of Arnold Printed Communications, 53 Eastman Avenue, Lancaster, PA 17603, submitted a Final Report concerning site soil contaminated with lead. The Final Report did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on December 21, 2017.

35 Erick Road, 35 Erick Road, Lancaster, PA 17601, City of Lancaster, **Lancaster County**. Liberty Environmental, 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of 35 Erick Road, LLC, 2450 Marietta Avenue, Lancaster, PA 17601, submitted a Remedial Investigation Report and Cleanup Plan concerning site soil contaminated with inorganics and SVOCs from historic fill. The Report and Plan were approved by the Department on December 21, 2017.

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

Environmental Services, Inc., 90 Brookfield Street, South Windsor, CT 06074. License No. PA-AH 0725. Effective Dec 19, 2017.

Renewal Applications Received

Environmental Services, Inc., 90 Brookfield Street, South Windsor, CT 06074. License No. PA-AH 0725. Effective Dec 18, 2017.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act and the act 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.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

Biosafety Services LLC, 271 Pine Road, Pittsburgh, PA 15237. License No. PA-HC 0270. Effective Dec 19, 2017.

Renewal Applications Received

Biosafety Services LLC, 271 Pine Road, Pittsburgh, PA 15237. License No. PA-HC 0270. Effective Dec. 18, 2017.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR019 Base. This permit authorizes the beneficial use of waste foundry sand from ferrous and nonferrous casting foundries, system dust generated by ferrous metal casting foundries, or slag and refractories generated by ferrous metal casting foundries as roadway construction material, a component or ingredient in the manufacturing of concrete or asphalt products, a soil additive or soil substitute, and non-roadway construction material. The general permit was renewed by Central Office and became effective on November 2, 2017.

The Department, at the time of renewal, also re-organized and re-formatted General Permit No. WMGR019 for overall clarity and ease of use, and modified WMGR019 to consolidate General Permit Nos. WMGR019 and WMGR098 into a single general permit, WMGR019. The modification resulted in the following revisions the general permit:

1. Inclusion of the beneficial use of foundry sand and sand system dust generated by ferrous metal foundries and steel foundries as waste materials that may be beneficially used under General Permit Number WMGR019.
2. Utilization of the chemical constituent limits and three options for testing the existed in General Permit Number WMGR019 prior to the November 2, 2017 renewal.

A person or municipality that proposes to beneficially use waste foundry sand from ferrous and nonferrous casting foundries, system dust generated by ferrous metal casting foundries, or slag and refractories generated by ferrous metal casting foundries by operating under the terms and conditions of this general permit after the date of permit renewal must apply for and obtain a Determination of Applicability prior to commencing authorized activities under this general permit. A completed application on forms available from the Department must be submitted to the appropriate Department Regional Office (see the last page of the general permit for a list of regional offices).

Persons interested in obtaining a copy of the renewed general permit can download a copy at <http://www.dep.pa.gov/Business/Land/Waste/SolidWaste/Residual/Permitting/Pages/BeneficialUsePermits.aspx> or may request a copy by contacting the Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

General Permit Application No. WMGR039 Base. This permit authorizes the processing (limited to collection, bulking, storage and passive oil/water separation) of waste oil (including waste oil mixed with hazardous waste in accordance with 25 Pa. Code, § 298.10(b)(2)(ii)

and (iii) (relating to applicability)), waste oil/water mixtures, and asphalt condensate from the manufacturing of shingles prior to beneficial use. The Department re-organized and re-formatted General Permit No. WMGR039 for overall clarity and ease of use. The general permit was renewed by Central Office and became effective on December 25, 2017.

A person or municipality that proposes to process waste oil, waste oil/water mixtures, and asphalt condensate from the manufacturing of shingles prior to beneficial use by operating under the terms and conditions of this general permit after the date of permit renewal must apply for and obtain a Determination of Applicability prior to commencing authorized activities under this general permit. A completed application on forms available from the Department must be submitted to the appropriate Department Regional Office (see the last page of the general permit for a list of regional offices).

Persons interested in obtaining a copy of the renewed general permit can download a copy at <http://www.dep.pa.gov/Business/Land/Waste/SolidWaste/Residual/Permitting/Pages/BeneficialUsePermits.aspx> or may request a copy by contacting the Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Renewal of a Determination of Applicability issued under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit No. WMGR028SC004A. York Materials Group, LLC, Roosevelt Blacktop Plant, 1070 Roosevelt Avenue, York, PA 17404 in West Manchester Township, **York County.** The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to York Materials Group, LLC, previously permitted under permit number WMGR028SC004, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on December 20, 2017.

General Permit No. WMGR028SC004B. York Materials Group, LLC, Route 94 Asphalt Plant, 100 Greensprings Rd., Hanover, PA 17331 in Berwick Township, **Adams County.** The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to York Materials Group, LLC, previously permitted under permit number WMGR028D002A, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on December 20, 2017.

General Permit No. WMGR028SC004C. York Materials Group, LLC, Baker Quarry Asphalt Plant, 321 North Baker Rd., York, PA 17404 in West Manchester Township, **York County**. The Department of Environmental Protection has issued a renewal of a Determination of Applicability under General Permit WMGR028 to York Materials Group, LLC, previously permitted under permit number WMGR028D002B, for the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on December 20, 2017.

Persons interested in obtaining more information about these general permits may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 100930. Philadelphia City Streets Department, Municipal Services Building, 1401 John F Kennedy Boulevard, 7th Floor MSB, Philadelphia, PA 19102-1676. This permit application is for the ten-year renewal to continue operation under Solid Waste Permit No. 100930 at the Northwest Transfer Station, a municipal waste transfer facility located at 5201 Umbria Street in the City and County of Philadelphia. The permit was issued by the Southeast Regional Office on December 15, 2017.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection ("DEP") Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

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

Permit Application No. 101716. Pro Waste Services, Inc., 813 E 18th Street, Erie, PA 16503. On December 20, 2017, the Department issued a new municipal waste transfer station permit to Pro Waste Services, Inc. This is a new municipal waste transfer station permit for the storage and transfer of municipal and residual waste. The application was received February 7, 2017, a LMIP meeting was conducted on April 12, 2017, and an Environmental Justice public meeting was conducted on May 3, 2017. The application was found to be administratively complete by the Northwest Regional Office on April 19, 2017.

Persons interested in commenting on the permit may contact Christina S. Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Permit Application No. 300818. NRG Power Midwest LP—New Castle Station Ash Landfill, 2189 State Road 168 South, West Pittsburg, PA 16160. On December 20, 2017, the Department approved the permit renewal application for the New Castle Station Ash Landfill. The renewal allows the landfill to operate for another ten years. The new expiration date on the permit is now December 20, 2027. No changes to the facilities operation were requested but minor administrative and operating changes to the permit were made to eliminate requirements or conditions that were no longer applicable.

The permit renewal application for the existing facility was received on April 21, 2017. The application was considered complete by the Northwest Regional Office on May 12, 2017.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP3-09-0152: Tamco Construction Inc. (539 E. Dark Hollow Road, Pipersville, PA 18947) On December 20, 2017 for a portable non-metallic mineral processing plant in Doylestown Township, **Bucks County**.

GP9-09-0079 Tamco Construction Inc. (539 E. Dark Hollow Road, Pipersville, PA 18947) On December 20, 2017 for a diesel fired internal combustion engine used for producing power for a portable non-metallic mineral processing plant in Doylestown Township, **Bucks County**.

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

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

GP5-41-643C: UGI Texas Creek, LLC (One Meridian Blvd, Suite 2C01, Wyomissing, PA 19610) on December 18, 2017, for the for the change of ownership and continued operation of one (1) 1,340 bhp Caterpillar model G3516TALE (serial # WPW02707) four-stroke lean-burn natural gas-fired compressor engine and associated EMIT oxidation catalyst (model SP-ZES-30x31-12), one (1) 20 million standard cubic feet per day (MMscf/day) NATCO dehydrator and associated 0.250 MMBtu/hr glycol reboiler burner, three (3) 1.0 MMBtu/hr Pride of the Hills separator/heater units, three (3) 10,000 gallon produced water tanks, and one (1) 10,000 gallon drained fluids tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Clegg Compressor Station located in McNett Township, **Lycoming County**.

GP5-59-233A: UGI Texas Creek, LLC (One Meridian Blvd, Suite 2C01, Wyomissing, PA 19610) on December 18, 2017, for the for the change of ownership and continued operation of one (1) 1,380 bhp Caterpillar G3516B four-stroke lean-burn compressor engine, one (1) 80 bhp Arrow VRG 380 (4SRB) natural gas fired genera-

tor engine, one (1) 60 MMscf/day dehydrator unit equipped with a 0.50 MMBtu/hr reboiler burner and one (1) 15,000-gallon produced water tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Jackson Compressor Station located in Union Township, **Tioga County**.

GP5-41-234A: UGI Texas Creek, LLC (One Meridian Blvd, Suite 2C01, Wyomissing, PA 19610) on December 18, 2017, for the for the change of ownership and continued operation of two (2) 1,380 bhp Caterpillar G3516B LE four-stroke ultra-lean-burn compressor engine, one (1) 80 bhp Arrow VRG 380 (4SRB) natural gas fired generator engine, one (1) 60 MMscf/day dehydrator unit equipped with a 0.50 MMBtu/hr reboiler burner and one (1) 15,000-gallon produced water tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Lovell Compressor Station located in Liberty Township, **Tioga County**.

GP5-59-220C: UGI Texas Creek, LLC (One Meridian Blvd, Suite 2C01, Wyomissing, PA 19610) on December 18, 2017, for the for the change of ownership and continued operation of three (3) 1,380 bhp Caterpillar G3516B four-stroke lean-burn compressor engines, one (1) 80 bhp Arrow VRG 380 (4SRB) natural gas fired generator engine, one (1) 60 MMscf/day dehydrator unit equipped with a 0.50 MMBtu/hr reboiler burner, one (1) 30 MMscf/day dehydrator unit equipped with a 0.25 MMBtu/hr reboiler burner and one (1) 10,000-gallon produced water tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Trimble Compressor Station located in Union Township, **Tioga County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

GP4-43-385C: Cronimet Specialty Metals USA, Inc. (209 Reynolds Industrial Park Rd., Greenville, PA 16125) on December 19, 2017, for the authority to continue operation of two burn off ovens (BAQ-GPS/GP4) located at their facility in Greenville Borough, **Mercer County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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.

36-03207A: R. E. Ebersole, Inc. (236 Governor Stable Road, Bainbridge, PA 17502) on December 19, 2017, for an existing 16.752 MMBtu/hr # 2 oil fired, boiler at the rendering facility located in Conoy Township, **Lancaster County**.

06-05036C: Novipax, LLC (4275 Reading Crest Avenue, Reading, PA 19605-1130) on December 19, 2017, for approval of a Reasonably Available Control Technology (RACT 2) plan, as a plan approval and proposed SIP

revision, for the polystyrene foam products manufacturing facility located in Muhlenberg Township, **Berks County**.

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

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

47-00001G: Montour LLC (PO Box 128, Washingtonville, PA 17884) on December 19, 2017, to add the capacity to fire natural gas in the two utility boilers (Units 1 and 2) and one auxiliary boiler (Unit 11A) at the Montour Steam Electric Station located in Derry Township, **Montour County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

16-132M: Clarion Boards Inc. (143 Fiberboard Rd., Shippensburg, PA 16254), on December 15, 2017 issued a Plan Approval for the replacement of 5 existing baghouses (C104, C107, C110, C111 & C112) with new baghouse (C104A, C107A, C110A, C110V & C111A) for Source 104, 107, 110, 111 & 112 and the proposed construction of a new outdoor chips storage area in Paint Township, **Clarion County**. This is a Title V facility.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Roger Fey, Chief—Telephone: 215-823-7584.

AMS IP16-000234: Philadelphia Energy Solutions (PES) (3144 Passyunk Avenue, Philadelphia, PA 19145) issued December 20, 2017 for the amendment of Plan Approval No. 15232 to authorize the use of Emission Reduction Credits (ERCs) for Plan Approval No. 15232 and the Tier 3 Project. The original plan approval was issued September 22, 2016 for several operational and process changes to be made at the facility in order to comply with the U.S.E.P.A. Tier 3 gasoline standards. PES was required to obtain 45.1 tons of Nitrogen Oxide (NO_x) ERCs and 38.1 tons of Volatile Organic Compound (VOC) ERCs as part of the plan approval in order to comply with the offset requirements of 25 Pa. Code § 127.206(d). To satisfy these requirements, it is proposed to amend this plan approval to incorporate conditions which retire 45.1 tons of NO_x ERCs and 40.55 tons of VOC ERCs which PES obtained to satisfy these requirements. PES obtained an extra 2.45 tons of VOC ERCs and is proposing to retire them so they will be available in the future.

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.

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.

06-05069AA: East Penn Manufacturing Co., Inc. (P.O. Box 147, Lyon Station, PA 19536) on December 19, 2017, for proposed changes to operations in the Industrial Battery Manufacturing Facility. The Industrial Battery Manufacturing Facility is located at the Lyon Station Plant in Richmond Township, **Berks County**. The plan approval was extended.

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

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

14-00041A: Compass Natural Gas Partners, LP (1215 Manor Drive, Suite 302, Mechanicsburg, PA 17055) on December 18, 2017, to extend the authorization for the construction of the compressed natural gas truck terminal at their Bald Eagle CNG Truck Terminal located in Boggs Township, **Centre County** to June 16, 2018. The plan approval has been extended.

08-00008: Guthrie Robert Packer Hospital (1 Guthrie Square, Sayre, PA 18440) on December 14, 2017, to extend the authorization for the construction of the combined heat and power engine at the hospital located in Sayre Borough, **Bradford County** to July 12, 2018. The plan approval has been extended.

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

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

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

46-00230: East Norriton Plymouth Whitpain Joint Sewer Authority (200 Ross Street, Plymouth Meeting, PA 19462) On December 13, 2017 for a new Title V Operating Permit for the operation of an existing sewage sludge incinerator plant previously permitted under a State Only Operating Permit for this location in Plymouth Township, **Montgomery County**.

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

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

14-00003: Pennsylvania State University (114 Fox Hollow Building, University Park, PA 16802) on December 13, 2017, was issued a significant modification to Title V operating permit 14-00003 for their University Park Campus located in State College Borough and College Township, **Centre County**. The purpose of the significant modification was to incorporate the provisions and requirements contained in the company's approved RACT II plan for the facility in accordance with 25 Pa. Code §§ 129.96—129.100. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

42-00174: Casella Waste Management of PA, Inc. (19 Ness Lane, Kane, PA 16735), on December 1, 2017, the Department issued the renewal of the Title V Operating Permit to an active municipal solid waste (MSW) landfill located in Sergeant Township, **McKean County**. The landfill is the only permitted source at the facility. The landfill gas generated is controlled and destroyed by an enclosed flare. With a design capacity exceeding 2.5 million megagrams or 2.5 million cubic meters, the facility is Title V because of rulemaking. The facility is subject to 40 CFR 63 Subpart AAAAA (National Emission Standards for Hazardous Air Pollutants for MSW Land-

fills) and 40 CFR 60 Subpart WWW (Standards of Performance of MSW Landfills). Expected to be promulgated within the next two years, 40 CFR 60 Subpart Cf, which pertains to Emission Guidelines and Compliance Times for MSW Landfills applicable to MSW landfills constructed, reconstructed, or modified on or before July 17, 2014, is incorporated into the renewal permit. When implemented, 40 CFR 60 Subpart Cf will replace 40 CFR 60 Subpart WWW. Other changes made in the renewal permit are the removal of a previously permitted source and the addition of a compliance schedule for the engine of a trailer tipper unit present at the facility. For the duration of the renewal permit (2017 to 2022), the facility is an area source with maximum PTEs of 12.5, 5.0, 3.8, 1.7, 1.0, 0.7 and 0.5 TPY for CO, NO_x, SO_x, VOC, PM₁₀, multiple HAPs, and single HAP, respectively.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

46-00199: Alcom Printing Group, Inc. (140 Christopher Lane, Harleysville, PA 19438) On December 20, 2017 for a renewal of their non-Title V (State-only), Natural Minor Operating Permit for six (6) lithographic printing presses at Alcom Printing in Lower Salford Township, **Montgomery County**.

23-00066: Pyropure, Inc., d.b.a. Pyromet (5 Commerce Drive, Aston, PA 19014) On December 20, 2017 for a State Only, Natural Minor Operating Permit for its silver smelting and recovery facility in Chester Township, **Delaware County**.

46-00251: Anders-Detweiler Funeral Home (130 East Broad Street, Souderton, PA 18964-1209) On December 20, 2017 for the renewal of a State Only (Natural Minor) Operating Permit for crematory operations located in Souderton Borough, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

36-03168: Franklin & Marshall College (415 Harrisburg Avenue, Lancaster, PA 17604-3003) on December 19, 2017, for the boilers and engines at the institution of higher education facility located in Lancaster City, **Lancaster County**.

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

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

41-00043: HRI, Inc. (1750 West College Avenue, State College, PA 16801), issued a renewal State Only operating permit on December 20, 2017, for operation of the Williamsport Asphalt Plant located in the City of Williamsport, **Lycoming County**. The revised operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

14-00027: HRI, Inc. (1750 West College Avenue, State College, PA 16801), issued a renewal State Only operating

permit on December 20, 2017, for operation of the Curtin Gap Asphalt Plant located in the Marion Township, **Centre County**. The operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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.

03851601 and NPDES No. PA0214540. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Dutch Run Prep Plant in Plumcreek Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on April 10, 2017. Application received: December 22, 2016. Permit issued: December 15, 2017.

03961301 and NPDES No. PA0214787. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201. To renew the permit for the Tracy Lynne Mine in Kiskiminetas and Parks Townships, **Armstrong County**. No additional discharges. The application was considered administratively complete on February 2, 2017. Application received August 25, 2016. Permit issued December 15, 2017.

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

Permit No. 56060104 and NPDES No. PA0249963. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for the continued operation and restoration of a bituminous surface mine in Shade Township, **Somerset County** affecting 107.2 acres. Receiving streams: unnamed tributaries to/and Hinson Run classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria-Somerset Authority, Border Dam Intake, on Stonycreek River. Application received: October 10, 2017. Permit issued: December 19, 2017.

Permit No. 56020104. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County** affecting 128.8 acres. Receiving streams: unnamed tributary to Buffalo Creek classified for the following use: cold water

fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 1, 2017. Permit issued: December 19, 2017.

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

26100104 and NPDES Permit No. PA0252158. Amerikohl Mining, Inc. (1384 State Route, Stahlstown, PA 15687). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 100.6 acres. Receiving streams: unnamed tributaries to Mill Run and Mill Run. Application received: July 20, 2017. Renewal permit issued: December 18, 2017.

65860105 and NPDES Permit No. PA0588601. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15171). Permit issued for continued treatment of a bituminous surface mine, located in Donegal and Mount Pleasant Townships, **Westmoreland County**, affecting 372 acres. Receiving streams: unnamed tributary to Fourmile Run. Application received: July 6, 2017. Permit issued: December 21, 2017.

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

Permit No. 54-305-040GP12. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54763207 in Mahanoy Township, **Schuylkill County**. Application received: November 1, 2017. Permit issued: December 15, 2017.

Permit No. 54-305-041GP12. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54950202 in Mahanoy Township, **Schuylkill County**. Application received: November 1, 2017. Permit issued: December 15, 2017.

Permit No. 49860201R6. Rosini Enterprises, Inc., (P.O. Box 568, Shamokin, PA 17872), renewal of an existing anthracite coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 53.0 acres, receiving stream: Carbon Run. Application received: May 12, 2017. Renewal issued: December 18, 2017.

Permit No. 49860201C2. Rosini Enterprises, Inc., (P.O. Box 568, Shamokin, PA 17872), correction to update the post-mining land use to unmanaged natural habitat of an existing anthracite coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 53.0 acres, receiving stream: Carbon Run. Application received: May 12, 2017. Renewal issued: December 18, 2017.

Permit No. PAM112057R. Rosini Enterprises, Inc., (P.O. Box 568, Shamokin, PA 17872), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49860201 in Coal Township, **Northumberland County**, receiving stream: Carbon Run. Application received: May 12, 2017. Renewed issued: December 18, 2017.

Noncoal Permits Issued

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

53102803. Jerome Eckert (269 Route 6 West, Galeton, PA 16922). Final bond release for a small industrial minerals surface mine, located in Sweden

Township, **Potter County**. Restoration of 5.0 acres completed. Receiving stream(s): Mill Creek. Application received: October 20, 2107. Final bond release approved: December 15, 2017.

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

02942301. J.J.J. Development, Inc., 384 Old Curry Hollow Road, Pittsburgh, PA 15236. Final bond release for a small noncoal mining operation in West Mifflin Borough, **Allegheny County**. Restoration of 5 acres completed. Application received: August 28, 2017. Final bond release approved: December 19, 2017.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

03142001. Britt Energies, Inc. (P.O. Box 515, 5450 Ferguson Road, Indiana, PA 15701). Blasting Plan for mining, located in South Bend Township, **Armstrong County** with an expiration date of December 18, 2018. Blasting permit issued: December 18, 2017.

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

Permit No. 45174105. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting for 108 Blueberry Court in Tobyhanna Township, **Monroe County** with an expiration date of December 15, 2018. Permit issued: December 15, 2017.

Permit No. 36174150. M & J Explosives, LLC, (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Wedgewood Development in Manheim Township, **Lancaster County** with an expiration date of December 30, 2018. Permit issued: December 19, 2017.

Permit No. 38174124. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Bell & Evans Commercial Development in Bethel Township, **Lebanon County** with an expiration date of November 29, 2018. Permit issued: December 19, 2017.

Permit No. 67174119. J Roy's, Inc., (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Brookside Heights in Penn Township, **York County** with an expiration date of December 14, 2018. Permit issued: December 19, 2017.

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

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E39-552. Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To remove the existing bridge and to construct and maintain a 100-foot long single-span, concrete adjacent box beam bridge that has a 4-foot underclearance and a 255.32 square foot waterway opening across Cedar Creek (HQ-CWF, MF) and also to construct and maintain an outfall structure in the floodway of Cedar Creek (HQ-CWF, MF) consisting of a 24-inch reinforced concrete pipe with a concrete headwall and riprap apron. (Allentown East Quadrangle Latitude: 40.5939 N; Longitude: -75.5007 W).

E39-537A. Upper Macungie Township, 8330 Schantz Road, Breinigsville, PA 18031. Upper Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To amend Permit No. E39-537 to authorize an additional 25 linear feet of stream enclosure along an unnamed tributary to Cedar Creek (HQ-CWF, MF), resulting in a 152-foot long overall structure, depressed 12 inches below streambed elevation. There are no changes proposed to the cross-section or waterway opening of the structure. E39-537 authorized removal of four existing pipe culverts and construction and maintenance of a stream enclosure and channel change along an unnamed tributary to Cedar Creek (HQ-CWF, MF) associated with the Laurel Fields Subdivision in Upper Macungie Township, Lehigh County. The stream enclosure consisted of a 127-foot long concrete box culvert with a span of 24 feet and an underclearance of 3 feet. The channel change consisted of approximately 215 linear feet of work, including removing sediment and re-shaping and lining the channel with erosion control matting. (Allentown West Quadrangle Latitude: 40°34'57.5N"; Longitude: -75°33'50.2W") in Upper Macungie Township, Lehigh County.

E63-701. Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275. Finleyville Borough and Union Township, **Washington County**, Army Corps of Engineers Pittsburgh District.

To remove the existing structure; and to construct and maintain a 44-foot wide single span pre-stressed concrete adjacent box beam bridge over Peters Creek (TSF), having a normal span of 66 feet and an approximate under clearance of 5.5 feet; and to relocate 165 feet of a tributary to Peters Creek (TSF). The relocation consists of filling in the existing channel and to construct and maintain a 165-foot long channel having a 1-foot bottom width and 2:1 side slopes. The project will also impact a de minimus amount of PEM wetland equal to 0.01 acre. The project is located along S.R. 0088 Section 06M, Segment 0750, Offset 2264 (Bridgeville Quadrangle Latitude: 40°15'1.8"; Longitude: -80°0'12.2") in Finleyville Borough and Union Township, Washington County.

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

E67-931: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Heidelberg Township, **York County**, U.S. Army Corps of Engineers, Baltimore District.

To remove three existing structures and to 1) construct and maintain a single-span concrete bridge, having a total span of 61 linear feet, a width of 36.75 feet, and an underclearance of 7.42 feet, spanning Oil Creek (WWF-MF) (Hanover, PA Quadrangle, Latitude: 39° 49' 54.3", Longitude: 76° 55' 38.3") 2) construct and maintain a 76-inch by 48-inch elliptical concrete pipe having a total linear length of 62 feet 5.25 inches within an unnamed tributary to Oil Creek (WWF-MF) (Hanover, PA Quadrangle, Latitude: 39° 49' 53.1", Longitude: 76° 55' 37.4") 3) construct and maintain a 68-inch by 42-inch elliptical concrete pipe having a total linear length of 108 feet within an unnamed tributary to Oil Creek (WWF-MF) (Hanover, PA Quadrangle, Latitude: 39° 49' 55.2", Longitude: 76° 55' 39.3") all for the purpose of replacing the structurally deficient bridge on Jacobs Mill Road (SR 3045) in Heidelberg Township, York County. The permit was issued on December 19, 2017.

E67-925: York County Rail Trail Authority, PO Box 335, Seven Valleys, PA 17360-0335 in Manchester and Springettsbury Townships, York City and North York

Borough, **York County**, U.S. Army Corps of Engineers, Baltimore District.

To extend the Northern Extension of the York County Rail Trail approximately 6,150 L.F. from the Route 30 Codorus Creek crossing into the City of York (York Quadrangle between (39° 59' 1.82" N, 76° 43' 25.45" W) and (39° 58' 26.03" N, 76° 43' 36.13" W)). The majority of the project occurs in the floodplain, requiring a Chapter 106 permit. Of the proposed 6,150 L.F., four aspects occur outside the floodplain. The Chapter 105 portion of the project includes 1) 9,643 ft² of floodway impacts to Willis Run (WWF) in the form of a 75-foot by 12-foot fiberglass truss bridge, 2) 3,222 ft² of floodway impacts to Codorus Creek (WWF), which comprise approximately 500 feet of trail, and 3) 10,888 ft² of floodway and stream impacts to two unnamed tributaries to Codorus Creek (WWF) consisting of two crossings and their associated trails over existing culverts. The project also includes 1,031 ft² of stream impacts to Willis Run (WWF), 929 ft² of stream impacts to two unnamed tributaries to Codorus Creek (WWF). There are a total of 9 impacts to Waters of the Commonwealth for a total disturbance of approximately 0.89 of an acre. There are no proposed wetland impacts. The permit was issued on December 19, 2017.

E22-636: Lower Paxton Township, 425 Prince Street, Harrisburg, PA 17109 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To 1) re-grade 91 feet of an unnamed tributary to Beaver Creek (WWF, MF); 2) install and maintain approximately 124 linear feet of 24-inch diameter, SLCPP in an unnamed tributary to Beaver Creek (WWF, MF); install and maintain 15 linear feet of 24-inch diameter, SLCPP; and 4) install and maintain a Type-M inlet, temporarily impacting approximately 23 square feet of wetlands; (Latitude: 40°19'19.6", Longitude: -76°46'30.2") all for the purpose of alleviating storm flooding. The permit was issued on December 19, 2017.

E21-451: Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Heidelberg Township, **York County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to 1) install and maintain a two-span pre-stressed concrete spread box beam bridge, having a total span of 136.0 feet, a width of 32.3 feet, and an underclearance of 9.75 feet, including associated outfall structures, all over Yellow Breeches Creek (CWF-MF), and 2) relocate a tributary of Yellow Breeches Creek for 237 linear feet, all along Lisburn Road (SR 4033) in Lower Allen & Upper Allen Townships, Cumberland County and Fairview Township, York County (40° 9' 44.25"; -76° 55' 18.55"). The project will permanently impact 0.32 acre of floodway and will temporarily impact 0.40 acre of floodway. No wetland impacts are proposed. The purpose of the project is to improve the roadway to current safety standards. The permit was issued on December 19, 2017.

ENVIRONMENTAL ASSESSMENTS

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

EA05-012: USDA Natural Resource Conservation Service, 359 East Park Drive, Suite 2, Harrisburg, PA 17111-2747 in Bedford Township, **Bedford County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a wetland enhancement and creation project under their Wetland Reserve Program (WRP) consisting of the construction of two (2) pothole wetlands totaling 0.53 acre in size and impacting 0.09 acre of PEM wetlands in and adjacent to the floodway of Imler Run (TSF, MF) for the purpose of enhancing the existing wetlands. An additional 0.22 acre of wetland will also be created. The project is located West of Younts Road approximately 1 mile south of its intersection with Briar Valley Road (Everett West, PA Quadrangle, Latitude: 40° 4' 39"N; Longitude: 78° 28' 41"W) in Bedford Township, Bedford County. The acknowledgment was issued on December 15, 2017.

EROSION AND SEDIMENT CONTROL

the following Erosion and Sediment Control permits have been issued.

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

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

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

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESX15-003-0008—Renewal
 Applicant Name EQM Gathering, LLC
 Contact Person Brinton Goettel
 Address 555 Southpointe Blvd
 City, State, Zip Canonsburg, PA 15317
 County Allegheny County
 Township(s) Forward Township
 Receiving Stream(s) and Classification(s) UNTs Bunola Run (WWF), Bunola Run (WWF), UNTs to Kelly Run (WWF), & Kelly Run (WWF)

ESCGP-2 # ESX17-125-0005—Major Modification
 Applicant Name EQM Gathering OPCO, LLC
 Contact Person Brinton Goettel
 Address 555 Southpointe Blvd
 City, State, Zip Canonsburg, PA 15317
 County Washington County
 Township(s) Marianna Borough, West Bethlehem Township & Amwell Township
 Receiving Stream(s) and Classification(s) UNTs to Hufford Run (TSF), Hufford Run (TSF), UNTs to Patterson Run (TSF), and UNTs to Tenmile Creek (TSF)

ESCGP-2 # ESG17-125-0034
 Applicant Name Rice Midstreams Holding, LLC
 Contact Person Erin Debias
 Address 2200 Rice Drive
 City, State, Zip Canonsburg, PA 15317
 County Washington County
 Township(s) South Strabane Township
 Receiving Stream(s) and Classification(s) Little Chartiers Creek (HQ-WWF)

ESCGP-2 # ESX12-059-0051—Renewal
 Applicant Name Rice Drilling B, LLC
 Contact Person Erin Debias
 Address 2200 Rice Drive
 City, State, Zip Canonsburg, PA 15317
 County Greene County
 Township(s) Jefferson Township
 Receiving Stream(s) and Classification(s) UNT Muddy Creek (WWF) & UNT South Fork Tenmile Creek (WWF)

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>ESCGP-2</i> No.	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0000317004	Equitrans, LP 625 Liberty Avenue Pittsburgh, PA 15222	Allegheny County	Findlay Township	Raccoon Creek (WWF); Raredon Run (WWF); Montour Run (TSF)
ESG0012517003-1	MarkWest Liberty Midstream & Resources, LLC 4600 J. Barry Court Suite 500 Canonsburg, PA 15317	Washington County	Mount Pleasant Township	UNTs to Millers Run (WWF)

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESX15-019-0053A—PER W71 Well Pad—Major Modification

Applicant PennEnergy Resources LLC

Contact Gregg Stewart

Address 1000 Commerce Drive; Park Place One; Suite 400

City Pittsburgh State PA Zip Code 15275

County Butler Township(s) Jefferson

Receiving Stream(s) and Classification(s) Tributary 35228 to Thorn Creek, UNTs to Tributary 35228 to Thorn Creek

ESCGP-2 # ESX14-019-0020A—AK Steel A Gas Pipeline—Major Modification

Applicant Mountain Gathering, LLC

Contact Mr. Dewey Chalos

Address 810 Houston Street

City Fort Worth State TX Zip Code 76102

County Butler Township(s) Butler

Receiving Stream(s) and Classification(s) Sawmill Run, Sawmill Run Reservoir, Warm Water Fishery, Connoquenessing Creek (CWF)

STORAGE TANKS CLOSURE-IN-PLACE VARIANCE

The following variance from closure requirements under the authority of the Storage Tank Spill Prevention Act (35 P.S. § 6021.501) and under 25 Pa. Code Chapter 245, Subchapter E, has been issued by the Bureau of Environmental Cleanup and Brownfields, PO Box 8762, Harrisburg, PA 17105-8762.

<i>Variance No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacities</i>
U-17-0002	Sunoco Retail LLC 3801 West Chester Pike Newtown Square, PA 19073-2320	Adams	Hamiltonban Township	Diesel	3,000 gallons 2,000 gallons

The variance request asks that underground storage tanks (USTs) 001 and 002 be excluded from part of the UST closure requirements located in 25 Pa. Code § 245.452(b). Specifically, the variance requests that USTs 001 and 002 be permanently closed without being removed from the ground or filled with a non-shrinking, inert solid material as required by regulation to facilitate the installation of new, structurally independent, field-constructed USTs built within USTs 001 and 002. A variance was granted with the following conditions: (1) Sunoco Retail LLC shall comply with all remaining applicable requirements of 25 Pa. Code Chapter 245 and shall not violate any applicable provision of the Storage Tank and Spill Prevention Act; (2) The new, structurally independent, field-constructed USTs built within USTs 001 and 002 shall be installed within one (1) year of performing the required site assessment of USTs 001 and 002; (3) This Variance Approval will remain in effect until December 13, 2020, unless amended or revoked by the Department or terminated for any reason by Sunoco Retail LLC or the Department.

<i>Variance No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
U-17-0001	Sunoco Retail LLC 3801 West Chester Pike Newtown Square, PA 19073-2320	Bedford	Bedford Township	Gasoline	12,000 gallons

The variance request asks that underground storage tank (UST) 001 be excluded from part of the UST closure requirements located in 25 Pa. Code § 245.452(b). Specifically, the variance requests that UST 001 be permanently closed without being removed from the ground or filled with a non-shrinking, inert solid material as required by regulation to facilitate the installation of a new, structurally independent, field-constructed UST built within UST 001. A variance was granted with the following conditions: (1) Sunoco Retail LLC shall comply with all remaining applicable requirements of 25 Pa. Code Chapter 245 and shall not violate any applicable provision of the Storage Tank and Spill Prevention Act; (2) The new, structurally independent, field-constructed UST built within UST 001 shall be installed within one (1) year of performing the required site assessment of UST 001; (3) This Variance Approval will remain in effect until December 13, 2020, unless amended or revoked by the Department or terminated for any reason by Sunoco Retail LLC or the Department.

<i>Variance No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
U-17-0003	Sunoco Retail LLC 3801 West Chester Pike Newtown Square, PA 19073-2320	Chester	East Brandywine Township	Diesel	12,000 gallons

The variance request asks that underground storage tank (UST) 006 be excluded from part of the UST closure requirements located in 25 Pa. Code § 245.452(b). Specifically, the variance requests that UST 006 be permanently closed without being removed from the ground or filled with a non-shrinking, inert solid material as required by

regulation to facilitate the installation of a new, structurally independent, field-constructed UST built within UST 006. A variance was granted with the following conditions: (1) Sunoco Retail LLC shall comply with all remaining applicable requirements of 25 Pa. Code Chapter 245 and shall not violate any applicable provision of

the Storage Tank and Spill Prevention Act; (2) The new, structurally independent, field-constructed UST built within UST 006 shall be installed within one (1) year of performing the required site assessment of UST 006; (3) This Variance Approval will remain in effect until December 13, 2020, unless amended or revoked by the Department or terminated for any reason by Sunoco Retail LLC or the Department.

SPECIAL NOTICES

Epiphany Allegheny, LLC, Centralized Water Treatment Facility, Eulalia Township, Potter County; Public Meeting on Produced Water Treatment Plant

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

Contact: Thomas Randis, Environmental Program Manager—Telephone: (570) 327-0530.

The Department of Environmental Protection (Department) will conduct a public meeting at 5:30 p.m. Tuesday, January 16, 2018, at the Gunzburger Building, 1 Second Street, Coudersport, PA 16915 to discuss the permitting aspects of the proposed Produced Water Treatment Plant, to be located adjacent to the Coudersport Area Municipal Authority (CAMA) publicly owned treatment works (POTW). The public meeting will be followed by a Department public hearing beginning at 7 p.m. during which time citizens will have an opportunity to present oral testimony regarding the proposed project and application process.

The Department staff will explain the application review process and applicable regulations, and Epiphany Allegheny, LLC officials will provide an overview of the project. The presentations will be followed by a question and answer session.

Epiphany Allegheny, LLC submitted a Water Quality Management application (# 5317201) to the Department on August 30, 2017, for construction of a 1,000 bbl (42,000 gallon) per day Centralized Wastewater Treatment Facility (CWT) site located in Eulalia Township, Potter County. The project consists of receiving oil and gas waste water (flowback and production brines) for processing in a multi-stage process. Following initial receipt and storage, chemical treatment will precipitate metals prior to processing via zero liquid discharge (ZLD) crystallizer separation of salts from distillate. Distillate will be either sold back to industry or discharged to the CAMA POTW for ultimate discharge to the Allegheny River.

The proposed project is subject to the Centralized Waste Treatment Effluent Limit Guideline regulations of 40 CFR 437, among other environmental regulations.

Anyone who wishes to present oral testimony during the public hearing may register that evening prior to the hearing. Citizens will have a maximum of 5 minutes each to present testimony. Written testimony of any length also will be accepted. The testimony will be recorded by a stenographer and transcribed into a written document. The Department will respond in writing to all relevant testimony provided during the public hearing.

Persons unable to attend the public hearing can submit three copies of a written statement to the Department by the close of business on Monday, January 29, 2018. The statement should be sent to Thomas Randis, Environmental Program Manager, Department of Environmental Protection, Clean Water Program, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact Megan Lehman at (570) 327-3659 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 18-15. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Aggregate Advisory Board 2018 Meeting Schedule

The Aggregate Advisory Board (Board) will meet at 10 a.m. in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates and locations are as follows:

February 8, 2018—12th Floor Conference Room
 May 9, 2018—10th Floor Conference Room
 November 7, 2018—10th Floor Conference Room

The meetings will also be offered as a conference call for Board members and alternates who may not be able to attend in person.

Questions concerning the meeting can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846. The agenda and meeting materials for the meeting will be available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-16. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

DEP HSCP-3-223-102.1, Hazardous Site Cleanup Project, Intercourse TCE Water Supply Distribution System, Leacock Township, Lancaster County. The principal items of work and approximate quantities include: mobilization and demobilization; water treatment plant—carpentry work, concrete work, electrical work, exterior improvements, finishes, heating ventilating and air conditioning, laboratory furnishings, masonry work, metal fabrications, openings, plumbing work, process control, gates, piping and valves, site work, specialties, thermal and moisture protection, utilities, water treatment equipment; supply well No. 1—electrical power and level transducer, discharge piping with blow-off valve

assembly, submersible pump and well accessories, including all other incidental work; supply well No. 2—site preparation, driveway and paved turnaround area, fencing, electrical power and level transducer, discharge piping with blow-off valve assembly, submersible pump and well accessories, including all other incidental work; supply well No. 3—site preparation, primary electrical service, transformer and remote pump controls, driveway and paved turnaround area, fencing, electrical power and level transducer, discharge piping with blow-off valve assembly, submersible pump and well accessories, including all other incidental work; elevated water tower—site preparation, paved driveway and fencing, yard piping, electrical and Internet service, erection of elevated water tower, including painting, testing and sterilization, including all other incidental work; water services—advanced metering infrastructure system, 3/4" 295 each, 1" 80 each, 1 1/2" 5 each, 2" 3 each, 3" 2 each, 4" 4 each, 6" 2 each, meter pit assembly for 3/4" and 1" water services 115 each, meter pit assembly for 1 1/2" and 2" 5 each, and meter pit assembly for 3", 4" and 6" water services 4 each.

This bid issues on December 29, 2017, and bids will be opened on February 8, 2018, at 2 p.m. A mandatory prebid conference will be held on January 17, 2018, at 10 a.m. at the Leacock Township Office, 3545 West Newport Road, Intercourse, PA 17534. Failure to attend the prebid conference will be cause for rejection of the bid. Bid documents, including drawings in PDF format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Hazardous Sites Cleanup Fund. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-17. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Recycling Fund Advisory Committee Special Meeting

The Recycling Fund Advisory Committee will hold a special meeting at 10 a.m. on Tuesday, January 30, 2018, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions regarding the meeting should be directed to Laura Henry, Bureau of Waste Management, at lahenry@pa.gov or (717) 772-5713. An agenda and meeting materials will be available prior to the meeting on the Solid Waste Advisory Committee web site at <http://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WasteAdvisory/Pages/Solid-Waste-Advisory-Committee.aspx>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990, should contact Christopher Noble at chnoble@pa.gov or (717) 783-2388, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-18. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), with the exception of 28 Pa. Code § 571.1 (relating to minimum standards). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities). Exception requests related to 28 Pa. Code § 571.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Carbon-Schuylkill Endoscopy Center	28 Pa. Code § 553.31 (relating to administrative responsibilities)
LVHN Children's Surgery Center	28 Pa. Code § 553.2 (relating to ownership) 28 Pa. Code § 553.3 (relating to governing body responsibilities) 28 Pa. Code § 553.4 (relating to other functions) 28 Pa. Code § 555.1 (relating to principle) 28 Pa. Code § 555.2 (relating to medical staff membership) 28 Pa. Code § 555.3 (relating to requirements for membership and privileges) 28 Pa. Code § 555.4 (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners) 28 Pa. Code § 563.1 (relating to principle) 28 Pa. Code § 563.2 (relating to organization and staffing)

The following ASF is requesting an exception under 28 Pa. Code § 571.1. Requests for exceptions under this section relate to minimum standards that ASFs must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* to which the ASF is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Colonoscopy Center—Lansdale	3.1-3.6.5.3	Additional requirements for hand-washing stations that serve multiple patient care stations	2014

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Acting Secretary

[Pa.B. Doc. No. 18-19. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospital has filed a request for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exception relates to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals), with the exception of 28 Pa. Code § 153.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 153.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
St. Clair Hospital	28 Pa. Code § 105.11(b) (relating to access)

The following hospitals are requesting exceptions under 28 Pa. Code § 153.1. Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Children's Hospital of Pittsburgh of UPMC	2.2-3.3.6.11(2)	Equipment and supply storage	2014
Magee Womens Hospital of UMPC Health System	2.2-3.4.5.4(1)	Patient toilet rooms	2014
	2.2-3.4.5.4(2)	Patient toilet rooms	2014
Magee Rehabilitation Hospital	2.6-2.3.1.2(1)	Space requirements (dining, recreation and day spaces)	2014
	2.6-2.3.3	Personal services (barber/beauty) areas	2014
Penn Highland DuBois	3.1-3.6.5.1	Location (hand-washing stations)	2014
	3.1-3.6.5.3(1)	Additional requirements for hand-washing stations that serve multiple patient care stations	2014
	3.12-3.2.2.1(5)(a)	Hand-washing stations (individual therapy rooms)	2014

All previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Acting Secretary

[Pa.B. Doc. No. 18-20. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Southeastern Pennsylvania Veterans' Center
One Veterans Drive
Spring City, PA 19475
FAC ID # 426002

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.7 (relating to basement or cellar):

Southeastern Pennsylvania Veterans' Center
One Veterans Drive
Spring City, PA 19475
FAC ID # 426002

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Acting Secretary

[Pa.B. Doc. No. 18-21. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Tuesday, January 16, 2018, from 9:30 a.m. to 2:30 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Acting Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at Wegmans, 6416 Carlisle Pike, Suite 2000, Mechanicsburg, PA 17050. Enter using the Market Café entrance, turn right and proceed into the seating area. The meeting will be held in the conference room on the left.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Christine Bayuk, Program Administrator, Organ and Tissue Donation Program, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-6214, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Acting Secretary

[Pa.B. Doc. No. 18-22. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Friday, February 2, 2018, from 10 a.m. to 3 p.m. The meeting will be held in the large conference room of the Community Center, 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110.

The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs of persons living with traumatic brain injury and their families. This quarterly meeting will provide updates on a variety of topics including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic brain injury and available advocacy opportunities.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Michael Yakum, Division of Community Systems Development and Outreach, (717) 772-2763, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Acting Secretary

[Pa.B. Doc. No. 18-23. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Payments for Nursing Facility Services Provided by County Nursing Facilities; County Nursing Facility Safety Net Payments

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make county nursing facility safety net payments to qualifying county nursing facilities in Fiscal Year (FY) 2017-2018.

Background

In FY 2016-2017 the Department began making safety net payments to qualifying county nursing facilities to recognize and encourage their historical roles as critical safety net providers for the Medical Assistance (MA) population in this Commonwealth. The Department described the eligibility criteria and the methodology to calculate these payments in a notice published at 47 Pa.B. 1443 (March 4, 2017). The Department intends to continue county nursing facility safety net payments for FY 2017-2018.

The criteria to qualify for the payment changed; the population and occupancy requirements were removed. The basic payment methodology remains the same except for modifications necessary to account for the transition to the Department's new managed care program, Community HealthChoices (CHC). The payment methodology for FY 2017-2018 is as follows.

Proposed Payment

Qualification

To qualify for a safety net payment the facility must be a county nursing facility both during the period for which the payment is being made and at the time the payment is made.

Calculation of Safety Net Payment

The Department will calculate each qualifying county nursing facility's safety net payment by calculating a per diem portion of the payment and a Medicare differential portion of the payment. A qualifying county nursing facility's total safety net payment is the sum of the two amounts calculated for the facility as adjusted in paragraph c rounded to the nearest dollar.

a. Per Diem Portion

The per diem portion of the safety net payment will be calculated using each qualifying facility's paid MA facility days and therapeutic leave days based on each qualifying facility's paid MA facility days and therapeutic leave days identified on the Provider Reimbursement and Operations Management Information System data file used to determine the facility's eligibility for disproportionate share incentive payments for the period ending December 31, 2016:

Each facility's per diem portion of the safety net payment will be determined by:

(1) Dividing the funds allocated to safety net payments by the total paid MA facility days and therapeutic leave days for all county nursing facilities and multiplying that amount by 80% to determine a safety net per diem for the rate year.

(2) Multiplying the safety net per diem by the qualifying county nursing facility's paid MA facility days and therapeutic leave days to determine the facility's per diem portion of the safety net payment rounded to the nearest dollar.

b. Medicare Differential Portion

The Medicare differential portion of the safety net payment will be determined by:

(1) Calculating for each county nursing facility the estimated difference between what Medicare would pay for the nursing facility services and what Medicaid would pay for FY 2017-2018 excluding any anticipated safety net payments and prior to any adjustments for the transition to the CHC program as demonstrated in the preliminary annual Medicare upper payment limit demonstration calculated as of October 4, 2017.

(2) Summing the differences calculated in (1).

(3) Multiplying the total from (2) by 20%.

(4) Multiplying the product calculated in (3) by a ratio determined by dividing the difference for each qualifying county nursing facility as determined in (1) by the sum of the differences for all qualifying county nursing facilities to establish each facility's Medicare differential portion of the safety net payment rounded to the nearest dollar.

c. Adjustment for CHC

For a county nursing facility located in a county in which the CHC program has been implemented, the sum of the two amounts calculated for a facility under subsections (a) and (b) will be multiplied by 0.5 to determine a facility's annual safety net payment for FY 2017-2018. This adjustment is necessary to account for the estimated reduction in MA days of care paid through the MA Fee-for-Service Program due to implementation of the CHC managed care program in the county for half of the fiscal year.

Centers for Medicare & Medicaid Services

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services

(CMS). If CMS approves the SPA, the total funds will consist of both State and Federal funding.

Fiscal Impact

The fiscal impact of this change is estimated at \$151.722 million (\$73.100 million in State funds).

Public Comment

Interested persons are invited to submit written comments regarding these payments to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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).

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1200. (1) General Fund; (2) Implementing Year 2017-18 is \$73,100,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,082,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-24. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Treasure Chase Fast Play Game 5021

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Treasure Chase (hereinafter “Treasure Chase”). The game number is PA-5021.

2. *Definitions:*

(a) *Authorized Retailer* or *Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *COINS:* The play symbols located within the coordinates in the “TREASURE GRID” that, when matched against the letter-number coordinates in the “YOUR COORDINATES” area, determine whether a player wins a prize.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *PRIZE LEGEND:* The area on the ticket that shows a player the corresponding prize that can be won by matching different winning combinations.

(l) *TREASURE GRID:* The area on the ticket containing “COIN” symbols that, when matched against the corresponding letter-number coordinates found in the “YOUR COORDINATES” area, determine whether a player wins a prize.

(m) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(n) *YOUR COORDINATES:* The letter-number coordinates found in the “YOUR COORDINATES” area and generated via quick pick that, when matched against the “COINS” in the corresponding squares on the “TREASURE GRID” area, determine whether a player wins a prize.

3. *Price:* The price of a Treasure Chase ticket is \$1.

4. *Description of the Treasure Chase lottery game:*

(a) The Treasure Chase lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Treasure Chase tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Treasure Chase is played by using the coordinates in the “YOUR COORDINATES” area to locate COINS within the matching coordinates in the “TREASURE GRID” area. Players with four or more “COINS” located in the matching coordinates will win the corresponding prize shown in the PRIZE LEGEND. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Treasure Chase game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by

verbally requesting a Treasure Chase game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Treasure Chase game ticket and selecting the Treasure Chase option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania Treasure Chase ticket characteristics:*

(a) A Treasure Chase ticket shall contain a "YOUR COORDINATES" area, a "TREASURE GRID" area, a "PRIZE LEGEND," the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols:* Each Treasure Chase ticket play area will contain a "YOUR COORDINATES" area and a "TREASURE GRID" area. The play symbols located in the "YOUR COORDINATES" area will consist of one letter and one number and are: A1, A2, A3, A4, A5, B1, B2, B3, B4, B5, C1, C2, C3, C4, C5, D1, D2, D3, D4, D5, E1, E2, E3, E4, and E5. The "TREASURE GRID" will contain a five by five grid with letters horizontally across the top of the grid, and numbers vertically along the left side of the grid. The letters across the top of the grid are: A, B, C, D and E. The numbers along the left side of the grid are: 1, 2, 3, 4 and 5.

(c) *Prizes:* The prizes, located in the "PRIZE LEGEND," that can be won in this game are: \$1, \$2, \$5, \$10, \$15, \$20, \$50, \$100 and \$2,500.

(d) A player can win up to one time on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 2,400,000 tickets will be available for sale for the Treasure Chase lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Treasure Chase prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Treasure Chase ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which the player locates twelve (12) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in

the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$2,500.

(d) Holders of tickets upon which the player locates eleven (11) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which the player locates ten (10) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which the player locates nine (9) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which the player locates eight (8) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$15.

(h) Holders of tickets upon which the player locates seven (7) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which the player locates six (6) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which the player locates five (5) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets upon which the player locates four (4) "COIN" symbols in the "TREASURE GRID" area, using only the letter-number coordinates found in the "YOUR COORDINATES" area, on a single ticket, shall be entitled to a prize of \$1.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

Using YOUR COORDINATES, Locate Four Or More COINS On The TREASURE GRID And Win Corresponding Prize Shown In The PRIZE LEGEND Below.

<i>Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
4 COINS	\$1	7.19	333,600
5 COINS	\$2	15.38	156,000
6 COINS	\$5	63.29	37,920
7 COINS	\$10	83.33	28,800
8 COINS	\$15	142.86	16,800
9 COINS	\$20	2,000	1,200
10 COINS	\$50	6,000	400
11 COINS	\$100	12,000	200
12 COINS	\$2,500	240,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Treasure Chase lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Treasure Chase lottery game tickets.

17. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play 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 Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *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 Treasure Chase or through normal communications methods.

19. *Applicability:* This notice applies only to the Treasure Chase lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-25. Filed for public inspection January 5, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Triple Win Fast Play Game 5020

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Triple Win (hereinafter “Triple Win”). The game number is PA-5020.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *GAME:* A specific, pre-defined area of a game ticket located in the play area that contains play symbols and prize symbols that, when played according to the instructions, determine whether a player wins a prize. Each GAME is played separately, but winning combinations in more than one GAME can be combined to win larger prizes as described in section 6 (relating to prizes available to be won and determination of prize winners).

(d) *GAME 1 YOUR NUMBERS:* The numbers, letters, symbols or other characters found in GAME 1 that, when matched against the “WINNING NUMBERS,” determine

whether a player wins the prize shown under the “GAME 1 YOUR NUMBERS” play symbol in GAME 1.

(e) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(f) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(g) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(h) *Play:* A chance to participate in a particular Fast Play lottery game.

(i) *Play Area:* The area on a ticket which contains one or more play symbols.

(j) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *PRIZE:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *Progressive Top Prize:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(m) *ROW:* A specific, pre-defined area of the GAME 2 play area that contains play symbols and prize symbols that, when played according to the instructions, determine whether a player wins a prize. Each “ROW” in GAME 2 is played separately. If a player wins in more than one ROW, those prizes are added together to determine the total payout of that GAME.

(n) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “GAME” areas, determine whether a player wins a prize.

(o) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

3. *Price:* The price of a Triple Win ticket is \$10.

4. *Description of the Triple Win lottery game:*

(a) The Triple Win lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Triple Win tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Triple Win consists of three (3) separate “GAMES,” each of which has a unique play style. The Progressive Top Prize can be won in any of the three “GAMES” but cannot be won more than once on a ticket. Each “GAME” is played separately. A bet slip is not used to play this game.

(1) "GAME 1" is played by matching any of the play symbols in the "WINNING NUMBERS" area to any of the play symbols located in the "GAME 1 YOUR NUMBERS" area. A player matching any of the play symbols in the "WINNING NUMBERS" area to any of the numbers in the "GAME 1 YOUR NUMBERS" area will win the prize shown under the matching number in that "GAME" only.

(2) "GAME 2" is played by matching any of the play symbols in the "WINNING NUMBERS" area to all four numbers in any "ROW" in the "GAME 2" play area. A player matching all four symbols in any "ROW" will win the prize shown to the right of that "ROW." When a "3X" (3TIMES) symbol appears in any winning "ROW," the prize shown for that "ROW" is tripled. Each "ROW" is played separately. The Progressive Top Prize cannot be tripled.

(3) "GAME 3" is played by matching any three play symbols in the "WINNING NUMBERS" area in a row or column in the "GAME 3" play area. A player matching all three symbols in any row or column will win the prize by the arrow pointing to that win. When a "3X" (3TIMES) symbol appears in any winning row or column, the prize for that win is tripled. The Progressive Top Prize cannot be tripled.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Triple Win game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Triple Win game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Triple Win game ticket and selecting the Triple Win option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. Pennsylvania Triple Win ticket characteristics:

(a) A Triple Win ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket shall consist of three "GAME" areas and each "GAME" is played separately.

(b) *Play Symbols:* Each Triple Win ticket play area will contain a "WINNING NUMBERS" area and three "GAME" areas. The play symbols located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORTY).

(1) The play symbols located in the "GAME 1" area are: 1 (ONE), 2 (TWO), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20

(TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORTY).

(2) The play symbols located in the "GAME 2" and "GAME 3" areas are: 1 (ONE), 2 (TWO), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY) and 3X (3TIMES).

(c) Prize Symbols:

(1) The prize symbols and their captions located in the "GAME 1" and "GAME 2" areas are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$45⁰⁰ (FRY FIV), \$50⁰⁰ (FIFTY), \$60⁰⁰ (SIXTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$30,000 (TRY THO) and PROGRESSIVE (TOP PRIZE).

(2) The prize symbols located in the "GAME 3" area are: \$10, \$15, \$20, \$30, \$45, \$50, \$60, \$100, \$300, \$1,000, \$30,000 and PROGRESSIVE.

(d) *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$30, \$45, \$50, \$60, \$100, \$300, \$1,000, \$30,000, and the Progressive Top Prize. The Progressive Top Prize amount starts at \$100,000 and increases by 50¢ every time a Triple Win ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$100,000. The Progressive Top Prize can be won in any of the three "GAMES" but cannot be won more than once on a ticket.

(e) A player can win up to 7 times on a ticket.

(f) *Approximate Number of Tickets Available for the Game:* Approximately 4,800,000 tickets will be available for sale for the Triple Win lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All Triple Win prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Triple Win ticket is entitled to the highest prize won by the winning combinations in all three "GAMES," as described below, on each game ticket.

(c) Determination of prize winners for "GAME 1":

(1) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$100,000.

(2) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30,000 (TRY THO) appears in the "PRIZE" area under

the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(3) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(5) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(6) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$60⁰⁰ (SIXTY) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$60.

(7) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(8) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$45⁰⁰ (FRY FIV) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$45.

(9) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(10) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(11) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(12) Holders of tickets upon which any of the "GAME 1 YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area under the matching "GAME 1 YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(d) *Determination of prize winners for "GAME 2":*

(1) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play

symbols in any "ROW" and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$100,000.

(2) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$30,000 (TRY THO) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$30,000.

(3) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$900.

(5) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$300.

(6) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$300.

(7) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$60⁰⁰ (SIXTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$180.

(8) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$150.

(9) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$100.

(10) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$90.

(11) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$60.⁰⁰ (SIXTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$60.

(12) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$60.

(13) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$50.

(14) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$45.⁰⁰ (FIV FIV) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$45.

(15) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$45.

(16) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$30.

(17) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match three play symbols in any "ROW," with a 3X (3TIMES) play symbol also appearing in that "ROW," and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$30.

(18) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$20.

(19) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$15.⁰⁰ (FIFTEEN) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$15.

(20) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all four play symbols in any "ROW" and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "PRIZE" area to the right of that "ROW," on a single ticket, shall be entitled to a prize of \$10.

(e) *Determination of prize winners for "GAME 3":*

(1) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all three play

symbols in any row or column and a prize symbol of PROGRESSIVE appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of a "Progressive Top Prize." The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$100,000.

(2) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all three play symbols in any row or column and a prize symbol of \$30,000 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$30,000.

(3) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match all three play symbols in any row or column and a prize symbol of \$1,000 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$1,000.

(4) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize symbol of \$300 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$900.

(5) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in any row or column and a prize symbol of \$300 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$300.

(6) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize symbol of \$100 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$300.

(7) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize symbol of \$60 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$180.

(8) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize symbol of \$50 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$150.

(9) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$100 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$100.

(10) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize

symbol of \$30 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$90.

(11) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$60 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$60.

(12) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize symbol of \$20 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$60.

(13) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$50 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$50.

(14) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$45 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$45.

(15) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two of the play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize symbol of \$15 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$45.

(16) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$30 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$30.

(17) Holders of tickets upon which any two of the "WINNING NUMBERS" play symbols match two of the play symbols in any row or column with a 3X (3TIMES) symbol also appearing in that row or column and a prize symbol of \$10 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$30.

(18) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$20 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$20.

(19) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$15 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$15.

(20) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three of the play symbols in any row or column and a prize symbol of \$10 appears by the arrow pointing to that matching row or column, on a single ticket, shall be entitled to a prize of \$10.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>GAME 1 Win With:</i>	<i>GAME 2 Win With:</i>	<i>GAME 3 Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
		\$10	\$10	16.67	288,000
\$10	\$10		\$10	20	240,000
		\$15	\$10	25	192,000
\$15	\$15		\$15	62.5	76,800
	\$10	\$10	\$15	50	96,000
\$10	\$10	\$10	\$15	40	120,000
\$10		\$10	\$20	111.11	43,200
	\$20	\$10	\$20	166.67	28,800
\$20	\$20	\$20	\$20	166.67	28,800
\$10	\$10	\$20	\$20	166.67	28,800
\$10	\$20	\$10	\$20	166.67	28,800
\$15	\$15	\$20	\$30	500	9,600
\$15	\$15	\$15	\$30	500	9,600
	\$20	\$15	\$30	500	9,600
\$20	\$15	\$15	\$30	500	9,600
\$20	\$20	\$10	\$30	333.33	14,400
	\$10	\$10	\$30	333.33	14,400
		\$10 w/ 3X	\$30	333.33	14,400
	\$10 w/ 3X		\$30	333.33	14,400
	\$30	\$30	\$30	500	9,600
\$30		\$30	\$30	500	9,600
\$15	\$15	\$15	\$30	333.33	14,400
			\$45	1,000	4,800

<i>GAME 1 Win With:</i>	<i>GAME 2 Win With:</i>	<i>GAME 3 Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
	\$30	\$15	\$45	1,000	4,800
\$30		\$15	\$45	1,000	4,800
\$30	\$15		\$45	1,000	4,800
\$15		\$10 w/ 3X	\$45	500	9,600
\$15	\$10 w/ 3X		\$45	1,000	4,800
	\$15 w/ 3X	\$15 w/ 3X	\$45	1,000	4,800
		\$45	\$45	1,000	4,800
	\$45		\$45	1,000	4,800
\$45			\$45	1,000	4,800
\$30	\$20		\$50	1,200	4,000
\$30		\$20	\$50	1,200	4,000
\$15	\$15	\$20	\$50	1,200	4,000
\$15	\$20	\$15	\$50	1,200	4,000
\$20	\$15	\$15	\$50	1,200	4,000
\$20		\$10 w/ 3X	\$50	1,200	4,000
\$20	\$10 w/ 3X		\$50	1,200	4,000
	\$50	\$50	\$50	1,200	4,000
\$50			\$50	1,200	4,000
\$50	\$10		\$60	4,800	1,000
	\$50	\$10	\$60	4,800	1,000
\$50		\$10	\$60	4,800	1,000
\$20	\$20	\$20	\$60	4,800	1,000
\$20	\$10	\$30	\$60	4,800	1,000
\$20	\$30	\$10	\$60	6,000	800
\$30	\$10	\$20	\$60	6,000	800
\$30	\$20	\$10	\$60	6,000	800
\$15		\$15 w/ 3X	\$60	6,000	800
\$15	\$15 w/ 3X		\$60	6,000	800
	\$20 w/ 3X	\$20 w/ 3X	\$60	6,000	800
		\$60	\$60	6,000	800
	\$60		\$60	6,000	800
\$60			\$60	6,000	800
\$50	\$50		\$100	24,000	200
\$30	\$20	\$50	\$100	24,000	200
\$30	\$50	\$20	\$100	24,000	200
\$50	\$20	\$30	\$100	24,000	200
\$50	\$30	\$20	\$100	24,000	200
\$10	\$10 w/ 3X	\$20 w/ 3X	\$100	16,000	300
\$10	\$20 w/ 3X	\$10 w/ 3X	\$100	16,000	300
\$10		\$30 w/ 3X	\$100	16,000	300
\$10	\$30 w/ 3X		\$100	16,000	300
	\$100	\$100	\$100	24,000	200
\$100			\$100	24,000	200
\$100	\$100	\$100	\$300	120,000	40
\$100	\$50 × 2	(\$30 × 2) + (\$20 × 2)	\$300	120,000	40
\$50 × 2	\$20	\$60 w/ 3X	\$300	48,000	100
\$50 × 2	\$60 w/ 3X	\$20	\$300	48,000	100
\$50 × 3		\$50 w/ 3X	\$300	40,000	120
\$50 × 3	\$50 w/ 3X		\$300	40,000	120
	\$50 w/ 3X	\$50 w/ 3X	\$300	40,000	120
		\$100 w/ 3X	\$300	120,000	40
	\$100 w/ 3X		\$300	120,000	40
		\$300	\$300	60,000	80
	\$300		\$300	60,000	80
\$300			\$300	60,000	80
\$300 + \$100	(\$50 w/ 3X) × 2	(\$50 w/ 3X) × 2	\$1,000	80,000	60
\$100 × 4	\$100 w/ 3X	\$100 w/ 3X	\$1,000	80,000	60
\$100		\$300 w/ 3X	\$1,000	80,000	60
\$100	\$300 w/ 3X		\$1,000	80,000	60
		\$1,000	\$1,000	80,000	60
	\$1,000		\$1,000	80,000	60

<i>GAME 1 Win With:</i>	<i>GAME 2 Win With:</i>	<i>GAME 3 Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$1,000			\$1,000	80,000	60
		\$30,000	\$30,000	480,000	10
	\$30,000		\$30,000	480,000	10
\$30,000			\$30,000	480,000	10
		PROGRESSIVE	\$100,000*	480,000	10
	PROGRESSIVE		\$100,000*	240,000	20
PROGRESSIVE			\$100,000*	240,000	20

GAME 1: When any of the “GAME 1 YOUR NUMBERS” match any “WINNING NUMBER,” win prize shown under the matching number.

GAME 2: Match the “WINNING NUMBERS” to the numbers in each “ROW.” When you match all four numbers in any ROW, win prize shown for that ROW. Get a “3X” (3TIMES) symbol in any winning “ROW,” TRIPLE the prize shown for that “ROW.” Each “ROW” is played separately.

GAME 3: Match any three “WINNING NUMBERS” in a row or column, win prize shown by the arrow pointing to that match. When a “3X” (3TIMES) symbol appears in any winning row or column, TRIPLE the prize shown for that win.

Each GAME is played separately.

* PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$100,000. The PROGRESSIVE TOP PRIZE increases by 50¢ every time a ticket is purchased, and resets to \$100,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket’s bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer’s Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 50¢ from the sale of each Triple Win ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Triple Win game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. 50¢ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Triple Win lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in

exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Triple Win lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play 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 Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *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 Triple Win or through normal communications methods.

20. *Applicability:* This notice applies only to the Triple Win lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-26. Filed for public inspection January 5, 2018, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings: Tuesday, January 9, 2018—Executive Committee at 3:30 p.m.; Thursday, January 11, 2018—Council meeting at 10 a.m.

The meetings will be held at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability who wish to attend should contact Renee Greenawalt at (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 18-27. Filed for public inspection January 5, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by NORCAL Specialty Insurance Company

NORCAL Specialty Insurance Company, a domestic stock casualty insurance company, has filed for approval a plan of redomestication whereby: 1) the state of domicile would change from the Commonwealth of Pennsylvania to Texas; and 2) NORCAL Specialty Insurance Company would surrender its Certificate of Authority and be made an eligible surplus lines insurer. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Lori Bercher, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, lbercher@pa.gov.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-28. Filed for public inspection January 5, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental General Insurance Company (SERFF # GLTC-131230492); Rate Increase Filing for Several Individual LTC Forms

Continental General Insurance Company is requesting approval to increase the premium 64.8% on 1,292 policyholders of forms 1LTCIP0001(PA), 1LTCIP0002(PA), 2LTCIP0001(PA) and 4LTCIP0001(PA).

Unless formal administrative action is taken prior to March 22, 2018, 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 (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

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*.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-30. Filed for public inspection January 5, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental General Insurance Company (SERFF # GLTC-131216152); Rate Increase Filing for Several Individual LTC Forms

Continental General Insurance Company is requesting approval to increase the premium 91.8% on 140 policyholders of forms 405, 420 and 432.

Unless formal administrative action is taken prior to March 22, 2018, 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 (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

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, laverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-29. Filed for public inspection January 5, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental General Insurance Company (SERFF # GLTC-131249558); Rate Increase Filing for Several Individual LTC Forms

Continental General Insurance Company is requesting approval to increase the premium 210.8% on four policyholders of forms 1LTCGP0001-PA and 1LTCGP0008-PA.

Unless formal administrative action is taken prior to March 22, 2018, 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 (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

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, laverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-31. Filed for public inspection January 5, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

The State Life Insurance Company (SERFF # LFCR-131276487); Rate Increase Filing for Several Individual LTC Forms

The State Life Insurance Company is requesting approval to increase the premium 44.8% on 251 policyholders of forms S-6000-P-PA, S-6001-P-PA, S-6002-P-PA, S-6003-P-PA, S-8000-P-PA, S-8001-P-PA, S-8002-P-PA and S-8003-P-PA.

Unless formal administrative action is taken prior to March 22, 2018, 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 (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

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, laverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-32. Filed for public inspection January 5, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

United Healthcare Insurance Company (UHLC-131306200); Small Group Off-Exchange EPO, PPO and Indemnity—Quarterly Filing

United Healthcare Insurance Company submitted a rate filing to increase the premium rates for its Small Group Off-exchange EPO, PPO and Indemnity Non-Grandfathered Plans. The filing proposes a rate increase of 4.7% and will affect approximately 22,348 members. The proposed rate increase will generate an additional increase of approximately \$5.2 million of revenue over the prior approved 2nd, 3rd and 4th quarter revenue and will be effective April 1, 2018.

Unless formal administrative action is taken prior to March 22, 2018, 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 (hover the cursor over the "Consumers" tab, then select "ACA Health Rate Filings" under "Resources").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regu-

lation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-33. Filed for public inspection January 5, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security or Insufficient Financial Security Amount

Public Meeting held
December 21, 2017

Commissioners Present: Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; Norman J. Kennard; David W. Sweet; John F. Coleman, Jr.

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security or Insufficient Financial Security Amount; M-2017-2584781

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of December 12, 2017, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Expired Financial Security Date</i>	<i>Commission Approved Amount</i>
A-2011-2257348	5LINX ENTERPRISES, INC.	December 10, 2017	Yes
A-2011-2277881*	AGWAY ENERGY SERVICES, LLC	November 11, 2017	Yes
A-2013-2345257	BEST PRACTICE ENERGY, LLC	December 7, 2017	Yes
A-2011-2221889	CURRENT CHOICE, INC.	November 5, 2017	Yes
A-2011-2280772	ENERPOWER SERVICES, LLC	November 28, 2017	Yes
A-2012-2335819*	ENTRUST ENERGY EAST, INC.	December 1, 2017	Yes
A-2013-2365597	FCSTONE, LLC	December 1, 2017	Yes
A-2009-2145163	HEALTHTRUST PURCHASING GROUP LP	November 30, 2017	Yes
A-110117*	JUST ENERGY SOLUTIONS, INC.	December 9, 2017	Yes
A-2017-2617552	ROYAL ENERGY, INC.	November 24, 2017	Yes
A-2016-2524863	SUNSTAR C&E SERVICES, LLC	December 7, 2017	Yes
A-2016-2578887	SUSQUEHANNA ENERGY ADVISORS, INC.	November 3, 2017	Yes
A-2013-2341976	US POWER TRADE, LLC	December 1, 2017	Yes
A-2015-2519983	UTILITY ANSWERS, LLC	December 1, 2017	Yes
A-2012-2284040	VERDIGRIS ENERGY, LLC	November 2, 2017	Yes

*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 30 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of an approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bu-

reau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-34. Filed for public inspection January 5, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Implementation of Act 40 of 2017

Public Meeting held
December 21, 2017

Commissioners Present: Gladys M. Brown, Chairperson, joint statement follows; Andrew G. Place, Vice Chairperson, joint statement follows; Norman J. Kennard; David W. Sweet; John F. Coleman, Jr.

Implementation of Act 40 of 2017; M-2017-2631527

Tentative Implementation Order

By the Commission:

On October 30, 2017, Governor Wolf signed into law Act 40 of 2017, which amends the Administrative Code, 71 P.S. §§ 1 et seq. Act 40, inter alia, establishes geographical limits on solar photovoltaic (solar PV) systems that qualify for the solar PV share requirement of the Alternative Energy Portfolio Standards (AEPS) Act, 73 P.S. §§ 1648.1 et seq. The Pennsylvania Public Utility Com-

mission's (Commission) administrative responsibilities for implementing the provisions of Act 40 are contained within Section 11.1 of Act 40. In general, Section 11.1 amends Article XXVIII of The Administrative Code of 1929 (relating to the powers and duties of the Pennsylvania Public Utility Commission) by adding section 2804 (relating to the AEPS Act). This Tentative Implementation Order provides the Commission's proposed interpretation as well as implementation of Section 11.1 of Act 40 and seeks comment from the public and industry with respect to this interpretation and implementation.

Discussion

A. Section 2804(1)

This Section creates a limitation to Section 4 of the AEPS Act, 73 P.S. § 1648.4, which established, inter alia, that energy derived from alternative energy sources (AESs) inside the geographical boundaries of Pennsylvania shall be eligible to meet compliance requirements under the AEPS Act. Section 1648.4 also provides that energy derived from AESs located outside the geographical boundaries of the Commonwealth but within the service territory of a regional transmission organization (RTO) that manages the transmission system in any part of Pennsylvania shall be eligible to meet the AEPS Act compliance requirements of electric distribution companies (EDCs) or electric generation suppliers (EGSs) located within the service territory of the same RTO. Finally, Section 1648.4 provides that AESs located in the PJM Interconnection, L.L.C. RTO (PJM) or its successor service territory shall be eligible to fulfill the AEPS Act compliance obligations of all EDCs and EGSs. See 73 P.S. § 1648.4.

Section 2804(1) specifically states the following:

(1) Notwithstanding Section 4 of the Act of November 30, 2004 (P.L. 1672, No. 213), known as the "Alternative Energy Portfolio Standards Act," in order to qualify as an alternative energy source eligible to meet the photovoltaic share of this Commonwealth's compliance requirements under the "Alternative Energy Portfolio Standards Act" and to qualify for solar renewable alternative energy portfolio credits, each solar photovoltaic system must do one of the following:

- (i) Directly deliver the electricity it generates to a retail customer of an electric distribution company or to the distribution system operated by an electric distribution company operating within this Commonwealth and currently obligated to meet the compliance requirements contained under the "Alternative Energy Portfolio Standards Act."
- (ii) Be directly connected to the electric system of an electric cooperative or municipal electric system operating within this Commonwealth.
- (iii) Connect directly to the electric transmission system at a location that is within the service territory of an electric distribution company operating within this Commonwealth.

Section 2804(1) modifies Section 4 of the AEPS Act to exclude solar PV sources located outside of Pennsylvania from qualifying as an AES eligible to generate power and solar renewable alternative energy portfolio credits (SRECs) eligible to be used to meet the solar PV share requirement. Section 2804(1) introduces a new undefined term, "solar renewable alternative energy portfolio credit." The Commission proposes to interpret this term as identifying SRECs eligible to meet the AEPS Act solar

PV share requirements found in Section 3(b)(2) of the AEPS Act, 73 P.S. § 1648.3(b)(2).

We note that Act 40 did not amend or otherwise revise the definitions of Alternative Energy Credit, Alternative Energy Source or Tier I Alternative Energy Source found in Section 2 of the AEPS Act, 73 P.S. § 1648.2. Significantly, Section 2804(4) specifically defines "Alternative Energy Source" as the term "Alternative Energy Sources" is defined in Section 2 of the AEPS Act. Furthermore, Section 2804(1) only modifies Section 4 of the AEPS Act, 73 P.S. § 1648.4 and only refers to the solar PV share requirement. Accordingly, as solar PV has been and still is a Tier I AES that was eligible to meet the Tier I non-solar PV share requirements, the Commission proposes to interpret this section as permitting any solar PV system meeting the geographic requirements of Section 4, 73 P.S. § 1648.4, as continuing to be eligible to generate Tier I alternative energy credits (AECs) eligible to be used to meet the Tier I non-solar PV share requirements in Section 3(b)(1) of the AEPS Act, 73 P.S. § 1648.3(b)(1).

B. Section 2804(1)(i)

This subsection provides two scenarios where solar PV will qualify to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements. The first scenario that qualifies is a solar PV generation source that directly delivers its power to an EDC's retail customer. The Commission proposes to interpret this section as applying to solar PV systems physically connected to an EDC's customer's internal electric system, such as a roof mounted solar PV array.

The second scenario that qualifies is a solar PV generation source that directly delivers its power to the distribution system operated by an EDC that has an obligation to meet the AEPS Act compliance requirements. The Commission proposes to interpret this provision as applying to solar PV systems physically interconnected to an EDC's distribution system.

C. Section 2804(1)(ii)

This subsection addresses the scenario where a solar PV system is directly connected to the electric system of an electric cooperative or municipal electric system operating within Pennsylvania. The Commission proposes to interpret this subsection as permitting solar PV systems physically connected to a Pennsylvania electric cooperative's or municipal electric system's distribution network to qualify to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements.

D. Section 2804(1)(iii)

This subsection addresses the scenario where a solar PV system is directly connected to the electric transmission system at a location that is within the service territory of an EDC. The Commission proposes to interpret this subsection as permitting solar PV systems physically connected to an EDC's transmission system within the EDC's service territory to qualify to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements. This would include utility scale solar PV systems that are physically interconnected to an EDC's transmission system within the EDC's service territory and operating under PJM rules as a wholesale generator.

E. Implementation of Section 2804(1)

To differentiate solar PV systems that qualify to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements from solar

PV systems that do not, the Commission proposes to have the Alternative Energy Credit Program Administrator (AEC Program Administrator) work with PJM-GATS to modify the Pennsylvania certification number it assigns to solar PV systems. Specifically, systems that qualify to generate SRECs will be assigned a certification number in the following format: PA-NNNNNN-SUN-I. Whereas solar PV systems that only qualify to generate Tier I non-solar AECs will be assigned a certification number in the following format: PA-NNNNNN-NSTI-I.

F. *Section 2804(2)(i)*

This section sets forth a condition to which Section 2804(1) does not apply. Specifically, Section 2804(2)(i) states the following:

(2) Nothing under this section or section 4 of the “Alternative Energy Portfolio Standards Act” shall affect any of the following:

(i) A certification originating within the geographical boundaries of this commonwealth granted prior to the effective date of this section of a solar photovoltaic energy generator as a qualifying alternative energy source eligible to meet the solar photovoltaic share of this Commonwealth’s alternative energy portfolio compliance requirements under the “Alternative Energy Portfolio Standards Act.”

This subsection addresses the scenario where a solar PV system had received a Pennsylvania certification as an AES eligible to meet the solar PV share requirement prior to October 30, 2017, the effective date of Section 2804. The Commission proposes to interpret this subsection to grandfather solar PV AESs certified as a Pennsylvania AES before October 30, 2017, as continuing to qualify to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements.

The Commission proposes to interpret the language “a certification originating within the geographical boundaries of this Commonwealth” as a reference to systems certified by the Commission’s AEC Program Administrator in accordance with 52 Pa. Code §§ 75.62, 75.63 & 75.64. These systems received a unique Pennsylvania certification number that identifies them as a Pennsylvania qualifying alternative energy source eligible to meet the solar PV share requirements. We note that many systems may also qualify for certification in another state’s renewable portfolio standards program and receive a unique certification number for that state as well, thus, many systems may have multiple state certification numbers. Accordingly, this subsection, as the Commission proposes to interpret it, precludes a solar PV system that does not meet the Section 2804(1) requirements and was certified in another state, but not in Pennsylvania prior to October 30, 2017, from being qualified to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements in Pennsylvania. The Commission, however, as noted above, proposes to interpret Act 40 as permitting such systems to be certified as a Tier I non-solar alternative energy resource eligible to be used by EDCs and EGSs to meet the Tier I non-solar requirements.

As proposed above, solar PV systems that were certified as a Pennsylvania AES in accordance with 52 Pa. Code §§ 75.62, 75.63 & 75.64, prior to October 30, 2017, will be identified by the following certification number format: PA-NNNNNN-SUN-I. Whereas solar PV systems that only qualify to generate Tier I non-solar AECs will be assigned a certification number in the following format: PA-NNNNNN-NSTI-I.

We note that currently, the program administrator has 30 days from the date a complete AES application is received to provide written notice as to whether the system qualifies as an AEPS Act AES. If a system is found to qualify as an AEPS Act AES, the system qualification date can be the date the complete application was received by the program administrator. See 52 Pa. Code § 75.63(i).¹ The Commission seeks comments on whether completed solar PV system applications that were received before October 30, 2017, but not approved by the program administrator until after October 30, 2017, should be grandfathered in as a solar PV AES eligible to meet the solar PV share requirements, as their certification date would be the date the completed application was received.

G. *Section 2804(2)(ii)*

This section sets forth a condition to which Section 2804(1) does not apply. Specifically, Section 2804(2)(ii) states the following:

(2) Nothing under this section or section 4 of the “Alternative Energy Portfolio Standards Act” shall affect any of the following:

(ii) Certification of a solar photovoltaic system with a binding written contract for the sale and purchase of alternative energy credits derived from solar photovoltaic energy sources entered into prior to the effective date of this section.

This subsection addresses the scenario where a binding written contract for the sale and purchase of AECs derived from a solar PV source was entered into prior to October 30, 2017. The Commission proposes to interpret this subsection as permitting the AEC Program Administrator to certify a solar PV system that does not meet the provisions of Section 2804(1) and was not certified prior to October 30, 2017, to qualify to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements under the following conditions:

(1) There is a binding written contract entered into prior to October 30, 2017.

(2) The contract is for the sale and purchase of the alternative energy credits generated by a solar PV system that is not already certified in Pennsylvania.

(3) The solar PV system does not meet the requirements of § 2804(1).

The Commission further proposes to limit the certification to the duration of the contract. For example, if the contract was for the purchase of AECs for 24 months, from June 1, 2017 through May 31, 2019, the certification to qualify to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements would end on June 1, 2019 and be transferred to a Tier I non-solar certification. Under this example, the credits generated prior to June 1, 2019 and transferred to an EDC or EGS would continue to be eligible to meet the solar PV share requirements in accordance with 52 Pa. Code § 75.69 (relating to the banking of alternative energy credits).

H. *Section 2804(3)*

This section provides that contracts entered into or renewed on or after October 30, 2017, the effective date of

¹ Section 75.63(i) of the Commission’s regulations states “[a]n alternative energy system may begin to earn alternative energy credits on the date a complete application is filed with the administrator, provided that a meter or inverter reading is included with the application.” 52 Pa. Code § 75.63(i).

Section 2804, are subject to the provisions of Section 2804(1). The Commission proposes to interpret this subsection as limiting the eligibility of systems certified under the contract exception in Subsection 2804(2)(ii) to the duration of the contract for the sale and purchase of AECs when it was entered into prior to October 30, 2017. A solar PV system owner cannot extend its eligibility through a renewal of the original contract or subsequent contracts. At the end of the contract entered into prior to October 30, 2017, the solar PV system would be re-certified as a Tier I non-solar alternative energy resource. The Commission, however, proposes that the AECs generated and transferred to the EDC or EGS prior to the re-certification would continue to be eligible to meet the solar PV share requirement in accordance with 52 Pa. Code § 75.69 (relating to the banking of alternative energy credits).

I. Implementation of Section 2804(3)

To implement this provision, the Commission proposes that any solar PV system seeking to be eligible to generate SRECs that was not certified prior to October 30, 2017, and that does not meet the requirements of 2804(1), must submit a copy of the binding written contract for the sale and purchase of AECs, and any additional information requested by the AEC Program Administrator, along with its application for alternative energy system qualification in accordance with 52 Pa. Code § 75.62. The AEC Program Administrator will make the determination as to whether the system qualifies to generate energy and SRECs eligible to be used by EDCs and EGSs to meet the solar PV share requirements and the duration of that qualification. When the contract ends the AEC Program Administrator shall re-certify the system as a Tier I non-solar alternative energy source. The decision by the AEC Program Administrator may be appealed consistent with 52 Pa. Code § 5.44 (relating to petitions for reconsideration from actions of the staff).

J. Section 2804(4)

Section 2804(4) provides that the terms “Alternative Energy Source” and “Electric Distribution Company” maintain their respective definitions as set forth in Section 2 of the AEPS Act. As such, the Commission believes solar PV systems not meeting Section 2804(1) requirements or the exceptions thereto in Section 2804(2) can still generate credits eligible to meet the Tier I non-solar share requirements.

Conclusion

This Tentative Implementation Order outlines the key portions of Act 40 that the Commission is required to administer and seeks comment from the public and industry with regard to how these provisions are interpreted and implemented; *Therefore,*

It Is Ordered That:

1. The Commission hereby seeks comments on its proposed interpretation and implementation of Section 11.1 of Act 40 of 2017.
2. A copy of this order be served on all jurisdictional electric distribution companies, all licensed electric generation suppliers, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate and the Office of Small Business Advocate.
3. A copy of this Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at www.puc.state.pa.us.
4. Written comments referencing Docket No. M-2017-2631527 be submitted within 30 days of publication in the

Pennsylvania Bulletin to the Pennsylvania Public Utility Commission, Attn: Secretary, 400 North Street, Harrisburg, PA 17120. Comments may also be filed electronically through the Commission's e-File System.

5. The Office of Competitive Market Oversight shall electronically send a copy of this Order to all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

6. The contact persons for Tentative Implementation Order are Kriss Brown, Assistant Counsel, Law Bureau, kribrown@pa.gov, (717) 787-4518 and Darren Gill, Bureau of Technical Utility Services, dgill@pa.gov, (717) 783-5244.

ROSEMARY CHIAVETTA,
Secretary

*Joint Statement of Chairperson Gladys M. Brown and
Vice Chairperson Andrew G. Place*

Before the Commission today is the Tentative Implementation Order (TIO) regarding Act 40 of 2017. Act 40, signed by Governor Wolf on October 30, 2017, *inter alia*, amends the qualifications to certify Tier I solar photovoltaic share facilities under Pennsylvania's Alternative Energy Portfolio Standards (AEPS) Act. Today the Commission issues this TIO to guide the AEPS marketplace toward compliance, and seeks comment on the Commission's proposed interpretations. We wish to highlight the Commission's tentative interpretations of Sections 2804(2)(i) and 2804(2)(ii). These read:

(2) Nothing under this section or section 4 of the “Alternative Energy Portfolio Standards Act” shall affect any of the following:

(i) A certification originating within the geographical boundaries of this Commonwealth granted prior to the effective date of this section of a solar photovoltaic energy generator as a qualifying alternative energy source eligible to meet the solar photovoltaic share of this Commonwealth's alternative energy portfolio compliance requirements under the “Alternative Energy Portfolio Standards Act.”

(ii) Certification of a solar photovoltaic system with a binding written contract for the sale and purchase of alternative energy credits derived from solar photovoltaic energy sources entered into prior to the effective date of this section.

The TIO interprets these sections in the following manner. First, all facilities receiving a certification from Pennsylvania's AEPS Administrator to generate Tier I solar share renewable energy credits (SRECs) before October 30, 2017 be grandfathered into future certification compliance. When interpreting the phrase “[a] certification originating within the geographical boundaries of this Commonwealth. . .” the TIO appears to focus on the origin of the certification, i.e. from the Pennsylvania Administrator, as opposed to the location of the facility.

Second, in alignment with the interpretation proposed above, the Commission's TIO also proposes to interpret 2804(2)(ii) of the Act to read that any solar facility not otherwise AEPS certified which has entered into a purchase and sale contract for SRECs before October 30, 2017 may obtain Tier I solar photovoltaic share certification by providing the Commission proof of that contract and its provisions related to SREC purchase and sale. This interpretation is based on a textual review of Act 40 language. There is no limiting language as it relates to certification, or lack thereof, or to location for the buyer or seller of the SRECs.

While the Commissions' interpretations, as outlined in the TIO, reflect a strict textual review, we acknowledge that such implementation may run counter to the intent of the provisions in Act 40. Numerous iterations of legislation have been proposed over previous General Assembly sessions aiming to "close the borders" in a manner "similar to many neighboring states."² Here the TIO only proposes to close the borders on a going forward basis, commencing on the date Act 40 was enacted. Review of the current supply and demand for AEPS qualifying Tier I solar share credits and capacity indicates that grandfathering all out-of-state solar facilities may result in, at best, a negligible impact on in-state solar development and SREC prices.³ Such an outcome would fail to achieve the potential intentions of the General Assembly to foster economic development in the state, to support environmental stewardship, and to instill electric reliability. Failure to effectuate the intentions of the General Assembly would conflict with the principles of statutory construction. The Rules of Statutory Construction at 1 Pa.C.S. § 1921(a) provide that:

(a) The object of all interpretation and construction of statutes is to ascertain and effectuate the intention of the General Assembly. Every statute shall be construed, if possible, to give effect to all its provisions.

Therefore, in an effort to inform the record of this proceeding, we issue the following supplemental interpretations for comment.

Sections 2804(2)(i)—Here we propose to interpret the phrase "[a] certification originating within the geographical boundaries of this Commonwealth..." as a facility located within Pennsylvania having received an AEPS Tier I solar photovoltaic share certification.

2804(2)(ii)—Here we propose to interpret this section to only permit out-of-state facilities already certified as AEPS Tier I Solar Photovoltaic that have entered into a contract with a Pennsylvania electric distribution company, electric generation supplier serving Pennsylvania customers, load serving entity, electric cooperative, or municipal cooperative, for the sale of SRECs may maintain certification until the expiration of the contract.

Banked SRECs—The proposed supplemental interpretations above inherently require that we address the status of banked SRECs from previously certified out-of-state facilities. We respectfully ask parties to address the handling of such SRECs.

We look forward to all interested parties' comments on the TIO and these supplemental implementation proposals. We hope these comments will help frame the Commission's understanding of the General Assembly's true intentions for this section of Act 40.

GLADYS M. BROWN,
Chairperson
ANDREW G. PLACE,
Vice Chairperson

[Pa.B. Doc. No. 18-35. Filed for public inspection January 5, 2018, 9:00 a.m.]

² See Co-Sponsorship Memoranda from Senator Mario M. Scavella and Senator David G. Argall, posted December 8, 2016, Subject Heading "Solar Energy Credits Legislation," referring to SB 1346 from 2015-2016 session and SB 404 from the 2016-2017 session. Also, see proposed House Bill 1580 prime sponsored by Representative Chris Ross during the 2011-2012 session.

³ See the Commission's 2016 Annual Report on AEPS—issued November of 2017.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Indirect Transfer of Control

A-2017-2638842. magicJack VocalTec, Ltd. and B. Riley Financial, Inc. Joint application of magicJack VocalTec, Ltd. and B. Riley Financial, Inc. for approval of the general rule indirect transfer of control of YMax Communications Corporation.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 22, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicants: magicJack VocalTec, Ltd.; B. Riley Financial, Inc.; YMax Communications Corporation

Through and By Counsel: Michael A. Gruin, Esquire, Stevens & Lee, 17 North 2nd Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-36. Filed for public inspection January 5, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 22, 2018. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2017-2637211. Pace Healthcare Transportation, Inc., t/a Pace Healthcare Transportation (401 Broad Street, Johnstown, Cambria County, PA 15906) for the amended right to transport as a contract carrier, by motor vehicle, persons for Coordinated Transportation Solutions and Medical Transportation Management, Inc., from points in the Counties of Allegheny, Berks, Blair, Cam-

bria, Dauphin, Fayette, Greene, Indiana, Lehigh, Northampton, Somerset, Washington, Westmoreland and York, to points in Pennsylvania, and return.

A-2017-2638844. Wilkins Martinez (814 Hayes Drive, Hazleton, Luzerne County, PA 18201) persons in paratransit service, between points in Luzerne County.

A-2017-2638992. Curtis Loving, t/a Loving Express (5241 Iroquois Street, Tobyhanna, Monroe County, PA 18466) for the right to transport as a common carrier, by motor vehicle, persons upon call or demand, between points within a 30-air mile radius from the City of Tobyhanna, PA.

A-2017-2639052. Pocono Cab Company, LLC (399 Oak Street, East Stroudsburg, Monroe County, PA 18301) persons upon call or demand from points in the Counties of Monroe, Pike, Carbon and Northampton. *Attorney:* Craig A. Doll, 25 West Second Street, P.O. Box 403, Hummelstown, PA 17036.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-37. Filed for public inspection January 5, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due January 22, 2018, 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. Oyolo Freight Line Corporation; Docket No. C-2017-2635746

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 Oyolo Freight Line Corporation, (respondent) is under suspension effective November 18, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 10 Tiffany Bldg., Hershey, PA 17033.
3. That respondent was issued a Certificate of Public Convenience by this Commission on May 26, 2016, at A-8918812.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918812 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: 12/7/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Hans Transportation Services LLC;
Docket No. C-2017-2634469

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 Hans Transportation Services, LLC, (respondent) is under suspension effective November 08, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 826 Ward Street # 3, Allentown, PA 18103.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 11, 2016, at A-8918989.

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-8918989 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 11/21/2017

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. 18-38. Filed for public inspection January 5, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2017-2638948. Riemer Natural Gas, LLC. Application of Riemer Natural Gas, LLC for approval of the transfer by sale of certain ownership interests and tangible and intangible assets of Riemer Natural Gas, LLC to SME Well Services, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 22, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Riemer Natural Gas, LLC

Through and By Counsel: Whitney E. Snyder, Esquire, Thomas J. Sniscak, Esquire, Hawke, McKeon & Sniscak, LLP, Harrisburg Energy Center, 100 North Tenth Street, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
 Secretary

[Pa.B. Doc. No. 18-39. Filed for public inspection January 5, 2018, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South

Swanson Street, Philadelphia, PA 19148, no later than January 22, 2018. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants.

Doc. No. A-17-12-02. Sandwip Trans, Inc. (2301 Church Street, Philadelphia, PA 19124): An application for a medallion taxicab certificate of public convenience (CPC) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-17-12-03. Rabe, LLC (5330 West Girard Avenue, Philadelphia, PA 19131): An application for a medallion taxicab CPC to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

CLARENA TOLSON,
Executive Director

[Pa.B. Doc. No. 18-40. Filed for public inspection January 5, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Katie Marie Lyons, LPN; File No. 15-51-08135; Doc. No. 2232-51-15

On June 20, 2017, Katie Marie Lyons, LPN, Pennsylvania license No. PN279365, last known of Runnemede, NJ, had her practical nurse license indefinitely suspended until at least a time as she proves that she is fit to practice practical nursing in this Commonwealth with reasonable skill and safety based on receiving disciplinary action by the proper licensing authority of another state.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-41. Filed for public inspection January 5, 2018, 9:00 a.m.]

