

PENNSYLVANIA BULLETIN

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

No. 521, April 2018

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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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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.

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 213]

Order Amending Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts; No. 496 Judicial Administration Doc.

Order

Per Curiam

And Now, this 28th day of March, 2018, upon the recommendation of the Administrative Office of Pennsylvania Courts to amend the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* to include all minor courts within the scope of the Policy and achieve one statewide policy for case records in every court:

It Is Ordered that:

- 1) The Policy is amended to read as follows.
- 2) The name of the Policy is amended as follows *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.
- 3) The Administrative Office of Pennsylvania Courts shall publish the amended Policy and accompanying Explanatory Report on the Unified Judicial System's website.
- 4) Every court and custodian's office, as defined by the Policy, shall continuously make available for public inspection a copy of the amended Policy in appropriate physical locations as well as on their website.
- 5) The *Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts* is hereby rescinded as of July 1, 2018.
- 6) Whereas prior distribution and publication of this rule would otherwise be required, it has been determined that immediate promulgation is required in the interest of justice and efficient administration. Pa.R.J.A. No. 103(a)(3).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective July 1, 2018.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 213. COURT RECORDS POLICIES

Subchapter D. CASE RECORD PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA [: CASE RECORDS OF THE APPELLATE AND TRIAL COURTS]

§ 213.81. Case Record Public Access Policy of the Unified Judicial System of Pennsylvania [: Case Records of the Appellate and Trial Courts].

Section 1.0. Definitions.

A. "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. **as well as Pa.R.C.P.M.D.J. No. 1201 et seq.**

B. "Case Records" are (1) documents for any case filed with, accepted and maintained by a court or custodian; (2) dockets, indices, and documents (such as orders, opinions, judgments, decrees) for any case created and maintained by a court or custodian. This term does not include notes, memoranda, correspondence, drafts, **work-sheets**, and work product of judges and court personnel. Unless otherwise provided in this policy, this definition applies equally to case records maintained in paper and electronic formats.

C. "Clerical errors" are errors or omissions appearing in a case record that are patently evident, as a result of court personnel's action or inaction.

D. "Court" includes the Supreme Court, Superior Court, Commonwealth Court, Courts of Common Pleas, [and] Philadelphia Municipal Court, [**excluding the Traffic Division of Philadelphia Municipal Court**] **and Magisterial District Courts.**

E. "Court of Record" includes the Supreme Court, Superior Court, Commonwealth Court, Courts of Common Pleas, and Philadelphia Municipal Court.

[E.] **F.** "Court Facility" is the location or locations where case records are filed or maintained.

[F.] **G.** "Custodian" is any person responsible for maintaining case records or for processing public requests for access to case records.

[G.] **H.** "Docket" is a chronological index of filings, actions, and events in a particular case, which may include identifying information of the parties and counsel, a brief description or summary of the filings, actions, and events, and other case information.

[H.] **I.** "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.

[I.] **J.** "Financial Source Documents" are:

1. Tax returns and schedules;
2. W-2 forms and schedules including 1099 forms or similar documents;
3. Wage stubs, earning statements, or other similar documents;
4. Credit card statements;
5. Financial institution statements;
6. Check registers;
7. Checks or equivalent; and
8. Loan application documents.

[J.] **K.** "Medical/psychological records" are records relating to the past, present, or future physical or mental health or condition of an individual.

[K.] L. “Minor” is a person under the age of eighteen.

[L.] M. “Party” is one who commences an action or against whom relief is sought in a matter.

[M.] N. “Public” is any person, member of the media, business, non-profit entity, organization or association. The term does not include a party to a case; the attorney(s) of record in a case; Unified Judicial System officials or employees if acting in their official capacities; or any federal, state, or local government entity, and employees or officials of such an entity if acting in their official capacities.

[N.] O. “Remote Access” is the ability to electronically search, inspect, print or copy information in a case record without visiting the court facility where the case record is maintained or available, or requesting the case record from the court or custodian pursuant to Section 4.0.

Commentary

Regarding Subsection B, “documents for any case filed with, accepted and maintained by a court or custodian” are those not created by a court or custodian, such as pleadings and motions. Indices are tools for identifying specific cases.

Regarding Subsection C, examples of clerical errors are the docket entry links to the wrong document or court personnel misspells a name in the caption.

Regarding Subsection [F] G, the definition of “custodian” **includes clerks of court, prothonotaries, clerks of orphans’ court and magisterial district judges, for example.** The definition does not include those entities listed in Pa.R.A.P. 3191 who receive copies of briefs filed in an appellate court **or a register of wills.**

Regarding Subsection [J] K, this definition is derived from the definition of “health information” provided in 45 C.F.R. § 160.103 (HIPAA). Examples of case records that would fall within this exclusion are: drug and alcohol treatment records, psychological reports in custody matters, and DNA reports.

Regarding Subsection [L] M, *amici curiae* are not parties. See Pa.R.A.P. 531.

Regarding Subsection [M] N, Unified Judicial System officials or employees include: judicial officers and their personal staff, administrative staff and other central staff, prothonotaries, clerks of the courts, clerks of the orphans’ court division, sheriffs, prison and correctional officials, and personnel of all the above.

Section 2.0. Statement of General Policy.

A. This policy shall govern access by the public to case records.

B. Security, possession, custody, and control of case records shall generally be the responsibility of the applicable custodian and designated staff.

C. Facilitating access by the public shall not substantially impede the orderly conduct of court business.

D. A court or custodian may not adopt more restrictive or expansive access protocols than provided for in this policy. Nothing in this policy requires a court or custodian to provide remote access to case records. However, if a court or custodian chooses to provide remote access to any of its case records, access shall be provided in accordance with Section 10.0.

Commentary

[The Supreme Court of Pennsylvania has adopted other policies governing public access to Unified Judicial System case records: the] *The Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* [that] provides for access to the statewide case management systems’ web docket sheets and requests for bulk data [and the *Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts* that provides for access to case records of the magisterial district courts maintained in a paper format].

Section 3.0. Access to Case Records.

All case records shall be open to the public in accordance with this policy.

Section 4.0. Requesting Access to Case Records.

A. When desiring to inspect or copy case records, a member of the public shall make an oral [or written] request to the applicable custodian, unless otherwise provided by [court order or rule] **a local rule or an order issued by a court of record.** [If the request is oral, the custodian may require a written request.]

B. When the information that is the subject of the request is complex or voluminous, the custodian may require a written request. If the requestor does not submit a written request when required, access may be delayed until the written request is submitted or a time when an individual designated by the custodian is available to monitor such access to ensure the integrity of the case records is maintained.

[B.] C. Requests shall identify or describe the records sought with specificity to enable the custodian to ascertain which records are being requested.

Commentary

Public access requests to the courts and custodians are routinely straightforward and often involve a limited number of records. Therefore, artificial administrative barriers should not be erected so as to inhibit making these requests in an efficient manner.

This policy provides the courts and custodians latitude to establish appropriate administrative protocols for viewing/obtaining case records remotely. However, the definition of “remote access” in Section 1.0 clarifies that a request under this section is neither necessary nor expected under this policy.

Nonetheless, Subsection [A] B provides a custodian with the flexibility to require that a more complex request be submitted in writing to avoid misunderstandings and errors that can often result in more time being expended to provide the requested information than is necessary. This approach is not novel; submission of a written request form has been a longstanding practice under the Unified Judicial System’s *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* [and *Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts*].

Subsection [B] C does not require a requestor to identify a case by party or case number in order to have

access to the files, but the request shall clearly identify or describe the records requested so that court personnel can fulfill the request.

Written requests should be substantially in the format designed and published by the Administrative Office of Pennsylvania Courts.

Section 5.0. Responding to Requests for Access to Case Records.

A. A custodian shall fulfill a request for access to case records as promptly as possible under the circumstances existing at the time of the request.

B. If a custodian cannot fulfill the request promptly or at all, the custodian shall inform the requestor of the specific reason(s) why access to the information is being delayed or denied.

C. If a custodian denies a written request for access, the denial shall be in writing.

D. **[Relief] Except as provided in Subsection E, relief** from a custodian's written denial may be sought by filing a motion or application with the court for which the custodian maintains the records.

E. Relief from a magisterial district court may be sought by filing an appeal with the president judge of the judicial district or the president judge's designee. Relief from a written denial by the Philadelphia Municipal Court may be sought by filing a motion with the president judge of Philadelphia Municipal Court or the president judge's designee.

Commentary

Given that most public access requests for case records are straightforward and usually involve a particular case or matter, custodians should process the same in an expeditious fashion.

There are a number of factors that can affect how quickly a custodian may respond to a request. For example, the custodian's response may be slowed if the request is vague, involves retrieval of a large number of case records, or involves information that is stored off-site. Ultimately, the goal is to respond timely to requests for case records.

In those unusual instances in which access to the case records cannot be granted in an expeditious fashion, the custodian shall inform the requestor of the specific reason(s) why access to the information is being delayed or denied, which may include:

- the request involves such voluminous amounts of information that the custodian is unable to fulfill the same without substantially impeding the orderly conduct of the court or custodian's office;
- records in closed cases are located at an off-site facility;
- a particular file is in use by a judge or court staff. If a judge or court staff needs the file for an extended period of time, special procedures should be considered, such as making a duplicate file that is always available for public inspection;
- the requestor failed to pay the appropriate fees, as established pursuant to Section 6.0 of this policy, associated with the request;
- the requested information is restricted from access pursuant to applicable authority, or any combination of factors listed above.

[An] With respect to Subsection D, an aggrieved party may seek relief from a denial of a written request for access consistent with applicable authority (for example, in an appellate court, Pa.R.A.P. 123 sets forth procedures for applications for relief under certain circumstances, or pertinent motion practice at the trial court level).

Section 6.0. Fees.

A. Unless otherwise provided by applicable authority, fees for duplication by photocopying or printing from electronic media or microfilm shall not exceed \$0.25 per page.

B. **[A] Except as provided in Subsection C, a** custodian shall establish a fee schedule that is (1) posted in the court facility in an area accessible to the public, and (2) posted on the custodian's website.

C. Any fee schedule for a magisterial district court shall be established by the president judge of the judicial district by local rule pursuant to Pa.R.J.A. No. 103(c). The fee schedule shall be publicly posted in an area accessible to the public.

Commentary

Reasonable fees may be imposed for providing public access to case records pursuant to this policy and in accordance with applicable authority. This section does not authorize fees for viewing records that are stored at the court facility.

To the extent that the custodian is not the court, approval of the fee schedule by the court may be necessary.

An example of applicable authority setting forth photocopying fees is 42 Pa.C.S. § 1725(c)(1)(ii) that provides the Clerk of Orphans' Court of the First Judicial District shall charge \$3 per page for a copy of any record. *See also* 42 P.S. § 21032.1 (providing authority for the establishment of fees in orphans' court in certain judicial districts). In addition, the copying fees for appellate court records are provided for in 204 Pa. Code § 155.1. However, copies of most appellate court opinions and orders are available for free on the Unified Judicial System's website, www.pacourts.us.

Section 7.0. Confidential Information.

A. Unless required by applicable authority or as provided in Subsection C, the following information is confidential and shall be not 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;
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); and
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.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

B. The Administrative Office of Pennsylvania Courts shall design and publish the Confidential Information Form.

C. Instead of using the Confidential Information Form, a court **of record** may adopt a rule or order permitting the filing of any document in two versions, a “Redacted Version” and “Unredacted Version.” The “Redacted Version” shall not include any information set forth in Subsection A, while the “Unredacted Version” shall include the information. Redactions must be made in a manner that is visibly evident to the reader. **This Subsection is not applicable to filings in a magisterial district court.**

D. Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the court. The certification that shall accompany each filing shall be substantially in the following form: “I certify that this filing complies with the provisions of the *Case Record 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.”

E. A court or custodian is not required to review or redact any filed document for compliance with this section. A party’s or attorney’s failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If a filed document fails to comply with the requirements of this section, a court **of record** 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 **of record** may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

G. If a filed document fails to comply with the requirements of this section, a magisterial district court may, upon request or its own initiative, with or without a hearing order the filed document redacted, amended or both.

[G.] **H.** This section shall apply to all documents for any case filed with a court or custodian on or after the effective date of this policy.

Commentary

There is authority requiring information listed in Subsection A to appear on certain documents. For example, Pa.R.C.P. No. 1910.27 provides for inclusion of the plaintiff’s and defendant’s social security number on a complaint for support.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, for example, cases filed under the Juvenile Act that are already protected by 42 Pa.C.S. § 6307, and Pa.Rs.J.C.P. 160 and 1160.

While Pa.R.C.P. No. 1931 is suspended in most judicial districts, the reference to the rule is merely for definitional purposes.

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from inserting

confidential information in court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court’s opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede the public’s access to court records and ability to understand the court’s decision.

Whether using a Confidential Information Form or filing a redacted and unredacted version of a document **in a court of record**, the drafter shall indicate where in the document confidential information has been omitted. For example, the drafter could insert minors’ initials in the document, while listing full names on the Confidential Information Form. If more than one child has the same initials, a different moniker should be used (e.g., child one, child two, etc.).

[While Pa.R.C.P. No. 1931 is suspended in most judicial districts, the reference to the rule is merely for definitional purposes.]

The option to file a redacted and unredacted version of a document does not apply to filings in a magisterial district court. Most filings in magisterial district courts are completed on statewide forms designed by the Administrative Office of Pennsylvania Courts. Safeguarding the information set forth in this Section for magisterial district courts is achieved through the use of a Confidential Information Form (see Subsection A) in tandem with other administrative protocols (e.g., instituting a public access copy page to the citation form set).

With regard to Subsection D, the certification of compliance is required whether documents are filed in paper form or via an e-filing system. **Moreover, the certification is required on every document filed with a court or custodian regardless of whether the filing contains “confidential information” requiring safeguarding under this policy.**

With regard to Subsection E, a court or custodian is not required to review or redact documents filed by a party or attorney for compliance with this section. However, such activities are not prohibited.

[Any] **With regard to Subsection F any party may make a motion to the court of record to cure any defect(s) in any filed document that does not comport with this section.**

With regard to Subsection G, any party may file a request form designed and published by the Administrative Office of Pennsylvania Courts with a magisterial district court when there is an allegation that a filing was made with that court that does not comply with this policy.

Section 8.0. Confidential Documents.

A. Unless required by applicable authority, the following documents are confidential and shall be filed with a court or custodian under a cover sheet designated “Confidential Document Form”:

1. Financial Source Documents;
2. Minors’ educational records;
3. Medical/Psychological records;
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); and

7. Agreements between the parties as used in 23 Pa.C.S. § 3105.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

B. The Administrative Office of Pennsylvania Courts shall design and publish the Confidential Document Form.

C. Confidential documents submitted with the Confidential Document Form shall not be accessible to the public, except as ordered by a court. However, the Confidential Document Form or a copy of it shall be accessible to the public.

D. Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the court. The certification that shall accompany each filing shall be substantially in the following form “I certify that this filing complies with the provisions of the *Case Record 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.”

E. A court or custodian is not required to review any filed document for compliance with this section. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If confidential documents are not submitted with the Confidential Document Form, a court **of record** may, upon motion or its own initiative, with or without a hearing, order that any such documents be sealed. A court **of record** may also impose appropriate sanctions for failing to comply with this section.

G. If a filed document fails to comply with the requirements of this section, a magisterial district court may, upon request or its own initiative, with or without a hearing order that any such documents be sealed.

[G.] **H.** This section shall apply to all documents for any case filed with a court or custodian on or after the effective date of this policy.

Commentary

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, such as Juvenile Act cases pursuant to 42 Pa.C.S. § 6307, and Pa.Rs.J.C.P. 160 and 1160.

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from attaching confidential documents to court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court's opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede

the public's access to court records and ability to understand the court's decision.

Examples of “agreements between the parties” as used in Subsection (A)(7) include marital settlement agreements, post-nuptial, pre-nuptial, ante-nuptial, marital settlement, and property settlement. See 23 Pa.C.S. § 3105 for more information about agreements between parties.

With regard to Subsection D, the certification of compliance is required whether documents are filed in paper form or via an e-filing system. **Moreover, the certification is required on every document filed with a court or custodian regardless of whether the filing contains a “confidential document” requiring safeguarding under this policy.**

With regard to Subsection E, if the party or party's attorney fails to use a cover sheet designated “Confidential Document Form” when filing a document deemed confidential pursuant to this section, the document may be released to the public.

[Any] **With regard to Subsection F any party may make a motion to the court of record to cure any defect(s) in any filed document that does not comport with this section.**

With regard to Subsection G, any party may file a request form designed and published by the Administrative Office of Pennsylvania Courts with a magisterial district court when there is an allegation that a filing was made with that court that does not comply with this policy.

Section 9.0. Limits on Public Access to Case Records at a Court Facility.

The following information shall not be accessible by the public at a court facility:

A. Case records in proceedings under 20 Pa.C.S. § 711(9), including but not limited to case records with regard to issues concerning recordation of birth and birth records, the alteration, amendment, or modification of such birth records, and the right to obtain a certified copy of the same, except for the docket and any court order or opinion;

B. Case records concerning incapacity proceedings filed pursuant to 20 Pa.C.S. §§ 5501—5555, except for the docket and any final decree adjudicating a person as incapacitated;

C. Any Confidential Information Form or any Unredacted Version of any document as set forth in Section 7.0;

D. Any document filed with a Confidential Document Form as set forth in Section 8.0;

E. Information sealed or protected pursuant to court order;

F. Information to which access is otherwise restricted by federal law, state law, or state court rule; and

G. Information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator of Pennsylvania with the approval of the Chief Justice. The Court Administrator shall publish notification of such determinations in the *Pennsylvania Bulletin* and on the Unified Judicial System's website.

Commentary

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from inserting confidential information in or attaching confidential documents to court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court's opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede the public's access to court records and ability to understand the court's decision.

With respect to Subsection F, Pennsylvania Rule of Appellate Procedure 104(a), Pa.R.A.P. 104(a), provides that the appellate courts may make and amend rules of court governing their practice. The Administrative Office of Pennsylvania Courts shall from time to time publish a list of applicable authorities that restrict public access to court records or information. This list shall be published on the Unified Judicial System's website and in the *Pennsylvania Bulletin*. In addition, all custodians shall post this list in their respective court facilities in areas accessible to the public and on the custodians' websites.

With respect to Subsection G, the Administrative Office of Pennsylvania Courts shall include any such determinations in the list of applicable authorities referenced above. The same provision appears in [**existing statewide public access policies adopted by the Supreme Court:**] *the Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* [**and Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts**]. The provision is intended to be a safety valve to address a future, extraordinary, unknown issue of statewide importance that might escape timely redress otherwise. It cannot be used by parties or courts in an individual case.

Section 10.0. Limits on Remote Access to Case Records.

A. The following information shall not be remotely accessible by the public:

1. The information set forth in Section 9.0;
2. In criminal cases, information that either specifically identifies or from which the identity of jurors, witnesses (other than expert witnesses), or victims could be ascertained, including names, addresses and phone numbers;
3. Transcripts lodged of record, excepting portions of transcripts when attached to a document filed with the court;
4. *In Forma Pauperis* petitions;
5. Case records in family court actions as defined in Pa.R.C.P. No. 1931(a), except for dockets, court orders and opinions;
6. Case records in actions governed by the Decedents, Estates and Fiduciaries Code, Adult Protective Services Act and the Older Adult Protective Services Act, except for dockets, court orders and opinions; and
7. Original and reproduced records filed in the Supreme Court, Superior Court or Commonwealth Court as set forth in Pa.R.A.P. 1921, 1951, 2151, 2152, and 2156.

B. With respect to Subsections A(5) and A(6), unless otherwise restricted pursuant to applicable authority, dockets available remotely shall contain only the following information:

1. A party's name;
2. The city, state, and ZIP code of a party's address;
3. Counsel of record's name and address;
4. Docket number;
5. Docket entries indicating generally what actions have been taken or are scheduled in a case;
6. Court orders and opinions;
7. Filing date of the case; and
8. Case type.

C. Case records remotely accessible by the public prior to the effective date of this policy shall be exempt from this section.

Commentary

Remote access to the electronic case record information residing in the Pennsylvania Appellate Court Case Management System (PACMS), the Common Pleas Case Management System (CPCMS) and the Magisterial District Judges System (MDJS) is provided via web dockets, available on <https://ujportal.pacourts.us/>, and is governed by the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania*.

Depending upon individual court resources, some courts have posted online docket information concerning civil matters. If a court elects to post online docket information concerning family court actions and actions governed by the Decedents, Estates and Fiduciaries Code, Adult Protective Services Act and the Older Adult Protective Services Act, the docket may only include the information set forth in Subsection B. This information will provide the public with an overview of the case, its proceedings and other pertinent details, including the court's decision. Release of such information will enhance the public's trust and confidence in the courts by increasing awareness of the procedures utilized to adjudicate the claims before the courts as well as the material relied upon in reaching determinations. This provision does not impact what information is maintained on the docket available at the court facility.

Access to portions of transcripts when attached to a document filed with the court in family court actions is governed by Subsection A(5). While Pa.R.C.P. No. 1931 is suspended in most judicial districts, the reference to the rule is merely for definitional purposes.

Section 11.0. Correcting Clerical Errors in Case Records.

A. A party, or the party's attorney, seeking to correct a clerical error in a case record may submit a written request for correction.

1. A request to correct a clerical error in a case record of the Supreme Court, Superior Court or Commonwealth Court shall be submitted to the prothonotary of the proper appellate court.

2. A request to correct a clerical error in a case record of a court of common pleas [**or**], **the Philadelphia Municipal Court, or a magisterial district court** shall be submitted to the applicable custodian.

B. The request shall be made on a form designed and published by the Administrative Office of Pennsylvania Courts.

C. The requestor shall specifically set forth on the request form the information that is alleged to be a clerical error and shall provide sufficient facts, including supporting documentation, that corroborate the requestor's allegation that the information in question is in error.

D. The requestor shall provide copies of the request to all parties to the case.

E. Within 10 business days of receipt of a request, the custodian shall respond in writing to the requestor and all parties to the case in one of the following manners:

1. The request does not contain sufficient information and facts to determine what information is alleged to be in error, and no further action will be taken on the request.

2. The request does not concern a case record that is covered by this policy, and no further action will be taken on the request.

3. A clerical error does exist in the case record and the information in question has been corrected.

4. A clerical error does not exist in the case record.

5. The request has been received and an additional period not exceeding 30 business days is necessary to complete a review of the request.

F. A requestor may seek review of the custodian's response under Subsections E(1)—(4) within 10 business days of the mailing date of the response.

1. The request for review shall be submitted on a form that is designed and published by the Administrative Office of Pennsylvania Courts.

2. The request shall be reviewed by the judge(s) who presided over the case. **However, if the request for review concerns a magisterial district court's decision, it shall be reviewed by the president judge or his/her designee.**

Commentary

Case records are as susceptible to clerical errors and omissions as any other public record. The power of the court to correct errors in its own records is inherent. *E.g., Jackson v. Hendrick*, 746 A.2d 574 (Pa. 2000). It is important to emphasize that this section does not provide a party who is dissatisfied with a court's decision, ruling or judgment a new avenue to appeal the same by merely alleging there is an error in the court's decision, ruling or judgment. Rather, this section permits a party to "fix" information that appears in a case record which is not, for one reason or another, correct.

Particularly in the context of Internet publication of court records, a streamlined process is appropriate for addressing clerical errors to allow for prompt resolution of oversights and omissions. For example, to the extent that a docket in a court's case management system incorrectly reflects a court's order, or a scanning error occurred with regard to an uploaded document, such clerical inaccuracies may be promptly corrected by the appropriate court staff, upon notification, without a court order. Since 2007, the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* has provided a similar procedure for any errors maintained on the web docket sheets of the PACMS, CPCMS and MDJS. The

procedure has successfully addressed clerical errors on docket entries in a timely and administratively simple manner.

A party or party's attorney is not required to utilize the procedures set forth in this section before making a formal motion for correction of a case record in the first instance. Alleged inaccuracies in orders and judgments themselves must be brought to the attention of the court in accordance with existing procedures.

This section is not intended to provide relief for a party's or attorney's failure to comply with Sections 7.0 and 8.0 of this policy. Sections 7.0 and 8.0 already provide for remedial action in the event that non-compliance occurs.

With respect to this section, a custodian includes, but is not limited to, the county prothonotaries, clerks of orphans' court, [and] clerks of the court, **and magisterial district judges.**

A log of all corrections made pursuant to this section may be maintained by the custodian, so that there is a record if an objection is made in the future. Such a log should remain confidential. It is suggested that custodians include a registry entry on the case docket when a request is received and a response is issued.

Section 12.0. Continuous Availability of Policy.

A copy of this policy shall be continuously available for public inspection in every court and custodian's office and posted on the Unified Judicial System's website.

EXPLANATORY REPORT

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

General Introduction

Recognizing the importance of the public's access to the courts and with the Supreme Court's approval, the Administrative Office of Pennsylvania Courts (AOPC) has developed statewide policies governing access to court records. Protocols have been implemented for access to electronic case records in the Judiciary's statewide case management systems, magisterial district court case records, and financial records of the Unified Judicial System (UJS). In 2013, the AOPC embarked on the next phase of policy development designed to address access to case records of the trial and appellate courts.

This latest effort is necessitated by the confluence of several factors. The proliferation of e-filing systems and related decisions to post (or not post) case records online (as part of document imaging or e-filing systems) on a county-by-county basis has resulted in disjointed accessibility to the UJS's trial court case records. A county may post all divorce and custody records online for viewing, perhaps for free, and a neighboring county may not. Online posting of sensitive information contained in case records, such as social security numbers, currently depends upon geography. Surveys conducted by the AOPC also revealed the treatment of sensitive information contained in paper case records maintained by the filing offices varies widely. For example, whether a social security number is available to a member of the public who wishes to view the records of a particular case in a filing office depends upon local practices.

The implementation of e-filing in Pennsylvania's appellate courts and future initiatives at other court levels is

also a catalyst for policy development. While appellate court opinions, orders and dockets have been online via the UJS's website for over a decade, the e-filing of appellate briefs and related legal papers raises basic questions that should be considered when a court undertakes such a project, for instance: What sensitive information must be redacted? Who is responsible for ensuring the appropriate information is redacted?

At the state and local level, the Judiciary is moving forward into the digital age, and it clearly needs to give thoughtful consideration to its systems and procedures to ensure equal access to the UJS's trial and appellate case records. Disparate filing and access protocols certainly impede the statewide practice of law in the Commonwealth. Litigants and third parties, some of whom are unrepresented or are not voluntary participants in the judicial process, may be left in the dark as to whether their private, personal identifiers and intimate details of their lives will be released (online) for public viewing.

Government and the private sector collect extensive amounts of personal data concerning individuals' finances, unique identifiers, medical history and so on. Many of these types of data are relevant to the cases that are before the courts for decision, and some data is provided in court filings even though irrelevant to the matter before the court. Therefore, like other branches of government and the private sector, the courts are constantly considering issues regarding the need for openness and transparency and the concern for personal privacy and security.

With regard to the courts, however, the constitutional and common law presumption of openness has to be carefully weighed against relevant practical, administrative considerations when crafting solutions to avert breaches of privacy and security. Striking the right balance is not an easy task.

The public's right to access court proceedings and records is grounded in the First and Sixth Amendments of the U.S. Constitution, Article I §§ 7, 9, and 11 of the Pennsylvania Constitution, and the common law. While there is overlap between the common law and constitutional analyses, there is a distinction between the two. Specifically, the constitutional provisions provide a greater right of access than the common law.¹ However, these constitutional and common law rights are not absolute and may be qualified by overriding interests. A more extensive discussion of the right to access is contained in the Explanatory Report of the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania*.²

Therefore, with the approval of the Supreme Court, the Court Administrator of Pennsylvania convened a working group to study and develop a proposed policy for public comment. Under the experienced and dedicated leadership of Commonwealth Court Judge René J. Cohn Jubelirer and Montgomery County Court of Common Pleas Judge Lois E. Murphy, the working group undertook its charge with an open mind and an aim to appropriately balance the competing interests at hand. The group consisted of judges, appellate court filing office personnel, local court personnel, two Prothonotaries/Clerks of Courts, one Register of Wills/Clerk of Orphans' Court, and representatives from the Pennsylvania Bar Association and the rules committees of the Supreme Court, as well as AOPC staff.

Before developing a proposed policy, the working group studied and discussed the different types of records pertaining to criminal, domestic relations, civil, juvenile, orphans' court and appellate matters filed in the courts. Tackling each case type individually, the working group considered existing legal restrictions and other jurisdictions' access policies on the release of data and documents. In formulating whether information and documents should be considered confidential, the group also determined how access would be limited. There are categories of information that are completely restricted, such as social security numbers, and categories that are restricted from online viewing by the public but remain available for public inspection at a court facility, such as original and reproduced records filed in the appellate courts.

The working group published its proposal for a 60-day public comment period³ and received thirty-two submissions. The comments reflected diverse, and sometimes conflicting, viewpoints, which helped the working group define the issues and find solutions. In doing so, the working group endeavored to find as much "common ground" as it could in reviewing and addressing the various comments.

In crafting its proposal, the group was guided at all times by the long-standing tradition of access to court records and the important interests it serves, as follows:

to assure the public that justice is done evenhandedly and fairly; to discourage perjury and the misconduct of participants; to prevent decisions based on secret bias or partiality; to prevent individuals from feeling that the law should be taken into the hands of private citizens; to satisfy the natural desire to see justice done; to provide for community catharsis; to promote public confidence in government and assurance that the system of judicial remedy does in fact work; to promote the stability of government by allowing access to its workings, thus assuring citizens that government and the courts are worthy of their continued loyalty and support; to promote an understanding of our system of government and courts. *Commonwealth v. Fenstermaker*, 530 A.2d 414, 417 (Pa. 1987) (citing *Commonwealth v. Contankos*, 453 A.2d 578, 579-80 (Pa. 1982)).

However, the group also recognized that transparency of judicial records and proceedings must be balanced with other considerations in this Internet age. The group attempted to strike the appropriate balance between access and interests involving the administration of justice, personal privacy and security—particularly with regard to online records. Also essential to the group's evaluation were practical considerations, such as the methods of redaction to be implemented and identification of various "best practices" that should be instituted statewide.

The working group provides the following relevant commentary for the sections of the policy.

Section 1

The definitions incorporate elements of those found in existing UJS public access policies and other authorities.

This policy governs access to (1) official paper case records of appellate courts, courts of common pleas, **[and] Philadelphia Municipal Court, and magisterial district courts**, (2) images of scanned or e-filed docu-

¹ See *Commonwealth v. Long*, 922 A.2d 892 (Pa. 2007).

² Explanatory Report is found at: <http://www.pacourts.us/assets/files/page-381/file-833.pdf?cb=1413983484884>.

³ <http://www.pabulletin.com/secure/data/vol45/45-6/222.html>.

ments residing in the three statewide case management systems, (3) images of scanned or e-filed documents residing in the case management systems of the judicial districts, and (4) case record information posted online by judicial districts via their own “local” case management systems. This approach ensures a more equitable and systematic approach to the case records filed in and maintained for the trial and appellate courts.

It is important to note how this policy intersects with [**existing UJS policies, namely**] the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* (hereinafter referred to as “*Electronic Policy*”) [**and MDC Paper Policy**] **as well as the recently rescinded Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts (hereinafter referred to as “MDC Paper Policy”).** The *Electronic Policy* governs access to the electronic case record information, excluding images of scanned documents, residing in the three statewide case management systems: Pennsylvania Appellate Courts Case Management System, Common Pleas Case Management System and the Magisterial District Judge System. Put simply, the *Electronic Policy* governs what information resides on the public web docket sheets accessible via the UJS web portal or is released to a member of the public requesting electronic case record information from one of the systems.

[**The MDC Paper Policy governs access to the paper case records on file in a magisterial district courts.**]

The MDC Paper Policy had governed access to the paper case records on file in a magisterial district court, but was rescinded when this Policy was amended in 2018 to govern public access to those records.

The definition of “financial source document” is derived from the definition of “sealed financial source documents” used in Minnesota (Minn.G.R.Prac. Rule 11.01) and Washington (WA.R.Gen. Rule 22(b)).

Section 2

This section’s provisions are similar to those contained in the **rescinded MDC Paper Policy**, which [**have**] **had** been successfully implemented.

Section 4

Requestors may be unable to complete a written request, if required by a court. In such circumstances, access should not be denied but may be delayed until the custodian or designated staff is available to assist the requestor. If the request is granted, it may be necessary for the custodian or designated staff to sit with the requestor and monitor the use of the file to ensure its integrity. This is consistent with the responsibility placed upon the custodian and designated staff for the security, possession, custody and control of case records in Section 2.0(B). Such a practice is also consistent with the requirement that addressing requests for access cannot impede the administration of justice or the orderly operation of a court, pursuant to Section 2.0(C).

This section’s provisions are similar to those contained in the **rescinded MDC Paper Policy**.

Section 5

While implementing the provisions of this policy should not unduly burden the courts and custodians or impinge

upon the delivery of justice, it is reasonable for the public to expect that courts and custodians shall respond to requests for access in a consistent fashion. This section brings uniformity, in general, as to when and how courts and custodians must respond to requests. [**Similar sections are found in the *Electronic Policy* and *MDC Paper Policy*.**] **Both the *Electronic Policy* and the rescinded MDC Paper Policy contained similar sections.**

Section 6

Judicial districts have adopted different approaches to imposition of fees, especially with regard to remote access to court records. Some impose a fee for providing remote access because the costs associated with building and maintaining such systems are often substantial. Given that remote access is a value-added service, not a requirement, it is thought that those who avail themselves of this service should be charged for the convenience of maintaining these systems.

Others do not impose fees for remote access because providing this service reduces the “foot traffic” in the filing offices for public access requests. This, in turn, frees staff to attend to other business matters, resulting in a financial benefit by reducing costs associated with dealing with the requests over the counter. The AOPC has provided “free” online access to public web docket sheets for cases filed in the appellate courts, criminal divisions of the courts of common pleas and Philadelphia Municipal Court, as well as the magisterial district courts for years. In 2014, 59 million of those web dockets sheets were accessed online.

It is interesting to note that the two largest judicial districts in the Commonwealth are at opposite ends of the spectrum (i.e., one has posted virtually all dockets and documents for free, and the other posts some dockets for free but not documents). While the working group recognizes that other factors play into these determinations (such as, technological capabilities, statutorily mandated fees), judicial districts should ensure that fees do not become a barrier to public access. Completion of statewide case management systems in all levels of court will likely bring about standardization in remote access to case records.

The working group notes that this section’s provisions are similar to those contained in the **rescinded MDC Paper Policy**.

Section 7

The concept of restricting access to particular, sensitive identifiers is not novel. The *Electronic Policy* and **the rescinded MDC Paper Policy** restrict access to social security numbers and financial account numbers, for example. The federal courts, and many state court systems, have restricted access to the types of identifiers that are listed in Section 7.0.

The *Electronic Policy* and **the rescinded MDC Paper Policy** provide that access to social security numbers is shielded from release. Moreover, there are scores of authorities at both the federal and state level that protect the release of this information. While some of these authorities are not applicable to court records, they require access to this information in government records be limited or wholly restricted. For example: 65 P.S. § 67.708(b)(6)(i)(A), 74 P.S. § 201, 42 U.S.C.A. § 405(c)(2)(C)(viii), F.R.Civ.P.5.2(a)(1), F.R.Crim.P. 49.1(a)(1), Alaska (AK R Admin Rule 37.8(a)(3)), Arizona (AZ ST S CT Rule 123(c)(3)), Arkansas (Sup. Ct. Admin.

Order 19(VII)(a)(4)), Florida (FL ST J ADMIN Rule 2.420(d)(1)(B)(iii)), Idaho (ID R Admin Rule 32(e)(2)), Indiana (Ind. St. Admin. Rule 9(G)(1)(d)), Maryland (MD. Rules 16-1007), Michigan (Administrative Order 2006-2), Minnesota (Minn.Gen.R.Prac. Rule 11.01(a)), Mississippi (Administrative Order dated August 27, 2008 paragraph 8), Nebraska (Neb Ct R § 1-808(a) and Neb. Rev. Stat § 84-712.05(17)), New Jersey (NJ R GEN APPLICATION Rule 1:38-7(a)), North Dakota (N.D.R.Ct. Rule 3.4(a)(1) and A.R. 41(5)(B)(10)(a)), Ohio (OH ST Sup Rules 44(h) and 45(d)), South Dakota (SDCL § 15-15A-8), Texas (TX ST J ADMIN Rule 12.5(d)), Utah (UT R J ADMIN Rules 4-202.02(4)(i) and 4-202-03(3)), Vermont (VT R PUB ACC CT REC § 6(b)(29)), Washington (WA.R.Gen. Rule 31(3)(1)(a)) and West Virginia (WV R RAP Rule 40(e)(3)).

With regard to financial account numbers, the *Electronic Policy* and **the rescinded MDC Paper Policy** provide that this information is not accessible. Many other jurisdictions have taken a similar approach. For example: F.R.Civ.P. 5.2(a)(1), F.R.Crim.P. 49.1(a)(1), Alaska (AK R Admin Rule 37.8(a)(5)), Arizona (AZ ST S CT Rule 123(c)(3)), Arkansas (Sup. Ct. Admin. Order 19(VII)(a)(4)), Florida (FL ST J ADMIN Rule 2.420(d)(1)(B)(iii)), Idaho (ID R Admin Rule 32(e)(2)), Indiana (Ind. St. Admin. Rule 9(G)(1)(f)), Minnesota (Minn.Gen.R.Prac. Rule 11.01(a)), Nebraska (Neb Ct R § 1-808(a) and Neb. Rev. Stat § 84-712.05(17)), New Jersey (NJ R GEN APPLICATION Rule 1:38-7(a)), North Dakota (N.D.R.Ct. Rule 3.4(a)(1) and A.R. 41(5)(B)(10)(a)), Ohio (OH ST Sup Rules 44(h) and 45(d)), South Dakota (SDCL § 15-15A-8), Vermont (VT R PUB ACC CT REC § 6(b)(29)), Washington (WA.R.Gen. Rule 31(3)(1)(b)) and West Virginia (WV R RAP Rule 40(e)(4)).

Concerning driver license numbers, the *Electronic Policy* provides that driver license numbers should be protected. Moreover, there are many authorities at both the federal and state level that protect the release of this information. While some of these authorities are not applicable to court records, they require access to this information in government records be limited or wholly restricted. For example: 65 P.S. § 67.708(b)(6)(i)(A), 75 Pa.C.S. § 6114, 18 U.S.C. §§ 2721—2725, Alaska (AK R Admin Rule 37.8(a)(4)), Idaho (ID R Admin Rule 32(e)(2)), New Jersey (NJ R GEN APPLICATION Rule 1:38-7(a)), Utah (UT R J ADMIN Rules 4-202.02(4)(i) and 4-202-03(3)), Vermont (VT R PUB ACC CT REC § 6(b)(29)) and Washington (WA.R.Gen. Rule 31(3)(1)(c)).

State Identification Numbers (“SID”) have been defined as “[a] unique number assigned to each individual whose fingerprints are placed into the Central Repository of the State Police. The SID is used to track individuals for crimes which they commit, no matter how many subsequent fingerprint cards are submitted.” See 37 Pa. Code § 58.1. The *Electronic Policy* prohibits the release of SID. Furthermore, in *Warrington Crew v. Pa. Dept. of Corrections*, (Pa. Cmwlth., No. 1006 C.D. 2010, filed Nov. 19, 2010)⁴, the Commonwealth Court upheld a ruling by the Office of Open Records that a SID number is exempt from disclosure through a right-to-know request because such numbers qualify as a confidential personal identification number.

Other jurisdictions provide similar protections to minors’ names, dates of births, or both. For example: F.R.Civ.P. 5.2(a)(1), F.R.Crim.P. 49.1(a)(1), Alaska (AK R Admin Rule 37.8(a)(6)), North Dakota (N.D.R.Ct. Rule

3.4(a)(3) and A.R.41(5)(B)(10)(c)), Utah (UT R J ADMIN Rules 4-202.02(4)(1) and 4-202-03(3)) and West Virginia (WV R RAP Rule 40(e)(1)).

With regard to abuse victims’ address and other contact information, Pennsylvania through the enactment of various statutes has recognized the privacy and security needs of victims of abuse. For example, Pennsylvania’s Domestic and Sexual Violence Victim Address Confidentiality Act (23 Pa.C.S. §§ 6701—6713) provides a mechanism whereby victims of domestic and sexual violence can shield their physical address (even in court documents) and hence protect their ability to remain free from abuse. The Pennsylvania Right To Know Law (65 P.S. §§ 67.101—67.1304) recognizes the potential risk of harm which can be caused by the disclosure by the government of certain personal information. For example, 65 P.S. § 67.708(b)(1)(ii) prohibits the disclosure that “would be reasonably likely to result in a substantial and demonstrable risk of physical harm to or the personal security of an individual.” Moreover, 23 Pa.C.S. § 5336(b) prohibits the disclosure of the address of a victim of abuse in a custody matter to the other parent or party. 23 Pa.C.S. § 4305(a)(10)(ii) and (iii) provides that the domestic relations section shall have the power and duty to:

“implement safeguards applicable to all confidential information received by the domestic relations section in order to protect the privacy rights of the parties, including: prohibitions against the release of information on the whereabouts of one party or the child to another party against whom a protective order with respect to the former party or the child has been entered; and prohibitions against the release of information on the whereabouts of one party or the child to another person if the domestic relations section has reason to believe that the release of the information may result in the physical or emotional harm to the party or the child.”

In addition, other jurisdictions have taken a measure to protect similarly situated individuals, such as: Alaska (AK R Admin Rule 37.8(a)(2)), Florida (FL ST J ADMIN Rule 2.420(d)(1)(B)(iii)), Indiana (Ind. St. Admin. Rule 9(G)(1)(e)(i)), New Jersey (NJ R GEN APPLICATION Rule 1:38-3(c)(12)), and Utah (UT R J ADMIN Rules 4-202.02(8)(E)(i) and 4-202-03(7)).

To maintain the confidentiality of the information listed in subsection (A), parties and their attorneys can set forth the listed information on a Confidential Information Form, designed and published by the AOPC. This is akin to the procedure set forth in the **rescinded MDC Paper Policy**; **the Confidential Information Form used by that policy is posted on the UJS’s website at www.pacourts.us**.

Alternatively, parties and their attorneys can file two versions of each document with the court/custodian—one with sensitive information redacted (“redacted copy”) and the other with no information redacted (“unredacted copy”). The redacted copy shall omit any information not accessible under this policy in a visibly evident manner, and be available for public inspection. The unredacted copy shall not be accessible by the public. At least one other jurisdiction has implemented a similar approach. See WA.R.Gen. R. 22(e)(2) (Washington). Some contend that a redacted copy of a document will be more readable than an unredacted copy containing monikers as placeholders for sensitive information not included in the document. This approach was also identified as a more amenable solution given the current design of the statewide e-filing initiative.

⁴ Pursuant to Section 414(a) of the Commonwealth Court’s Internal Operating Procedures, an unreported panel decision issued by the Court after January 15, 2008 may be cited “for its persuasive value, but not as binding precedent.” 210 Pa. Code § 69.414(a).

This option is not applicable to filings in a magisterial district court, rather filers must use the Confidential Information Form as provided in subsection (A). However, most of the forms that are found within the case files of a magisterial district court are statewide forms that are generated from the Magisterial District Judge System (a statewide case management system for these courts). The protection of confidential information captured on current MDJS forms requires a multi-faceted approach that takes into account how each form that contains such information is used. For example, AOPC has removed or suppressed social security numbers and operator license numbers from various forms when such information is extraneous to the court's adjudication of the case or the collection of the information is not otherwise required. In some instances, the filer will be responsible for placing the confidential information on the Confidential Information Form.

While a court or custodian is not required to review any pleading, document, or other legal paper for compliance with this section, such activity is not prohibited. If a court or custodian wishes to accept the burden of reviewing such documents and redacting the same, such a process must be applied uniformly across all documents or cases. This provision, however, does not alter or expand upon existing legal authority limiting a custodian's authority to reject a document for filing. *See Nagy v. Best Home Services, Inc.*, 829 A.2d 1166 (Pa. Super. 2003).

Courts that permit e-filing should consider the development of a compliance "checkbox" whereby e-filers could indicate their compliance with this policy.

This section only applies to documents filed with a court or custodian on or after the effective date of this policy. There will be a period of transition prior to full implementation of this policy; that is, some documents filed with a court or custodian prior to the effective date of this policy will contain information that the policy restricts from public access. To expect full and complete implementation of this policy by applying it retroactively to those documents filed prior to the effective day of this policy is impractical and burdensome.

However, it is important to remember with regard to pre-policy records, a party or attorney always has the option to file a motion with **[the court] a court of record** to seal, in whole or part, a document or file. This includes the ability to request sealing and/or redaction of only some information that resides on a document in the court file (e.g., a social security number on a document).

Section 8

The protocol of submitting to a court or custodian certain documents under a cover sheet so that the documents are not accessible to the public has been instituted in other jurisdictions, such as Minnesota (Minn.G.R.Prac. Rule 11.03), South Dakota (SDCL § 15-15A-8), and Washington (WA.R.Gen. Rule 22(b)(8) and (g)). One manner in which to implement this protocol (e.g., the need to separate a confidential document within a file accessible to the public) is to maintain a confidential electronic folder or confidential documents file within the case file, thus ensuring that the file folder with the non-public information can be easily separated from the public case file, when access is requested.

Concerning financial source documents, other jurisdictions have similar provisions regarding such documents

including Minnesota (Minn.G.R.Prac. Rule 11.03), South Dakota (SDCL § 15-15A-8), and Washington (WA.R.Gen. Rule 22(b)(8) and (g)).

Similar protocols with regard to minors' education records are found in other jurisdictions, such as Nebraska (Neb Ct R § 1-808(a) and Neb. Rev. Stat § 84-712.05(1)) and Wyoming (WY R Gov Access Ct Rule 6(a) and WY ST § 16-4-203(d)(viii)).

With regard to medical records, other jurisdictions have similar provisions including Indiana (Ind. St. Admin. Rule 9(G)(1)(b)(xi)), Maryland (MD. Rules 16-1006(i)), Nebraska (Neb Ct R § 1-808(a) and Neb. Rev. Stat § 84-712.05(2)), Utah (UT R J ADMIN Rules 4-202.02(4)(k) and 4-202-03(3)), Vermont (VT R PUB ACC CT REC § 6(b)(17)), West Virginia (WV R RAP Rule 40(e)(1)) and Wyoming (WY R Gov Access Ct Rule 6(t)).

Section 7111 of the Mental Health Procedures Act, 50 P.S. § 7111, provides that all documentation concerning an individual's mental health treatment is to be kept confidential and may not be released or disclosed to anyone, absent the patient's written consent, with certain exceptions including a court's review in the course of legal proceedings authorized under the Mental Health Procedures Act (50 P.S. § 7101). While it is unclear if this provision is applicable to the public accessing an individual's mental health treatment records in the court's possession, the working group believes this provision provides guidance on the subject. Thus, such records should not be available to the public except pursuant to a court order. *See Zane v. Friends Hospital*, 575 Pa. 236, 836 A.2d 25 (2003). Other jurisdictions have similar protocols, such as Maryland (MD. Rules 16-1006(i)), New Mexico (NMRA Rule 1-079(c)(5)), Utah (UT R J ADMIN Rules 4-202.02(4)(k) and 4-202-03(3)), Vermont (VT R PUB ACC CT REC § 6(b)(17)) and Wyoming (WY R Gov Access Ct Rule 6(p)).

Children and Youth Services' records introduced in juvenile dependency or delinquency matters are not open to public inspection. *See* 42 Pa.C.S. § 6307 as well as Pa.Rs.J.C.P. 160 and 1160. Introduction of such records in a different proceeding (e.g., a custody matter) should not change the confidentiality of these records; thus, the records should be treated similarly. These records are treated similarly by other jurisdictions, such as Florida (FL ST J ADMIN Rule 2.420(d)(1)(B)(i)), Indiana (Ind. St. Admin. Rule 9(G)(1)(b)(iii)) and New Jersey (NJ R GEN APPLICATION Rule 1:38-3(d)(12) and (15)).

The extent of financially sensitive information required by Pa.R.C.P. No. 1910.27(c) and 1920.33 that must be listed on income and expense statements, marital property inventories and pre-trial statements rivals information contained in a financial source document. Therefore, these documents should also be treated as confidential. Vermont has a similar protocol (VT R PUB ACC CT REC § 6(b)(33) and 15 V.S.A. § 662).

Courts that permit e-filing should consider the development of a compliance "checkbox" whereby e-filers could indicate their compliance with this policy.

This section only applies to documents filed with a court or custodian on or after the effective date of this policy. There will be a period of transition prior to full implementation of this policy; that is, some documents filed with a court or custodian prior to the effective date of this policy will contain information that the policy restricts from public access. To expect full and complete implementation of this policy by applying it retroactively

to those documents filed prior to the effective day of this policy is impractical and burdensome.

However, it is important to remember with regard to pre-policy records, a party or attorney always has the option to file a motion with [**the court**] **a court of record** to seal, in whole or part, a document or file. This includes the ability to request sealing and/or redaction of only some information that resides on a document in the court file (e.g., a social security number on a document).

Section 9

This section safeguards certain sensitive information that is already protected by existing authority or was deemed to require protection by the working group from access at the court facility. The latter category included two specific types of records: birth records and incapacity proceeding records.

Access to a birth certificate from the Department of Health, particularly an amended birth certificate, such as in an adoption case, is limited pursuant to various statutes. 35 P.S. §§ 450.603, 2915 and 2931. Unrestricted access to records filed in proceedings about birth records could have the unintended effect of circumventing the purposes of the confidentiality provisions of the above statutory framework. Moreover, at least one jurisdiction, Florida (FL ST J ADMIN Rule 2.420(d)(1)(B)(vi)), provides similar protections to these records. However, concerned that the lack of transparency may erode the public's trust and confidence, dockets and any court order, decree or judgment in these cases are exempted by the policy. Releasing the dockets as well as any order, decree or judgment disposing of the case is believed to strike the appropriate balance between access to the court's decision, and hence the public's understanding of the judicial function, and personal privacy.

Given the extent of financial and sensitive information that is provided in order that a court may determine whether a person is incapacitated and, if so, that must subsequently be reported in a guardian's report, these records are not be accessible. Similar provisions are found in many other jurisdictions including: California (Cal. Rules of Court, Rule 2.503(c)(3)), Florida (F.S.A. §§ 744.1076 and 744.3701), Georgia (Ga. Code Ann. § 29-9-18), Idaho (ID. R. Admin. Rule 32), Maryland (MD. Rules 16-1006), New Jersey (NJ R GEN APPLICATION Rule 1:38-3(e)), New Mexico (NMRA Rule 1-079(c)(7)), South Dakota (SDCL § 15-15A-7(3)(m)), Utah (UT R J Admin. Rule 4-202.02(4)(L)(ii)), Washington (WA.R.Gen. Rule 22(e)) and Wyoming (WY R Gov Access Ct Rule 6(g)). For the reasons of transparency, the case docket and any court order, decree or judgment for these cases is exempted pursuant to this policy.

The provisions of Subsection G are consistent with those contained in the *Electronic Policy*, **the rescinded MDC Paper Policy** and Rule of Judicial Administration 509. The Judiciary's commitment to the principle of open and accessible case records is reflected in the inclusion of a publication requirement.

Section 10

Any information to which access is limited pursuant to Sections 7, 8 or 9 is also not accessible remotely pursuant to Subsection A(1). As to Subsections A(2) through (A)(7), it is important to note that this information will remain available at the courthouse or court facility where access has been traditionally afforded. There is a difference between maintaining "public" records for viewing/copying at the courthouse and "publishing" records on the Inter-

net. Thus, there is certain information for which at the present time courthouse access remains the appropriate forum.

Concerning Subsection A(2)'s restriction on remote access to information that identifies jurors, witnesses, and victims in criminal cases, similar provision exist in the *Electronic Policy* and have been implemented by other jurisdictions, including Alaska (AK R ADMIN Rule 37.8(a)(1) and (2)), Indiana (Ind. St. Admin. Rule 9(G)(1)(e)), Mississippi (Administrative Order dated August 27, 2008 paragraph 8), Nebraska (NE R CT § 1-808(b)(3)), Texas (TX ST J ADMIN Rule 12.5(d)) and Utah (UT R J ADMIN Rules 4-202.02(8)(e) and 4-202-03(7)).

As pertains to Subsection A(5), in considering family court records (i.e., divorce, custody, and support), individual courts have implemented protocols to shield some of these records from access. Sensitive to these concerns, prohibiting online posting of any family court records (save for a docket, court orders and opinions), along with the requirements that certain information and documents filed with the court or custodian be restricted from access via the use of a Confidential Information Form, redacted filings or a Confidential Document Form, removes a significant amount of the personal, sensitive information from access, while allowing public access to ensure accountability and transparency of the judicial system.

With regard to Subsection A(6), New Mexico has a similar protocol protecting Older Adult Protective Services Act matters (NMRA Rule 1-079(c)(4)). For the reasons expressed above, remote access should be afforded to dockets, court orders and opinions in these cases, to the extent that the judicial districts have developed systems and procedures that facilitate such access.

While case records remotely accessible to the public prior to the effective date of this policy may remain online in unredacted form, judicial districts are not prohibited from taking steps to safeguard sensitive case records designated by this section. To expect full and complete implementation of the policy by applying it retroactively to records remotely accessible prior to the effective date of this policy is impractical and burdensome.

However, it is important to remember with regard to pre-policy records, a party or attorney always has the option to file a motion with the court to seal, in whole or part, a document or file. This includes the ability to request sealing and/or redaction of only some information that resides on a document in the court file (e.g., a social security number on a document).

It is essential that courts and custodians in designing systems, such as those for document imaging, e-filing, or both consider the requirements of this policy and ensure such systems are in compliance. This is imperative as the Judiciary moves toward statewide e-filing for all levels of courts.

As for systems currently in existence, the policy may require changes to current protocols and processes.

Section 11

A similar provision is included in the *Electronic Policy*. This policy delineates a procedure by which an individual may correct a clerical error that appears in a case record accessible remotely. As noted in the Explanatory Report to the *Electronic Policy*, these provisions borrow heavily from the correction provisions in the Criminal History

Record Information Act. For the same reasons outlined in the Explanatory Report, a similar protocol was included in this policy.

Best Practices

The following are various “best practices” that should be considered by the courts, parties and their attorneys to promote the successful implementation of this policy.

1. The Judiciary should remain cognizant of this policy in the development of e-filing and case management systems, procedures and forms. The following “best practices” should be considered as courts develop systems for e-filing:

a. Access to the courts should be promoted by the e-filing processes;

b. Court control over its own records should be preserved;

c. Systems should have consistent functionality, compatible protocols and rules to facilitate statewide practice;

d. Processes for *pro se* litigants should be defined to provide equal and secure access to the system;

e. Issues involving public access to e-documents, and the sensitive data that may be contained therein, should be fully studied before the e-filing system is developed (e.g., separate e-filing of exhibits from other documents);

f. Payment of any required filing fees should be accomplished via electronic methods;

g. Bi-directional exchange of data should be facilitated between e-filing and case management systems; and

h. Maximum flexibility in the design of a system should be sought to accommodate future evolutions of technology.

2. Compliance with this policy and the Judiciary’s commitment to open records may be assisted by various technological and administrative solutions, such as:

a. Implementation of redaction and “optical character recognition” software may assist parties and their attorneys in complying with the policy. Some judicial districts also employ redaction software to protect sensitive data as a “best practice.”

b. Due consideration and routine review by custodians should be given to the standards for record retention as applied to those records in paper form and electronic form.

[Pa.B. Doc. No. 18-561. Filed for public inspection April 13, 2018, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Access Insurance Company; Administrative Doc. No. 04 of 2018

Order

And Now, this 26th day of March, 2018, upon consideration of the Order Appointing Liquidator involving Access Insurance Company issued by the District Court, Travis County, Texas on March 13, 2018, it is hereby Ordered and Decreed that all cases in which Access Insurance Company is a named party shall be placed in deferred status until further notice.

It is further Ordered and Decreed that all actions currently pending against any insured of Access Insurance Company shall be placed in deferred status until further notice.

By the Court

JACQUELINE F. ALLEN,
Administrative Judge
Trial Division
IDEE C. FOX,
Supervising Judge
Trial Division—Civil Section

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. This Order shall be filed with the Office of Judicial Records in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and one certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two certified copies of this Order, and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, shall be published in *The Legal Intelligencer*, and will be posted on the First Judicial District’s website at <http://www.courts.phila.gov>. Copies shall be submitted to American Lawyer Media, the Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania.

[Pa.B. Doc. No. 18-562. Filed for public inspection April 13, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 1—GENERAL PROVISIONS

INDEPENDENT REGULATORY REVIEW COMMISSION

[1 PA. CODE CHS. 301, 303, 305, 307, 309, 311,
311a AND 315]

General Revisions

The Independent Regulatory Review Commission (Commission) amends Chapters 301, 303, 305, 307, 309, 311, 311a and 315 to read as set forth in Annex A.

Statutory Authority

This final-form rulemaking is adopted under the authority in section 11(a) of the Regulatory Review Act (act) (71 P.S. § 745.11(a)).

Purpose

This final-form rulemaking implements the act to clarify definitions, when documents are to be delivered to the Commission and what should be included in agency rulemaking packages, as well as to ensure consistency with the act and current practice and procedure.

Summary of Amendments

Amendments to § 301.1 (relating to definitions) clarify the definitions of “comments” and “transmittal sheet” and add a definition of “preamble.” Revisions further clarify the definitions of “preamble,” “regulatory analysis form” and “transmittal sheet.”

Amendments to §§ 301.2 and 303.1 (relating to regulation files; and notice of Commission public meetings; participation; minutes) clarify the retention schedule for regulation files and the location of the Commission’s fee schedule and Right to Know Law Policy.

Amendments to § 301.3 (relating to determination of date and time of delivery of comments and documents) clarify that the time of delivery will be determined by when documents are received by the Commission.

Amendments to § 301.7 (relating to withdrawal of a regulation) provide that a withdrawal notice should be delivered to the Commission and the committees before the Commission’s public meeting.

Amendments to § 301.9 (relating to procedure for public hearings) provide that public hearings may be scheduled for any matter before the Commission, rather than just for regulations that are under review. This is consistent with section 11(c) of the act. An additional revision further clarifies matters before the Commission.

Amendments to §§ 305.1, 307.2 and 307.3 (relating to delivery of a proposed regulation; delivery of a final-form regulation; and delivery of a final-omitted regulation) add cross-references to clarify the information that should be included in the preamble of a regulation. Revisions to these sections further clarify cross-references to the definition of preamble in § 301.1.

Amendments to § 305.1 add a requirement that instructions for submitting public comments should be included. Section 5(b) of the act (71 P.S. § 745.5(b)) requires a public comment period. Revisions further clarify the materials to be submitted with the proposed regulation.

Amendments to § 307.2 clarify what should be included in the final rulemaking package. Section 5.1(a) of the act (71 P.S. § 745.5a(a)) provides that the agency shall include in the final rulemaking package the names and addresses of commentators who have requested additional information. Accordingly, amendments to § 307.2(c)(6) state that if no commentator requested additional information, this should be specified by the agency.

A revision to § 307.2(c)(1) provides that the Regulatory Analysis Form (RAF) should reflect changes made from the proposed to the final-form regulation. For example, if an agency makes a change to the final-form regulation or its fiscal analysis, this change should be reflected in the RAF for the final-form regulation.

Section 307.2(d) is added in this final-form rulemaking to clarify that agencies shall forward copies of comments on final regulations to the Commission and the committees within 5 business days.

A revision to § 307.3(c) clarifies that agencies shall forward copies of comments on final-omitted regulations to the Commission and the committees within 5 business days.

Amendments to § 307.3a (relating to formatting the text of a final regulation) take into consideration that prior to publication in the *Pennsylvania Bulletin*, the Legislative Reference Bureau may edit the text of a proposed regulation to comply with its editorial policies and procedures. The published text is considered to be the official version of the proposed regulation. Therefore, § 307.3a is amended to require an agency to use the official version when preparing and delivering a final rulemaking package.

Section 307.3a(f) recognizes that there may be an instance when it is impractical for an agency to use the standard formatting method in a final regulation. In this case, the agency should contact the Commission to discuss an alternative method that will still allow readers to easily determine the changes that were made from the proposed regulation.

Amendments to § 309.1 (relating to Commission and committee action on a final regulation) correct typographical errors. A revision clarifies the timing of the Commission’s public meeting.

Amendments to § 311.1 (relating to Commission disapproval of a final regulation) replace “may” with “will” regarding the Commission’s notification to commentators to be consistent with section 6(a) of the act (71 P.S. § 745.6(a)). A revision allows for notice to be published on the Commission’s web site.

Amendments to § 311.4 (relating to report for a disapproved regulation submitted with revisions) require an agency to include an RAF with a revised previously-disapproved regulation. The RAF will capture new cost data or other changes that may differ from the previously submitted final-form regulation.

Amendments to §§ 311a.1–311a.5 and 311a.7 clarify that delivery before and after the end of the legislative session must be made between the fourth Monday in January and the second Monday after publication of the General Assembly committee designations in the *Pennsylvania Bulletin*, whichever is later. Amendments to § 311a.4 (relating to delivery of a final regulation within 20 days before the end of the legislative session) correct a typographical error.

Amendments to § 315.1 (relating to review of an existing regulation) replace “investigation” with “further review” to be consistent with section 8.1 of the act (71 P.S. § 745.8a).

The headings of Chapter 315 (relating to existing regulations and published or unpublished documents) and § 315.2 (relating to review of a published or an unpublished document) are amended to accurately reflect the content of the chapter and the section.

Summary of Comments and Responses to the Proposed Rulemaking

The Commission received written comments from the Joint Committee on Documents (JCD), the House State Government Committee (House Committee), the Liquor Control Board (LCB), the Marcellus Shale Coalition (MSC) and the Pennsylvania Oil and Gas Association (PIOGA). Two comments from PIOGA are addressed under Additional Comments because they were submitted outside of the public comment period, which ended on December 28, 2015.

General

Comment

The House Committee, in support of comments made by MSC and PIOGA, commented that “an effective regulatory review process depends on timely and detailed information regarding a proposed or final form regulation.”

Response

The Commission agrees with the House Committee and continues to review its regulations to ensure that they provide agencies with clear and comprehensive direction during the rulemaking process. The Commission finds comments from the committees, the regulated community, other State agencies and all interested parties to be invaluable and will continue to encourage feedback.

§ 301.1. Definitions

Comment

MSC and PIOGA suggested adding a definition of “completed regulatory analysis form” as follows:

Completed regulatory analysis form—A regulatory analysis form that includes all requested documents and information provided in sufficient detail for the Commission to make an initial determination that the response will enable the Commission to determine whether regulation is in the public interest in accordance with the regulatory review criteria.

The House Committee agreed with MSC and PIOGA.

The JCD commented that the phrase “sufficient detail” in the suggested definition from MSC and PIOGA is subjective and ambiguous.

Response

Section 5(a) of the act provides that an agency must submit to the Commission and standing committees a copy of the proposed regulation and an RAF. This section further provides a list of information that must be included in the RAF. RAF is defined in § 301.1 and provides a cross-reference to section 5 of the act.

The RAF includes, among other things, the legal authority for the regulation, a detailed cost-benefit analysis, a description of the agency’s outreach efforts, and an explanation of any adverse effects of the regulation on third parties, including government entities, the elderly, minority groups and small businesses. Section 5.1(c) of

the act has a similar requirement for final-omitted regulations. Chapters 305 and 307 (relating to procedures for delivery and review of proposed regulations; and procedures for delivery and review of final regulations) provide that an RAF must be included with proposed, final and final-omitted regulations. The agency must also provide any information as requested by the Commission under section 5(c) of the act.

If an RAF is not included with a rulemaking package, the Commission will not accept the package for delivery. Similarly if, during the delivery process, it is apparent on its face that required information has been omitted (such as pages, signatures, the annex and referenced data), the Commission will not accept delivery until the information has been properly submitted to the Commission and committees.

During 2015-2016, there was considerable discussion about whether an agency should have submitted forms with a particular rulemaking package and when the forms should have been submitted under section 5(a)(5) of the act. Although this is not a widespread issue affecting the majority of regulations submitted to the Commission, on December 15, 2016, the Commission adopted a policy to clarify that the failure to include the forms in an acceptable format would be deemed a faulty delivery of the rulemaking package. This policy is consistent with what the Commission currently does for missing information referenced in the previous paragraph. The Commission subsequently updated box # 22b of the RAF to provide additional instructions for attaching required forms to the rulemaking package, including the following language: “Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.”

The Commission agrees with the House Committee that the act provides the Commission with the authority to compel agencies to include the required information in an RAF to determine whether a regulation is in the public interest. The Commission believes that the regulation does in fact do so. The Commission also agrees with the JCD and believes that the language recommended by the other commentators will only create further ambiguity and is not necessary. Therefore, the Commission has not added this language.

Comment

PIOGA commented that the Commission should include a definition of “advance notice of final rulemaking.”

Response

“Advance notice of final rulemaking” is not used in the regulations, this final-form rulemaking, the act, the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1102—1208), known as the Commonwealth Documents Law (CDL), or the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506). Therefore, the Commission has not added this definition in this final-form rulemaking.

Comment

The LCB suggested that the definition of “preamble” be revised to advise commentators that they have “the right to request further information as set forth in [§] 305.2(d).” The JCD disagreed with this suggestion.

Response

The Commission agrees with the JCD. Section 5.1(a) of the act and § 305.2(d)(1) (relating to delivery of comments and information by an agency; notification to

commentators) provide that the agency shall inform commentators that they may request further information on the final-form regulation. The Commission has not added the suggested language since it will not improve or provide clarity to the regulation.

Comment

The JCD commented that the definition of “preamble” should be revised to distinguish between proposed and final regulations and what should be included in each, using subparagraphs to make the distinction clearer. The JCD also recommended that the Commission clarify that the preamble is a part of the rulemaking package.

Response

The Commission agrees with these comments and revised the definition of “preamble” accordingly.

Comment

The JCD recommended that the definition of “transmittal sheet” be amended to clarify that the Legislative Reference Bureau signs the transmittal sheet for proposed regulations only.

Response

The Commission agrees with this recommendation and revised the definition of “transmittal sheet” accordingly.

§ 305.1. Delivery of a proposed regulation

Comment

MSC and PIOGA commented that the Commission should add language to § 305.1(b)(1) to require the Commission to review all proposed regulations within 10 days of delivery and to require an agency to cure any “deficiency” within 10 days. The House Committee agreed with this comment. The JCD disagreed with this comment.

Response

The intent of the regulatory review process under the act, from the publication of a proposed regulation to the delivery of a final-form regulation (which is due 2 years from the close of the public comment period for the proposed regulation), is to determine whether the regulation is in the public interest. Upon receipt of a rule-making package, if the Commission identifies missing information that is required under the act, it will request the agency to immediately provide the information. If the information is not provided upon request, the Commission will deem the delivery to be faulty and the agency must redeliver the package.

During the formal review and analysis of a rulemaking package, the Commission may identify issues consistent with section 5.2 of the act (71 P.S. § 745.5b) that might warrant further explanation and clarification or require additional documentation. The Commission may also raise questions about the information that was provided and ask the agency to respond or explain why the regulation is in the public interest. Similarly, interested parties may comment that the agency did not provide the required information or that the information is inaccurate. This does not necessarily mean the RAF or rule-making package is deficient on its face. The existing law and regulations provide a mechanism for addressing these issues.

The Commission must deliver its official comments to the agency no later than 30 days from the close of the public comment period. The time period for the standing committees to send comment on the proposed regulation extends up to the delivery of a final-form regulation. The

agency must provide responses to all comments and issues in the final-form rulemaking package, as well as be prepared to discuss them at the Commission’s public meeting when a determination would be made to approve or disapprove the regulation.

The commentators were effectively suggesting that the Commission conduct a two-tiered review and analysis at the proposed stage of the rulemaking process.

The Commission has not found a systemic problem with agencies failing or refusing to provide the basic information required. If the Commission determines that information is missing, the agency shall provide it generally by the close of the business day, or redeliver the package. It is neither practical nor feasible to provide an additional 10-day response time for the agency. The definition proposed by PIOGA provides no further clarity in this regard and is not necessary. Therefore, the Commission has not made the recommended change.

Comment

MSC and PIOGA commented that the cross-reference to the definition of “preamble” in § 305.1(b)(4) should be clarified.

Response

The Commission agrees with this comment and has made the suggested revision.

Comment

The LCB and the JCD recommended clarifying language in § 305.1(b)(4) and (5) to address whether the instructions for the public comment period should be separate from the preamble.

Response

The Commission agrees with this recommendation. This section has been revised to clarify that the instructions for the public comment period need not be separate from the preamble.

Comment

The JCD commented that the term “proposed” be added to § 305.1(b)(6) for consistency with the other provisions in this regulation.

Response

The Commission agrees with this comment and has made the suggested revision.

§ 305.3. Commission comments

Comment

MSC and PIOGA commented that agencies should be required to comply with a 30-day public comment period and deliver a new RAF when they issue an advance notice of final rulemaking (ANFR). The JCD disagreed with this comment as an improper expansion of the Commission’s statutory authority.

Response

An ANFR is a mechanism occasionally used by some agencies to provide notice of intended changes from a proposed regulation to the final-form regulation. It is done after the public and Commission comment periods have ended and before the final-form regulation has been delivered. An agency might use an ANFR if a regulation is particularly complicated, if there are substantial changes based upon feedback received during the comment period, to provide a courtesy notice to interested parties that the delivery of a final-form regulation is imminent or to build consensus for the regulation.

Changes can be made to a proposed regulation without republishing it or reopening the public comment period, so long as the changes are within the scope of the original purpose of that regulation. See section 202 of the CDL (45 P.S. § 1202). Additionally, an agency's use of an ANFR does not extend the time period for review under the act.

The Commission does not have the legal authority to mandate an additional 30-day comment period for an ANFR. Further, the commentators were seeking to require agencies to complete additional documentation, such as a new RAF, although the agencies that use an ANFR have already gone beyond what is required under the act in providing this type of optional notice. It is foreseeable that agencies would forgo this mechanism altogether if these additional requirements are imposed.

When a final-form rulemaking package is delivered, comments can be delivered up to 48 hours before the Commission's next scheduled public meeting, which will take place no less than 30 days after receiving the final-form regulation. Additionally, interested parties may address the Commission during the public meeting.

For these reasons, the Commission has not made these recommended changes.

§ 307.2. *Delivery of a final-form regulation*

Comment

MSC and PIOGA commented that a final-form RAF should be revised to correspond with any changes made from the proposed rulemaking package.

Response

The Commission agrees with this comment and revised § 307.2(c)(1) accordingly.

Comment

PIOGA commented that the Commission should revise § 307.2(c)(4) to require a comment and response document separate from the preamble when the document exceeds two pages.

Response

It is beneficial to provide a certain level of flexibility for agencies when they are preparing their rulemaking package so long as they are in compliance with the law. The Commission has not identified problems when agencies include their responses to the comments within the text of the preamble since they can be easily located and the agencies generally make it clear where this information can be found. Therefore, the Commission has not made this recommended change.

Comment

The JCD commented that the "response to comments" requirement in § 307.2(c)(4) should be moved to the definition of "preamble" in § 301.1.

Response

To make it clear that an agency may include its response to comments in the preamble or as a separate document, the Commission revised the definition of "preamble" in § 301.1 to include "a response to all comments received, unless that response is provided in a separate document."

Comment

MSC and PIOGA commented that the cross-reference to the definition of "preamble" in § 307.2(c)(5) should be clarified.

Response

The Commission agrees with this comment and made the suggested revision to clarify the cross-reference. The Commission made similar revisions to §§ 305.1(b)(4) and 307.3(b)(4) for consistency.

Additional comments

By letter dated January 14, 2016, PIOGA supplemented its previous comment by stating that an agency can and should develop forms and guidance documents during the proposed regulation stage. PIOGA also attached a press release and advisory committee agenda to the letter. Since this is not a comment on the proposed regulation, a response is not necessary.

By letter dated January 17, 2017, PIOGA provided additional comments requesting that the Commission include in the regulation the policy adopted on December 15, 2016, that the failure to include forms in the proposed rulemaking package will result in a faulty delivery and the process will not move forward without this information. For the reasons stated earlier, the Commission does not agree that this suggestion is necessary and has not made the suggested change.

Persons and Entities Affected

This final-form rulemaking will benefit Commonwealth agencies that intend to promulgate regulations by way of the regulatory review process. It also provides clarity for members of the public and other entities that wish to comment on regulations or otherwise participate in the process.

Fiscal Impact

This final-form rulemaking is not expected to have a fiscal impact on the Commission, the regulated community (that is, promulgating agencies), the Commonwealth, local governments or the general public. This final-form rulemaking clarifies the requirements of the regulatory review process.

Effective Date

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

Sunset Provisions

The Commission is not establish a sunset date for these regulations. However, the Commission will continue to closely monitor the regulations for effectiveness and consistency with the act.

Public Notice

The proposed rulemaking was published at 45 Pa.B. 6818 (November 28, 2015), with a 30-day public comment period.

Contact Persons

Comments and questions may be referred to Leslie Lewis Johnson, Chief Counsel, ljohnson@irrc.state.pa.us, or Michelle L. Elliott, Regulatory Analyst, melliott@irrc.state.pa.us, (717) 783-5417. Comments may also be faxed to (717) 783-2664. Alternative means of providing public comments and alternative formats of this final-form rulemaking may be made available to persons with disabilities upon request by contacting Cheryl Yohn, cyohn@irrc.state.pa.us, or Stephen F. Hoffman, shoffman@irrc.state.pa.us, (717) 783-5417, (717) 783-5417.

Regulatory Review

Under sections 5(a) and 11(a) of the act, on October 13, 2015, the Commission submitted a copy of the notice of

proposed rulemaking, published at 45 Pa.B. 6818, to the JCD and the Chairpersons of the House Committee and the Senate Rules and Executive Nominations Committee for review and comment.

Under section 5(c) of the act, the Commission is required submit to the JCD and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested. In preparing this final-form rulemaking, the Commission considered all comments from the JCD, the House Committee and the public.

Under section 5.1(j.2) of the act, on February 28, 2018, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, the JCD met on March 1, 2018, and approved this final-form rulemaking.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative regulations adopted by this order has been given under section 201 of the CDL (45 P.S. § 1201), section 202 of the CDL and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of these amendments in the manner provided in this order is necessary and appropriate for the administration of the act.

Order

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

(a) The regulations of the Commission, 1 Pa. Code Chapters 301, 303, 305, 307, 309, 311, 311a and 315, are amended by amending §§ 301.1—301.3, 301.7, 301.9, 303.1, 305.1, 307.2, 307.3, 307.3a, 309.1, 311.1, 311.4, 311.5, 311a.1—311a.5, 311a.7, 315.1 and 315.2 to read as set forth in Annex A.

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

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

GEORGE D. BEDWICK,
Chairperson

(*Editor's Note:* See 48 Pa.B. 1658 (March 17, 2018) for the JCD's approval order.)

Fiscal Note: Fiscal Note 70-9 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 1. GENERAL PROVISIONS

PART III. INDEPENDENT REGULATORY REVIEW COMMISSION

CHAPTER 301. GENERAL PROVISIONS

§ 301.1. Definitions.

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

Act—The Regulatory Review Act (71 P.S. §§ 745.1—745.14).

Agency—As defined in section 3 of the act (71 P.S. § 745.3).

Blackout period—The 48-hour period immediately preceding the call to order of the public meeting.

CDL—Commonwealth Documents Law—The act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1102 and 1201—1208) and 45 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents).

Comments—Written statements delivered to the agency or Commission supporting, opposing or recommending changes to a final, proposed or existing regulation which is subject to review by the Commission. Comments do not include previously published or copyrighted material.

Commission comments—Objections, recommendations, statements or questions relating to a proposed regulation issued by the Commission in accordance with section 5(g) of the act (71 P.S. § 745.5(g)).

Commission—The Independent Regulatory Review Commission.

Committee—As defined in section 3 of the act.

Committee action—Approval or disapproval of a regulation, or notice that the committee intends to review the regulation under section 5.1(j.2) of the act (71 P.S. § 745.5.a(j.2)); or reporting of a concurrent resolution under section 7(d) of the act (71 P.S. § 745.7(d)), within the time allotted by the act.

Commonwealth Attorneys Act—The act of October 15, 1980 (P.L. 950, No. 164) (71 P.S. §§ 732-101—732-506).

Deemed approved by the Commission—The approval of a regulation by the Commission by operation of law when the Commission has not approved or disapproved the regulation, in accordance with section 5.1(e) of the act. The approval of an agency report by operation of law when the Commission has not approved or disapproved the agency report, in accordance with section 7(c.1) of the act.

Deemed approved by a committee—The approval of a regulation by a committee by operation of law when the committee has not taken action on a regulation under section 5.1(j.2) or 7(d) of the act.

Delivery—

(i) The deposit of regulations, correspondence or other documents with the Commission or committees through postal or other delivery service, hand delivery, email or facsimile.

(ii) The deposit of orders, Commission comments, public comments, correspondence or other documents with agencies, committees or persons through postal or other delivery service, hand delivery, e-mail or facsimile.

Embargoed material—

(i) Comments pertaining to a regulation on the agenda for the Commission's public meeting delivered during the blackout period by anyone, except comments from the agency or members of the General Assembly and their staffs.

(ii) The term does not include comments submitted by any person at the request of the Commission.

End of the legislative session—The adjournment sine die or the expiration of the regular legislative session in an even-numbered year.

Existing regulation—An enforceable regulation codified in the *Pennsylvania Code*.

Face sheet—A form accompanying a regulation for filing documents with the LRB, completed in accordance with

the regulations of the Joint House Committee on Documents. See 1 Pa. Code § 13.12 (relating to requirements as to form and size).

Final regulation—A final-form or final-omitted regulation.

Final-form regulation—As defined in section 3 of the act.

Final-omitted regulation—As defined in section 3 of the act.

Form letters—Letters which contain verbatim text.

LRB—The Legislative Reference Bureau of the Commonwealth.

Order—The statement of the Commission’s findings and action on a final regulation, which is not subject to appeal.

Preamble—A part of the regulatory package that provides information about the following:

(i) A proposed regulation that includes the effective date, statutory authority, purpose and explanation of the regulation, a description of the amendments to the regulation, fiscal impact, contact person and details regarding the public comment period.

(ii) A final regulation that includes the effective date, statutory authority, purpose and explanation of the regulation, a description of any amendments made from the proposed stage, fiscal impact, contact person and a response to all comments received, unless that response is provided in a separate document.

(iii) A final-omitted regulation that includes the effective date, statutory authority, purpose and explanation of the regulation, legal authority for omitting the proposed stage, a description of any amendments to the regulation, fiscal impact and contact person.

Promulgate—As defined in section 3 of the act.

Proposed regulation—As defined in section 3 of the act.

Public meeting—The scheduled meeting of the Commission conducted in accordance with the Sunshine Act.

Regulation—As defined in section 3 of the act.

Regulatory analysis form—The document accompanying a regulation that contains the information required under section 5(a) of the act.

Regulatory review criteria—The criteria delineated in section 5.2(a) and (b) of the act.

Sunshine Act—65 Pa.C.S. §§ 701—716.

Transmittal sheet—The form accompanying a regulation which lists the regulation number, the title of the regulation, the agency promulgating the regulation, the type of regulation, the date of delivery and the signatures of the persons receiving the regulation on behalf of the committees, the Commission, the Attorney General (for proposed and final-omitted regulations) and the LRB (for proposed regulations).

Web site—The Commission’s web site at www.irrc.state.pa.us.

Withdrawal—As defined in section 3 of the act.

§ 301.2. Regulation files.

(a) The Commission will retain regulation files for no less than the time period in the following schedule:

(1) *Promulgated regulations*. Four years after the date of promulgation.

(2) *Withdrawn or deemed withdrawn regulations*. Four years after the date of delivery of the proposed or final-omitted regulation to the Commission.

(3) *Final regulations which are not promulgated*. Four years after the date of delivery to the Commission.

(b) Regulation files will include the following materials:

(1) The original regulatory analysis form and the original regulation.

(2) Comments received from the time a proposed or final regulation is delivered until the Commission takes action on the regulation under section 5.1(e), (g)(3) or 7(c.1) of the act (71 P.S. § 745.5a(e), (g)(3) and 7(c.1)), or until the regulation is withdrawn or deemed withdrawn.

(3) Commission comments.

(4) Commission orders.

(c) After the Commission takes final action on a regulation under section 5.1(e), (g)(3) or 7(c.1) of the act or the regulation is withdrawn or deemed withdrawn, the Commission’s regulation file will be closed.

(d) Any person may examine or obtain copies of the materials contained in regulation files. The Commission will make regulation files available by doing one or more of the following:

(1) Posting on the Commission’s web site.

(2) Sending by means of e-mail or first class mail upon request.

(3) Allowing inspection in the Commission office during normal business hours upon request.

(e) The Commission may charge reasonable fees for copying, certifying and mailing material contained in a regulation file. Fees are established in the Commission’s Right to Know Law Policy, which is available in the Commission’s office and posted on the web site.

§ 301.3. Determination of date and time of delivery of comments and documents.

(a) The Commission will determine the date and time of delivery of comments and documents as follows:

(1) *E-mail*. The time and date of receipt by the Commission as indicated on the Commission’s computer system.

(2) *Fax*. The time and date of receipt by the Commission as indicated on the transmittal report generated by the Commission’s facsimile machine.

(3) *Postal or other delivery service*. As indicated on the Commission’s time and date stamp.

(4) *Hand delivery*. As indicated on the Commission’s time and date stamp.

(b) If the commentator requests confirmation of delivery of hand-carried comments or documents, the commentator shall include an additional copy of the first page. The Commission will stamp the copy with the date and time of delivery and return it to the commentator. If the commentator requests confirmation of a document delivered through the postal or another delivery service, the commentator shall include an additional copy of the first page and a stamped, self-addressed envelope. The Commission will stamp the additional copy with the date and time of delivery and mail it to the commentator.

(c) If the commentator requests confirmation of delivery of e-mailed or faxed comments or documents, the Commission will fax or e-mail confirmation of delivery to the commentator.

(d) The commentator shall have the responsibility to obtain confirmation that comments or documents were delivered prior to the blackout period.

§ 301.7. Withdrawal of a regulation.

(a) If an agency withdraws or is deemed to have withdrawn a regulation, the Commission and the committees will cease their review of the regulation and will not take further action on the regulation.

(b) If the agency withdraws a proposed regulation, but subsequently desires to proceed with promulgation, the agency shall deliver a new proposed regulation in accordance with § 305.1 (relating to delivery of a proposed regulation).

(c) If the agency withdraws a final-form regulation after delivery to the Commission and the committees and before the Commission's public meeting, but subsequently desires to proceed with promulgation, the agency may deliver a new final-form regulation in accordance with § 307.2 (relating to delivery of a final-form regulation) within 2 years from the close of the public comment period.

(d) If the agency desires to proceed with promulgation of a withdrawn regulation but does not submit a new final-form regulation within 2 years from the close of the public comment period, the agency shall deliver a new proposed regulation.

§ 301.9. Procedure for public hearings.

(a) The Commission may schedule public hearings on any matter before the Commission, including those that are related to a proposed, a final or an existing regulation under review.

(b) Notice of a public hearing will be published in accordance with the Sunshine Act. The notice will include the date and time of the public hearing, the subject matter of the public hearing and the address where the public hearing will take place.

(c) The chairperson will designate a hearing officer to preside at the public hearing. The hearing officer will be charged with preserving order during the public hearing. The hearing officer may determine the agenda, the order of commentators and the time allotted to each commentator.

(d) When participating at a public hearing, commentators shall bring ten written copies of their comments and supporting documents to the hearing.

CHAPTER 303. MEETINGS OF THE COMMISSION

§ 303.1. Notice of Commission public meetings; participation; minutes.

(a) The Commission will give notice of public meetings in accordance with the Sunshine Act.

(b) The Commission will deliver notice of a public meeting to the committees and agencies whose regulations are on the agenda at least 10 calendar days prior to the meeting date.

(c) Public meetings are conducted in compliance with the Sunshine Act.

(d) The Commission will make minutes of public meetings available by doing one or more of the following:

(1) Posting on the Commission's web site.

(2) Sending by means of e-mail or First Class Mail upon request.

(3) Allowing inspection in the Commission office during normal business hours upon request.

(e) The Commission may charge reasonable fees for copying, certifying and mailing minutes. Fees are established in the Commission's Right to Know Law Policy, which is available in the Commission's office and posted on the web site.

CHAPTER 305. PROCEDURES FOR DELIVERY AND REVIEW OF PROPOSED REGULATIONS

§ 305.1. Delivery of a proposed regulation.

(a) The agency shall deliver a proposed regulation to the LRB, the committees and the Commission on the same date.

(b) The agency shall include the following material with the regulation:

(1) A completed regulatory analysis form.

(2) A face sheet signed by the agency head, the Office of Attorney General and the Office of General Counsel or the chief counsel of an independent agency.

(3) A transmittal sheet signed by the committees and the LRB.

(4) The preamble, which must include the information in the definition of "preamble" in § 301.1 (relating to definitions).

(5) Instructions for submitting public comments to the agency.

(6) The text of the proposed regulation.

CHAPTER 307. PROCEDURES FOR DELIVERY AND REVIEW OF FINAL REGULATIONS

§ 307.2. Delivery of a final-form regulation.

(a) The agency shall deliver a final-form regulation to the committees and the Commission on the same date.

(b) On the same date that the agency submits the regulation to the committees and the Commission, the agency shall send, by first class mail or e-mail, a notice of submission and a copy of the text of the final-form regulation or a copy of all changes to the proposed regulation which are incorporated into the final-form regulation, to those commentators who requested information on the final-form regulation.

(c) The agency shall include the following documents with the regulation:

(1) A completed regulatory analysis form relating to the final-form regulation updated and revised to correspond with changes made to the proposed regulation.

(2) A face sheet signed by the agency head and the Office of General Counsel or chief counsel of an independent agency.

(3) A transmittal sheet signed by the committees.

(4) The agency's response to the comments received. This response may be included in the preamble or in a separate document submitted with the regulation.

(5) The preamble, which must include a summary of the changes made to the proposed regulation and the information in the definition of "preamble" in § 301.1 (relating to definitions).

(6) The names and addresses of commentators who requested additional information on the final-form regulation or a statement that no commentator requested additional information.

(7) The text of the final-form regulation.

(d) Until the date the Commission takes final action on the regulation, the agency shall deliver to the Commission and committees copies of comments within 5 business days of receipt. If a comment indicates that a copy has been sent to the Commission and the agency verifies that the comment was delivered to the Commission, the agency is not required to deliver an additional copy of that comment. The agency may deliver one copy of form letters received and indicate the number of copies of that form letter it has received as of the date of delivery.

§ 307.3. Delivery of a final-omitted regulation.

(a) The agency shall deliver a final-omitted regulation to the committees, the Attorney General and the Commission on the same date.

(b) The agency shall include the following documents with the regulation:

- (1) A completed regulatory analysis form.
- (2) A face sheet signed by the agency head and the Office of General Counsel or chief counsel of an independent agency.
- (3) A transmittal sheet signed by the committees and the Office of Attorney General.
- (4) The preamble, which must include the information in the definition of “preamble” in § 301.1 (relating to definitions).

(5) The text of the final-omitted regulation.

(c) Until the date the Commission takes final action on the regulation, the agency shall deliver to the Commission and committees copies of comments within 5 business days of receipt. If a comment indicates that a copy has been sent to the Commission and the agency verifies that the comment was delivered to the Commission, the agency is not required to deliver an additional copy of that comment. The agency may deliver one copy of form letters received and indicate the number of copies of that form letter it has received as of the date of delivery.

§ 307.3a. Formatting the text of a final regulation.

(a) When preparing and formatting the text of the final-form regulation, the agency shall use as its source document the proposed regulation as published by the LRB in the *Pennsylvania Bulletin*.

(b) If the proposed regulation was published in the format prescribed in § 305.1a(a) (relating to formatting the text of a proposed regulation) as an amendment to an existing regulation, amendments in the final-form regulation must be illustrated as follows:

- (1) Strikeout type to indicate language in the existing or proposed regulation which is being deleted.
- (2) Capital letters to indicate new language which is being added to the final-form regulation which was not included in the existing or proposed regulation.
- (c) If the entire proposed regulation was published in the format in § 305.1a(b) as new, and not an amendment to an existing regulation, amendments in the final-form regulation shall be illustrated as follows:

- (1) Brackets to indicate language in the proposed regulation which is being deleted.
- (2) Underscoring or bolding to indicate new language which is being added in the final-form regulation.

(d) If the entire final-omitted regulation is new, and not an amendment to an existing regulation, the formatting described in subsections (b) and (c) is not required.

(e) If the final-omitted regulation is an amendment to an existing regulation, amendments in the final-omitted regulation must be illustrated as follows:

- (1) Brackets to indicate language in the existing regulation which is being deleted.
- (2) Underscoring or bolding to indicate new language which is being added in the final-omitted regulation.

(f) If there are extenuating circumstances that may prevent an agency from using the requirements of this section, the agency shall contact the Commission to discuss alternative formatting methods.

CHAPTER 309. ACTION ON REGULATIONS

§ 309.1. Commission and committee action on a final regulation.

(a) The Commission may approve or disapprove a final regulation by majority vote of members participating.

(b) If a committee does not take action on a regulation under section 5.1(j.2) or (j.3) of the act (71 P.S. § 745.5a(j.2) and (j.3)), the committee is deemed to have approved the regulation.

(c) The Commission is deemed to have approved a final-form regulation under section 5(g) of the act (71 P.S. § 745.5(g)) and section 5.1(e) of the act if one of the following conditions applies:

- (1) All of the following events occur:
 - (i) The Commission has not issued comments relating to any portion of the regulation as proposed within the time provided for its review.
 - (ii) The agency has not made changes in the final-form regulation which were not included in the proposed regulation.
 - (iii) A committee has not conveyed to the Commission or agency any recommendations, comments or objections after the expiration of the Commission comment period under section 5(g) of the act but within the time frame for committee review under section 5.1(j.2) of the act.

- (iv) The agency has complied with the act and this part.
- (v) The Commission has a public meeting no less than 30 days after receipt of the final-form regulation.

(2) The Commission does not take action within the time period established under § 307.6 (relating to time period for Commission review of a final regulation).

(3) The Commission’s vote results in a tie and the time for the Commission’s review expires.

(d) The Commission will notify the LRB, the committees and the agency of its action on or deemed approval of a regulation.

(e) When the committees and the Commission approve or are deemed to have approved a regulation, the agency may proceed with promulgation of the regulation.

CHAPTER 311. PROCEDURES FOR REVIEW OF DISAPPROVED FINAL REGULATIONS

§ 311.1. Commission disapproval of a final regulation.

(a) If the Commission disapproves a final regulation, the Commission will issue a disapproval order specifying the regulatory review criteria that the regulation has not met.

(b) The Commission will deliver its disapproval order to the LRB, the committees, the agency and the Attorney General. The Commission will notify commentators listed by the agency as having requested information on the final regulation by delivery of the disapproval order or by publication of a legal notice under 45 Pa.C.S. Chapter 3 (relating to Newspaper Advertising Act) or on the web site.

(c) The Commission's disapproval order shall continue the bar on the promulgation of the regulation until the review provided under section 7(d) of the act (71 P.S. § 745.7(d)) and this chapter is completed.

§ 311.4. Report for a disapproved regulation submitted with revisions.

If the agency chooses to revise or modify the final regulation under § 311.2(a)(2) (relating to response by an agency to Commission disapproval), the report must contain the following:

- (1) A completed regulatory analysis form.
- (2) The revised final regulation, formatted in accordance with § 307.3a (relating to formatting the text of a final regulation).
- (3) The Commission's disapproval order.
- (4) A detailed explanation of how the revisions respond to the Commission's disapproval order.
- (5) A signed transmittal sheet indicating that the report was delivered to the committees on the same day on which it was delivered to the Commission.

§ 311.5. Subsequent review of disapproved regulation.

(a) The Commission may have until its next scheduled meeting which occurs no less than 15 days from receipt of the report to approve or disapprove the report. The Commission will calculate its review period as beginning the day after receipt of the report.

(b) If the Commission does not disapprove the report, the Commission is deemed to have approved the report.

(c) Upon receipt of the Commission's order approving or disapproving the report, or at the expiration of the Commission's review period if the Commission does not act on the report or deliver its order within the time prescribed by section 7(c.1) of the act (71 P.S. § 745.7(c.1)), the committees will have 14 days to review the report in accordance with section 7(d) of the act.

(d) If, by the expiration of the 14-day period, neither committee reports a concurrent resolution, the committees will be deemed to have approved the report.

(e) If the committees and the Commission approve or are deemed to have approved the report, the agency may proceed with promulgation of the revised final regulation.

(f) If a concurrent resolution is reported, the bar on the promulgation of the final regulation shall continue until the review provided under section 7(d) of the act is completed.

(g) If a concurrent resolution is adopted by the House and the Senate and the Governor approves or is deemed to have approved the resolution, or if the Governor's veto of the resolution is overridden, in accordance with section 7(d) of the act the agency shall be permanently barred from promulgating the regulation.

CHAPTER 311a. DELIVERY OF REGULATIONS, COMMENTS, REPORTS AND ORDERS BEFORE AND AFTER THE END OF THE LEGISLATIVE SESSION

§ 311a.1. Delivery of a proposed regulation after the end of the legislative session.

(a) An agency may deliver a proposed regulation and required material to the Commission and the LRB after the end of the legislative session. The public comment period will begin upon publication of the proposed regulation in the *Pennsylvania Bulletin*. The Commission may submit comments within the time frame in § 305.3 (relating to Commission comments).

(b) An agency may not deliver the proposed regulation and required material to the committees until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later.

(c) If the agency does not deliver the proposed regulation and required material to the committees on the fourth Monday in January or by the second Monday after the publication of both committee designations in the *Pennsylvania Bulletin*, whichever is later, the regulation shall be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency shall submit a new proposed regulation to the Commission, committees and the LRB in accordance with section 5(a) of the act (71 P.S. § 745.5(a)) and § 305.1 (relating to delivery of a proposed regulation).

(d) The agency is not required to redeliver the regulation to the Commission when it delivers the regulation to the committees.

(e) The agency shall deliver the transmittal sheet signed by the committees to the Commission on the same day that it delivers the regulation to the committees.

(f) The agency may not make any changes in the regulation after delivery to the Commission. If the agency wants to amend the proposed regulation prior to delivery to the committees, the agency shall withdraw the regulation from the Commission and submit a new proposed regulation to the Commission, committees and the LRB in accordance with section 5(a) of the act and § 305.1.

§ 311a.2. Delivery of public comments after the end of the legislative session.

(a) The agency shall deliver public comments to the Commission in accordance with § 305.2 (relating to delivery of comments and information by an agency; notification to commentators).

(b) The agency may not deliver public comments to the committees which are received after the end of the legislative session until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later.

(c) If the agency does not deliver public comments received after the end of the legislative session to the committees on the fourth Monday in January or by the second Monday after the publication of both committee designations in the *Pennsylvania Bulletin*, whichever is later, the agency may be in violation of the act and this part, under section 5.2(b)(6) of the act (71 P.S. § 745.5b(b)(6)).

§ 311a.3. Delivery of Commission comments after the end of the legislative session.

(a) The Commission will deliver comments to the agency issued after the end of the legislative session in accordance with section 5(g) of the act (71 P.S. § 745.5(g)).

(b) The Commission may not deliver Commission comments issued after the end of the legislative session to the committees until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later.

(c) The Commission will deliver Commission comments issued after the end of the legislative session to the committees on the fourth Monday in January or by the second Monday after the publication of both committee designations in the *Pennsylvania Bulletin*, whichever is later.

§ 311a.4. Delivery of a final regulation within 20 days before the end of the legislative session.

(a) An agency may deliver a final regulation to the Commission and the committees up to the end of the legislative session.

(b) If the end of the legislative session occurs before the committees have had at least 20 days to review the regulation, the agency shall redeliver the final regulation and required material to the Commission and committees in the next legislative session.

(c) The agency may not redeliver the final regulation and required material to the Commission and the committees until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later.

(d) If the agency does not redeliver the final regulation on the fourth Monday in January or by the second Monday after the publication of both committee designations in the *Pennsylvania Bulletin*, whichever is later, the regulation shall be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency may submit one of the following:

(1) A new proposed regulation to the Commission, committees and the LRB in accordance with section 5(a) of the act (71 P.S. § 745.5(a)) and § 305.1 (relating to delivery of a proposed regulation).

(2) A new final-form regulation to the Commission and the committees in accordance with section 5.1(a) of the act (71 P.S. § 745.5a(a)) and § 307.2 (relating to delivery of a final-form regulation).

(3) A final-omitted regulation to the Commission, the committees and the Attorney General in accordance with section 5.1(c) of the act and § 307.3 (relating to delivery of a final-omitted regulation).

§ 311a.5. Delivery of a final regulation after the end of the legislative session.

(a) An agency may not deliver a final regulation and required material to the Commission and the committees after the end of the legislative session.

(b) The agency may not deliver the final regulation and required material to the Commission and the committees until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later.

(c) If the 2-year period for promulgation of a final-form regulation under section 5.1(a) of the act (71 P.S.

§ 745.5(a)) and § 307.1 (relating to two-year period for promulgation) expires after the end of the legislative session, the agency shall deliver the final-form regulation and required material to the Commission and the committees on the fourth Monday in January or by the second Monday after publication of both committee designations in the *Pennsylvania Bulletin*, whichever is later. If the agency does not deliver the final-form regulation and required material by this date, the regulation will be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency may submit one of the following:

(1) A new proposed regulation to the Commission, committees and the LRB in accordance with section 5(a) of the act (71 P.S. § 745.5(a)) and § 305.1 (relating to delivery of a proposed regulation).

(2) A final-omitted regulation to the Commission, the committees and the Attorney General in accordance with section 5.1(c) of the act and § 307.3 (relating to delivery of a final-omitted regulation).

§ 311a.7. Delivery of the report for subsequent review of a disapproved regulation.

(a) An agency may not deliver its report and required material under section 7(b) or (c) of the act (71 P.S. § 745.7(b) and (c)) and § 311.3 or § 311.4 (relating to report for a disapproved regulation submitted without revisions or modifications; and report for a disapproved regulation submitted with revisions) after the end of the legislative session.

(b) The agency may not deliver its report and required material until the fourth Monday in January of the next year or until both committees have been designated in the next legislative session, whichever is later.

(c) If the agency does not deliver its report and required material on the fourth Monday in January or by the second Monday after both committee designations have been published in the *Pennsylvania Bulletin*, whichever is later, the disapproved final regulation will be deemed withdrawn. If the agency wants to promulgate the regulation after the regulation has been deemed withdrawn, the agency shall submit either a new proposed regulation to the Commission, committees and the LRB in accordance with section 5(a) of the act (71 P.S. § 745.5(a)) and § 305.1 (relating to delivery of a proposed regulation), a new final-form regulation to the Commission and the committees in accordance with section 5.1(a) of the act (71 P.S. § 745.5a(a)) and § 307.2 (relating to delivery of a final-form regulation), or a final-omitted regulation to the Commission, the committees and the Attorney General in accordance with section 5.1(c) of the act and § 307.3 (relating to delivery of a final-omitted regulation).

CHAPTER 315. EXISTING REGULATIONS AND PUBLISHED OR UNPUBLISHED DOCUMENTS

§ 315.1. Review of an existing regulation.

(a) The Commission, on its own motion or at the request of any person or member of the General Assembly, may review an existing regulation which has been in effect for at least 3 years, under section 8.1 of the act (71 P.S. § 745.8a). If a committee of the Senate or House of Representatives requests the review, the Commission will assign it high priority.

(b) Upon delivery of a request to review an existing regulation, the Commission will initiate a preliminary review to determine whether further review is warranted.

(c) If the Commission determines that further review is not warranted, the matter will be closed. The Commission will notify the person or entity requesting the review of the existing regulation that no further action will be taken.

(d) If it is determined that further review is warranted, the Commission will notify the agency of the issues that have been raised and request a written response.

(e) After review of the agency's response and other relevant material, the Commission will issue a report setting forth its findings, conclusions or recommendations.

(f) The Commission will deliver its report to the agency, the committees, the Governor and the Attorney General. The Commission's report may include recommendations for amendment of the statute that provides statutory authority for the regulation.

§ 315.2. Review of a published or an unpublished document.

If the Commission finds that a published or unpublished document should be promulgated as a regulation, the Commission will present its finding to the Joint House Committee on Documents. The Joint House Committee on Documents shall determine whether the document should be promulgated as a regulation, and may order the agency to promulgate the document as a regulation within 180 days, or to desist from using the document in its business.

[Pa.B. Doc. No. 18-563. Filed for public inspection April 13, 2018, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

[49 PA. CODE CH. 42]

Code of Ethics

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

Effective Date

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

Statutory Authority

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

Background and Purpose

Section 16(a) of the act (63 P.S. § 1516(a)) authorizes the Board to discipline licensees who are guilty of unprofessional conduct which has or is likely to endanger the health, welfare or safety of the public. Section 16(a)(2) of the act further defines "unprofessional conduct" to include conduct that violates a code of ethics adopted by the Board. In 1992, the Board adopted a code of ethics in § 42.24 which was essentially an adaptation and codification of the code of ethics promulgated by the American

Occupational Therapy Association (AOTA) in 1988. In 2001, the Board amended § 42.24 to reflect the 1994 version of the AOTA code of ethics.

Beginning in 2011, the Board undertook a review of § 42.24 and compared it to the AOTA *Occupational Therapy Code of Ethics and Ethics Standards* (Code and Standards) promulgated in 2010. As a result of its review, the Board determined that it should update § 42.24 by adopting the 2010 AOTA Code and Standards and voted in 2013 to begin the process to amend § 42.24. While the proposed amendment was pending, AOTA updated its Code of Ethics in 2015. At its June 3, 2015, meeting, the Board reviewed the AOTA *Occupational Therapy Code of Ethics (2015)* (2015 AOTA Code of Ethics), which the Board found to be the minimum standard of ethical conduct for occupational therapists and occupational therapy assistants in this Commonwealth, and voted to revise the pending proposed amendment to adopt the 2015 AOTA Code of Ethics. The 2015 AOTA Code of Ethics not only reflects the Board's view of ethical practice, but will also keep the Commonwealth's ethical standards consistent with the National standards. Rather than copy the standards verbatim into § 42.24, the Board adopts the 2015 AOTA Code of Ethics by reference. A copy of the 2015 AOTA Code of Ethics is available on the AOTA web site at <https://ajot.aota.org/article.aspx?articleid=2442685> and was attached to the Regulatory Analysis Form provided to the Independent Regulatory Review Commission (IRRC) with this final-form rulemaking. A copy is available upon request. The Board intends to place a copy of the 2015 AOTA Code of Ethics on its web site following publication of this final-form rulemaking.

Description of Amendments

Former § 42.24 is deleted in its entirety. In its place, the Board adopts new subsections (a)—(c).

Subsection (a) provides that licensees shall adhere to the 2015 AOTA Code of Ethics, except as provided in subsections (b) and (c). Subsection (b) requires licensees to adhere to Federal and State law whenever there is a conflict between the 2015 AOTA Code of Ethics and Federal and State law. Likewise, subsection (c) requires licensees to adhere to Chapter 42 whenever there is a conflict between the 2015 AOTA Code of Ethics and the Board's regulations.

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

Comments on the Proposed Rulemaking

Notice of proposed rulemaking was published at 46 Pa.B. 886 (February 20, 2016), with a 30-day public comment period. The Board did not receive any public comments. IRRC reviewed the proposed rulemaking and did not have objections, comments or recommendations. The Board did not receive comments from the House Professional Licensure Committee (HPLC) or the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC).

Fiscal Impact and Paperwork Requirements

There are only minimal fiscal impacts and paperwork requirements associated with this final-form rulemaking. Following publication of this final-form rulemaking, the Board will place a copy of the 2015 AOTA Code of Ethics

on its web site. The Board will also include in its initial application, renewal and reactivation forms information regarding how to access the 2015 AOTA Code of Ethics. The cost of doing so will be de minimis.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 5, 2016, the Board submitted a copy of the notice of proposed rulemaking, published at 46 Pa.B. 886, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, the HPLC and the SCP/PLC copies of comments received during the public comment period, as well as other documents when requested. No comments were submitted on the proposed rulemaking.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on February 21, 2018, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective February 21, 2018.

Additional Information

Further information may be obtained by contacting Carol Niner, Board Administrator, State Board of Occupational Therapy Education and Licensure, P.O. Box 2649, Harrisburg, PA 17105-2649. Reference No. 16A-6710 (Code of Ethics) when requesting information.

Findings

The Board finds that:

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

(2) A public comment period was provided as required by law.

(3) This final-form rulemaking does not include any amendments that would enlarge the scope of proposed rulemaking published at 46 Pa.B. 886.

(4) The final-form rulemaking adopted by this order is necessary and appropriate for the administration of the act.

Order

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

(a) The regulations of the Board, 49 Pa. Code Chapter 42, are amended by amending § 42.24 to read as set forth in Annex A.

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

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

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

(e) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

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

(Editor's Note: See 48 Pa.B. 1482 (March 10, 2018) for IRRC's approval order.)

Fiscal Note: Fiscal Note 16A-6710 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

MINIMUM STANDARDS OF PRACTICE

§ 42.24. Code of ethics.

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

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

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

[Pa.B. Doc. No. 18-564. Filed for public inspection April 13, 2018, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

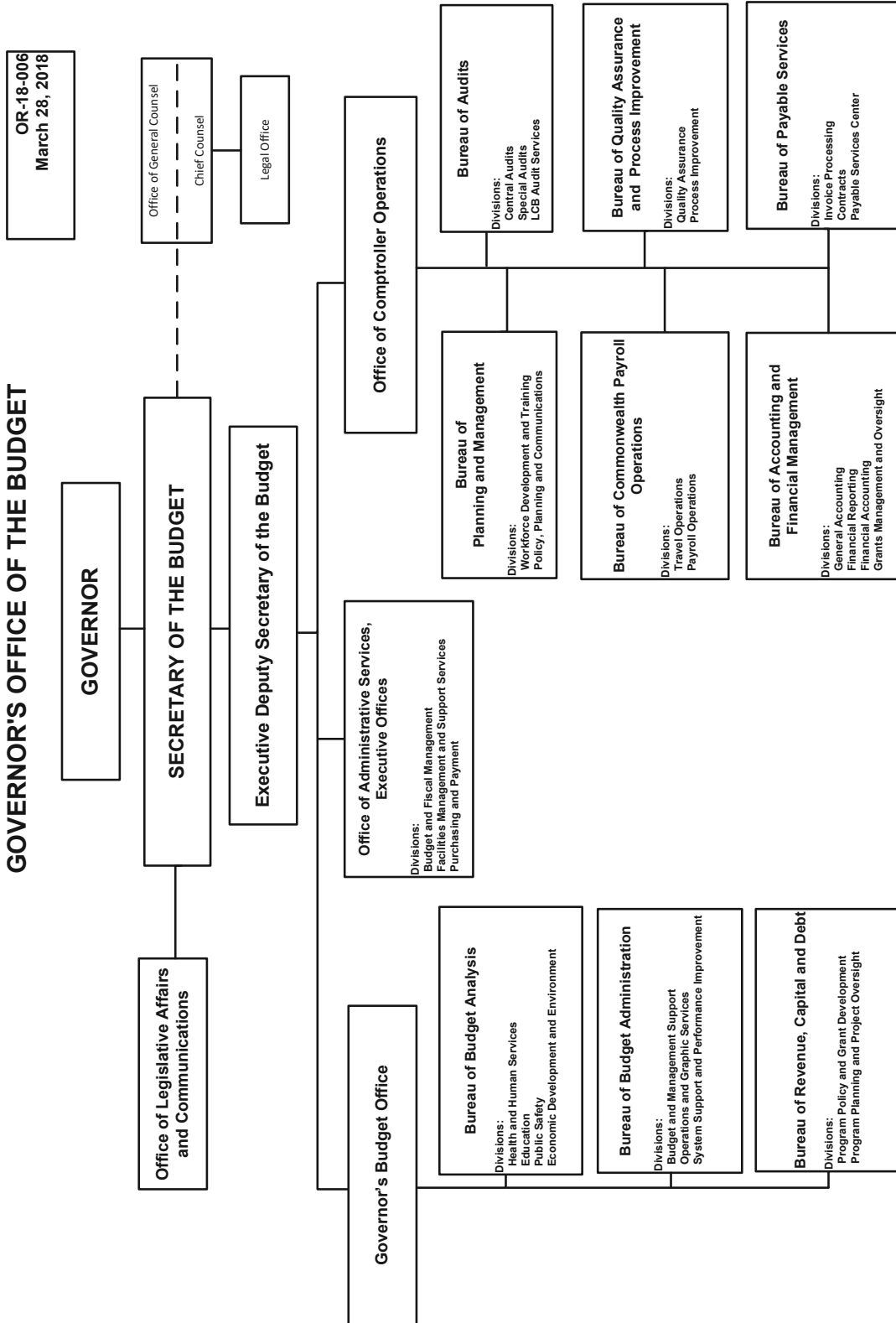
Reorganization of the Governor's Office of the Budget

The Executive Board approved a reorganization of the Governor's Office of the Budget effective March 28, 2018.

The organization chart at 48 Pa.B. 2139 (April 14, 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. 18-565. Filed for public inspection April 13, 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 April 3, 2018.

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

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
4-3-2018	Mercer County State Bank Sandy Lake Mercer County	549 South Main Street Harrisville Butler County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-23-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	25 Summit Street Oil City Venango County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
3-28-2018	Noah Bank Elkins Park Montgomery County Amendment to Article Fifth of the institution's Articles of Incorporation provides for an increase in authorized shares.	Filed

CREDIT UNIONS

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
4-3-2018	Boeing Helicopters Credit Union Ridley Park Delaware County Amendment to Article 1 of the institution's Articles of Incorporation provides for change in corporate title to "BHCU."	Effective

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-566. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of May 2018

The Department of Banking and Securities (Department), under the authority in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of May, 2018, is 5 1/2%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 2.96 to which was added 2.50 percentage points for a total of 5.46 that by law is rounded off to the nearest quarter at 5 1/2%.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-567. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Availability of Applications for the Emergency So- lutions Program

The Department of Community and Economic Development (Department), Center for Community Development Operations, is anticipating receiving funding through the United States Department of Housing and Urban Development for the Emergency Solutions Grant. The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (Pub.L. No. 111-22) provides funding for Emergency Solutions for the Commonwealth to address the needs of homeless people through services in Rapid Rehousing, Street Outreach, Homelessness Prevention and Emergency Shelters. The focus is to help individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness, or both.

The Department will accept applications from any general purpose units of local government, including cities, boroughs, townships, towns, counties, home rule municipalities and communities, that wish to apply on behalf of other municipalities. Priority will be given to nonentitled jurisdictions; however, the Department will consider funding applications received from all eligible

government jurisdictions previously listed. Nonprofits are eligible applicants or grantees to the extent the project will address a demonstrated regional need.

The guideline review is open from May 1, 2018, through July 17, 2018. A fully executed application with all applicable attachments must be submitted to the Department through the Electronic Single Application (ESA) only during the designated time ESA is open. The ESA will open on July 2, 2018, and close at 5 p.m. on July 17, 2018. Applicants must submit an intent to apply form included in the application kit no later than May 15, 2018, by e-mail to shawthorne@pa.gov. Applications received during this time will be considered for funding. Hard copies will not be accepted. The application is located on the Department's web site at <https://dced.pa.gov/programs/emergency-solutions-grant-esg/>.

A copy of the guidelines and application may be obtained by download from the Department's web site at <https://dced.pa.gov/programs/emergency-solutions-grant-esg/>. A hard copy may be requested by persons with a disability who wish to submit an application in accordance with the stated provisions and who require assistance with that application. Persons who require copies of this notice in an alternate format (large type, Braille, and the like) should contact Megan Snyder, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 787-7404, TDD (717) 346-0308 to discuss how the Department may best accommodate those needs. Copies of the application may also be viewed at any of the Department's regional office. The following is the listing of the Department's regional offices and the counties they serve:

Regional Offices

Southeast

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development
200 South Broad Street, 11th Floor
Philadelphia, PA 19102
(215) 560-5822

Northeast

Bradford, Carbon, Clinton, Columbia, Lackawanna, Luzerne, Lycoming, Montour, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development
2 North Main Street
Pittston, PA 18640
(570) 963-4571

Lehigh Valley

Berks, Lehigh, Monroe, Lebanon, Northampton, Snyder and Union Counties
400 North Street, 4th Floor
Harrisburg, PA 17120
(717) 877-8481

Central

Adams, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Mifflin, Perry and York Counties

Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120
(717) 720-7386

Southwest

Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties

Department of Community and Economic Development
301 5th Avenue, Suite 250
Pittsburgh, PA 15222
(412) 565-5002

Northwest

Cameron, Centre, Clarion, Clearfield, Crawford, Elk,
Erie, Forest, Jefferson, Lawrence, McKean, Mercer,
Potter, Venango and Warren Counties

Department of Community and Economic Development
100 State Street, Suite 205
Erie, PA 16507
(814) 871-4241

Main Office

Center for Community Financing
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120
(717) 787-5327

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 18-568. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Substantial Amendments for the Community Development Block Grant—Disaster Recovery; 2012 and 2013 Allocations; Public Hearing

A public comment period to review the proposed substantial amendments to the Commonwealth for Fiscal Year (FY) 2012 Community Development Block Grant—Disaster Recovery (CDBG-DR) (PL 112-55) funds and FY 2013 CDBG-DR (PL 113-2) funds. The public comment period is from April 15, 2018, through May 14, 2018.

PL 112-55

The United States Department of Housing and Urban Development (HUD) issued a notice at 77 FR 22583 (April 16, 2012), which awarded \$27,142,501 of CDBG-DR funds to the Commonwealth to be administered by the Department of Community and Economic Development (Department). This was the first allocation of CDBG-DR funding to assist the Commonwealth with recovery from 2011 storm events (April 2011 Storms—FEMA-4003-DR; Hurricane Irene—FEMA-4025-DR; and Tropical Storm Lee—FEMA-4030-DR). An Action Plan for these funds was submitted to HUD on July 23, 2012, and subsequently approved. Since then the Department has published and received approval for five Substantial Action Plan Amendments to this first allocation of CDBG-DR funding under PL 112-55. Priorities for funding were identified in the last Substantial Amendment which was approved by HUD on March 2, 2018.

The Commonwealth is hereby notifying the public of the award of specific projects in the affected municipalities identified and prioritized and soliciting comment on the announcements. The following awards detail awards under PL 112-55 appropriation to reflect this new analysis as well as the strategic priorities of the Commonwealth.

The changes proposed by the Sixth Substantial Amendment (HUD DRGR # 14), to be dated May 18, 2018, are as follows:

Infrastructure

- City of Wilkes-Barre—Solomon Creek Infrastructure Restoration Project—\$3,818,890 to restore the damaged flood wall in the low-moderate income area (Brook Street from Waller Street to Barney and Vulcan Street).

- Town of Bloomsburg—Flood Hazard Mitigation Project—\$1,208,079 Flood Wall Construction and Related Storm and Sanitary Sewer Restoration Project in the Town of Bloomsburg providing benefit to entire low-moderate income town. The flood wall will span the southern sector of town from Railroad Street to Catherine Street, and sanitary and storm sewer improvements will benefit the entire town.

PL 113-2

The Commonwealth received \$29.986 million from HUD under The Disaster Relief Appropriations Act, 2013 (Pub.L. No. 113-2), approved January 29, 2013. This was the second allocation of CDBG-DR funding to assist the Commonwealth with recovery from 2011 storm events (April 2011 Storms—FEMA-4003-DR; Hurricane Irene—FEMA-4025-DR; and Tropical Storm Lee—FEMA-4030-DR). The Action Plan guiding the distribution of the \$29.986 million appropriation was published on August 30, 2013. Since then the Department has published and received approval for three Substantial Action Plan Amendments to this first allocation of CDBG-DR funding under PL 113-2. Priorities for funding of specific project types were identified in the last Substantial Amendment which was approved by HUD on March 2, 2018.

The Commonwealth is hereby notifying the public of the award of specific projects in the affected municipalities identified and prioritized and soliciting comment on the announcements. The following awards detail awards under the PL 113-2 appropriation to reflect this new analysis as well as the strategic priorities of the Commonwealth.

The changes proposed by the Fourth Substantial Amendment (HUD DRGR # 10), to be dated May 18, 2018, are as follows:

Infrastructure

- Town of Bloomsburg, Columbia County—Flood Hazard Mitigation project—\$9.550 million Flood Wall Construction and Related Storm and Sanitary Sewer Restoration Project in the Town of Bloomsburg providing benefit to entire low-moderate income town. The flood wall will span the southern sector of town from Railroad Street to Catherine Street, and sanitary and storm sewer improvements will benefit the entire town.

- Luzerne County Redevelopment Authority—\$1 million demolition of a public facility—Coxton Bridge spanning the Susquehanna River between Exeter and Duyrea, Luzerne County. Urgent need.

- Schuylkill County—Pine Grove—\$3 million Wetlands Restoration Project, urgent need benefit located to create 10.2 acres of wetland habitat at the Swatara Creek beginning at East Pottsville Street.

These substantial amendments to the PL 112-55 and PL 113-2 Action Plans and supporting documentation will be available for a 30-day public comment period and can be viewed on the Department's web site at <http://dced.pa.gov>. Copies of the Substantial Amendments may be found in the Library section on the home page or by clicking "Disaster Recovery Assistance Program." The text is available to visual impaired persons on the Department's web site at the previously listed link. A translation into Spanish will also be available on the Department's

web site at the same link. Public comment will close on Monday, May 14, 2018, and the final version of the Substantial Amendment will be submitted to HUD no later than May 18, 2018.

Public Hearing

The public hearing for the Substantial Amendments will be conducted by the telephone/webinar on Monday, May 14, 2018, at 1 p.m. This more widely available computer/conference call access will replace the onsite public hearing. The format will be more accessible than an in-person meeting because those who wish to make comment or discuss policy may participate directly from their electronic device or from a computer located at their public library.

Any individual or organization may give testimony or comments by the web/telephone about the proposed changes to the Action Plans for the CDBG-DR funding. The Commonwealth encourages public participation in this process.

Anyone who wants to participate must register in advance. Contact Megan L. Snyder at (717) 720-7404 to receive registration instructions for the web hearing at least 24 hours prior to the hearing date. During the hearing, if support is required, call (717) 787-5327. The hearing will be shortened if there is no one to testify or there is minimal response.

Persons with a disability or limited English proficiency who wish to participate in the public hearing should contact Megan L. Snyder, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD at (717) 346-0308 to discuss how the Department can accommodate their needs.

Written Comments

Persons who would like to provide written comment on the substantial amendments to the CDBG-DR Action Plan may send those comments electronically to RA-DCED cdbghomequestions@pa.gov or mail to the attention of Megan L. Snyder, Department of Community and Economic Development, Center for Compliance, Monitoring and Training, 400 North Street, 4th Floor, Harrisburg, PA 17120. Comments must be received before 4 p.m. on Monday, May 14, 2018. Indicate which year of funding (PL 112-55 or PL 113-2) the comments are addressing.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 18-569. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Retention of Professional Wayside Exhibit and Publication Development, Design and Production Firms; Project Reference No. FDC-500-812

The Department of Conservation and Natural Resources (Department) is seeking proposals from interested and qualified professional interpretive wayside exhibit and publication production firms (Professional) for research, writing, editing, design and fabrication/printing services for publications and interpretive wayside exhibit signs. Acquisition of final signage and frames may be

included. The contract or contracts will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as needed basis. The contract or contracts will be managed by the Department's Bureau of Facility Design and Construction (Bureau).

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

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

Background

Established on July 1, 1995, the Department is charged with: maintaining and preserving 121 State Parks; managing 2.2 million acres of State Forest land; providing information on the ecological and geologic resources; and establishing community conservation partnerships with grants and technical assistance to benefit rivers, trails, greenways, local parks and recreation, regional heritage parks, open space and natural areas.

The Department uses diverse communication methods to advance the mission, goals and objectives of the Department to the public. Often, the Bureau of State Parks and the Bureau of Forestry accomplish this by implementing the principles and techniques of quality, personal and nonpersonal interpretation. Interpretation is "a mission-based communication process that forges emotional and intellectual connections between the interests of the audience and the meanings inherent in the resource" (NAI web site, April 2007).

Within the Bureau of State Parks, the Outdoor Programming Services Division provides interpretive guidance and support to 121 State Parks and 4 regional offices throughout this Commonwealth. This includes guidance on program development, training opportunities, program evaluation, policy development and adherence, planning, project management, visitor center and exterior exhibit planning, recreational publication development, the State Parks web site and funding.

The Bureau of Forestry, Communications and Interpretation Section implements both departmental communications strategies, and bureau-level information and interpretive programs and services for 20 forest districts, encompassing 17 million acres. These include press releases and media relations, interpretive planning, project development, resource management center exhibits and wayside development, public use maps, interpretive and recreation publications, and web site and social media communications.

The Bureau provides multidisciplinary facility and infrastructure technical support to the other bureaus in the Department in the areas of project design, project inspections, construction management, contract administration, surveying, and other technical advice and consultation. In

addition to project design, staff also provides technical architectural and engineering support and advice to assist field operation in State Parks and State Forests.

PART I GENERAL REQUIREMENTS

I-1. *Specific Requirements.*

A. The Department has a need for a range of services for all aspects of interpretive wayside exhibit (both interior and exterior) and publication production. These services include: developing project plans; developing storylines; researching, writing and editing text; developing concept and final graphic designs in diverse styles and types; developing budgets; preparing reports; attending planning meetings; producing or acquiring photographs or graphic images; providing printed pieces (when requested) using diverse bindings, folds or sizes; and providing fabricated wayside exhibit panels and frames, both interior and exterior (when requested). Printing and fabrication of panels may be accomplished by outsourcing or subcontracting with other vendors. Printing of publications may be coordinated by and paid for by the Department apart from contracts awarded through this Request for Proposals (RFP) or they may be accomplished by the Professional through outsourcing or subcontracting with other vendors. Final determination of whether printing will or will not be part of a given project will be made by the Department prior to issuance of a Work Order.

B. Projects will be developed and assigned on an annual basis or as required. Each project will be individually developed and assigned to the successful Professional using separate Project Work Orders.

C. Selected firms will be expected to provide a full range of professional interpretive wayside exhibit and publication production services for individual projects for State Parks, State Forests and other Department sites on an as needed basis throughout the contract period.

D. Unless otherwise specified on a Project Work Order, publications and waysides will be designed using established Department Design Standards, including use of Macintosh OSX operation system and designated software, primarily Adobe Creative Suite. All final files plus other materials and items so designated in the Project Work Order or elsewhere become the property of the Department and must be provided digitally upon completion of the project.

E. Sustainability should be incorporated into the earliest design decisions. Work may occur in interior or exterior areas, visitor lobbies, areas along trails, recreational infrastructure, or any other public area and any other point of public contact throughout the State Parks and State Forests.

F. It is expected that the firms will assemble a team of professionals who are recognized specialists in their individual fields of expertise. Professionals may subcontract or joint venture with other professionals to assemble the most capable team to address the needs and objectives of this RFP. Selected Professionals will be required to work closely with the assigned Department Project Coordinator to develop each project utilizing designated Department staff in the creative processes involved to the fullest extent possible. Department Project Coordinators will be responsible for signing off on project development milestones. The Department Project Coordinator may change from project to project. Travel to the project sites will be required.

1-2. *Qualifications.* Professionals shall have staff available to facilitate rapid services associated with assigned

projects within the timeline established on the Project Work Order. Professionals may be called upon to provide services on multiple projects at the same time. Professionals shall have demonstrated knowledge of: interpretive wayside exhibit project and publication project planning; interpretive research, writing and editing; graphic design and layout; current wayside fabrication methods and signage materials; and wayside frame designs available.

The following minimum qualifications will be expected of all Professionals:

- *Staff Requirements:* Professionals will provide a minimum of a project manager, research associates, interpretive writer/editors, graphic designers and persons familiar with signage fabrication and frames; include the employee's name and, through a resume or similar document, the project personnel's education, training, certifications, organizational memberships and experience in project management; budget management; researching, writing, developing and designing interpretive waysides and publications; creating and obtaining illustrations, photographs and graphic components for waysides and publications; and fabrication of interpretive waysides or publications, as well as any other types of projects that may be included in the scope of work covered by this RFP. Experience within the last 5 years will be considered most relevant. Those projects involving work in any of these fields at State or Federal Parks and recreation areas, public zoos, aquariums, museums or equivalent will be conserved as relevant experience.

Subcontractors that are intended to be used shall be identified and the services they will perform along with documentation on their education, training, certifications, organizational memberships and experience. Other specialists may be included as part of the proposal. Provide a letter of commitment for the term of the contract from each subcontractor that is intended to be used for work under this contract. If the Professional wants to add to, or replace, any of the persons, employees or subcontractors previously named at any time after originally submitting them, the changes must be reviewed and approved by the Department. Otherwise, these persons, employees and subcontractors must remain the same.

- *Qualifications of the Firm:* These include the number of years in business; financial capability, the ability of the company to undertake a contract of this size; the certification or other credentials received from professional associations, independent agencies and other as evidence of the firm's qualification to work on this contract; the number of State and Federal Park and recreation agencies, public zoos, aquariums, museums or equivalent who have been clients; and specific references from clients including all categories of services required under this contract. The qualifications of any companies or individuals proposed to be used as subcontractors will also be evaluated in this category of criteria using these same factors.

- *Qualifications of Personnel:* These include the number of years of experience with the current company and with other employers in the same field; the education and training relevant to their work under this contract; the certification or other credentials received from professional or trade associations, independent agencies and others as evidence of their qualifications to work on this contract; the number of clients to which they have been assigned that operate State or Federal Parks and recreation areas, public zoos, aquariums, museums or equivalent; and specific client references. The qualifications of any companies proposed to be used as

subcontractors, and any sole proprietors proposed for use as subcontractors, will also be evaluated in this category.

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

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

A small business must meet each of the following requirements:

- The business must be a for-profit, United States business.
- The business must be independently owned.
- The business may not be dominant in its field of operation.
- The business may not employ more than 100 full-time or full-time equivalent employees.
- The business, by type, may not exceed the following 3-year average gross sales:
 - o Procurement goods and services: \$20 million.
 - o Construction: \$20 million.
 - o Building design services: \$7 million.
 - o Information technology goods and services: \$25 million.

For credit in the RFP scoring process, a small business must complete the Department of General Services (DGS)/Bureau of Diversity, Inclusion and Small Business Opportunities (BDISBO) self-certification process. Additional information on this process can be found at <http://www.dgs.pa.gov/Businesses/Small%20Business%20Contracting%20Program/Pages/default.aspx>.

An SDB is a DGS-verified minority-owned small business, woman-owned small business, veteran-owned small business, service-disabled veteran-owned small business, lesbian, gay, bisexual, transgender-owned small business, disability-owned small business or other small business as approved by DGS, that are owned and controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages.

For credit in the RFP scoring process, an SDB must complete the DGS verification process. Additional information on this process can be found at <http://www.dgs.pa.gov/Businesses/Small%20Diverse%20Business%20Program/Small-Diverse-Business-Verification/Pages/default.aspx>.

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

An SDB or small business may be included as a subcontractor with as many prime contractors as it chooses in separate proposals.

The Department's directory of self-certified small businesses and BDISBO-verified SDBs can be accessed from <http://www.dgs.pa.gov/Businesses/Small%20Diverse%20Business%20Program/Small-Diverse-Business-Verification/Pages/Finding-Small-Diverse-Businesses.aspx>.

Questions regarding the SDB and small business programs, including questions about the self-certification and verification processes, can be directed to the Department of General Services, Bureau of Diversity, Inclusion and Small Business Opportunities, Room 601, North Office Building, Harrisburg, PA 17125, (717) 783-3119, fax (717) 787-7052, RA-BDISBOVerification@pa.gov, www.dgs.pa.gov.

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

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

PART II PROPOSAL REQUIREMENTS

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

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

- Letter of Interest including the firm's Federal identification number and the project reference number.
- A list of at least three of the Professional's most recently completed projects for publications and three of the Professional's most recently completed projects for wayside exhibits like the projects anticipated under the contract. The list shall include photographs and a descriptive narrative, the client's contact person and contact information, the completion date, the estimated or actual total cost, the estimated or actual cost of the portion of the work which the firm designed, the firm's Project Manager and the names of all the firm's personnel who made contributions to the project.
- A description of the Professional's project approach and methodology, including the approach to the managerial, technical and administrative aspects of the project. Describe how the scope, schedule, budget and quality of a project are managed and controlled. Address communication and coordination strategies internal to the design team, with the client and with other outside agencies. Describe how an integrated design process is approached and has been used on past projects.
- A detailed description of the Professional's quality control and assurance program, including how subconsultants are included in this program. Describe what steps are taken to assure accurate, fully coordinated

construction documents. Provide the name of the person responsible for quality control and describe their qualifications to perform this task.

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

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

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

II-2. *Number of Copies.* Two copies of the SDB participation section bound and sealed separately from the remainder of the proposal and six copies of the complete set consisting of the Letter of Interest and the required forms must be received no later than Wednesday, May 16, 2018, at 4 p.m. The six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one or more of the firms responding to this notice. However, the Department reserves the right to reject all Letters of Interest submitted, cancel the solicitation requested under this notice or readvertise solicitation for this service.

II-3. *Debriefing.* The Department will not offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposal submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

PART III CRITERIA FOR SELECTION

III-1. *Selection Criteria.* The firm will be evaluated upon the following criteria:

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

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

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

D. Professional's project approach and methodology.

E. Quality control and assurance program and procedures.

F. Equitable distribution of contracts.

G. Offeror is a self-certified small diverse and small business. To be eligible for selection for this Project the Offeror's firm must be a self-certified small business/SDB verified by the BDISBO. Refer to Part I, I-4.

III-2. *Number of Contracts.* The Department may select more than one firm.

PART IV MAILING AND CONTACT INFORMATION

Firms interested in performing the required services for this project are invited to submit Letters of Interest to Alfred Uzokwe, Sr., PE, Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P.O. Box 8451, Harrisburg, PA 17105-8451. Contact Terri Kromel at (717) 783-4361 for general information concerning this RFP.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 18-570. Filed for public inspection April 13, 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.

<i>Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.</i>				
<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>
PA0061433 (Sewage)	Bunker Hill Wastewater Treatment Facility Concord Avenue Factoryville, PA 18419	Wyoming County Clinton Township	Unnamed Tributary to South Branch Tunkhannock Creek (4-F)	Yes
PAS212208 (Storm Water)	Frank Casilio & Sons Allentown Plant 6729 Ruppsville Road Allentown, PA 18016-1036	Lehigh County Upper Macungie Township	Iron Run (2-C)	Yes
<i>Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.</i>				
<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>
PA0088765— SEW	Nelson Wenger & Margaret Wenger (Millbrook MHP) 545 Mt. Airy Road Stevens, PA 17578	Lancaster County/ West Cocalico Township	Indian River/7-J	Y
PA0020851— SEW	Hyndman Borough Municipal Authority PO Box 445 Hyndman, PA 15545	Bedford County/ Hyndman Borough	Wills Creek/13-C	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>
PA0210404 (Sewage)	Melvin J Wachob SFTF 4916 Glen Hazel Road Wilcox, PA 15870-5124	Elk County Jones Township	Unnamed Tributary to East Branch Clarion River (17-A)	Yes
PA0239771 (Sewage)	Green Meadows MHP 1204 Blue Sky Drive New Castle, PA 16105	Lawrence County New Beaver Borough	Unnamed Tributary to the Jenkins Run (20-B)	Yes
PA0239798 (Sewage)	Jason S Black SRSTP 9915 Jones Road Erie, PA 16510-5403	Erie County Greene Township	Sixmile Creek (15-A)	Yes
PA0238791 (Sewage)	Rae Kent Gardner SFTF PO Box 43 Warren, PA 16365-0043	Warren County Conewango Township	Morse Run (16-B)	Yes

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

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

PA0244252, Industrial, SIC Code 3089, **Southco Inc.**, 210 North Brinton Lake Road, Concordville, PA 19331. Facility Name: Southco Concordville Facility. This existing facility is located in Concord Township, **Delaware County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of stormwater and non-contact cooling water.

The receiving stream(s), Unnamed Tributary to West Branch Chester Creek, is located in State Water Plan watershed 3-G and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an average stormwater flow—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Daily Maximum</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 0.00144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report Semi Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

The proposed effluent limits for Outfall 201 are based on a design flow of 0.00144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report Semi Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

The proposed effluent limits for Outfall 301 are based on a design flow of 0.00144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report Semi Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

The proposed effluent limits for Outfall 401 are based on a design flow of 0.00144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report Semi Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

The proposed effluent limits for Outfall 501 are based on a design flow of 0.00144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report Semi Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

The proposed effluent limits for Outfall 601 are based on a design flow of 0.00144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report Semi Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permits
- D. BAT/ELG Reopener
- E. Small Stream Discharge
- F. No Priority Pollutants
- G. Chemical Additive Requirement
- H. Stormwater Condition

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, Telephone: 570.826.2511.

PA0276073, Sewage, SIC Code 4952, **Lemon Township Tunkhannock Township Joint Municipal Sewer Authority (LTTTJMSA)**, 113 Tunkhannock Twp Drive, Tunkhannock, PA 18657. Facility Name: Lake Carey WWTP. This proposed facility is located in Tunkhannock Township, **Wyoming County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Sewage (retirement of on-lot sewage systems with provisions for additional connections).

The receiving stream(s), Tunkhannock Creek, is located in State Water Plan watershed 4-F and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.120 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.60
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	25.0	40.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	30.0	45.0	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	25.0	XXX	XXX	25.0	Report Daily Max	50
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Lead, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Mercury, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

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

- Chesapeake Bay Nutrient Requirements (including offsets and nutrient trading to achieve zero net annual nutrient mass caps); Solids Management; Stormwater Prohibition; Necessary Property Rights; Residuals Management; Chlorine Minimization; Notification of Responsible Licensed Operator; Water Quality Management Permit Requirement.

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

The EPA Waiver is in effect.

PA0276103, Storm Water, SIC Code 4225, **Amazon.com DEDC, LLC**, P.O. Box 80842, Seattle, WA 98108-0842. Facility Name: Amazon.com DEDC, LLC ABE3. This existing facility is located in Upper Macungie Township, **Lehigh County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (stormwater).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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

The EPA Waiver is in effect.

PA0276090, Storm Water, SIC Code 4225, **Amazon.com DEDC, LLC**, P.O. Box 80842, Seattle, WA 98108-0842. Facility Name: Amazon.com DEDC, LLC ABE2. This existing facility is located in Upper Macungie Township, **Lehigh County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (stormwater).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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

The EPA Waiver is in effect.

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

Application No. PA0088242, Concentrated Animal Feeding Operation (CAFO), **Country View Family Farms (Huston Hollow Farm CAFO)**, 1301 Fulling Mill Road, Middletown, PA 17057.

Country View Family Farms has submitted an application for an Individual NPDES permit for a renewal of a CAFO known as Huston Hollow Farm CAFO, located in Taylor Township, **Fulton County**.

The CAFO is situated near Wooden Bridge Creek in Watershed 12-C, which is classified for High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 2,984.25 animal equivalent units (AEUs) consisting of 5,390 gestating sows, 25 boars, 2,360 grow—finish pigs, and 960 sows with litters. Manure is stored

in underbarn manure storages beneath each of the barns. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. 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 Department's files on this case by calling the File Review Coordinator at 717-705-4732.

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

PA0008303 A-1, Industrial, SIC Code 3312, **Arcelormittal Steelton LLC**, 215 S Front Street, Steelton, PA 17113-2594. Facility Name: Arcelormittal Steelton. This existing facility is located in Steelton Borough, **Dauphin County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated Industrial Waste. The existing reporting requirement for the instantaneous maximum effluent temperature at Outfall 002 and the existing minimum measurement frequency for effluent pH at Outfall 002, IMP 102, IMP 122 and IMP 122 will be modified as part of this amendment.

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 7-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect.

PAI133544, MS4, **Penbrook Borough Dauphin County**, 150 S 28th Street, Harrisburg, PA 17103-1910. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Penbrook Borough, **Dauphin County**. The receiving stream(s), Unnamed Tributary to Spring Creek and Unnamed Tributary to Asylum Run, is located in State Water Plan watershed 7-C and is classified for Cold Water Fishes, Migratory Fishes, and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of the Department for one additional 15-day period. You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

PAI133521, MS4, **Antis Township Blair County**, 909 N Second Street, Bellwood, PA 16617. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Antis Township, **Blair County**. The receiving stream(s), Unnamed Tributary to Sandy Run, Riggles Gap Run, Little Juniata River, Unnamed Tributary to Little Juniata River, Bells Gap Run, and Sandy Run, is located in State Water Plan watershed 11-A and is classified for Cold Water Fishes, Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A joint Pollutant Reduction Plan (PRP) and TMDL Plan prepared by the Blair County Intergovernmental Stormwater Committee.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of the Department for one additional 15-day period. You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

PAI133542, MS4, **Altoona City Blair County**, 1301 12th Street, Suite 100, Altoona, PA 16601-3491. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Altoona City, **Blair County**. The receiving stream(s), Unnamed Tributary to Burgoon Run, Unnamed Tributary to Brush Run, Mill Run, Spring Run, Unnamed Tributary to Little Juniata River, Brush Run, Burgoon Run, and Unnamed Tributary to Mill Run, is located in State Water Plan watershed 11-A and is classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A joint Pollutant Reduction Plan (PRP) and Total Maximum Daily Load (TMDL) Plan prepared by the Blair County Intergovernmental Stormwater Committee.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of the Department for one additional 15-day period. You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

PAI133534, MS4, **Logan Township Blair County**, 100 Chief Logan Circle, Altoona, PA 16602-4337. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Logan Township, **Blair County**. The receiving stream(s), Spring Run, Burgoon Run, and Sandy Run, is located in State Water Plan watershed 11-A and is classified for Cold Water Fishes, Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A joint Pollutant Reduction Plan (PRP) and TMDL Plan prepared by the Blair County Intergovernmental Stormwater Committee.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of the Department for one additional 15-day period. You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

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

PA0232955, Stormwater, SIC Code 4011, 4013, **Wellsboro & Corning Railroad Inc.**, 400 Meridian Centre Boulevard, Suite 300, Rochester, NY 14618-3991. Facility Name: Wellsboro Facility. This existing facility is located in Delmar Township, **Tioga County**.

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

The receiving streams, Unnamed Tributaries of Baldwin Run, are located in State Water Plan watershed 9-A and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, Outfall 002 and Outfall 003 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

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

- Best Management Practices
- Routine Inspections
- PPC Plan
- Stormwater Monitoring

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

The EPA Waiver is in effect.

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

PA0265811, Sewage, SIC Code 4952, 8800, **Bonnie Hayes**, 105 Belleshire Drive, Butler, PA 16001. Facility Name: Bonnie Hayes SRSTP. This proposed facility is located in Center Township, **Butler County**.

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

The receiving stream is Swamp Run, located in State Water Plan watershed 20-C and classified for High Quality Waters—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

PA0265799, Sewage, SIC Code 4952, 8800, **Randall W Spence**, 1136 Bugtown Road, Titusville, PA 16354. Facility Name: Randall W Spence SRSTP. This proposed facility is located in Southwest Township, **Warren County**.

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

The receiving stream is an unnamed tributary of Pine Creek, located in State Water Plan watershed 16-E and classified for High Quality Waters—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

PA0265811, Sewage, SIC Code 4952, 8800, **Bonnie Hayes**, 105 Belleshire Drive, Butler, PA 16001. Facility Name: Bonnie Hayes SRSTP. This proposed facility is located in Center Township, **Butler County**.

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

The receiving stream is Swamp Run, located in State Water Plan watershed 20-C and classified for High Quality Waters—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	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.

PA0265578, Sewage, SIC Code 4952, 8800, **Patricia A Kelly**, 470 Smutz Road, Warren, PA 16365. Facility Name: Patricia Kelly SRSTP. This proposed facility is located in Conewango Township, **Warren County**.

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

The receiving stream is an unnamed tributary of Irvine Run, located in State Water Plan watershed 16-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	10,000

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

The EPA Waiver is in effect.

PA0265730, Sewage, SIC Code 4952, 8800, **Beth Wyszomierski**, 3819 Chewton Wurtemberg Road, Ellwood City, PA 16117. Facility Name: Beth Wyszomierski SRSTP. This proposed facility is located in Wayne Township, **Lawrence County**.

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

The receiving stream is Duck Run, located in State Water Plan watershed 20-C and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

PA0265632, Sewage, SIC Code 4952, 8800, **Theresa Ortiz Palsa**, 243 Wagner Road, Evans City, PA 16033. Facility Name: Theresa Ortiz Palsa SRSTP. This proposed facility is located in Forward Township, **Butler County**.

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

The receiving stream is an unnamed tributary to Breakneck Creek, located in State Water Plan watershed 20-C and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

PA0265713, Sewage, SIC Code 4952, 8800, **Brooke Divins**, 620 Lenwood Road, Summerville, PA 15864. Facility Name: Brooke Divins SRSTP. This proposed facility is located in Limestone Township, **Clarion County**.

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

The receiving stream is Little Piney Creek, located in State Water Plan watershed 17-B and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg					
pH (S.U.)			6.0 Daily Min		9.0 Daily Max	
Biochemical Oxygen Demand (BOD ₅)				10.0		20.0
Total Suspended Solids				10.0		20.0
Fecal Coliform (No./100 ml)				200		1,000

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

The EPA Waiver is in effect.

PA0265748, Sewage, SIC Code 8800, **Keith Hodinko**, 7335 Old Perry Highway, Suite 2, Erie, PA 16509-5169. Facility Name: Keith Hodinko SRSTP. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single-family residence.

The receiving stream, an Unnamed Tributary of Lamson Run, is located in State Water Plan watershed 15 and is classified for cold water fishes and migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

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

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

- Requirement to submit an Annual Maintenance Report
- No stormwater admitted to the treatment system
- Aerobic tank pumping requirement
- Solids handling
- Abandonment of the treatment system (for public sewage)

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

The EPA Waiver is in effect.

PA0265608, Sewage, SIC Code 4952, 8800, **Dale Hall**, 1242 Nebraska Road, Tionesta, PA 16353. Facility Name: Dale Hall SRSTP. This proposed facility is located in Green Township, **Forest County**.

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

The receiving stream is an unnamed tributary to Piney Run, located in State Water Plan watershed 16-F and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg					
pH (S.U.)			6.0 Daily Min		9.0 Daily Max	
Biochemical Oxygen Demand (BOD ₅)				10.0		20.0
Total Suspended Solids				10.0		20.0
Fecal Coliform (No./100 ml)				200		

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

The EPA Waiver is in effect.

PA0265667, Sewage, SIC Code 4952, 8800, **Marion Butler**, 588 Mercer Road, Greenville, PA 16125. Facility Name: Marion Butler SRSTP. This proposed facility is located in Hempfield Township, **Mercer County**.

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

The receiving stream is an unnamed tributary of the Shenango River, located in State Water Plan watershed 20-A and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

PA0265641, Sewage, SIC Code 8800, **Robert Koch**, 9271 Station Road, Erie, PA 19510. Facility Name: Robert Koch SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single-family residence.

The receiving stream, Unnamed Tributary to Sixmile Creek, is located in State Water Plan watershed 15 and is classified for cold water fishes and migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
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	XXX

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

- Requirement to submit an Annual Maintenance Report
- No stormwater admitted to the treatment system
- Aerobic tank pumping requirement

- Solids handling
- Abandonment of the treatment system (for public sewage)

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

The EPA Waiver is in effect.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

QM Permit No 1518402, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in Newlin Township, **Chester County**.

Description of Action/Activity: Installation of an additional final clarifier and ancillary equipment.

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

QM Permit No. 0218402, Sewage, **Sean W Hile**, 419 Patsy Drive, Gibsonia, PA 15044-8939.

This proposed facility is located in Pine Township, **Allegheny County**.

Description of Proposed Action/Activity: The applicant is proposing to construct a SRSTP to replace a failed on-lot system that serves an existing 3-bedroom.

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>
PAD460012	Woodspring Suites Philadelphia Plymouth Meeting, LLC 8621 East 21st Street N Wichita, KS 67206	Montgomery	Plymouth Township	Unnamed Tributary to Plymouth Creek WWF
PAD460017	Toll PA III, LP 250 Gibraltar Road Horsham, PA 19044	Montgomery	Lower Moreland Township	Pennypack Creek TSF-MF
PAD090023	United States Steel Corporation—USS Real Estate One Ben Fairless Drive Fairless Hills, PA 19030	Bucks	Falls Township	Unnamed Tributary to Delaware River WWF-MF
PAD230026	IMC Construction 3 Great Valley Parkway Suite 200 Malvern, PA 19855	Delaware	Radnor Township	Ithan Creek CWF-MF
PAD510024	Sugarmill Development Associates, LP 1719 Rittenhouse Square Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware River WWF-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>
PAD140029	Keystone Payroll 355 Colonnade Blvd. C State College, PA 16801	Centre	Benner Twp	UNT-Buffer Run HQ-CWF

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD110003	West Hills Community Church 2301 Sunshine Avenue Johnstown, PA 15909	Cambria County	Upper Yoder Township	Mill Creek (EV); UNT to Mill Creek (HQ-CWF)

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

PAG-12 CAFOs

MS4 PAG-13 Notices of Intent Received.

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

<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>
PAG134807	Duboistown Borough Lycoming County 2651 Euclid Avenue Duboisstown, PA 17702-6754	Duboistown Borough Lycoming County	N	Y
PAG134831	Mahoning Township Montour County 849 Bloom Road Danville, PA 17821-1351	Mahoning Township Montour County	N	Y
PAG134808	South Williamsport Borough Lycoming County 329 W Southern Avenue South Williamsport, PA 17702-7244	South Williamsport Borough Lycoming County	N	Y
PAG134820	Bloomsburg Berwick Columbia County Joint Client PO Box 380 Bloomsburg, PA 17815-0380	Town of Bloomsburg, Berwick Borough, Berwick Area Joint Sewer Authority, Hemlock Township and Scott Township Columbia County	N	Y
PAG134830	Danville Borough Montour County 239 Mill Street Danville, PA 17821-1983	Danville Borough Montour County	N	Y
PAG134833	Valley Township Montour County 29 Indian Run Road Danville, PA 17821-9566	Valley Township Montour County	Y	N

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>
PAG136215	Fawn Township 3054 Howes Run Road Tarentum, PA 15084-3633	Fawn Township Allegheny County	Y	N
PAG136356	Beaver County 810 Third Street Beaver, PA 15009	Beaver County	Y	N
PAG136362	Franklin Borough 1125 Main Street Johnstown, PA 15909	Franklin Borough Cambria County	Y	N

Northwest Regional Office: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481. Phone: 814.332.6942.

<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>
PAG138323	Mars Borough Butler County PO Box 395 Mars, PA 16046	Mars Borough Butler County	N	Y

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.

CAFO NMP

PUBLIC NOTICE SPREADSHEET—APPLICATIONS (Submission)

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Windy Pine Farm 410 Barnsley Road Oxford, PA East Nottingham Township	Chester	60.7	354.05	Swine	None	New
MACH Farm (Pine Road Farm CAFO) Swatara Creek Swine Company—Dave Heckel 651 Pine Road Palmyra, PA 17078	Lebanon	8.0	684.75	Swine	NA	Renewal
James Kurtz 1070 Grand Valley Road Mifflinburg, PA 17844	Union	13.8 Acres	785.01	Swine/Beef	NA	Renewal
Kucharski Farms 9351 SR 14 Liberty, PA 16930	Tioga	379.3	799.43	Swine/Dairy	HQ	R
Linford Snyder Collette Pullet (Covered Bridge Rd) 334 Covered Bridge Rd Pine Grove, PA 17963	Schuylkill	21.1	372.60	Poultry (Pullets)	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Permit No. 2318502, Public Water Supply.

Applicant **Delaware County Memorial Hospital**
501 North Lansdowne Avenue
Drexel Hill, PA 19026-1114

Township Upper Darby

County **Delaware**

Responsible Official Brian M. Crimmins
Vice President, Facilities
Planning & Development
100 West Sproul Road
Springfield, PA 19064

Type of Facility PWS

Consulting Engineer Wendy Gray, P.E.
IES Engineers
1720 Walton Road
Blue Bell, PA 19422

Application Received Date March 8, 2018

Description of Action Application for secondary disinfection treatment of the potable water system at Delaware County Memorial Hospital.

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

Permit No. 7360045, Public Water Supply.

Applicant **Ephrata Area Joint Authority**

Municipality Ephrata Borough

County **Lancaster**

Responsible Official Joe Pezzino, Chief Operator,
Water Division
124 South State Street
Ephrata, PA 17522

Type of Facility Public Water Supply

Consulting Engineer Jamie R. Shambaugh, P.E.
Gannett Fleming, Inc.
PO Box 67100
Harrisburg, PA 17106-7100

Application Received: 3/8/2018

Description of Action Permanent rerate of the existing filter plant to 3.0 gpm/sq.ft from 2.0 gpm/sq.ft.

Permit No. 2218504 MA, Minor Amendment, Public Water Supply.

Applicant **Lower Dauphin School District**

Municipality Conewago Township

County **Dauphin**

Responsible Official David M. Marshall, Supervisor of
Maintenance & Operations
291 E Main Street
Hummelstown, PA 17036

Type of Facility Public Water Supply

Consulting Engineer Jamie R. Shambaugh, P.E.
Gannett Fleming, Inc.
PO Box 67100
Harrisburg, PA 17106-7100

Application Received: 3/8/2018

Description of Action The replacement of the GWR 4-Log chlorine contact tanks, cleaning of the finished water storage tank and the replacement of the existing corrosion control blended phosphate with an orthophosphate.

Permit No. 6718502, Public Water Supply.

Applicant **Clarity Bottling LLC**

Municipality Hanover Borough

County **York**

Responsible Official Travis L. Jones, Owner
251 Factory Street
Hanover, PA 17331-2600

Type of Facility Public Water Supply
 Consulting Engineer David M. Davidson, P.E.
 C S Davidson Inc
 38 North Duke Street
 York City, PA 17401-1201
 Application Received: 3/29/2018
 Description of Action Installation of a new water
 bottling plant using finished
 water from the Borough of
 Hanover's public water system.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 6515505GWR-A2, Minor Amendment.

Applicant **Pine Garden Reality Associates, LP**
 PO Box 490
 Greensburg, PA 15601
 [Township or Borough] Loyalhanna Township
 Responsible Official Ronald J. Sossong, Jr., Chief
 Operator
 Pine Garden Reality Associates,
 LP
 PO Box 490
 Greensburg, PA 15601
 Type of Facility Water system
 Consulting Engineer Eberhardt Lloyd, LLC
 1193 Clifton Road
 Bethel Park, PA 15301
 Application Received Date March 27, 2018
 Description of Action Demonstration of 4-log
 treatment for viruses for
 groundwater sources at Pine
 Gardens Apartments.

Permit No. 5618503MA, Minor Amendment.

Applicant **Somerset County General Authority**
 300 North Center Avenue
 Somerset, PA 15501
 [Township or Borough] Jenner Township
 Responsible Official Lladel Lichty, Chairperson
 Somerset County General
 Authority
 300 North Center Avenue
 Somerset, PA 15501
 Type of Facility Water system
 Consulting Engineer Somerset Planning &
 Engineering Services, LLC
 222 West Main Street
 Suite 100
 Somerset, PA 15501

Application Received Date March 27, 2018
 Description of Action Installation of approximately 60
 feet of transmission main and
 appurtenances; and a meter
 vault (Village of Gray meter
 vault Project).

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

Application No. 3391503-MA, Minor Amendment.

Applicant **Reynoldsville Water Authority**
 Township or Borough Reynoldsville Borough
 County **Jefferson**
 Responsible Official Robert Crosby
 Type of Facility Public Water Supply
 Consulting Engineer Robert Horvat, P.E.
 Entech Engineering
 400 Rouser Road Bldg 2
 Ste 200
 Coraopolis, PA 15108
 Application Received Date March 30, 2018
 Description of Action Filter Media Replacement and
 air scour retrofit in two existing
 process basins

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 ap-

proved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Community Self Storage, 486 Route 6 and Route 209, Milford Township, **Pike County**. Kleinfelder, 300 Westage Business Center, Suite 407, Fishkill, NY 12524, on behalf of Orange & Rockland Utilities, 390 West Route 59, Spring Valley, NY 10977, submitted a Notice of Intent to Remediate. Soil was contaminated as the result of a release of non-PCB transformer oil. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in the *Pocono Record* on July 28, 2017.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Application(s) received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.

Southwest Regional Office: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Permit I.D. No. PAD004810222. Kelly Run Sanitation, Inc. Kelly Run Sanitation, Inc., 1500 Hayden Boulevard, Elizabeth, PA 15037. A Class 1 post-closure permit modification application for the installation of a replacement leachate conveyance line at the closed Kelly Run Sanitation, Inc. Western Disposal Area located in Forward Township, **Allegheny County**, was deemed administratively complete by the Regional Office on April 2, 2018.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability received 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/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 Application No. WMGR028SC004D. York Materials Group, LLC has submitted an application for a Determination of Applicability under General Permit No. WMGR028. The application is for York Materials Group's Thomasville Blacktop Plant, 5460 Lincoln Highway West, Thomasville, PA 17364 in Jackson Township, **York County**. This general permit authorizes 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. The application was determined to be complete on March 28, 2018.

Persons interested in obtaining more information about the general permit application 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.

General Permit Application No. WMGR028SC010A. P & W Excavating, Inc. has submitted an application for a Determination of Applicability under General Permit No. WMGR028. The application is for P & W Excavating's Blacktop Plant, 882 Pigeon Cove Road, Warfordsburg, PA 17267 in Bethel Township, **Fulton County**. This general permit authorizes 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. The application was determined to be complete on March 30, 2018.

Persons interested in obtaining more information about the general permit application 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.

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.

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

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

41-00089A: James C. Maneval Funeral Home, Ltd. (1002 Allegheny Street, Jersey Shore, PA 17740) for the construction and operation of a new Matthew International model IE-43-PPI 150 pounds per hour human cremation unit at facility located in Jersey Shore Borough, **Lycoming County**. The Department of Environmental Protection's (Department) review of the information submitted by James C. Maneval Funeral Home, Ltd indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The potential annual emission from the cremation unit at the facility will not exceed the following limits: VOCs/HAPs—0.05 ton; PM₁₀—0.76 ton; CO—0.48 ton; NO_x—0.58 ton; and SO₂—0.35 ton. The plan approval includes emission restrictions for PM and opacity. The PM standard established at 0.08 gr/dscf, corrected to 7% pursuant to BAT will assure compliance with the applicable State-wide standard as specified in 25 Pa. Code § 123.12. The opacity standards are established to be equal to or greater 10% for period or periods aggregating more than 3 minutes in any one hour or no more than 30% at any time. The cremator shall only be fired on natural gas and/or liquid petroleum (LP) gas. The facility is required to continuously monitor opacity as well as continuously monitor and record the primary and secondary combustion chambers temperatures to assure the source is operated and maintained in accordance with good air pollution control practices. Based on the findings presented above, the Department proposes to issue a plan approval for the proposed construction. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions including the specifications in the application, the plan approval will be incorporated into a State-Only operating permit which will be required to be filed no later than 120 days upon request by the Department. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's North Central Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.

24-187A: AgriPower Manufacturing and Services, Inc (230 State Street, St. Marys, PA 15857), The Department of Environmental Protection intends to issue a plan approval to AgriPower Manufacturing and Services, Inc. (AgriPower) for the installation of a 9.35 MMBtu/hr biomass boiler at their facility located in City of Saint Marys, **Elk County**. This will be the first air emissions source at this existing facility. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

The proposed biomass boiler will generate PM, NO_x, CO, and VOC emissions. Filterable PM emissions will be reduced by cyclonic capture. The facility will be a natural minor facility. PM emission will be less than 10 tpy, NO_x emission will be less than 12 tpy, CO emission will be less than 25 tpy, and VOC emission will be less than 1 tpy.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional Department office (Air Quality). Appointments for scheduling a review must be made by calling the Department (814) 332-6940.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (24-187A: AgriPower) 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 the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332- 6819.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

43-273A: Metal Litho and Laminating, LLC (242 Reynolds Industrial Park Rd., Greenville, PA 16125) for the installation of a surface coating operation and associated regenerative thermal oxidizer at their facility in Pymatuning Township, **Mercer County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (Department) intends to issue Plan Approval 43-273A to Metal Litho and Laminating, LLC for the installation of a surface coating operation and associated regenerative thermal oxidizer at their facility in Pymatuning Township, Mercer County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 43-273A is for the installation of a roll surface coating operation and associated regenerative thermal oxidizer (RTO), which will be used to control emissions of VOC from the proposed source and two (2) existing lithographic surface coating lines. Based on the information provided by the applicant and Department's own analysis, total emissions from the subject source(s) will not exceed 23.7 tons of volatile organic compounds (VOC) and 2.5 tons of total hazardous air pollutants (HAP) per year.

The Plan Approval will contain additional testing, monitoring, recordkeeping, and work practice require-

ments designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, Department's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide the Department with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 43-273A and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

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.

54-00081: CAP-EWG Glass, LLC. (P.O. Box 201, Connelville, PA 15425). The Department intends to issue a renewal State-Only Natural Minor Permit for a glass recycling facility located in West Brunswick Township, **Schuylkill County**. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05108: International Paper Co. (801 Fountain Ave., Lancaster, PA 17601-4352) to issue a State-Only Operating Permit for the operation of their fiber container manufacturing plant in Manheim Township, **Lancaster County**. Past actual emissions from the facility are estimated to be 0.62 tpy CO, 0.74 tpy NO_x, 0.19 tpy PM₁₀, 1.71 tpy VOC, and 0.02 tpy of multiple HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility com-

plies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.77 and 129.52b, 40 CFR 63, Subpart KK—National Emission Standards for the Printing and Publishing Industry & 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

07-03058: NPC Inc. (P13710 Dunnings Hwy., Claysburg, PA 16625-7802), to issue a State-Only operating permit renewal for the Claysburg printing facility in Greenfield Township, **Blair County**. The primary emissions from the facility are VOC. The facility's potential emissions are 20 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code Chapters 123 and 127 for restrictions, monitoring, recordkeeping, and reporting. The emergency generator is subject to Federal NSPS Subpart JJJJ.

38-03025: TE Connectivity (3155 State Route 72, Jonestown, PA 17038) to issue a State-Only Operating Permit for the electronic connector manufacturing plant located in Union Township, **Lebanon County**. The TE Connectivity plant has a potential to emit 9.2 tons per year of nitrogen oxides, 7.7 tons per year of carbon monoxide, 1.8 ton per year of particulate matter, 9.5 tons per year of volatile organic compounds and less than a ton per year each of sulfur oxides and hazardous air pollutants. 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 ZZZZ and 40 CFR 63 Subpart WWWW.

36-05090: The Hershey Company, Y&S Candies (400 Running Pump Road, Lancaster, PA 17603) to issue a State-Only Operating Permit for the operation of their candy manufacturing facility in East Hempfield Township, **Lancaster County**. Actual emissions from the facility in 2016 were estimated at 6.56 tons of CO, 8.01 tons NO_x, 24.14 tons PM₁₀, 0.21 ton SO_x, 15.32 tons VOC, and 0.01 ton of combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial—Commercial-Institutional Steam Generating Units & 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

06-03067: Beacon Container Corp. (700 W. 1st Street, Birdsboro, PA 19508) to issue a State Only Operating Permit for the corrugated paper products manufacturing facility located in Birdsboro Borough, **Berks County**. The potential emissions from the facility are estimated at 2.9 tpy of NO_x, 4.8 tpy of CO, 0.4 tpy of PM and 0.3 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart

Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

19-00020: Kawneer Company, Inc. (500 East 12th Street, Bloomsburg, PA 17815) for renewal of the State Only (Synthetic Minor) Operating Permit for their Bloomsburg facility in the Town of Bloomsburg, **Columbia County**. The facility is currently operating under SMOP 19-00020. The facility's main sources include fifty-six natural-gas-fired space heaters all rated less than 0.40 MMBtu/hr, six natural-gas-fired space heaters all rated between 3.0 MMBtu/hr and 7.0 MMBtu/hr, one 4.59 MMBtu/hr natural-gas-fired paint drying oven, six 7,500-gallon storage tanks equipped with natural-gas-fired burners, one 4.67 MMBtu/hr natural-gas-fired pre-heat furnace, one 4.0 MMBtu/hr natural-gas-fired oven, one 18.8 brake-horsepower propane-fired generator, four spray booths, one paint mixing operation, all painting operations are controlled by booth filters and a thermal oxidizer, one water treatment facility, two wastewater treatment facilities, two 174 brake-horsepower diesel-fired generators, one 51 brake-horsepower diesel-fired generator, one solvent recycler, one powder coating system, two 7,500-gallon pre-treat tanks, eighteen anodizing tanks, and one billet saw with chip collector. The facility has potential emissions of 23.34 tons per year of carbon monoxide, 28.26 tons per year of nitrogen oxides, 0.18 ton per year of sulfur oxides, 2.14 tons per year of particulate matter with an aerodynamic diameter of less than 10 microns, 2.14 tons per year of particulate matter with an aerodynamic diameter of less than 2.5 microns, 19.96 tons per year of volatile organic compounds, 17.28 tons per year of total hazardous air pollutants (HAPs), and 32,980 tons per year of carbon dioxide equivalents (greenhouse gases). The company decommissioned the parts washer incorporated into Source ID P110. This source has been removed from the permit. The emission restrictions, testing, monitoring, recordkeeping, reporting and work practice conditions of the SMOP have been derived from the applicable requirements of 40 CFR Parts 60 and 63, and 25 Pa. Code Chapters 121—145 to ensure the facility complies with all applicable air quality regulations. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

41-00028: Koppers, Inc. (PO Box 189, Montgomery, PA 17752-0189) for their Railroad Tie Plant located in Clinton Township, **Lycoming County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 7.37 tons per year of carbon monoxide; 19.55 tons per year of nitrogen oxide; 32.53 tons per year of sulfur oxide; 2.09 tons per year of particulate matter; 13.87 tons per year of volatile organic compounds; 8.13 TPY of total hazardous air pollutants and 25,162 TPY of carbon dioxide equivalent. The Department has determined that

the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boiler Area Sources, 40 CFR Part 63 Subpart JJJJJ Sections 63.11193—63.11237; National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Part 63 Subpart ZZZZ Sections 63.6580—63.6675 and the Federal Standards of Performance for New Stationary Sources for Small Industrial, Commercial and Institutional Steam Generating Units, 40 CFR Part 60 Subpart Dc Sections 60.40c—60.48c. The operating permit renewal will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98. 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.

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104.*

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

OP17-000023: ARIA Health. (4900 Frankford Ave., Philadelphia, PA 19124) for the operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) boilers each at 10.46 million British Thermal Units per hour (MMBtu/hr) that are able to fire natural gas or No. 2 fuel oil, and two (2) diesel-fired emergency generators both at 750 kilowatts (kW).

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

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

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

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

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

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

Coal Applications Received

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

03861601 and NPDES No. PA0215449. McVile Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the McVile Coal Preparation Plant in South Buffalo Township, **Armstrong County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on March 30, 2018. Application received: September 8, 2017.

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

Permit No. 49920101R5. Blaschak Coal Corp., P.O. Box 12, Mahanoy City, PA 17948, renewal of an existing anthracite surface mine operation in Coal Township, **Northumberland County** affecting 954.6 acres, receiving stream: unnamed tributaries to Shamokin Creek, classified for the following uses: cold water and migratory fishes. Application received: March 16, 2018.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

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

04020301 and NPDES Permit No. PA0280577. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Revision to add an NPDES permit in Darlington Township, **Butler County**, affecting 85.2 acres. Receiving streams: Madden Run, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 15, 2018.

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. PA0262587 (Mining Permit No. 11080101), Rosebud Mining Company, 301 Market Street Kittanning, PA 16201, renewal of an NPDES permit for surface coal mining in East Taylor & Croyle Townships, **Cambria County**, affecting 555.2 acres. Receiving streams: unnamed tributaries to Little Conemaugh River, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: March 14, 2018.

The following listed outfalls discharge to unnamed tributaries to Little Conemaugh River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Sediment Pond A)	N
002 (Sediment Pond B)	N
010 (Treatment Facility TP-3)	N

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

<i>Outfalls: 001, 002, & 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	3.7
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.			

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003 (Sediment Pond C)	N
004 (Sediment Pond D)	N

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

<i>Outfalls: 003 & 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	3.7
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 10.5 standard units at all times.			
Alkalinity must exceed acidity at all times.			

Noncoal NPDES Draft Permits

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

NPDES No. PA0595591 (Mining Permit No. 01930301), New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for discharge of water resulting from limestone surface mining activities in Hamiltonban Township, **Adams County**, affecting 80 acres. Receiving streams: Middle Creek and Spring Run, classified for the following use: cold water fishes. Application received: March 8, 2018.

The following listed outfalls discharge to Middle Creek and Spring Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Sediment Pond)	N
002 (Pit Sump)	N
003 (Sediment Pond)	N

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

<i>Outfalls: 001, 002, & 003 (All Weather Conditions)</i> <i>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
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 001 & 003 (≤10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Settleable Solids (m/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 001 & 003 (>10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Settleable Solids (m/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

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

NPDES No. PA0280577 (Permit No. 04020301). Three Rivers Aggregates, LLC (225 North Shore Drive, Pittsburgh, PA 15212) New NPDES permit for a large industrial minerals surface mine in Darlington Township, **Beaver County**, affecting 85.2 acres. Receiving streams: Unnamed tributary to Madden Run, classified for the following uses: HQ-CWF. TMDL: None. Application received: March 16, 2018.

There will be no discharge from this site.

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.

E09-1020. Township of Falls Authority (TOFA), 557 Lincoln Highway, Fairless Hills, PA 19030, Falls Township, **Bucks County**, ACOE Philadelphia District.

Township of Falls Authority is proposing to abandon in place an existing 8-inch sanitary sewer line crossing Queen Anne Creek (WWF, MF) and to construct 155 linear feet, concrete encased 8-inch diameter sanitary sewer line between two (2) manholes located 105 feet downstream from its current location. Portion of the sewer line is located within the floodplain with the remainder of the proposed work within the floodway. Anticipated impacts include 67 linear feet (111.89 square feet) of permanent and 67 linear feet (201 square feet) of temporary floodway impacts. The project is associated with the SR 2037 (Lincoln Highway) Bridge Replacement Project and is located in Falls Township, Bucks County; (USGS PA Trenton West Quadrangle—Latitude 40.188073 N, Longitude 75.846543 W).

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

E05-392: Plenary Walsh Keystone Partners, S.R. 1015 Section 04B in Woodbury, PA, Woodbury Township, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to install and maintain a single span, precast concrete spread box beam bridge that spans 60.0 feet and is 26.0 feet wide over Yellow Creek (HQ-CWF, MF). The project is located on S.R. 1015 (Potter Creek Branch Road) approximately 500 feet west of the intersection of S.R. 0036 (Woodbury Pike Road) and S.R. 1015 in Woodbury, PA, Woodbury Township, Bedford County (Latitude 40.21666°, Longitude -78.37360°). The project will permanently impact 0.01 acre of PEM/ PSS/ PFO wetland, temporarily impact 0.01 acre of PEM/ PSS/ PFO wetland, impact 0.014 acre of stream, and impact 0.078 acre of floodway to Yellow Creek. The purpose of the project is to improve the roadway to current safety standards. The project will

have a detour implemented to maintain traffic control. No wetland mitigation is required.

E22-639: Vanguard Realty Group, Inc., 4090 Continental Drive, Harrisburg, PA 17112 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

Permit to fill 5 palustrine emergent wetlands totaling approximately 0.422 of an acre providing a commercial retail center. No stream or floodway impacts are proposed. The project is located at 4220 Linglestown Road within Lower Paxton Township, Dauphin County (Latitude 40°20'15.5", Longitude -76°49'37.7"). The wetland mitigation occurring on the Kessler Farm Site will measure 0.422 of an acre.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E59-538. Borough of Elkland, 105 Parkhurst Street, Elkland, PA 16920. Camp Brook Creek—Channel Resto-

ration in Borough of Elkland, **Tioga County**, ACOE Baltimore District (Elkland, PA Quadrangles N: 41° 59' 35" W: -77° 19' 6").

As referenced above, Water Obstruction and Encroachment (WOEP) Application E59-538 was submitted by Borough of Elkland. Borough of Elkland has applied for a Standard—Joint Permit to construct, operate and maintain an existing stream channel along Camp Brook in Borough of Elkland, Tioga County. The work involves the removal of approximately 12—18 inches of accumulated sediment within the creek channel for approximately 1,168 lineal feet. A total of 1,168 LF of creek channel will be restored to its original 10-foot wide channel section and condition.

A total of three (3) permanent stream impacts are proposed to Camp Brook (WWF). Project watercourse impacts shall include and be limited to a total of 1,168 linear feet (11,680 square feet) of permanent stream impacts.

There are no wetland or floodway impacts being proposed.

STREAM IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Camp Brook	Borough Elkland	Channel Restoration	WWF	None			2,650	265	41° 59' 31" 77° 19' 26"
Camp Brook	Borough Elkland	Channel Restoration	WWF	None			8,380	838	41° 59' 30" 77° 19' 20"
Camp Brook	Borough Elkland	Channel Restoration	WWF	None			600	60	41° 58' 35" 77° 18' 7"
Total							11,630	1,163	

E18-506: SEDA-COG/First Quality Tissue, City of Lock Haven and Castanea Township, **Clinton County**, U.S. Army Corps of Engineers Baltimore District (Mill Hall Quadrangle; Latitude 41° 07' 32" N; 77° 26' 44" W).

The applicant proposes to realign the existing SEDA-COG railroad line to allow for a new access road that will connect the First Quality plant to Walnut Street. The new entrance will provide a more efficient route to enter the plant and reduce traffic near the current entrance. The proposed road will follow the same alignment as the railroad. The road will permanently impact 1,087 square feet of exceptional value palustrine emergent wetland.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1782, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Bethel Park Borough and South Park Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

Remove the existing single 16' span, 6.9' rise, and 31.2' long stone arch bridge carrying SR 88 over Piney Fork (TSF) with a drainage area of 2.1 square miles; construct and maintain a replacement 86' long single 20' span precast box culvert on the existing alignment and having a minimum underclearance of 6.5' with 1' depressed;

remove the existing single 16' span, 5.6' rise, 31.1' long stone arch bridge carrying SR 88 over an unnamed tributary (UNT) to Piney Fork (TSF) with a drainage area of 2.31 square miles; and construct and maintain a replacement 67' long, 24' span precast box culvert having a minimum underclearance of 5' with 1' depressed on the existing alignment. Place and maintain fill in 245' of UNT to Piney Fork and construct and maintain 221' of relocated replacement channel to align the stream with the replacement box culvert. In addition, permanently impact 125' of Piney Fork and 96' of UNT to Piney Fork for bank stabilization, construction of appurtenant structures, and associated stormwater facilities adjacent to the two culverts. Construct and restore 697' of temporary stream impacts including two temporary pedestrian bridges. Impacts will be mitigated on site. The project is located at the intersection of SR 88 (Library Road) and SR 3004 (Clifton Road) in Bethel Park Borough and South Park Township, Allegheny County (Bridgeville, PA Quadrangle; Latitude: 40° 17' 34.8"; Longitude: -80° 1' 50.9").

E26-376, Heartland Fabrication, LLC, 1800 Paul Thomas Blvd., Brownsville, PA 15417, Luzerne Township and Brownsville Borough, **Fayette County**, Pittsburgh ACOE District.

The applicant proposes to:

1. Operate and maintain an existing mooring area, 400 ft long and 160 ft wide, and conduct maintenance dredg-

ing within an 400 ft long by 40 lf wide area within this mooring area along the shore of the Monongahela River (WWF),

2. Operate and maintain existing deploying rails along 151 ft and to perform maintenance dredging associated with these rails within a 151 ft long by 40 ft wide area, along the shore of the same the river,

3. Operate and maintain existing deploying rails along 275 ft and to perform maintenance dredging associated with these rails, within a 200 ft long by 40 ft wide area along the shore of the same river,

4. Operate and maintain an existing mooring area, 440 ft long and 178 ft wide, and conduct maintenance dredging within a 490 ft long and 40 lf wide area within and downstream of this mooring area, along the same river,

5. Operate and maintain an existing stormwater discharge within the floodway of the same river,

6. Construct, operate, and maintain a new mooring area, 250 ft long and 97 ft wide, and to dredge and to perform maintenance dredging within a 250 ft long by 40 ft wide area within this new mooring area, along the shore of the same river.

For the purpose of operating, maintaining and expanding an existing barge maintenance and manufacturing facility along the right descending bank of the Monongahela River at Mile Point 57.7 (California, PA USGS 7.5 minute Topographic Quadrangle N: 3.3 inches; W: 6.2 inches; Lat: 40° 1' 7.58"; Long: -79° 54' 52.34"; Sub-basin 9C) in the Borough of Brownsville and the Township of Luzerne, Fayette County. The project will cumulatively permanently impact 1,596 lf of river. Permanent river impacts will be mitigated for by constructing rock rubble reef fish habitat within a 479 ft long and 56 ft wide area along the shore of the Monongahela River.

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

E25-785, Mid Atlantic Interstate Transmission LLC, 341 White Pond Dr., A-WAC-B2, Akron, OH 44320. East Erie Substation Expansion Project, in North East Township, **Erie County**, ACOE Pittsburgh District (North East, PA Quadrangle N: 41°, 9', 57.82"; W: 79°, 50', 11.19").

Mid Atlantic Interstate Transmission LLC proposes a major modification to the East Erie Substation Project (E25-785). The substation will be expanded to the east. The project will permanently impact an additional 0.189 acre of Palustrine Emergent Wetland (PEM) and temporarily impact an additional 0.07 acre of Palustrine Emergent Wetland (PEM). The applicant will expand its originally proposed mitigation area from 0.30 acre to approximately 0.44 acre.

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

E5829-130 (correction): Forest Lake and Middletown Townships, Williams Field Services Company, LLC; 310 State Route 92 North, Tunkhannock, PA 18657; Forest Lake and Middletown Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 340 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 36", Longitude: -76° 02' 01"),

2) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 988 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -76° 02' 11"),

3) a 10-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 16 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 37", Longitude: -76° 02' 11"),

4) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,960 square feet (0.09 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 31", Longitude: -76° 02' 36"),

5) a 10-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 19 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 29", Longitude: -76° 02' 40"),

6) a 10-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 03 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 28", Longitude: -76° 02' 41"),

7) a permanent access road impacting 5,580 square feet (0.13 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 32", Longitude: -76° 02' 40"),

8) a temporary work space and temporary timber mats impacting 1,006 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 27", Longitude: -76° 02' 43"),

9) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,266 square feet (0.1 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 38", Longitude: -76° 03' 04"),

10) a 10-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 03 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 38", Longitude: -76° 03' 06"),

11) temporary timber mat crossing impacting 1,350 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 38", Longitude: -76° 03' 14"),

12) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,860 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 36", Longitude: -76° 03' 15"),

13) a culvert wing wall structure impacting 880 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 33", Longitude: -76° 02' 48").

The natural gas gathering pipeline project consists of constructing approximately 7,921 lineal feet (1.5 mile) of 10-inch steel natural gas gathering pipelines located Forest Lake and Middletown Townships, Susquehanna County. The project will result in 226 lineal feet of temporary stream impacts, 24,126 square feet (0.55 acre) of temporary emergent wetland impacts, and 3,720

square feet (0.09 acre) of permanent emergent wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

E4129-121: ARD Operating, LLC, 33 West Third Street, Suite 300, Williamsport, PA 17701, Cascade Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) fill for the permanent access road impacting 332 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°27'19" N 76°53'14" W);

2) two 6-inch gas pipelines and a temporary mat bridge impacting 43 linear feet of Salt Run (EV) and 1,672 square feet of adjacent palustrine forested (PFO) wetland (Picture Rocks, PA Quadrangle 41°27'22" N 76°53'13" W).

The project will result in a total of 43 linear feet of stream impacts and 0.05 acre of wetland impacts all for the purpose of installing natural gas gathering line and access roadway to a natural gas well site for Marcellus well development.

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department regional office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department regional office during the 30-day public comment period.

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

E26-07-005: Burnett Oil Company, Inc., 801 Cherry Street, Unity 9, Fort Worth, TX 76102, Springhill Township, **Fayette County**, ACOE Pittsburgh District.

Burnett Oil Company, Inc. is proposing to install 0.99 mile of permanent gravel access road and the 119,500 square foot Coastal-Central Well Pad (N 39° 44' 21.48", W 79° 47' 10.68") in Springhill Township, Fayette County, Pennsylvania. The well pad is located approximately 0.59 mile Southwest of State Route 3004 (Wymps Gap Road) and approximately 0.59 mile East of State Route 857 (Springhill Furnace Road). The proposed access road will be 16 feet wide with additional spaces required for road construction and stormwater management.

The entire project area is approximately 23.3 acres and consists primarily of meadow and woodlands. The project will result in no wetland crossings and five (5) water-course crossings, including a Wild Trout Reproduction stream, resulting in a total of 348 linear feet of permanent stream impacts. Per PA Fish and Boat Commission recommendations, no instream construction shall occur from October 1 to December 31 to protect wild trout spawning and egg disposition behavior. Four individuals of the tree species *Oxydendrum arboreum* (Sourwood) was found in the project area and, per a letter from the Department of Conservation and Natural Resources (DCNR), will be relocated to an area outside of the limit of disturbance. All disturbed areas except for the described access road and well pad will be stabilized and seeded upon construction completion. The project is a Joint Permit Application due to the crossing of a stream where the drainage area is greater than 1 square mile (based on USGS StreamStats).

Each of the following crossings will be crossed by the permanent access road previously mentioned:

<i>Stream Crossings</i>	<i>Latitude/Longitude</i>			<i>Area of Impact</i>	
UNT 1 to Rubles Run (CWF)	Lat:	N	39.7429	Temporary:	410 ft ²
	Long:	W	79.7863	Permanent:	310 ft ²
UNT 2 to Rubles Run (CWF)	Lat:	N	39.7422	Temporary:	136 ft ²
	Long:	W	79.7875	Permanent:	168 ft ²
UNT 3 to Rubles Run (CWF)	Lat:	N	39.7417	Temporary:	438 ft ²
	Long:	W	79.7857	Permanent:	1,149 ft ²

<i>Stream Crossings</i>	<i>Latitude/Longitude</i>			<i>Area of Impact</i>	
Rubles Run (CWF—Wild Trout Reproduction stream)	Lat:	N	39.7416	Temporary:	714 ft ²
	Long:	W	79.7855	Permanent:	1,875 ft ²
UNT 4 to Rubles Run (CWF)	Lat:	N	39.7408	Temporary:	290 ft ²
	Long:	W	79.7847	Permanent:	1,640 ft ²

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, P.O. 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>
PA0065111 (Storm Water)	Jaindl Farms 3150 Coffeetown Road Orefield, PA 18069	Lehigh County North Whitehall Township	Unnamed Tributary to Jordan Creek (HQ-CWF) 2-C	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>
PA0084603 SEW	Fairmount Homes 333 Wheat Ridge Drive Ephrata, PA 17522-8558	West Earl Township, Lancaster County	To Conestoga River in Watershed(s) 7-J	Y
PA0261556 SEW	Whispering Hope East dba Conestoga Retreat 881 Crooked Lane Ephrata, PA 17522-8642	West Earl Township, Lancaster County	To Conestoga River in Watershed(s) 7-J	Y
PA0081141 SEW	Locustwood Mobile Home Park P.O. Box 251 Morgantown, PA 19543-0251	East Cocalico Township, Lancaster County	UNT to Little Cocalico Creek in Watershed(s) 7-J	Y
PA0033553 SEW	Gehmans Mennonite School 650 Gehman School Road Denver, PA 17517-8921	Brecknock Township, Lancaster County	Little Muddy Creek in Watershed(s) 7-J	Y

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

<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>
PA0209317 (Sewage)	Eagle Ridge Personal Care Home 2997 Renovo Road Mill Hall, PA 17751-8537	Clinton County Colebrook Township	Tangascootack Creek (9-b)	Yes
PA0114111 (Sewage)	US ACOE Lawrence Recreation Area Cowanesque Lake WWTP 710 Ives Run Lane Tioga, PA 16946-8643	Tioga County Lawrence Township	Cowanesque River (4-A)	Yes
PA0209350 (Sewage)	Delmar Township Smithville 610 N Lawton Road Wellsboro, PA 16901-7941	Tioga County Delmar Township	East Branch Stony Fork (9-A)	Yes
PA0114715 (Sewage)	Hemlock Municipal Sewer Cooperative P.O. Box 243 Bloomsburg, PA 17815-0243	Columbia County Hemlock Township	Fishing Creek (5-C)	Yes

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

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

NPDES Permit No. PA0055212, Sewage, **Concord Township**, 43 Thornton Road, Glen Mills, PA 19342-1325.

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

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

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

NPDES Permit No. PA0234117, Sewage, SIC Code 4952, **West Branch Regional Authority**, P.O. Box 428, Muncy, PA 17756-0428.

This existing facility is located in Clinton Township, **Lycoming County**.

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

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

NPDES Permit No. PA0096211, Sewage, SIC Code 4952, **Westmoreland County Municipal Authority**, 124 Park and Pool Road, New Stanton, PA 15672.

This existing facility is located in Hempfield Township, **Westmoreland County**.

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

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

NPDES Permit No. PA0265250, Sewage, SIC Code 8800, **Cindy Schmoker**, 640 State Lot Road, Spartansburg, PA 16434-5628.

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

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

NPDES Permit No. PA0265179, Sewage, SIC Code 8800, **Michael S Williams**, 810 Old State Road, Russell, PA 16345.

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

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

NPDES Permit No. PA0265497, Sewage, SIC Code 8800, **Pam Hollamby**, P.O. Box 58, Eldred, PA 16731.

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

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

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. WQG02091712, Sewage, **Chalfont New Britain Township Joint Sewer Authority**, 1645 Upper State Road, Doylestown, PA 18901-2624.

This proposed facility is located in New Britain Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a pressure sewer extension.

WQM Permit No. WQG010069, Sewage, **Jodelle Bryan & John Alcott**, 1220 Friendship Lane, Upper Black Eddy, PA 18972.

This proposed facility is located in Bridgeton Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a small flow single residence sewage treatment plant.

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

WQM Permit No. 3517407, Sewage, SIC Code 4952, **PA American Water Co.**, 800 West Hershey Park Drive, Hershey, PA 17033.

This proposed facility is located in Scranton City, **Lackawanna County**.

Description of Proposed Action/Activity: New CSO # 024 Hickory Street Storage Unit and replacement-in-kind sewer piping.

WQM Permit No. 1318401, Sewage, SIC Code 4952, **Kbm Region Authority**, 74 S Kennedy Drive, Mcadoo, PA 18237-1806.

This proposed facility is located in Banks Township, **Carbon County**.

Description of Proposed Action/Activity: Improvements to an existing wastewater treatment facility by the addition of a Volute Dewatering Press Installation. There is no proposed increase in hydraulic or organic capacity associated with this project.

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

WQM Permit No. 2910201 T-1 CAFO, **CFC Huston Hollow Properties LLC**, 1301 Fulling Mill Road, Middletown, PA 17057.

This proposed facility is located in Taylor Township, **Fulton County**.

Description of Proposed Action/Activity:

This transfer approves the transfer of manure storage facilities consisting of the 82' x 21.5' x 2' and 82' x 44.5' x 2' additions that were added to the underbarn manure storage in the center farrowing barn in 2010.

WQM Permit No. 2917201 CAFO, **CFC Huston Hollow Properties LLC**, 1301 Fulling Mill Road, Middletown, PA 17057.

This proposed facility is located in Taylor Township, **Fulton County**.

Description of Proposed Action/Activity:

This permit approves the construction, modification, and operation of manure storage facilities consisting of the decommissioning of an existing gestation barn, construction on a new larger gestation barn, expansion of the existing farrowing barn and operation of the existing gilt grower barn.

WQM Permit No. 6717406, Sewerage, **Penn Township**, 20 Wayne Avenue, Hanover, PA 17331.

This proposed facility is located in Penn Township, **York County**.

Description of Proposed Action/Activity:

This permit approves the modification of sewage facilities consisting of the replacement of the existing 106 gpm pumps with two new submersible pumps rated for 204 gpm at 48.6 ft. TDH (each).

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

WQM Permit No. 6318401, Sewage, SIC Code 4952, **North Strabane Township Municipal Authority**, 1929B Route 519 South, Canonsburg, PA 15317.

This proposed facility is located in North Strabane Township, **Washington County**.

Description of Proposed Action/Activity: construction of sanitary sewers in the Mansfield Road area.

WQM Permit No. 6594401-A1, Sewage, SIC Code 4952, **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672.

This proposed facility is located in South Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Replacement of chlorine disinfection with UV disinfection at the I-70 Industrial Park STP.

WQM Permit No. 0490403 A-3, Sewage, SIC Code 4952, **Center Township Sanitary Authority**, 224 Center Grange Road, Aliquippa, PA 15001-1421.

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

Description of Proposed Action/Activity: Installation of mechanical bar screen at the Elkhorn Run STP.

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

WQM Permit No. 6217411, Sewage, **Cindy Schmoker**, 640 State Lot Road, Spartansburg, PA 16434-5628.

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

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

WQM Permit No. 6217408, Sewage, **Michael S Williams**, 810 Old State Road, Russell, PA 16345.

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

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

WQM Permit No. 4217407, Sewage, **Pam Hollamby**, P.O. Box 58, Eldred, PA 16731.

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

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

V. NPDES Waiver Stormwater Discharges from Municipal Storm Sewer Systems (MS4) Actions.

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the following MS4s instead of NPDES permit coverage.

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

NPDES

<i>Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136399	Hyde Park Borough P.O. Box 222 Hyde Park, PA 15641	Hyde Park Borough, Westmoreland	Kiskiminetas River/WWF

The following NOI and associated waiver request submitted for the General Permit below has been denied by DEP.

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

Facility Location

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Valley Township Montour County	PAG134833DEN	Valley Township Montour County 29 Indian Run Road Danville, PA 17821-9566	Mahoning Creek and Unnamed Tributary to Mahoning Creek—5-E	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

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

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

Carbon County Conservation District, 5664 Interchange Road, Lehighton, PA 18235.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130010	Carbon County P.O. Box 129 Jim Thorpe, PA 18229	Carbon	Nesquehoning Borough	Jeans Run (HQ-CWF, MF) Nesquehoning Creek (CWF, MF) UNT to Nesquehoning Creek (HQ-CWF, MF)

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>
PAD390041	Kay Mill, LLC 5930 Hamilton Blvd Allentown, PA 18106	Lehigh	Upper Milford Township	Leibert Creek (HQ-CWF, MF) Little Lehigh Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210009 Issued	Trinity MSB, LLC 700 Ayers Avenue Lemoyne, PA 17043-17110	Cumberland	Monroe Township	Yellow Breeches Creek (HQ-CWF, MF) UNT Yellow Breeches Creek (HQ-CWF, MF)
PAD210018 Issued	Landmark Homes at Cedar Run, LLC 1737 West Main Street Ephrata, PA 17522	Cumberland	Mechanicsburg Borough	UNT Cedar Run (CWF, MF)
PAD440002 Issued	Centre Lime & Stone Company, Inc. 1952 Waddle Road State College, PA 16803	Mifflin	Brown Township	Tea Creek (HQ-CWF, MF)
PAD670007 Issued	Grace Baptist Church of York 3920 East Prospect Road York, PA 17406	York	Windsor Township	Kreutz Creek (WWF, MF) EV Wetlands

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>
PAD140026	Happy Valley Stables, LLC 470 Upper Georges Valley Rd Spring Mills, PA 16875	Centre	Potter Twp	UNT-Muddy Creek HQ-CWF

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>
PAD260004	Boy Scouts of America 1275 Bedford Avenue Pittsburgh, PA 15219	Fayette County	Wharton Township	Little Sandy Creek (HQ-CWF)

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

McKean County Conservation District 17137, Route 6, Smethport, PA 16749, 814-887-4001.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD420001 Major Modification	National Fuel Gas Distribution Corp 1100 State Street Erie, PA 16501	McKean	Lafayette Township	13 Unnamed tributaries to East Branch Tunungwant Creek, Orange Creek, Bear Run

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>
Whitpain Township Montgomery County	PAC460223	Latham Realty 650 DeKalb Pike Blue Bell, PA 19422	Stony Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Douglass Township Montgomery County	PAC460152	Mikelen, LLC 2695 W Germantown Pike Norristown, PA 19403	Swamp Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAC460154	JERC Partners XXXVILL, LC 264 Williams Road Woodstown, NJ 08098	Pennypack Creek TSF-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>
Pittston Twp Luzerne County	PAC400047	Petroleum Service Company Richard Rose 454 S Main St Wilkes-Barre, PA 18701	UNT to Collins Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
Bridgewater Twp Susquehanna County	PAC580011	Bridgewater Baptist Church 107 Church St Montrose, PA 18801	Hop Bottom Creek (CWF, MF)	Susquehanna County Conservation District 570-287-4600

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Straban Township Adams County Issued	PAC010047	Freedom Valley Worship Center Assembly of God, Inc. 3185 York Road Gettysburg, PA 17325	UNT Swift Run (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Amity Township Berks County	PAC060091	Island Pizza Inc. P.O. Box 461 Douglassville, PA 19518	Monocacy Creek (WWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Cumru, Exeter, and Lower Alsace Townships and Mt. Penn and St. Lawrence Boroughs Berks County	PAC060120	Atlantic Interstate Transmission 2800 Pottsville Pike Reading, PA 19605	Antietam Creek (CWF, MF) Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Silver Spring Township Cumberland County Issued	PAC210058	PA 180 Kost Road, LLC 51 Madison Avenue New York, NY 10010	Hogestown Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Upper Allen and Lower Allen Townships Cumberland County Issued	PAC210056	PPL Electric Utilities Corporation 2 North 9th Street GENN4 Allentown, PA 18101	Cedar Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
West Pennsboro Township Cumberland County	PAC210066	Big Spring School District 45 Mount Rock Road Newville, PA 17241	Big Spring Creek (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Clay Township Lancaster County Issued	PAC360236	Daryl Brubaker 3059 Rothsville Road Ephrata, PA 17522	Middle Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Hempfield Township Lancaster County Issued	PAC360185	David Wolfe 355 Springton Way Lancaster, PA 17601	Chickies Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Hempfield Township Lancaster County Issued	PAC4360206	Dennis Bender 951 Eby Chiques Road Mount Joy, PA 17552	UNT Chickies Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Hempfield Township Lancaster County Issued	PAC360187	Steve Artz 2137 Embassy Drive Suite 210 Lancaster, PA 17603	UNT Chickies Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Ephrata Township Lancaster County Issued	PAC360226	Scott Cover 300 Chestnut Street Suite B1 Ephrata, PA 17522	Cocalico Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
East Cocalico Township Lancaster County Issued	PAC360232	Mike Vallen 2195 North Reading Road Denver, PA 17517	Little Muddy Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Earl Township Lancaster County Issued	PAC360215	Fairmount Homes 333 Wheat Ridge Drive Ephrata, PA 17522	UNT Groff Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Cocalico Township Lancaster County	PAC360221	Eugene Martin 2700 West Route 897 Denver, PA 17517	Cocalico Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Rapho Township Lancaster County Issued	PAC360154	Steve Horst 205 Granite Run Drive Lancaster, PA 17601	UNT Little Chickies Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Leacock Township Lancaster County Issued	PAC360202	Ivan Lapp 3128 Harvest Drive Ronks, PA 17572	UNT Pequea Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360229	Jason Grupe 1190 Dillersville Road Lancaster, PA 17601	Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
East Hempfield Township Lancaster County Issued	PAC360163	Lauren Vickers 2005 Market Street Suite 1010 Philadelphia, PA 19103	Brubaker Run (WWF, MF) Little Conestoga Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Spring Garden Township York County Issued	PAC670117	301-307 North Sherman Street LLC Christopher Sechrist 2915 North George Street Suite 4 York, PA 17406	Mill Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Manchester Township York County Issued	PAC670006	UPMC Pinnacle Memorial Paul Toburen 205 South Front St Harrisburg, PA 17101	Willis Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Washington Township York County Issued	PAC670122	Byron Waggoner 135 Bentz Mill Rd East Berlin, PA 17316	Bermudian Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Fairview Township York County Issued	PAC670131	FedEx Ground Package System, Inc. Vinay Dsouza 1000 FedEx Drive Moon Township, PA 15108	Fishing Creek (TSF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Dover Township York County Issued	PAC670144	KPH Donwood, LLC Mike Jeffers 6529 Reynolds Mill Road Seven Valleys, PA 17360	Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
North Codorus Township York County Issued	PAC670145	Kinsley Equities III, LP Mike Jeffers 6529 Reynolds Mill Road Seven Valleys, PA 17360	West Branch Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
<i>Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Athens Twp, Bradford Cnty	PAC080019	Miller Group Holdings, L.P. 950 E. Main St Schuylkill Haven, PA 17972	Wolcott Creek—WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
DuBois, Clearfield Cnty	PAC170015	Atlas Pressed Metals 125 Tom Mix Dr. DuBois, PA 15801-2541	Beaver Run—CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
City of Williamsport, Lycoming Cnty	PAC410019	Sheetz Inc. 351 Sheetz Way Claysburg, PA 16625	W. Br. Susquehanna River—WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Harleton Boro, Union Cnty	PAC600024	Jason Harowitz 9010 Overlook Blvd. Brentwood, TN 37027	Cold Run—TSF	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

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>
Brighton Township	PAC040036	Brighton Township Municipal Authority 1300 Brighton Road Beaver, PA 15009	Fourmile Run (WWF); Twomile Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Rochester Borough, East Rochester Borough, and Freedom Borough	PAC040037	Rochester Area Joint Sewer Authority 395 Adams Street Rochester, PA 15074	Beaver River (WWF); Ohio River (WWF); Lacock Run (WWF); Fosburg Run (WWF); UNT to Ohio River (WWF); Dutchman Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701

Northwest Region: Waterways & Wetlands 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>
Paint Township, Clarion County	PAC160011	Cornerstone Church, Clarion 3655 E End Road Shippenville, PA	UNT to Deer Creek	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Falls Township Bucks County	PAG030072	Kitchebman Terminal Co LLC 180 Canal Road Fairless Hills, PA 19030	Unnamed Tributary to Delaware River 2E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Richmond Township Tioga County	PAG034850	Cudd Energy Service 1005 RPC Energy Drive Broussard, LA 70518-8055	Unnamed Tributary to North Elk Run—CWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

General Permit Type—PAG-4

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bridgeton Township Bucks County	PAG040225	John Alcott & Jodelle Bryan 1220 Friendship Lane Upper Black Eddy, PA 18972	Unnamed Tributary to Delaware River 2-D	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

General Permit Type—PAG-9

Facility Location & County/Municipality Permit No.
 South Hampton Twp., Franklin County PAG093510

Applicant Name & Address
 Chamberlin & Wingert Sanitary Services LLC
 535 Lurgan Ave.
 Shippensburg, PA 17257

Site Name & Location
 Chamberlin & Wingert Sanitary Services LLC
 535 Lurgan Ave.
 Shippensburg, PA 17257

Contact Office & Phone No.
 DEP—SCRO—Clean Water
 909 Elmerton Avenue
 Harrisburg, PA 17110
 717-705-4707

General Permit Type—PAG-12

Facility Location & Municipality Permit No.
 Todd Township, Huntingdon County PAG123866

Applicant Name & Address
 Aaron J Warner
 7195 Old Plank Road
 Broad Top, PA 16621

Receiving Water/Use
 Watershed(s)
 11-D

Contact Office & Phone No.
 DEP—SCRO—CW
 909 Elmerton Avenue
 Harrisburg, PA 17110
 717-705-4707

Upper Mahanoy Township Northumberland County PAG124829

Jonathan Stauffer
 6430 State Route 225
 Elizabethville, PA 17023-9328

Unnamed Tributary to Schwaben Creek—6-B

DEP Northcentral Regional Office
 Clean Water Program
 208 W Third Street
 Suite 101
 Williamsport, PA 17701-6448
 570.327.3636

General Permit Type—PAG-13

Facility Location Municipality & County Permit No.
 Derry Township Dauphin County PAG133637

Applicant Name & Address
 Derry Township Municipal Authority
 Dauphin County
 670 Clearwater Road
 Hershey, PA 17033

Receiving Water/Use
 Unnamed Tributary to Spring Creek, Unnamed Tributary of Spring Creek, Spring Creek, Unnamed Tributary to Iron Run, Unnamed Tributary to Swatara Creek, Swatara Creek, and Unnamed Tributary of Swatara Creek—7-D

Contact Office & Phone No.
 DEP Southcentral Regional Office
 Clean Water Program
 909 Elmerton Avenue
 Harrisburg, PA 17110-8200
 717.705.4800

Allegheny Township Blair County PAG133693

Allegheny Township Blair County
 3131 Colonial Drive
 Duncansville, PA 16635

Blair Gap Run, Beaverdam Branch, Unnamed Tributary to Sugar Run, Unnamed Tributary to Gillans Run, Brush Run, Burgoon Run, Spencer Run, and Unnamed Tributary of Sugar Run—11-A

DEP Southcentral Regional Office
 Clean Water Program
 909 Elmerton Avenue
 Harrisburg, PA 17110-8200
 717.705.4800

Duncansville Borough Blair County PAG133585

Duncansville Borough Blair County
 P.O. Box 308
 1146 3rd Avenue
 Duncansville, PA 16635-0308

Blair Gap Run, Redlick Run, and Unnamed Tributary to Blair Gap Run—11-A

DEP Southcentral Regional Office
 Clean Water Program
 909 Elmerton Avenue
 Harrisburg, PA 17110-8200
 717.705.4800

Hollidaysburg Borough Blair County PAG133628

Hollidaysburg Borough Blair County
 401 Blair Street
 Hollidaysburg, PA 16648

Beaverdam Branch and Brush Run—11-A

DEP Southcentral Regional Office
 Clean Water Program
 909 Elmerton Avenue,
 Harrisburg, PA 17110-8200
 717.705.4800

<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>
Blair Township Blair County	PAG133597	Blair Township Blair County 375 Cedarcrest Drive Duncansville, PA 16635-7467	Beaverdam Branch, Frankstown Branch Juniata River, Unnamed Tributary to Blair Gap Run, Poplar Run, Unnamed Tributary to Beaverdam Branch, Unnamed Tributary of Beaverdam Branch, and Unnamed Tributary of Poplar Run—11-A	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800
Bellwood Borough Blair County	PAG133664	Bellwood Borough Blair County 516 Main Street Bellwood, PA 16617-1910	Bells Gap Run—11-A	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800

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, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act.

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

Operations Permit # 0918502 issued to: **Perkasie Regional Authority**, 150 Ridge Road, Sellersville, PA 18960 **PWS ID # 1090046** East Rockhill Township, **Bucks County** on March 14, 2018 for the operation of Perkasie Regional Authority-East Rockhill System facilities approved under construction permit # 0918502.

Operations Permit # 0916511 issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 **PWS ID # 1460073**, Middletown Township, **Bucks County** on March 23, 2018 for the operation of transmission main from Bristol WTP Neshaminy WTP and Neshaminy transfer station facilities approved under construction permit # 0916511.

Operations Permit # 0917516 issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 **PWS ID # 1090001**, Bristol Borough, **Bucks County** on March 27, 2018 for the operation of the relocated chlorine dioxide generator, sodium chlorine bulk storage tanks, and abandonment of potassium permanganate feed system-Bristol Water Treatment Plant facilities approved under construction permit # 0917516.

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

Permit No. 2218502, Public Water Supply.

Applicant	Bow Creek Inn, Inc.
Municipality	East Hanover Township
County	Dauphin
Responsible Official	Brenda Lentz 9554 Jonestown Road Grantville, PA 17028
Type of Facility	Installation of a nitrate removal treatment system.
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit to Construct Issued	4/2/2018

Permit No. 7500015, Minor Amendment, Public Water Supply.

Applicant **Penn Township Municipal Authority/PTMA**
 Municipality Penn Township
 County **Perry**
 Responsible Official Henry Holman III, Chairman
 102 Municipal Building Road
 Duncannon, PA 17020
 Type of Facility The current iron and manganese sequestering agent, AquaMag poly/orthophosphate blend, will be replaced with Seaquest poly/orthophosphate blend.
 Consulting Engineer Randolph S. Bailey, P.E.
 Wm. F. Hill & Assoc., Inc.
 207 Baltimore Street
 Getysburg, PA 17325
 Permit to Construct Issued 3/28/2018

Comprehensive Operation Permit No. 7366003 issued to: **DS Services of America, Inc. (PWS ID No. 7366003)**, Heidelberg Township, **Berks County** on 3/27/2018 for the operation of facilities at Bethany Children's Home Boreholes approved under Construction Permit No. 0617505.

Transferred Comprehensive Operation Permit No. 7010052 issued to: **Pine Run Management, LLC (PWS ID No. 7010052)**, Hamilton Township, **Adams County** on 3/29/2018. Action is for a Change in Ownership for Pine Run Mobile Home Park, Adams County for the operation of facilities previously issued to ARM2 LLC.

Transferred Comprehensive Operation Permit No. 7500037 issued to: **KJS Arbor Manor, LLC (PWS ID No. 7500037)**, Watts Township, **Perry County** on 4/2/2018. Action transfers ownership and operation of facilities at Arbor Manor Apartments to KJS Arbor Manor, LLC.

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

Permit No. 5516501MA—Operation—Public Water Supply.

Applicant **Selinsgrove Center**
 Township/Borough Penn Township
 County **Snyder County**
 Responsible Official Mr. Anthony Kern, Chief Financial Officer
 Selinsgrove Center
 1000 Route 522
 Selinsgrove, PA 17870
 Type of Facility Public Water Supply-Operation
 Consulting Engineer Mr. Michael J. Peleschak
 Alfred Benesch & Company
 400 One Norwegian Plaza
 Pottsville, PA 17901

Permit Issued March 29, 2018
 Description of Action Authorizes Selinsgrove Center to operate the rehabilitated Water Tower A, while Water Towers C and D are being refurbished inside and outside. Water Tower B, which has been offline since approximately 2007, may be demolished.

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

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5260036**) Dunbar Township, **Fayette County** on March 30, 2018 for the operation of facilities approved under Construction Permit # 2618507.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5260036**) Dunbar Township, **Fayette County** on March 30, 2018 for the operation of facilities approved under Construction Permit # 2618508.

Permit No. 5617509MA, Minor Amendment. Public Water Supply.

Applicant **Gray Area Water Authority of Jenner Township**
 P.O. Box 118
 Gray, PA 15544
 [Borough or Township] Jenner Township
 County **Somerset**
 Type of Facility Interconnection and waterlines
 Consulting Engineer Uni-Tec Consulting Engineers, Inc.
 2007 Cato Avenue
 State College, PA 16801
 Permit to Construct Issued March 28, 2018

Permit No. 3017525MA, Minor Amendment. Public Water Supply.

Applicant **Southwestern Pennsylvania Water Authority**
 P.O. Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 [Borough or Township] Wayne Township
 County **Greene**
 Type of Facility Jay Phillips Hill Road waterline
 Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024
 Permit to Construct Issued March 30, 2018

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: Freeport Borough, 414 Market Street, Freeport, PA 16229.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Freeport Borough	414 Market Street Freeport, PA 16229	Armstrong

The approved plan provides for a Completion of Phase 1 upgrades already in progress include:

- o Elimination of the CSO 3 regulator and outfall and construction of a new regulator and outfall which will discharge at Market Street.
- o Modification of the CSO 5 regulator.
- Completion of Phase 2 includes:
 - o Constructing of a new SBR (sequencing batch reactor) plant capable of handling peak flows up to 3.0 MGD, as well as providing treatment capacity for future nutrient removal requirements.
 - o Converting the existing trickling filter into a flow storage basin.
 - o Constructing a new UV disinfection facility.
 - o Converting the existing Clarigesters into aerobic digesters.
 - o Upgrading the existing sludge drying beds.

The Department's review of the sewage facilities Act 537 Update Revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the Borough.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

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.

Community Self Storage, 486 Route 6 and Route 209, Milford Township, **Pike County**. Kleinfelder, 300 Westage Business Center, Suite 407, Fishkill, NY 12524, on behalf of Orange & Rockland Utilities, 390 West Route 59, Spring Valley, NY 10977, submitted a Final Report concerning remediation of site soils contaminated with non-PCB transformer oil. The report is intended to document remediation of the site to meet non-residential Statewide Health Standards.

Former Bridge Street MGP, 1010 Bridge Street, Scranton City, **Lackawanna County**. Stantec Consulting Services Inc., 400 David Drive, Suite 400, Plymouth Meeting, PA 19462, on behalf of UGI Utilities, 2525 North 12th Street, Suite 360, Reading, PA 19612, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated by past manufactured gas plant operations. The report is intended to document remediation of the site to meet a combination of Site-Specific and Statewide Health Standards.

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.

Schuylkill Community Action, 118 West Main Street, Girardville Borough, **Schuylkill County**. BlackRock Environmental LLC, P.O. Box 288, Nazareth, PA 18064, on behalf of Schuylkill Community Action, 225 North Centre Street, Pottsville, PA 17901, submitted a final report concerning remediation of site soils contaminated with gasoline. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on March 27, 2018.

Williams Companies-Rattlesnake Hill Facility, 87 Fuller Road, Auburn Township, **Susquehanna County**. Apex Companies, 20 Valley Stream Parkway, Suite 270, Malvern, PA 19355, on behalf of Williams Companies, 400 1st Center, Horseheads, NY 14845, submitted a Final Report concerning remediation of site soils contaminated with # 2 heating oil and leaded gasoline. The report was intended to document remediation of the site to meet non-residential Statewide Health Standards, but was disapproved by the Department on March 28, 2018.

Martins Creek Steam Electric Station, 6605 Foul Rift Road, Lower Mount Bethel Township, **Northampton County**. JMT Environmental Technologies Inc., P.O. Box 22044, Lehigh Valley, PA 18002, on behalf of Martins Creek LLC, 6605 Foul Rift Road, Bangor, PA 18013, submitted a Final Report concerning remediation of site soils contaminated with # 4 fuel oil. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on March 30, 2018.

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

Lincoln Bus Lines, 10 West Elm Avenue, Hanover, PA 17331, Hanover Borough, **York County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Janet and Richard Lightner, 21 Vista Larga Drive, Gettysburg, PA 17325, submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on March 26, 2018.

4940 York Road, 4940 York Road, New Oxford, PA 17350, Oxford Township, **Adams County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Michael Noble, 373 Barberry Drive, Hanover, PA 17331; Pamela Garrett, 2135 Broadway, Hanover, PA 17331; Michael Noble, 373 Barberry Drive, Hanover, PA 17331; and Ruth Noble, 315 DeGuy Avenue, Hanover, PA 17331, submitted a Final Report concerning site soil contaminated with # 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on March 27, 2018.

FR&S Industrial Waste Site, Red Lane & Lincoln Road, Birdsboro, PA 19508, Exeter Township, **Berks County**. BAI Group, 341 10th Avenue, Suite 103, Royersford, PA 19468, on behalf of Wood Nursery Corporation, Exeter Associates Incorporated, Buddies Nursery, Inc., P.O. Box 264, Birdsboro, PA 19508, submitted a Risk Assessment and Final Report concerning remediation of site soil contaminated with VOCs, SVOCs, PAHs, PCBs, Pesticides and Inorganics. The Final Report demonstrated attainment of the Residential/Nonresidential Statewide Health and Site-Specific Standards, and was approved by the Department on March 27, 2018.

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, P.O. Box 69170, Harrisburg, PA 17106-9170.

Hazardous Waste Transporter License Issued

Suttles Truck Leasing, Inc., P.O. Box 129, Demopolis, AL 36732. License No. PA-AH 0856. Effective Apr. 03, 2018.

Hazardous Waste Transporter License Expired

Action Resources, Inc., 40 County Road 517, Hanceville, AL 35077-3858. License No. PA-AH 0650. Effective Feb. 28, 2018.

Environmental Industrial Services Corp. of New Jersey, 288 Oak Grove Road, Swedesboro, NJ 08085. License No. PA-AH 0457. Effective Feb. 28, 2018.

**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, P.O. Box 69170, Harrisburg, PA 17106-9170.

Regulated Medical and Chemotherapeutic Waste Transporter License Issued

Biosan Disposal LLC, 155 Great Arrow Ave., Buffalo, NY 14207. License No. PA-HC 0276. Effective Apr. 02, 2018.

Regulated Medical and Chemotherapeutic Waste Transporter License Expired

Biowaste Solutions Inc, P.O. Box 533, Huntingdon Valley, PA 19006. License No. PA-HC 0257. Effective Feb. 28, 2018.

**DETERMINATION OF APPLICABILITY FOR
RESIDUAL WASTE GENERAL PERMITS**

Determination of Applicability for General Permit Issuance 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/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

General Permit No. WMGR019NC003. Ward Manufacturing, LLC, P.O. Box 9, Blossburg, PA 16912, Blossburg Borough, **Tioga County**. Determination of Applicability for General Permit for the beneficial use of foundry sand and sand system dust generated by ferrous metal foundries and steel, for use as construction material, or soil additive or soil amendment. This replaces General Permit No. WMGR098NC002. The Department issued with the determination of applicability on March 26, 2018.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

General Permit No. WMGR019NC004: Hitachi Metals Automotive Components USA, LLC, 18986 Route 287, Lawrenceville, PA 16929, Lawrence Township, **Tioga County**. Determination of Applicability for General Permit for the beneficial use of foundry sand and sand system dust generated by ferrous metal foundries and steel, for use as construction material, or soil additive or soil amendment. This replaces General Permit No. WMGR098NC001. The registration was approved by Northcentral Regional Office on March 26, 2018.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street,

Suite 101, Williamsport, PA 17701, (570) 327-3740. 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(s) 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.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 101243. Northern Tier Solid Waste Authority, P.O. Box 10, Burlington, PA 18814. This permit modification is for the use of geosynthetic tarps as alternative daily cover for the Bradford County Landfill. The permit was issued by Northcentral Regional Office on March 28, 2018.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP3-09-0155: Telford Recycling Z & Materials, LLC dba G.A. Peak Excavating, Inc. (2850 Clymer Avenue, Telford, PA 18969) On March 29, 2018 for a portable nonmetallic mineral processing plant—2 sandvik crushers, 2 vibratory screens, and 2 conveyors in West Rockhill Township, **Bucks County**.

GP11-09-0064: Telford Recycling Z & Materials, LLC dba G.A. Peak Excavating, Inc. (2850 Clymer Avenue, Telford, PA 18969) On March 29, 2018 for one (1) caterpillar C9 engine 350 bhp, one (1) caterpillar C9, 3 Engine, 350 bhp, one (1) deutz 6Dutz 6DZXL06, 1028, 118 bhp in West Rockhill Township, **Bucks County**.

GP3-46-0153: Highway Materials, Inc. (409 Stenton Avenue, Flourtown, PA 19031) On March 27, for a portable nonmetallic mineral processing plant, crusher, vibratory screen and conveyors in Whitmarsh Township, **Montgomery County**.

GP9-46-0102 Highway Materials, Inc. (409 Stenton Avenue, Flourtown, PA 19031) On March 27, for a diesel or No. 2 fuel-fired internal combustion engine, in Whitmarsh Township, **Montgomery County**.

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

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

GP1-39-009: Pratt Industries, Inc (7533 Industrial Parkway, Suite 100, Lower Macungie, PA 18062) on March 29, 2018, for the construction and operation of a Hurst Boiler at their facility in Lower Macungie Township, **Lehigh County**.

GP3-54-003B: Summit Anthracite, Inc. (196 Vista Road, Klingerstown, PA 17941) on March 23, 2108, for the installation and operation of a portable crushing plant at the facility located in Porter Twp., **Schuylkill County**.

GP5-58-005A: Regency Marcellus Gas Gathering, LLC (101 West Third Street, Williamsport, PA 17701) on March 28, 2018 the general operating permit GP5 reissued for the operation of natural gas compressor station at the facility located in Lathrop Township, **Susquehanna County**.

GP9-54-003B: Summit Anthracite, Inc. (196 Vista Road, Klingerstown, PA 17941) on March 23, 2108, for the installation and operation of diesel fired internal combustion engines at the facility located in Porter Twp., **Schuylkill County**.

GP1-48-007: County of Northampton (669 Washington Street, Easton, PA 18042) on November 6, 2017 to operate three (3) natural gas/No. 2 oil fired boilers at their Gracedale Nursing Home in Upper Nazareth Township, **Northampton County**.

GP1-35-012: Dempsey Uniform and Linen Supply (1200 Mid Valley Drive, Jessup, PA 18434) on October 13, 2017 to operate one (1) natural gas fired boiler in Jessup Borough, **Lackawanna County**.

GP3-40-017C: Kriger Construction, Inc. (7 Oakwood Drive, Scranton, PA 18504) on November 29, 2017 to construct and operate a Portable Crushing Operation with water sprays at their SVP Site in Hanover Township, **Luzerne County**.

GP9-40-017C: Kriger Construction, Inc. (7 Oakwood Drive, Scranton, PA 18504) on November 29, 2017 to install and operate nine (9) Diesel I/C engines at their SVP Site in Hanover Township, **Luzerne County**.

GP3-35-004B: Bell Mountain Land Development Corporation (7 Oakwood Drive, Scranton, PA 18504) on November 30, 2017 to construct and operate a Portable Crushing Operation with water sprays at their commerce Boulevard Site in Dickson City Borough, **Lackawanna County**.

GP9-35-006B: Bell Mountain Land Development Corporation (7 Oakwood Drive, Scranton, PA 18504) on November 30, 2017 to install and operate five (5) Diesel I/C engines at their commerce Boulevard Site in Dickson City Borough, **Lackawanna County**.

GP5-66-006A: BVK Operating, LLC (1200 17th Street, Suite 1850, Denver, CO 80202) on January 29, 2018 to construct and operate three (3) IC Engines, two (2) dehydrators, and one (1) condensate tank at the Sickler Compressor Station site in Washington Township, **Wyoming County**.

GP5-58-025A: BVK Operating, LLC (1200 17th Street, Suite 1850, Denver, CO 80202) on January 29, 2018 to operate one (1) IC Engine, one (1) dehydrator, and one (1) condensate tank at the Baker West Compressor Station site in Forest Lake Township, **Susquehanna County**.

GP11-40-020: Susquehanna Nuclear, LLC (769 Salem Boulevard, Berwick, PA 18603) on March 5, 2018 to operate four (4) Diesel I/C engines at the Susquehanna Steam Electric Station in Salem Township, **Luzerne County**.

GP2-435-003: Lopera Oil Co., Inc. (41 River Street, Carbondale, PA 18407) on March 26, 2018 to operate one (1) 15,000-gallon gasoline storage tank in Mayfield Boro, **Lackawanna County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, or William Weaver, Regional Air Quality Manager, 717-705-4702.

GP14-67-03150: Wetzel Funeral Home and Crematory, Inc. (549 Carlisle Street, Hanover, PA 17331-2162) on March 28, 2018, for the existing human crematory, under GP14, at the facility located in Hanover Borough, **York County**. The general permit authorization was renewed.

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

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

GP3-08-399: Bishop Brothers Construction Company, Inc. (1376 Leisure Drive, Towanda, PA 18848) on March 21, 2018, to authorize the construction and operation of one (1) Extec C-12 portable crusher rated at 300 tons per hour (tph) throughput, one (1) Eagle 33D5500 portable crusher rated at 250 tph, one (1) Powerscreen Chieftain 1200 vibratory screen rated at 300 tph, one (1) Sandvic QE340 vibratory screen rated at 320 tph, and two (2) radial stackers each rated at 320 tph pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3)) at the Luthers Mills Quarry located in North Towanda Township, **Bradford County**.

GP3-08-399: Bishop Brothers Construction Company, Inc. (1376 Leisure Drive, Towanda, PA 18848) on March 21, 2018, to authorize the construction and operation of one (1) 366 brake-horsepower (bhp) Deutz model BF6M1015C engine, one (1) 665 bhp Detroit Diesel model 6064HU33 engine, one (1) 92.5 bhp Deutz BF4L913 engine and one (1) exempt 99.9 bhp Caterpillar C4.4 engine all pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) to power various portable sources at the Luthers Mills Quarry located in North Towanda Township, **Bradford County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

09-0295A: Airgas USA, LLC (107 Park Drive, Montgomeryville, PA 18936) On March 26, 2018, a plan approval for installation and operation of one spray booth for coating compressed gas cylinders is issued. This facility is located in Montgomeryville Township, **Montgomery County**.

23-0014I: Kimberly-Clark of PA, LLC (1 Avenue of the States, Chester, PA 19013) On March 30, 2018, a plan approval for the installation of two (2) identical 185 MMBtu/hr natural gas-fired combustion turbines and 83 MMBtu/hr supplemental burners (i.e., heat recovery steam generating units (HRSG)) at the facility. Each turbine and supplemental burner set will be equipped with dry low NO_x burners and a selective catalytic reduction (SCR) system for nitrogen oxide (NO_x) control. In addition, an oxidation catalyst (OC) will be installed for carbon monoxide (CO) and volatile organic compound (VOC) control. During periods of low steam usage one of the turbines will divert from the HRSG, OC and SCR and vent directly to the atmosphere. The facility is located in City of Chester, **Delaware County**.

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.

48-00099B: CAP Glass Allentown LLC (799 Smith Lane, Northampton, PA 18067-1500) issued on March 28, 2018 for the operation of a glass crushing and sorting operation with engines at the site located in Northampton Borough, **Northampton County**.

35-00069C: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1900, Chicago, IL 60606) on February 28, 2018 to make the facility NO_x and VOC Emission Reduction Credits (ERC's) Federally enforceable by satisfying the requirements of 25 Pa. Code §§ 127.201—127.217 of plan approval 35-00069B which require the purchase of VOC and NO_x ERCs at their facility in Jessup Borough, **Lackawanna County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, or William Weaver, Regional Air Quality Manager, 717-705-4702.

28-03026B: Gish Logging, Inc. (P.O. Box 282, Fort Loudon, PA 17224-0282) on March 26, 2018, to use Roaring Spring Biofuel in the existing 10 MMBtu/hr wood-fired boiler at facility in Metal Township, **Franklin County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

09-0236: Covanta Metals Market LLC (445 South Street, Morristown, NJ 07960-6475) On March 27, 2018 for an extension to continue the construction of a Non Ferrous Metal Recovery Facility. The facility is located in Falls Township, **Bucks County**.

23-0009J: The Boeing Company (P.O. Box 16858, MS PO1-29, Philadelphia, PA 19042-0858) On March 29, 2018 for an extension to continue the installation and operation of two (2) new 36 MMBtu/hr dual fuel (NATURAL GAS No. 2 fuel oil) boilers that will replace two (2) existing boilers in Ridley Township, **Delaware County**.

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

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

49-00064B: Milton Sewer Regional Authority (5585 State Route 405, P.O. Box 433, Milton, PA 17847), on March 23, 2018, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from March 23, 2018 to September 18, 2018 at their facility located in West Chilisquaque Township, **Northumberland County**. The plan approval has been extended.

08-00001A: Tennessee Gas Pipeline Company LLC (1001 Louisiana Street, Houston, TX 77002) on March 9, 2018, was issued an extension of the authorization for an additional 180 days from March 28, 2018 through September 24, 2018, to allow continued operation of the emergency generator engine under plan approval pending issuance of an operating permit. The source is located in Wyalusing Township, **Bradford County**. The plan approval has been extended.

17-00070A: Baronick Funeral Home & Crematorium, Inc. (211 South Main Street, DuBois, PA 15801) on March 13, 2018, was issued an extension of the authorization for an additional 180 days from March 17, 2018 to September 13, 2018, to permit continued operation of the Matthews crematory (Source 001) pending issuance of an operating permit. The source is located in DuBois City, **Clearfield County**. The plan approval has been extended.

17-00063A: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on March 23, 2018, to extend the authorization an additional 180 days from March 25, 2018 to September 22, 2018, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

17-00063B: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on March 23, 2018, to extend the authorization an additional 180 days from March 25, 2018 to September 22, 2018, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

17-00063C: Pennsylvania Grain Processing, LLC (250 Technology Drive, Clearfield, PA 16830) on March 23, 2018, to extend the authorization an additional 180 days from March 25, 2018 to September 22, 2018, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the sources. The extension authorization allows continued operation of the ethanol production plant located in Clearfield Borough, **Clearfield County**. The plan approval has been extended.

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

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

63-00999A: Rice Poseidon Midstream, LLC (344 McGirts Road, Daisytown, PA 15427) Extension effective March 28, 2018, to extend the period for installation of five compressor engines, two tri ethylene glycol dehydrators, four produced water tanks, three low pressure pig receivers, one high pressure pig launcher, miscellaneous lubrication oil tanks, and piping components in natural gas service authorized under PA-63-00999A until September 28, 2018, at Blue Moon Compressor Station located in West Pike run Township, **Washington County**. Temporary operation of five compressor engines, two tri ethylene glycol dehydrators, four produced water tanks, miscellaneous lubrication oil tanks, and piping components in natural gas service previously authorized under GP5-63-00999A is also extended.

PA-11-00524C: JWF Industries Inc. (163 Cramer Pike, Johnstown, PA 15906) on March 27, 2018, to grant 180 days Plan Approval extension to obtain their State Only Operating Permit from the Department for their ETC Plant located in West Taylor Township, **Cambria County**.

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

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

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

09-00015: Rohm and Haas Company (200 Route 413, Bristol, PA 19007) On March 30, 2018 a renewal of the Title V Operating is issued to this facility located in Bristol Township, **Bucks County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05136: Energy Developments Honey Brook, LLC (608 South Washington Avenue, Lansing, MI 48933) on March 27, 2018, for the landfill gas-to-energy facility associated with the Lancaster landfill located in Caernarvon Township, **Lancaster County**. The Title V permit was renewed.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

46-00278: TierPoint Two, LLC (1000 Adams Ave, Audubon, PA 19403) On March 30, 2018 for the renewal permit of a non-Title V (State only) Operating permit. The facility is in Lower Providence Township, **Montgomery County**.

15-0154: Depuy Synthes, (1303 Goshen Pkwy, West Chester, PA 19380) On March 28, 2018 for the initial State-only Operating Permit. The facility operates of nine cold cleaning machines and four batch vapor degreasers at the West Chester facility located in East Goshen Township, **Chester County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-03055: Vulcan Construction Materials, LLC (322 North Baker Road, York, PA 17404-5802) on March 26, 2018, for the stone crushing operations at the Baker Quarry located in West Manchester Township, **York County**. The State-only permit was renewed.

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

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

17-00002: Dominion Energy Transmission, Inc. (5000 Dominion Boulevard, Glen Allen, VA 23060-3308) was issued a State Only operating permit on April 2, 2018, for operation of their Helvetia Station facility located in Brady Township, **Clearfield County**. This issuance also reflects a change of the company's name from Dominion Transmission, Inc. to Dominion Energy Transmission, Inc. with no change in their Federal tax identification number. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 17-00002.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

09-00037: WestRock Packaging, Inc. (3001 State Road, Croydon, PA 19021) On March 29, 2018 for an Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 to incorporate terms and conditions for the Seaming Machines listed as Source ID 205 in Plan Approval No. 09-0037H. The facility is located in Bristol Township, **Bucks County**.

23-00063: PA Department of Corrections/Chester SCI (500 East 4th Street, Chester, PA 19013) On March 30, 2018 for an Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 to correct typographical errors: 1) limiting one boiler to "less than" 48 hours on liquid fuel 2) limiting a group of two gas boilers to "less than" 48 hours on liquid fuel and 3) clarifying that natural gas is to be the primary fuel for each boiler in this source. The facility is located in Chester City, **Delaware County**.

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

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, or William Weaver, Regional Air Quality Manager, 717-705-4702.

50-05001: Texas Eastern Transmission LP (P.O. Box 1642, Houston, TX 77251-1642) on March 26, 2018, for the Shermansdale natural gas compressor station, located in the Carroll Township, **Perry County**. The Title V permit underwent a significant modification to incorporate approval of a Reasonably Available Control Technology 2 (RACT 2) plan to supersede the existing RACT 1 plan for the facility. These RACT changes will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Requirements that are not part of the RACT approval will be excluded from the SIP submittal.

34-05002: Texas Eastern Transmission LP (P.O. Box 1642, Houston, TX 77251-1642) on March 27, 2018, for the Perulack/Leidy natural gas compressor station, located in the Lack Township, **Juniata County**. The Title V permit underwent a significant modification to incorporate approval of a Reasonably Available Control Technology 2 (RACT 2) plan to supersede the existing RACT 1 plan for the facility. These RACT changes will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Requirements that are not part of the RACT approval will be excluded from the SIP submittal.

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

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

14-00005: Pennsylvania Department of Corrections (P.O. Box A, Bellefonte, PA 16823), issued a revised Title V operating permit on March 28, 2018, to incorporate the use of # 2 fuel oil to Source 034 at State Correctional Institute at Rockview located in Benner Township, **Centre County**. This revised Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

59-00007: NRG REMA LLC (250 Power Plant Drive, P.O. Box F, Shawville, PA 16873) on March 29, 2018, was issued a revised State Only (Synthetic Minor) permit to incorporate the updated administrative information regarding the facility mailing address, the responsible official and the permit contact for the Blossburg Generating Station, located in Spring Township, **Centre County**. This State Only (Synthetic Minor) Permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with the applicable requirements.

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

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

10-00267: Kawneer Commercial Windows, LLC (71 Progress Ave, Cranberry Township, PA). The Department on March 27, 2018, issued an administrative amendment to the Title V Operating Permit to incorporate the change of responsible official for the facility located in Cranberry Township, **Butler County**.

20-00123: Lord Corporation Cambridge Springs Plant (124 Grant Street, Cambridge Springs, PA 16403). The Department on March 27, 2018, issued an administrative amendment to the Title V Operating Permit to incorporate the change of responsible official and permit contact for the facility located in Cambridge Springs Borough, **Crawford County**.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.

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

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

49-00011: Bimbo Bakeries USA, Inc. (249 North 11th Street, Sunbury, PA 17801) terminated the State Only (Synthetic Minor) operating permit on March 28, 2018, for their Sunbury facility located in the City of Sunbury, **Northumberland County**. All significant air contaminant sources have ceased operation and/or have been removed from the site.

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.

03071301 and NPDES No. PA0235954. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Long Run Mine in West Franklin and East Franklin Townships, **Armstrong County**. No additional discharges. The application was considered administratively complete on November 25, 2015. Application received June 17, 2015. Permit issued: March 23, 2018.

32041301 and NPDES No. PA0235644. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Brush Valley Mine in Center and Brush Valley Townships, **Indiana County**. No additional discharges. The application was considered administratively complete on December 16, 2016. Application received: May 24, 2016. Permit issued: March 23, 2018.

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

61980103. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215). Revision to an existing bituminous surface mine to change the post-mining land use from unmanaged natural habitat (previously forested) to industrial/commercial on the property of Glenn F. McFadden in Irwin Township, **Venango County**. Receiving

streams: Five unnamed tributaries to Scrubgrass Creek. Application received: January 11, 2018. Permit Issued: March 27, 2018.

61970101. Bedrock Mines, LP (111 Freeport Road, Pittsburgh, PA 15215) Revision to an existing bituminous surface mine to change the post-mining land use from unmanaged natural habitat (previously forested) to industrial/commercial on the property of Glenn F. McFadden in Irwin Township, **Venango County**. Receiving streams: Four unnamed tributaries to Scrubgrass Creek. Application received: January 11, 2018. Permit Issued: March 27, 2018.

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

Permit No. 54100201T. Kuperavage Enterprises, Inc., P.O. Box 99, Middleport, PA 17953, transfer of an existing anthracite coal refuse reprocessing, refuse disposal operation and preparation plant operation in Blythe Township, **Schuylkill County** affecting 86.5 acres, receiving stream: Schuylkill River. Application received: September 19, 2017. Transfer issued: March 29, 2018.

Permit No. PAM117040. Kuperavage Enterprises, Inc., P.O. Box 99, Middleport, PA 17953, General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54100201 in Blythe Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: September 19, 2017. Permit issued: March 29, 2018.

Noncoal Permits Issued

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

PAM618019. Development of Sharpsville Furnace, LTD (2 North Sixth Street, Sharpsville, PA 16150) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 43020305 in Sharpsville Borough, **Mercer County**. Receiving streams: Shenango River. Application received: March 8, 2018. Permit Issued: March 27, 2018.

PAM618017. Meadville Redi-Mix Concrete, Inc. (P.O. Box 418, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20970305 in Wayne Township, **Crawford County**. Receiving streams: Deckard Run. Application received: March 8, 2018. Permit Issued: March 27, 2018.

PAM618016. Meadville Redi-Mix Concrete, Inc. (P.O. Box 418, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20970301 in Summit Township, **Crawford County**. Receiving streams: Unnamed tributary to Conneaut Creek. Application received: March 8, 2018. Permit Issued: March 27, 2018.

PAM618018. Erie Aggregates, Inc. (9683 Peach Street, Waterford, PA 16441) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25020305 in Waterford and Amity Townships, **Erie County**. Receiving streams: French Creek. Application received: March 8, 2018. Permit Issued: March 27, 2018.

PAM618015. Troyer Sand & Gravel, LTD (13021 Flatts Road, Waterford, PA 16441) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25950304 in Le

Boeuf Township, **Erie County**. Receiving streams: French Creek. Application received: March 6, 2018. Permit Issued: March 27, 2018.

PAM618020. Glacial Sand & Gravel Co. (P.O. Box 1022, Kittanning, PA 16201) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 10010305 in Worth Township, **Butler County**. Receiving streams: Unnamed tributary to Hogue Run. Application received: March 9, 2018. Permit Issued: March 27, 2018.

PAM613010. Waste Management Disposal Services of PA, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067-3704) Renewal of General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 10060302 in Clay Township, **Butler County**. Receiving streams: Unnamed tributary to South Branch Slippery Rock Creek. Application received: March 5, 2018. Permit Issued: March 27, 2018.

20910306 and NPDES Permit No. PA0280518. R. Hunter, Incorporated (15428 Sheets Road, Guys Mills, PA 16327) Revision to an existing bituminous surface mine to an NPDES permit in Richmond Township, **Crawford County**, affecting 8.3 acres. Receiving streams: Woodcock Creek. Application received: January 3, 2018. Permit Issued: March 28, 2018.

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

Permit No. 58170813. Robert Salansky Construction, Inc., 1291 SR 2069, Union Dale, PA 18470, commencement, operation and restoration of a quarry operation in Gibson Township, **Susquehanna County** affecting 5.0 acres, receiving stream: no discharge to Tunkhannock Creek. Application received: November 29, 2017. Permit issued: March 29, 2018.

Permit No. PAM117057. Robert Salansky Construction, Inc., 1291 SR 2069, Union Dale, PA 18470, General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58170813 in Gibson Township, **Susquehanna County**, receiving stream: no discharge to Tunkhannock Creek. Application received: November 29, 2017. Permit issued: March 29, 2018.

Permit No. 58172506 and NPDES Permit No. PA0225703. WM Quarries, LLC, WM Capital Partners XXXIX, LLC, 885 Third Avenue, Suite 2403, New York, NY 10022, commencement, operation and restoration of a quarry operation and NPDES permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 6.0 acres, receiving stream: Salt Lick Creek. Application received: May 15, 2017. Permit issued: March 29, 2018.

Permit No. 58172507 and NPDES Permit No. PA0225711. WM Quarries, LLC, WM Capital Partners XXXIX, LLC, 885 Third Avenue, Suite 2403, New York, NY 10022, commencement, operation and restoration of a quarry operation and NPDES permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 7.3 acres, receiving stream: no discharge to Salt Lick Creek. Application received: May 15, 2017. Permit issued: March 29, 2018.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 36184106. M & J Explosives, LLC, P.O. Box 1248, Carlisle, PA 17013, construction blasting for State Road Commerce Park in East Hempfield Township, Lancaster County with an expiration date of March 21, 2019. Permit issued: March 28, 2018.

Permit No. 48184102. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for St. Lukes Anderson in the City of Bethlehem, Northampton County with an expiration date of March 21, 2019. Permit issued: March 28, 2018.

Permit No. 48184103. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for R III Bethlehem Township Sewer in Bethlehem Township, Northampton County with an expiration date of March 31, 2019. Permit issued: April 3, 2018.

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, P.O. 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.

E39-558. Upper Macungie Township, 8330 Schantz Road, Upper Macungie Township, Lehigh County, Army Corps of Engineers Philadelphia District.

To construct and maintain an Contech pedestrian bridge having a span of 70-feet, a width of 6-feet and an underclearance of approximately 2.8-feet over Schaefer Run (HQ-CWF, MF). The project is located along Wentz Road approximately 670 feet from the intersection of Avocet Drive (Allentown, PA Quadrangle Latitude: 40°32'05"; Longitude: -75°38'18") in Upper Macungie Township, Lehigh County. Subbasin: 2C.

E39-555. Upper Saucon Township, 5500 Camp Meeting Road, Center Valley, PA 18034. Upper Saucon Township, Lehigh County, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a roadway crossing of Tumble Brook (CWF, MF) consisting of a 121-foot long, 4.25-foot by 10-foot precast concrete box stream enclosure depressed 12-inches below the existing streambed elevation with fish baffles, concrete endwalls and rip rap aprons. The road crossing also includes the realignment of approximately 70 feet of the channel and the construction of a 2.5-foot high overflow weir at the upstream end of the stream enclosure. A deminimus area of wetlands (EV) equal to 0.01 acre will be permanently impacted due to the proposed activity. The project is located on Jacoby road approximately 0.22 mile west of its intersection with Suter Road (Allentown East, PA Quadrangle Latitude: 40° 31' 4"; Longitude: -75° 22' 45") in Upper Saucon Township, Lehigh County. Subbasin: 2C.

E45-611. Pennsylvania Department of Transportation—Engineering District 5-0, 1002 Hamilton St, Allentown, PA 18101. Pocono Township and Stroud Township, Monroe County, Army Corps of Engineers Philadelphia District.

To remove the existing structures and to construct and maintain a 528-foot long stream enclosure of Paradise Creek (HQ-CWF, MF) consisting of a 30-foot wide by 10.7-foot high concrete box culvert with grouted rock aprons; and to construct and maintain an 18-inch reinforced concrete stormwater outfall pipe within the floodway of Paradise Creek. The project is located at S.R. 0191 (Stites Tunnel), Segment 0240, Offset 2167 (East Stroudsburg, PA Quadrangle Latitude: 41°4'15.69"; Longitude: -75°13'30.59").

E64-310. Pennsylvania Department of Transportation—Engineering District 4-0, 55 Keystone Industrial Park—Dunmore, PA 18513. Buckingham Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stream bank restoration project along 210 feet of the Delaware River (CWF, MF) for the purpose of stabilizing the channel bank and roadway embankment of S.R. 0191. The project also includes the replacement of a 15-inch stormwater outfall pipe with a 21-inch reinforced concrete pipe and stormwater outfall within the floodway and placement of rip rap protection on the streambank. The project is located along S.R. 0191, Segment 1140, Offset 0000, approximately 2 miles south of the S.R. 0191/S.R. 0370 intersection (Hancock, PA Quadrangle Latitude: 41°55'0.54"; Longitude: -75°16'29.24").

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

E06-719: Texas Eastern Transmission, LP, 890 Winter Street, Suite 300, Waltham, MA 02451 in Washington Township, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

To conduct 12 anomaly repairs on two separate adjacent natural gas pipelines, impacting 0.18 acre of Palustrine Emergent (PEM) wetland in the watershed of West Branch Perkiomen Creek (EV) in Washington Township, Berks County (between 40.422208, -75.612677 and 40.423340, -75.607480). All impacts are to be restored to preconstruction condition and no compensatory wetland mitigation is required. The permit was issued on March 23, 2018.

E21-463: Brian Johnson, 415 Dunkleberger Road, Mechanicsburg, PA 17055 in Monroe Township, **Cumberland County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain an attached garage, storage shed, planting beds, deck, patios and a stone and macadam driveway impacting 13,068 square feet of the floodway of Yellow Breeches Creek (HQ-CWF) for the purpose of rehabilitating and replacing existing structures. The project is located 1387 Leidigh Drive (Latitude: 40.142475N, Longitude: -77.089757W) in Monroe Township, Cumberland County. No wetlands will be impacted by this project. The permit was issued on March 30, 2018.

E22-631: Lower Paxton Township Authority, 425 Prince Street, Suite 139, Harrisburg, PA 17109 in Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To 1.) replace and maintain a 15 inch sanitary sewer line permanently impacting 726 square feet of Paxton Creek and its floodway and 292 square feet of PFO wetlands, 2.) replace and maintain a 15 inch sanitary sewer line permanently impacting 1,003 square feet of Paxton Creek and its floodway and 401 square feet of PFO wetlands, 3.) replace and maintain an 18 inch sanitary sewer line permanently impacting 1,777 square feet of Paxton Creek and its floodway, 4.) replace and maintain an 18 inch sanitary sewer line permanently impacting 4,367 square feet of PFO wetland, 5.) access and abandon an existing 12 inch sanitary sewer line temporarily impacting 4,600 square feet of PFO wetlands, 6.) replace and maintain an 18 inch sanitary sewer line permanently impacting 9,166 square feet of the flood of Paxton Creek for the purpose of replacing an existing sanitary sewer line (Latitude: 40°20'12.7224" N; Longi-

tude: 77°35'57.1634"). 0.12 acre of forested wetland conversion to emergent wetland is proposed and will be offset by plantings and enhancement of 0.12 acre of emergent wetland within the project limits. The permit was issued on March 30, 2018.

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.

E60-227. Blaise Alexander Family Dealership LTD Partnership, 10 Alexander Drive, Muncy, PA 17756. Blaise Alexander Ford Lot Improvements, in East Buffalo Township, **Union County**, ACOE Baltimore District (Lewisburg, PA Quadrangle N: 40°57'23.36", W: 76°54'40.39").

To construct and maintain clean fill and cut, with a net cut of 318 cubic yards, in the left and right 100-year floodway of Limestone Run to construct the stormwater management facilities, a rain garden's riprap armored outfall into Limestone Run, and non-stream-channel bank stabilizations of the floodway fill for the expansion of the parking lots and display lots This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1762, Three Rivers Rowing Association, 300 Waterfront Drive, Pittsburgh, PA 15222, City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

1. Remove an existing approximately 150' long, 8' wide dock along the left bank of the back channel of the Allegheny River (WWF);
2. Construct and maintain a replacement, 227' long, 10' wide dock along the left bank of the back channel of Allegheny River;
3. Remove an existing approximately 250' long, 8' wide dock along the left bank of the back channel of the Allegheny River (WWF);
4. Construct and maintain a replacement, 313' long, 10' wide dock along the left bank of the back channel of Allegheny River;
5. Remove an existing approximately 100' long, 8' wide dock along the right bank of the back channel of the Allegheny River (WWF);

For the purpose of launching and docking rowing club boats. Mitigation will be restoration to approximate existing conditions. This project is located approximately 1,300 feet north of the intersection of 30th Street Bridge and Waterfront Drive (Pittsburgh East, PA USGS Topographic Quadrangle; Latitude: 40° 28' 2"; Longitude: -79° 58' 36"; USACE: Pittsburgh District; Sub-basin 18A), in City of Pittsburgh, Allegheny County.

E02-1763, Moon Transportation Authority, 1000 Beaver Grade Road, Moon Township, PA 15108, Moon Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

1. Relocate approximately 39' of a UNT to McClarens Run (a.k.a. SPRING Channel) (TSF) through a 16' long channel into a storm sewer system, consisting of 203' of 18" pipe; and

2. Construct and maintain a 31' section of 36" pipe and 106' of 42" pipe (in two sections), which will be used to relocate 319' of another UNT of McClarens Run (a.k.a. PER03) (TSF);

For the purpose of improving the Thorn Run Road Interchange, to address traffic congestion and to improve traffic safety. The project is located approximately 650 feet south of the intersection of Coraopolis Heights Road and Thorn Run Road Extension (Oakdale, PA USGS Topographic Quadrangle; Latitude: 40° 29' 34"; Longitude: -80° 12' 36"; USACE: Pittsburgh District; Sub-basin 20G), in Moon Township, Allegheny County. This interchange improvement project will cumulatively impact approximately 358 LF of existing watercourses.

To mitigate for these impacts, 595' of stream bank along Montour Run (TSF) will be stabilized and enhanced. A temporary road crossing will be installed within Montour Run, to construct the stream bank stabilization/enhancement. The mitigation project is located approximately 2,350 feet southwest of the intersection of Hassam Road and Montour Trail, on Forest Grove Sportsmen's Association property (Oakdale, PA USGS Topographic Quadrangle; Latitude: 40° 29' 48.44"; Longitude: -80° 12' 28.06"; USACE: Pittsburgh District; Sub-basin 20G), in Moon Township, Allegheny County.

E02-1768, City of Pittsburgh, City-County Building, Room 301, 414 Grant Street, Pittsburgh, PA 15219-2455, City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Construct and maintain a 28.3' wide, 128' long, single span bridge with a minimum underclearance of 18.75' over Ninemile Run (TSF) with a drainage area of 6.1 square miles. In addition, construct and maintain roadway associated stormwater outfalls and temporarily impact 140' of stream for construction of these encroachments. Impacts will be compensated through site restoration. This project also includes operation and maintenance of an existing 25.2' wide, 77' long, single span bridge with a minimum underclearance of 20.76' over Ninemile Run, in accordance with the terms and conditions of the General Permit No. 11 (GP-11), regarding maintenance of existing water obstructions; this bridge is located 250' downstream of the new bridge. This project is located approximately 350' upstream of the Monongahela River (Pittsburgh East, PA Quadrangle; Latitude 40° 24' 55.796"; Longitude -79° 54' 59.502") in the City of Pittsburgh, Allegheny County.

E26-371, Church Communities of PA, Inc., 101 New Meadow Run Drive, Farmington, PA 15437, Wharton Township, **Fayette County**, Pittsburgh ACOE District.

Has been given consent to:

Operate and maintain rip rap along both sides of an approximately 530 LF section of Deadman Run (Tributary of Meadow Run, HQ-CWF) and an approximately 720 LF section of an Unnamed Tributary of Deadman Run (Tributary of Meadow Run, HQ-CWF) from which sediment was previously removed, to operate and maintain an 84" x 48" concrete box culvert within 40 LF of the unnamed tributary of Deadman Run, and to operate and maintain fill within an on-stream pond that had been located on the unnamed tributary of Deadman Run. Mitigation will consist of 750 LF of plantings along both banks of the impacted reaches of Deadman's Run and the UNT to Deadman's Run. The project is located approximately 0.3 mile southeast of the intersection of Route 40 and Route 381, in Wharton Township, Fayette County (Quadrangle:

Fort Necessity; Lat: 39° 48' 18"; Long: -79° 33' 37"; Sub-basin: 19D; Chapter 93 Type: HQ-CWF).

E56-385, Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, Third Floor, Pittsburgh, PA 15275, Stonycreek Township, **Somerset County**, Pittsburgh ACOE District.

Has been given consent to:

1. Remove an existing 15' long by 24'-9" wide, single span, steel I-beam bridge over Lamberts Run (CWF);

2. Construct and maintain a replacement, 18' long by 54'-2 7/8" prestressed concrete, spread box beam bridge;

3. Construct and maintain rock slope protection in the floodway on the upstream and downstream side of the aforementioned structure and associated improvements to the guiderails and approach roads;

4. Relocate 146 linear feet of an existing unnamed tributary to Lamberts Run (CWF) (Stream 2) and to construct and maintain new relocated channel;

5. Permanently place and maintain fill in 44 square feet of Lamberts Run (CWF), adjacent to an unnamed tributary to Lamberts Run (CWF) (Stream 3);

6. Permanently place and maintain fill in 0.003 acre of PEM Wetland (Wetlands 1 & 2);

7. Temporarily impact 0.020 acre of PEM Wetlands during construction. (Wetlands 1 & 2).

For the purpose of replacing the existing structurally deficient structure over Lamberts Run (CWF). Mitigation for the stream impacts will be through construction of a new relocated channel and mitigation is not required for the de minimus wetland impacts. The project is located at State Route 1007, Section 001 0.3 mile from the intersection between State Route 1007 and Pompey Hill Road, in Stoystown, PA 15563. (Stoystown USGS Topographic Quadrangle, Latitude: 40° 4' 15"; Longitude: -78° 54' 51"; Sub-basin: 18-E; Pittsburgh Corps District).

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

E10-503, David Frydrych, 3 Northgate Plaza, Unit 2 Route 19 North, Harmony, PA 16037. Frydrych Property Fill, in Jackson Township, **Butler County**, ACOE Pittsburgh District (Zelienople, PA Quadrangle N: 40.811322°, W: -80.128408°).

Permanently fill approximately 0.11 acre of wetland within the 100-year floodplain of Scholars Run for the protection and expansion of the parking area around the Bi-Lo gas station at a point approximately 400 feet southwest of the U.S. Route 19 and Little Creek Road intersection (Zelienople, PA Quadrangle N: 40.811322°, W: -80.128408°) in Jackson Township, Butler County. Mitigation for the wetland impacts is by constructing approximately 0.11 acre of replacement wetland on-site.

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

E5329-015: JKLM Energy, LLC, 2200 Georgetown Drive, Suite 500, Sewickley, PA 15143, Homer, Summit, and Sweden Townships, **Potter County**, ACOE Baltimore & Pittsburgh Districts.

To construct, operate and maintain the YM-52 to YM-53 Interconnect Project, which consists of three 16-inch natural gas pipelines, with the following impacts:

1. 61.0 linear feet of Big Moores Run (EV, CWF) and 1,247 square feet of impacts to Exceptional Value (EV)

Palustrine Emergent (PEM) wetlands via open cut trenching and a temporary access road crossing (Ayers Hill, PA Quadrangle, Latitude: N41°43'41.69", Longitude: W77°58'58.74");

2. 113.0 linear feet of Croutslot Hollow (EV, CWF) and 361 square feet of impacts to Exceptional Value (EV) Palustrine Emergent (PEM) wetlands via open cut trenching and a temporary access road crossing (Ayers Hill, PA Quadrangle, Latitude: N41°43'32.98", Longitude: W77°58'22.27");

3. 1,521 square feet of impacts to Exceptional Value (EV) Palustrine Emergent (PEM) wetlands via open cut trenching and a temporary access road crossing (Ayers Hill, PA Quadrangle, Latitude: N41°43'38.22", Longitude: W77°57'48.68");

4. 2,795 square feet of impacts to Exceptional Value (EV) Palustrine Emergent (PEM) wetlands via open cut trenching and a temporary access road crossing (Ayers Hill, PA Quadrangle, Latitude: N41°44'41.89", Longitude: W77°57'24.53");

5. 12.0 linear feet of a UNT to Mill Creek (HQ-CWF) via boring (Ayers Hill, PA Quadrangle, Latitude: N41°44'37.01", Longitude: W77°56'35.42"); and

6. 83.0 linear feet of Mill Creek (HQ-CWF) and 1,742 square feet of impacts to Exceptional Value (EV) Palustrine Emergent (PEM) wetlands via open cut trenching and a temporary access road crossing (Ayers Hill, PA Quadrangle, Latitude: N41°44'37.49", Longitude: W77°56'29.18").

The project will result in 269.0 linear feet of stream impacts, 10,409 square feet (0.24 acre) of Exceptional Value Palustrine Emergent wetland impacts, and 21 square feet (0.01 acre) of Exceptional Value Palustrine Forested wetland impacts, all for the purpose of installing natural gas gathering lines and associated access roadways for Marcellus shale development.

E5829-126: Bridgewater, Brooklyn, and New Milford Townships, Williams Field Services Company, LLC; Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275; Bridgewater, Brooklyn, and New Milford Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a floodway only impact impacting 5,671 square feet (0.13 acre) of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 36", Longitude: -75° 47' 05"),

2) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,650 square feet (0.15 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 35", Longitude: -75° 47' 05"),

3) a floodway only impact impacting 264 square feet (0.01 acre) of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 34", Longitude: -75° 47' 04"),

4) a 16-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 174 lineal feet of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 34", Longitude: -75° 47' 02"),

5) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 13,759 square feet (0.32 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 28", Longitude: -75° 47' 02"),

6) a 16-inch diameter steel natural gas gathering pipeline and a temporary timber bridge impacting 75 lineal feet of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 27", Longitude: -75° 47' 05"),

7) a temporary timber bridge impacting 38 lineal feet of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 27", Longitude: -75° 47' 05"),

8) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,303 square feet (0.12 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 27", Longitude: -75° 47' 06"),

9) a floodway only impact impacting 264 square feet (0.01 acre) of an unnamed tributary to Martins Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 27", Longitude: -75° 47' 07"),

10) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,522 square feet (0.17 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 10", Longitude: -75° 47' 30"),

11) a temporary timber mat crossing impacting 1,120 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 08", Longitude: -75° 47' 32"),

12) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 103 lineal feet of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 47' 37"),

13) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,937 square feet (0.07 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 47' 37"),

14) a right-of-way impact impacting 78 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 17", Longitude: -75° 47' 06"),

15) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 85 lineal feet of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 17", Longitude: -75° 47' 06"),

16) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 668 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 17", Longitude: -75° 47' 05"),

17) a floodway only impact impacting 3,773 square feet (0.09 acre) of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 16"),

18) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 40 lineal

feet of unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 16"),

19) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,470 square feet (0.08 acre) of a palustrine emergent wetlands (PEM) and 378 square feet (0.01 acre) of a palustrine scrub shrub wetlands (PSS) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 17"),

20) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 32 lineal feet of Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 18"),

21) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,356 square feet (0.17 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 08"),

22) a floodway only impact impacting 67 square feet (0.01 acre) of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 47' 18"),

23) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 85 lineal feet of an unnamed tributary to Hop Bottom Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 16", Longitude: -75° 47' 22"),

24) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,837 square feet (0.13 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 48' 24"),

25) a 24-inch diameter steel natural gas gathering pipeline and temporary timber bridge impacting 87 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 49' 25"),

26) a floodway only impact impacting 180 square feet (0.01 acre) of an unnamed tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 49' 25"),

27) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 18,542 square feet (0.43 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 08", Longitude: -75° 49' 31"),

28) a 24-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 729 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 08", Longitude: -75° 49' 31").

The natural gas gathering pipeline project consists of constructing approximately 6,268 lineal feet of 16-inch and 11,418 lineal feet of 24-inch steel natural gas gathering pipelines located Bridgewater, Brooklyn, and New Milford Townships, Susquehanna County. The project will result in 12,524 square feet of floodway only impacts, 719 lineal feet of temporary stream impacts, 73,971 square feet (1.70 acre) of temporary emergent wetland impacts, and 378 square feet (0.01 acre) of permanent scrub shrub impacts to provide conveyance of Marcellus Shale natural gas to market.

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).

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, P.O. 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 # ESX11-125-0044 Renewal
Applicant Name Range Resources—Appalachia, LLC
Contact Person Karl Matz
Address 3000 Town Center Boulevard
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) Donegal Township
Receiving Stream(s) and Classification(s) UNT to Dutch Fork (HQ-WWF)

ESCGP-2 # ESG17-059-0030
Applicant Name Laurel Mountain Midstream
Contact Person Stephanie Ranker
Address 111 Enterprise Lane
City, State, Zip Connellsville, PA 15425
County Washington County

Township(s) Center and Franklin Township
Receiving Stream(s) and Classification(s) All HQ-WWF:
UNTs to Pursley and Pursley Creek, UNTs to Woods
Run and Woods Run, UNTs to South Fork Tenmile
Creek and South Fork Tenmile Creek, UNTs to Rush
Run and Rush Run, UNTs to Clear Run and Clear Run
and Throckmorton Run.

ESCGP-2 # ESG18-125-0003
Applicant Name Range Resources—Appalachia, LLC
Contact Person Karl Matz
Address 3000 Town Center Boulevard
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) Cross Creek Township & Smith Township
Receiving Stream(s) and Classification(s) UNTs to
Burgetts Fork (WWF) & UNT to South Fork Cross
Creek (HQ-WWF)

ESCGP-2 # ESX17-059-0041
Applicant Name CNX Gas Company, LLC
Contact Person Adam White
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317
County Greene County
Township(s) Richhill Township
Receiving Stream(s) and Classification(s) UNTs to
Dunkard Fork (WWF) & Stone Coal Run (WWF)

ESCGP-2 # ESX16-003-0003
Applicant Name Rice Drilling B, LLC
Contact Person Todd Klaner
Address 2200 Energy Drive
City, State, Zip Canonsburg, PA 15317
County Allegheny County
Township(s) Lincoln Borough
Receiving Stream(s) and Classification(s) UNTs to
Monongahela River (WWF), UNT to Wylie Run (WWF),
Wylie Run (WWF)

ESCGP-2 # ESX17-003-0006
Applicant Name Huntley & Huntley Energy Exploration,
LLC
Contact Person Jennifer Hoffman
Address 2660 Monroeville Boulevard
City, State, Zip Monroeville, PA 15146
County Allegheny County
Township(s) Elizabeth Township
Receiving Stream(s) and Classification(s) Tributaries
37522 and 337521 to Douglass Run (WWF), Douglass
Run (WWF), Tributaries 37543, 37544 and 37545 to
Pollock Run (WWF), Pollock Run (WWF) and
Youghiogheny River (WWF)

ESCGP-2 # ESX11-125-0034 Renewal
Applicant Name Range Resources—Appalachia, LLC
Contact Person Karl Matz
Address 3000 Town Center Boulevard
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) Hopewell Township
Receiving Stream(s) and Classification(s) UNTs to Brush
Run (HQ-WWF)

*Eastern Region: Oil & Gas Management Program Man-
ager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESX29-015-18-0011
Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Bradford

Township(s) Athens
Receiving Stream(s) and Classification(s) Susquehanna
River (WWF, MF)
Secondary—Susquehanna River

ESCGP-2 # ESX29-115-18-0017
Applicant Name Williams Field Services Co LLC
Contact Person Matt Anderson
Address 310 SR 29 N
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) Springville
Receiving Stream(s) and Classification(s) UNT to Meshop-
pen Ck (CWF-MF)

ESCGP-2 # ESX29-117-18-0007
Applicant Name Eclipse Resources PA LP
Contact Person Stephen Lynch
Address 2121 Gateburg Rd, Suite 110
City, State, Zip State College, PA 16803
County Tioga
Township(s) Westfield
Receiving Stream(s) and Classification(s) Crance Brook
(CWF)

ESCGP-2 # ESG29-131-18-0001
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Wyoming
Township(s) Lemon
Receiving Stream(s) and Classification(s) Meade Brook
(CWF, MF)
Secondary—Billings Mill Brook (CWF, MF)

ESCGP-2 # ESG29-131-18-0002
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Wyoming
Township(s) Lemon
Receiving Stream(s) and Classification(s) Meade Brook
(CWF, MF)
Secondary—Billings Mill Brook (CWF, MF)

ESCGP-2 # ESG29-081-18-0007
Applicant Name ARD Operating LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Cogan House
Receiving Stream(s) and Classification(s) Wendell Run
(HQ-CWF): UNTs to Larrys Ck (EV); Lick Run (EV)
Secondary—Larrys Ck (EV); Little Pine Ck (EV)

ESCGP-2 # ESG29-081-18-0005
Applicant Name ARD Operating LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Cogan House
Receiving Stream(s) and Classification(s) UNTs to Wen-
dell Run (HQ-CWF): UNTs to Bear Run (EV)
Secondary—Wendall Run (HQ-CWF); Bear Run (EV)

ESCGP-2 # ESG29-081-18-0004
Applicant Name ARD Operating LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 300
City, State, Zip Williamsport, PA 17701

County Lycoming
Township(s) Gamble
Receiving Stream(s) and Classification(s) UNTs to West
Branch Murray Run (EV); UNTs to East Branch Mur-
ray Run (EV)
Secondary—West Branch Murray Run (EV); East
Branch Murray Run (EV)

ESCGP-2 # ESG29-081-18-0006
Applicant Name ARD Operating LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Cogan House
Receiving Stream(s) and Classification(s) UNT to Larrys
Ck (HQ-CWF); UNT to Wolf Run (HQ-CWF)
Secondary—Larrys Ck (HQ-CWF); Wolf Run (EV)

ESCGP-2 # ESX29-115-18-0020
Applicant Name Williams Field Services Co LLC
Contact Person Matt Anderson
Address 310 SR 29 N
City, State, Zip Tunkhannock, PA 18657
County Susquehanna
Township(s) Lathrop
Receiving Stream(s) and Classification(s) UNT to Horton
Ck (CWF-MF)

ESCGP-2 # ESG29-117-18-0002
Applicant Name S.T.L. Resources LLC
Contact Person William Dressel
Address 1207 Doan Hill Rd
City, State, Zip Westfield, PA 16950
County Tioga
Township(s) Morris
Receiving Stream(s) and Classification(s) Black Run (EV);
Paint Run (CWF)

STORAGE TANKS SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
18-42-015	American Refining Group 77 North Kendall Avenue Bradford, PA 16701 Attn: Daniel Rinfrette	McKean	City of Bradford	1 AST storing cylinder stock	253,176 gallons

SPECIAL NOTICES

Air Quality; Proposed Revision to the State Implementation Plan to Meet the Requirements of Reasonably Available Control Technology (RACT) set forth by the Clean Air Act (CAA) under the 2008 8-Hour Ozone NAAQS

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Roger Fey, Chief—Telephone: (215) 823-7584.

The Clean Air Act Amendments of 1990 (CAA) requires Philadelphia to submit to the U.S. Environmental Protection Agency (EPA) a State Implementation Plan (SIP) revision demonstrating that Philadelphia has implemented all necessary Reasonably Available Control Technology (RACT) controls on all existing major stationary sources of volatile organic compounds (VOC) and oxides of nitrogen (NO_x) as well as any VOC sources subject to Control Technique Guidelines (CTGs).

The Philadelphia Department of Public Health, Air Management Services (AMS) is now seeking public comment on a proposed SIP revision that identifies RACT requirements for VOC sources in Philadelphia for purposes of implementing the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS).

According to Section 182(b) of the CAA, AMS is required to submit a SIP revision to EPA to demonstrate that Philadelphia has implemented necessary CTG RACT control measures for existing stationary emission sources of VOC in Philadelphia for implementation, maintenance and enforcement of the 2008 75 ppb 8-hour ozone NAAQS. The proposed SIP revision consists of a certification that RACT has been addressed for all existing VOC sources in Philadelphia covered by CTGs, as supported by the following: (1) a determination that previously adopted RACT regulations in the Pennsylvania SIP that were approved by EPA under the 1997 8-hour ozone NAAQS continue to represent RACT for 2008 8-hour ozone implementation purposes for CTG VOC source categories, (2) confirmation that recently adopted regulations address additional CTG RACT requirements for the 2008 8-hour ozone NAAQS, and (3) negative declarations for all such CTG VOC source categories for which there are no affected facilities in Philadelphia.

The SIP revision and other supporting information are available for inspection at the offices of AMS during normal business hours or on AMS' website at <http://www.phila.gov/health/AirManagement/PublicMeetings.html>. Interested persons may submit written comments or a request for a public hearing on the proposed SIP revision to Air Management Services, 321 University Ave., 2nd Floor, Philadelphia, PA 19104, Attn: Ramesh Mahadevan or ramesh.mahadevan@phila.gov. Use "2008 Ozone RACT SIP Revision" as the subject line in written communication.

The written comments or a request for a public hearing must be received by AMS no later than May 14, 2018. If requested, AMS will hold a public hearing to receive comments on the proposed amendment to the Pennsylvania SIP on May 31, 2018, at 6 p.m. at the Spelman Building, 321 University Avenue, 1st Floor Conference Room, Philadelphia, PA 19104. Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact (215) 685-9436 to discuss how AMS may accommodate their needs.

If no request for a public hearing is received by May 14, 2018, the hearing will be cancelled and a notice of cancellation will be published on May 16, 2018, on the AMS web site at <http://www.phila.gov/health/AirManagement/PublicMeetings.html>. Interested persons may also call (215) 685-9436 to find out if the hearing has been cancelled.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of March 2018 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Accurate Radon Control, Inc.	P.O. Box 296 Green Lane, PA 18054	Mitigation
Donald Antry	2205 Meadowbrook Drive Schnecksville, PA 18078	Testing
Stephen Ballasy	1786 Clearview Avenue Blue Bell, PA 19422	Testing
Thomas Bartholetti	54 South 3rd Street, # 407 Oxford, PA 19363	Testing
Richard Barto	112 Shields Lane Slippery Rock, PA 16057	Testing
Thomas Berardelli	1639 Newton Ransom Blvd. Clarks Summit, PA 18411	Testing
Brian Brucker	2376 Mt. Vernon Avenue Export, PA 15632	Testing
Dean Conrad	1315 Pottsville Street Pottsville, PA 17901	Testing
David DeMar	P.O. Box 296 Green Lane, PA 18054	Testing & Mitigation
Jeffrey Finken	8020 Mine Street Fogelsville, PA 18051	Mitigation
Shane Gavin	124 Old Colony Drive Johnstown, PA 15904	Mitigation
GEO Environmental	P.O. Box 33450 Philadelphia, PA 19143	Testing
John Goldsworthy, Jr.	728 Buttercup Drive Warminster, PA 18974	Testing
Phil Houck	677 Jacobsburg Road Nazareth, PA 18064	Testing
Andrew Joseph	1713 Sawmill Road Greensburg, PA 15601	Testing
Greg Karkowsky	5850 Centre Avenue # 407 Pittsburgh, PA 15206	Testing
George Kasimirsky, II	P.O. Box 145 Hickory, PA 15340	Testing
Craig Lennox	2801 Soni Drive Trooper, PA 19403	Testing
Daniel McLaughlin	14501 George Carter Way # 110 Chantilly, VA 20151	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Daniel Moscaritolo	103 Lassen Lane Milford, PA 18337	Testing
Joseph Peake	110 Lakeview Trail Sugarloaf, PA 18249	Testing
Piotr Podolecki	11 Timber Drive Alburtis, PA 18011	Mitigation
Wilbur Robinson	107 Laporte Drive Cranberry Twp., PA 16066	Testing
Jeffrey Ronzel	1248 Greenway Lane Kunkletown, PA 18058	Testing
George Schambach Professional Home Inspection Service	1278 Vestal Avenue Binghamton, NY 13903	Testing & Mitigation
Daniel Scribner	207 Kirkbrae Road Kennett Square, PA 19348	Testing
Robert Slusher, Jr.	103 Deesch Road Canadensis, PA 18325	Testing
James Stein Alumni Radon Testing	127 West College Avenue Pleasant Gap, PA 16823	Testing
Timothy Stewart	14501 George Carter Way # 110 Chantilly, VA 20151	Testing
Richard Stump, II Suburban Property Inspections, Inc.	4600 Kutztown Road Temple, PA 19560	Testing
William Swatsworth	156 Baker Road DuBois, PA 15801	Testing
William Thacker	33 Cherry Road Airville, PA 17302	Testing
Brian Thomas	8026 Maureen Drive Cranberry Twp., PA 16066	Testing
Stanley Watras S.J. Watras, Inc.	32 Indian Lane Boyertown, PA 19512	Testing & Mitigation
Ronald Zimmerman	P.O. Box 179 Kutztown, PA 19530	Testing

[Pa.B. Doc. No. 18-571. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sewage Advisory Committee Rescheduled Meeting

The Sewage Advisory Committee meeting previously scheduled for Tuesday, April 24, 2018, has been rescheduled to Thursday, May 3, 2018. The meeting will begin at 10:30 a.m. Additionally, the meeting location has changed to Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The Department of Environmental Protection (Department) will publish the agenda and meeting materials for the May 3, 2018, meeting on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Sewage Advisory Committee").

Questions concerning these meetings can be directed to Janice Vollero at (717) 772-5157. Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5157 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. 18-572. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Exempt Machinery and Equipment Steel Products

The following is an updated list of exempt machinery and equipment steel products authorized under section 4(b) of the Steel Products Procurement Act (73 P.S. § 1884(b)). There is a 30-day comment period beginning on the date of this publication during which the public may submit comments in writing as to the domestic availability of a steel product on the list. Comments should be submitted to the Deputy Secretary for Public Works, Department of General Services, 18th and Herr

Streets, Harrisburg, PA 17125, ra-steel@pa.gov. The comments must be supported with a mill certification indicating that the steel was melted in the United States or an executed Steel Origin Certification form (found on the Department of General Services web site at www.dgs.state.pa.gov) indicating the disputed product is produced domestically. See 4 Pa. Code Chapter 67a (relating to steel products procurement—statement of policy). During the 2017 calendar year there were no steel products that required a ST-4 Form because they were not produced in the United States in sufficient quantities to meet the requirements of the contract during 2017. Therefore, there were no new steel products added to the list.

Exempt Machinery and Equipment Steel Products

Air Conditioning Units	Fence System Nuts and Bolts
Air Duct Housing with Sample Tubes	Fire Alarm NAC Extender
Air Handling Units	Fire Alarm Peripherals
Anchor Bolt	Fixed Door Station
Audio RA Station	Flexible Drops
Annunciator Panel	Full Blank Plate
AV Rack Kit	Galvanized Carriage Bolts
Back Box	Garage Door Tracking
Backflow Preventer	Gas Furnace
Battery Cabinet	Gas Piping Butt Weld Tees
Blank Filler Plate for Fiber	Generator
Blank Metal Door	Globe Valve (Steam)
Blank Plate for Outer Door	Hand Dryer
Bottom Dead Front Panel	Hanger Mounting Plates
Bridge for Cameras	Hangermates
Butterfly Valves	Hangers Supports
Cabinet	Horn/Strobe
Cardcage	Inclined Platform Wheelchair Lifts
Cast Steel Gate Valve	Inner and Outer Door
CCTV Power Supply	Inner Door Blank Plate
Ceiling Flange	Interface Module
Central Control Unit	Lag Bolts
Centrifugal Pumps	Large Remote Cab
Channel Video	Lighting Fixtures, Interior/Recessed
Circulating Pump	Lighting Fixtures, Surface Wrap
Closers	Lighting Fixtures, Track Head
Color Monitor	Lock Cylinders
Combination Round Head Steel Zinc-Plated Toggle Bolts	Locknuts
Conduit Fittings	Locksets
Control Module Plate	Low Temp. Detection Thermostats
Control Panel	Lubrication Unit
Control Valve	Machine Screws
Data Converter Unit	Main Control Board
Deck Inserts	Metal Lockers
Deck and Rub Rail Fasteners	Manual Pull Station
Digital Communicators	Med. Enclosure
Digital Record	Middle Dead Front
Door Protection	Mini-Interface Module
Door Trim/Handles	Monitor Mount
Drinking Fountain	Monitor Wall Brk
Drop-In Anchors	Mounting Plate
Dry Tape Transformer	Network Fiber Switch
Drywall Screws	Overhead Door
Dual Interface Module	Overhead Stops
Duct Detector with Relay	Patient Wandering Alarm
Duct Housing	Pipe Clamps
Ductless Split System	Pivots
DVR Rack	Power Supply
Electric Traction Elevators	Pull Station Box
Electric Water Cooler	RA Annunciator Pnl
Elevator Controller	Rack Mount Card Cage
Elevator Hoistway	Rack Mount Kit
Encl. for Annunciator	Radiant Panels
Exit Devices	Reader Interface
Exp Cage	Relay Module
	Remote Chiller
	Round Head Machine Screw
	Safety Relief Valve
	Sampling Tube
	Security Panel
	Security Unit
	Security/CCTV Camera Housing
	Self-Turn/Self Tapping Screw
	Shower/Eye Washers
	Signal Extender Module
	Single Blank
	Smoke Detector Wire
	Speaker
	Speaker/Strobe
	Split HVAC System

Split Ring Hangers
 Split Rings
 Split System Air Conditioning
 SSD-C Remote Display with Control
 SSD-C-REM Rem Display
 Stainless Flat Bars
 Stainless Steel Cable
 Strobe
 Submersible Pump
 Sump Pump
 Surface Mount Speaker
 Surface Station Box
 Surge Arrester
 Surge Protector
 T8 Light Troffer
 Tamper Proof Screws and Nuts
 Threaded Rod Hanger

Tie Wire 21 Gauge
 Tie Wire Anchor
 Toggle Wing
 Transformer
 Turbine Pumps
 Uninterruptible Power Supply
 VRV Fan Coils/Cond. Units
 Wall Mounted Fountain
 Water Coolers
 Water Fountain Mounting Frame
 Water Heater
 Wing Toggle

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 18-573. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exception to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b) for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from October 1, 2016, through March 31, 2018. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816.

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Abington Memorial Hospital	§ 107.61	Written orders	11/19/2016	granted
	§ 153.1	2.6-2.2.2.5 Hand-washing stations	08/12/2017	granted
Albert Einstein Medical Center	§ 153.1	2.1-7.2.2.2 Ceiling heights	07/22/2017	granted
	§ 153.1	2.1-7.2.2.2 Ceiling heights (architectural details, surfaces and furnishings)	04/15/2017	denied
	§ 153.1	2.1-7.2.2.5(1) Windows in patient rooms	07/22/2017	granted
	§ 153.1	2.2-3.3.3.2(2)(b) Space requirements (hybrid operating rooms)	11/19/2016	granted
Allegheny General Hospital	§ 123.5	Administration of anesthesia	11/19/2016	granted
	§ 153.1	2.2-3.4.1.4(2)(b) Ceilings (special design elements)	04/22/2017	denied
	§ 153.1	Table 2.1-2, 2.2-3.5.2 Interventional imaging procedure room	12/31/2016	denied
Allegheny Valley Hospital	§ 153.1	2.1-2.2.5.1 Location (hand-washing station in patient rooms)	07/08/2017	granted
	§ 153.1	2.1-2.2.5.1(1) Location (hand-washing station in the patient room)	12/17/2016	granted
	§ 153.1	2.2-2.2.2.1(1) Capacity (medical/surgical nursing unit)	12/17/2016	granted
	§ 153.1	2.2-2.2.2.2(1)(b) Area (space requirements)	12/17/2016	granted

NOTICES

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 153.1	2.2-2.2.2.7(2)(c)(i) Patient bathing facilities	12/17/2016	withdrawn
	§ 153.1	2.2-2.2.2.7(2)(c)(ii) Patient bathing facilities	12/17/2016	withdrawn
	§ 153.1	2.2-2.2.6.13 Examination rooms	12/17/2016	granted
	§ 153.1	2.2-2.2.8.2 Toilet rooms	12/17/2016	withdrawn
Aria Health	§ 153.1	2.2-3.4.2.1(1)(b) Space requirements (CT scanner rooms)	10/14/2017	granted
Aria Health	§ 153.1	2.2-3.4.5.4 Patient toilet rooms	04/08/2017	granted
Aria Health (Bucks County Campus)	§ 153.1	2.2-3.4.2.1(1)(b) Space requirements (CT scanner rooms)	06/17/2017	granted
Aria Health (Torresdale Campus)	§ 153.1	2.2-3.4.2.1(1)(b) Space requirements (CT scanner rooms)	06/17/2017	granted
Brandywine Hospital	§ 107.2	Medical staff membership	10/14/2017	granted
	§ 107.62(a)	Oral orders	10/14/2017	granted
	§ 107.62(b)	Medical staff bylaws	10/14/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	10/14/2017	granted
	§ 127.32	Written orders (radiology services)	10/14/2017	granted
Bryn Mawr Rehabilitation Hospital	§ 103.1	Principle	04/15/2017	granted
	§ 103.3	Governing body bylaws	04/15/2017	denied
	§ 103.4	Functions	04/15/2017	denied
	§ 103.5	Other functions	04/15/2017	denied
Butler Memorial Hospital	§ 51.23	Positron emission tomography	10/14/2017	granted
	§ 153.1	2.1-2.2.6.3(2) Room features (hand-washing stations)	10/14/2017	granted
	§ 153.1	2.2-3.4.5.4(1) Patient toilet rooms	11/26/2016	granted
	§ 51.23	Positron emission tomography	12/10/2016	granted
Canonsburg Hospital	§ 103.31	The chief executive officer	10/15/2016	granted
CH Hospital of Allentown d/b/a Surgical Specialty Center at Coordinated Health	§ 153.1	2.2-3.11.4.1(3) General (instrument processing rooms)	06/17/2017	denied
	§ 153.1	2.2-3.11.4.1(4) General (instrument processing rooms)	06/17/2017	denied
	§ 153.1	2.2-3.11.6.12 Environmental services rooms	06/17/2017	denied
	§ 153.1	3.8-3.4.1 Location (pre-procedure and recovery patient care areas) (multi-use area)	04/01/2017	denied
	§ 153.1	3.8-3.4.1 Location (pre-procedure and recovery patient care areas) (new procedure)	04/01/2017	denied
Chambersburg Hospital	§ 139.12	Neonatal intensive care units re: perinatal care guidelines	11/26/2016	granted
	§ 153.1	2.1-2.2.6.3 Room features (patient toilet rooms)	02/04/2017	granted
	§ 153.1	2.2-2.10.2.2 Space requirements (NICU rooms and areas)	10/29/2016	withdrawn
	§ 153.1	2.2-2.2.2.7(2)(b)(i) Number (patient bathing facilities)	02/04/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Charles Cole Memorial Hospital	§ 153.1	2.2-3.4.8.2 Patient toilet rooms	02/18/2017	granted
	§ 153.1	2.2-3.4.8.3 Patient changing rooms	02/18/2017	granted
Chester County Hospital	§ 153.1	2.1-8.5.3.2 Size (TDRs)	06/17/2017	granted
	§ 153.1	2.2-2.10.2.2(1)(a) Area (space requirements)	10/07/2017	granted
	§ 153.1	2.2-2.10.2.2(3)(a) Clearances (space requirements)	10/07/2017	granted
	§ 153.1	2.2-2.10.2.2(3)(b) Clearances (space requirements)	10/07/2017	granted
	§ 153.1	2.2-2.10.4.2 Airborne infection isolation (AII) rooms	10/07/2017	granted
	§ 153.1	2.2-2.10.8.2 Parent/infant rooms	10/07/2017	granted
	§ 153.1	2.2-2.6.2.6(1) Toilet room or human waste disposal rooms (critical care patient care areas)	01/14/2017	withdrawn
	§ 153.1	Table 2.1-1 Electrical receptacles for patient care areas in hospitals (2-2-2.10.2)	10/07/2017	granted
	§ 153.1	Table 2.1-4 Station outlets for oxygen, vacuum and medical air systems in hospitals (2.2-2.10)	10/07/2017	granted
Chestnut Hill Hospital	§ 51.23	Positron emission tomography	10/14/2017	granted
	§ 107.2	Medical staff membership	10/14/2017	granted
	§ 127.32	Written orders (radiology services)	10/14/2017	granted
Children's Hospital of Philadelphia	§ 153.1	2.2-2.6.2.3(3)(b) Windows	02/17/2018	granted
	§ 153.1	2.2-3.1.4.2(3) Airborne infection isolation (AII) rooms	10/08/2016	granted
	§ 153.1	2.2-3.1.4.3(b)(c) Secure holding rooms	10/07/2017	granted
	§ 153.1	2.7-2.2.2.6 Patient toilet rooms	10/07/2017	granted
Children's Hospital of Pittsburgh of UPMC	§ 153.1	2.2-2.6.8.1(2) Family and visitor lounges	12/23/2017	granted
	§ 153.1	3.1-3.6.5.1 Location (hand-washing stations)	07/22/2017	granted
	§ 153.1	2.2-3.3.6.11(2) Equipment and supply storage	01/06/2018	granted
CHOP and the Children's Seashore House of the Children's Hospital of Philadelphia	§ 153.1	2.2-3.5.2.1 Space requirements (interventional imaging procedure rooms)	04/15/2017	granted
Conemaugh Memorial Medical Center	§ 103.31	The chief medical officer	07/29/2017	granted
	§ 107.2	Medical staff membership	12/23/2017	granted
	§ 107.62(a)	Oral orders	08/26/2017	granted
	§ 107.62(b)	Medical orders (medical staff bylaws)	08/26/2017	granted
	§ 153.1	2.2-2.11.3.2(1) Space requirements	09/24/2016	granted
	§ 153.1	2.2-3.4.3.3 Radiography/fluoroscopy room	12/10/2016	granted
Conemaugh Miners Medical Center	§ 103.31	Chief executive officer	02/18/2017	granted
	§ 153.1	2.2-2.6.2.6(1) Toilet rooms or human waste disposal rooms	05/13/2017	granted
Conemaugh Nason Medical Center	§ 138.14(c)	Programs and services (continuity of care)	12/02/2017	denied

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Corry Memorial Hospital	§ 107.1	Principle (general provisions)	03/11/2017	denied
	§ 123.25(2)	Control of anesthetic explosion hazards	06/17/2017	granted
	§ 127.32	Written orders (radiology services)	06/17/2017	granted
	§ 135.5	Surgical emergency care	04/15/2017	denied
Crozer-Chester Medical Center	§ 107.61	Written orders	10/15/2016	granted
	§ 111.27(b)	Nutritional aspects of patient care	10/15/2016	denied
	§ 153.1	2.2-3.13.7 Support areas for staff	11/19/2016	granted
	§ 153.1	2.1-2.6.10 Soiled workroom or soiled holding rooms	10/15/2016	granted
	§ 153.1	2.2-2.13.2.1(1) Capacity (pediatric and adolescent units)	06/17/2017	granted
	§ 153.1	2.5-2.2.6.13 Consultation rooms	10/15/2016	granted
Curahealth Heritage Valley	§ 103.31	The chief executive officer	12/10/2016	granted
	§ 103.33(b)(1)	Responsibilities	12/10/2016	granted
Curahealth Pittsburgh	§ 103.31	The chief executive officer	12/10/2016	granted
	§ 103.33(b)(1)	Responsibilities	12/10/2016	granted
Delaware County Memorial Hospital	§ 107.61	Written orders	10/15/2016	granted
Divine Providence Hospital	§ 131.22	Treatment orders	02/13/2016	granted
Doylestown Hospital	§ 153.1	2.2-3.3.3.2(a)(b) Space requirements (medical/surgical units)	04/15/2017	granted
Eagleview Hospital	§ 107.61	Written orders	01/20/2018	granted
Easton Hospital	§ 51.23	Positron emission tomography	05/20/2017	granted
	§ 101.31(7)	Hospital requirements	06/17/2017	denied
	§ 107.2	Medical staff membership	12/02/2017	granted
	§ 107.61	Written orders	12/02/2017	granted
	§ 107.62(a)	Oral orders	05/20/2017	granted
	§ 107.62(b)	Medical staff bylaws	05/20/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	05/20/2017	granted
	§ 127.32	Written orders (radiology services)	05/20/2017	granted
	§ 153.1	2.1-2.4.3.9.1(b) Special design elements (architectural details)	05/20/2017	not nec.
	§ 153.1	2.2-2.5.2.2 Space requirements (area)	05/20/2017	not nec.
	§ 153.1	2.2-3.3.2.1 Space requirements	05/20/2017	not nec.
	§ 153.1	2.5-2.2.6.13 Consultation rooms	05/20/2017	not nec.
	§ 153.1	2.5-2.4.2.2 Bathing facilities	05/20/2017	not nec.
Ephrata Community Hospital	§ 107.64	Administration of drugs	09/24/2016	denied
	§ 138.18(b)	EPS studies	11/19/2016	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	04/15/2017	granted
Forbes Hospital	§ 123.5	Administration of anesthesia	11/19/2016	granted
	§ 153.1	2.1-2.2.5.1 Location (hand-washing stations in the patient room)	02/11/2017	granted
	§ 153.1	2.2-3.3.4.2(2) Space requirements (preoperative patient care areas)	07/22/2017	granted
	§ 153.1	2.2-3.6.4.3 Control rooms	12/02/2017	granted
	§ 153.1	3.13-3.1.5.1 Noninvasive procedure locations (mobile units)	07/22/2017	granted
Geisinger Bloomsburg Hospital	§ 146.1(a)	Principle	10/07/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Geisinger Community Medical Center	§ 107.26(b)(3)	Additional committees	10/07/2017	granted
Geisinger Jersey Shore Hospital	§ 107.2	Medical staff membership	02/17/2018	granted
	§ 113.5(a)	Pharmacy and therapeutics committee	02/17/2018	granted
	§ 131.22	Treatment orders (rehabilitation services)	02/17/2018	granted
Geisinger Medical Center	§ 103.4(1)	Functions	12/24/2016	granted
	§ 127.32	Written orders (radiology services)	01/20/2018	rejected
	§ 146.1(a)	Principle (infection control)	10/14/2017	granted
	§ 153.1	2.1-2.6.7.1 Nourishment area	12/12/2015	withdrawn
	§ 153.1	2.1-3.2.2.1(1) Area (space requirements)	10/07/2017	granted
	§ 153.1	2.1-3.3.1 Hand scrub facilities	03/16/2018	granted
	§ 153.1	2.1-7.2.2.5 Windows in patient rooms	12/12/2015	withdrawn
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	04/29/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	08/12/2017	granted
	§ 153.1	2.2-3.2.2.2(1) Area (space requirements)	05/13/2017	granted
	§ 153.1	2.2-3.2.2.2(b) Clearances (space requirements)	05/13/2017	granted
	§ 153.1	2.2-3.4.2.1(2) CT scanner rooms	03/16/2018	granted
	§ 153.1	2.5-3.4.2.2 ECT procedure rooms	08/12/2017	denied
	§ 153.1	2.5-3.4.2.2 ECT procedure rooms	10/07/2017	granted
	§ 153.1	3.13-6.2.2 Reception area	12/12/2015	withdrawn
Geisinger Medical Center (Danville)	§ 153.1	2.2-3.4.3.2 Radiography rooms	02/17/2018	denied
Geisinger Medical Center (Shamokin)	§ 153.1	3.1-3.6.9 Clean supply storage	02/17/2018	granted
	§ 153.1	3.2-3.2.6.9 Clean work area	02/17/2018	granted
Geisinger Wyoming Valley Medical Center	§ 146.1(a)	Principle (infection control)	11/11/2017	granted
	§ 153.1	2.1-3.2.2.1(1) Area (space requirements)	02/04/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	03/16/2018	granted
	§ 153.1	2.2-3.1.3.6(2)(a) Area (treatment rooms or areas)	02/04/2017	granted
	§ 153.1	2.2-3.1.4.2(1) Airborne infection isolation (AII) rooms	02/04/2017	granted
	§ 153.1	2.2-3.4.2.1(1)(b) Space requirements (CT scanner room)	03/16/2018	granted
	§ 153.1	2.2-3.4.4.3(4) Planning the configuration of the MRI suite	06/17/2017	denied
	§ 153.1	2.2-3.4.4.6(1) MRI control rooms	06/17/2017	denied
	§ 153.1	2.2-3.4.4.7 Pre-procedure patient care areas or rooms	06/17/2017	denied
	§ 153.1	Table 2.1-4 Station outlets for oxygen, vacuum and medical air in hospitals (2.2-3.1.3.6)	03/04/2017	granted
Geisinger—Bloomsburg Hospital	§ 153.1	3.12-3.2.2.3 Education therapy classrooms	02/17/2018	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Geisinger—Community Medical Center	§ 107.62(a)	Written orders	01/20/2018	granted
	§ 107.62(b)	Medical staff bylaws	01/20/2018	granted
	§ 146.1(a)	Principle (infection control)	11/11/2017	granted
	§ 153.1	2.2-3.4.5.4(1) Patient toilet rooms	03/16/2018	granted
Geisinger—Lewistown Hospital	§ 146.1(a)	Principle (infection control)	11/11/2017	granted
Good Samaritan Hospital	§ 107.61	Written orders	02/25/2017	granted
	§ 107.62(a)	Oral orders	04/15/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	12/24/2016	granted
Good Shepherd Rehabilitation Hospital	§ 103.31	The chief executive officer	02/17/2018	granted
	§ 107.2(b)	Medical staff membership	12/23/2017	granted
	§ 107.62(a)	Oral orders	12/23/2017	granted
	§ 107.62(b)	Medical staff bylaws	12/23/2017	granted
	§ 109.2	Director of nursing services	02/17/2018	granted
	§ 153.1	2.6-2.2.2.6 Patient toilet rooms	12/23/2017	denied
	§ 153.1	2.6-2.2.2.8 Patient storage	12/23/2017	granted
Grove City Medical Center	§ 127.1	Principles (radiology)	10/15/2016	granted
Guthrie Towanda Memorial Hospital	§ 103.31	Chief executive officer	02/18/2017	granted
	§ 107.61	Written orders	03/16/2018	granted
Hahnemann University Hospital	§ 123.25(2)	Control of anesthetic explosion hazards	02/17/2018	granted
	§ 127.32	Written orders (radiology services)	02/17/2018	granted
Hanover Hospital	§ 117.30(1)	Emergency paramedic services	04/01/2017	granted
HealthSouth Rehabilitation Hospital of Altoona	§ 107.61	Written orders	11/11/2017	granted
Heritage Valley Beaver	§ 103.1	Principle (management and administration of operations)	07/08/2017	granted
Heritage Valley Sewickley	§ 103.1	Principle (management and administration of operations)	07/08/2017	granted
	§ 153.1	2.2-3.4.4.2(2) MRI scanner room space requirements	06/17/2017	granted
	§ 153.1	2.2-3.5.2.1(1) Space requirements (size)	12/02/2017	granted
Holy Redeemer Hospital	§ 107.61	Written orders	12/10/2016	granted
Holy Spirit Hospital	§ 107.61	Written orders	11/19/2016	granted
Holy Spirit Hospital of the Sisters of Christian Charity, Inc. d/b/a Holy Spirit Hospital	§ 107.26(b)(3)	Additional committees (medical staff)	01/20/2018	granted
Hospital of the University of Pennsylvania	§ 153.1	2.1-7.2.2.5(1) Windows in patient rooms	10/15/2016	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	02/04/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	09/09/2017	granted
	§ 153.1	2.2-2.12.1.2(2) Nursery units	12/02/2017	not nec.
J C Blair Memorial Hospital	§ 138.15	High-risk cardiac catheterizations	11/19/2016	granted
	§ 138.17	PTCA	01/20/2018	granted
	§ 138.18	EPS studies	01/20/2018	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Jefferson Hospital	§ 103.31	The chief executive officer	10/15/2016	granted
	§ 153.1	2.1-2.6.6.2(2)(b) Work areas for preparing, dispensing and administering medications (location 01-17)	05/20/2017	granted
	§ 153.1	2.1-2.6.6.2(2)(b) Work areas for preparing, dispensing and administering medications (locations 01-5, 01-18 and 01-19)	05/20/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	02/25/2017	granted
	§ 153.1	2.2-3.3.6.10(3) Soiled workrooms or holding rooms	05/20/2017	granted
Jefferson Regional Medical Center d/b/a Jefferson Hospital	§ 153.1	2.1-2.2.5.1 Location (hand-washing station in the patient rooms)	04/15/2017	granted
	§ 153.1	2.1-2.2.5.3 Renovation (hand-washing station in the patient rooms)	04/15/2017	granted
	§ 153.1	2.2-2.11.2.2(2) Space requirements (postpartum rooms)	04/15/2017	granted
	§ 153.1	2.2-2.2.2.5 Hand-washing stations	04/15/2017	granted
Jennersville Regional Hospital	§ 123.25(2)	Control of anesthetic explosion hazards	11/11/2017	granted
	§ 127.32	Written orders (radiology services)	11/11/2017	granted
	§ 51.23	Positron emission tomography	10/14/2017	granted
	§ 107.2	Medical staff membership	10/14/2017	granted
Kindred Hospital South Philadelphia	§ 107.61	Written orders	07/08/2017	granted
Lancaster General Hospital	§ 51.32	Exceptions for innovative programs	04/01/2017	denied
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	03/16/2018	granted
	§ 153.1	2.2-3.3.4.2(2)(b) Clearances (preoperative patient care areas)	07/22/2017	granted
Lancaster Regional Medical Center	§ 153.1	2.1-7.2.2.2(1) Ceiling heights	10/15/2016	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	10/15/2016	withdrawn
Lancaster Rehabilitation Hospital	§ 107.62(a)	Oral orders	04/01/2017	granted
	§ 107.62(b)	Medical staff bylaws	04/01/2017	granted
Lankenau Medical Center	§ 153.1	2.2-2.11.1.1 Location (LDR rooms)	12/02/2017	denied
	§ 153.1	2.2-2.11.6.10 Soiled workroom or soiled holding rooms	12/02/2017	denied
	§ 153.1	2.2-2.11.6.12 Environmental services rooms	12/02/2017	denied
	§ 153.1	2.2-2.11.6.13 Examination/treatment room and/or multipurpose diagnostic testing rooms	12/02/2017	denied
Lansdale Hospital	§ 153.1	2.1-2.2.5 Hand-washing stations in the patient rooms	07/22/2017	granted
Lehigh Valley Hospital	§ 51.32	Exceptions for innovative programs	06/17/2017	denied
Lehigh Valley Hospital—Muhlenberg	§ 138.14	Programs and services (cardiac catheterization services)	06/17/2017	denied
Lehigh Valley Hospital—Schuylkill East Norwegian Street	§ 103.4(1)	Functions	06/17/2017	granted
	§ 107.61	Written orders	06/17/2017	granted
	§ 111.27	Nutritional aspects of patient care	06/17/2017	denied

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Lock Haven Hospital	§ 107.2	Medical staff membership	12/02/2017	granted
	§ 107.26(b)(2)	Additional committees (tissue committees)	12/02/2017	granted
	§ 107.61	Written orders	12/02/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	01/20/2018	granted
Lower Bucks Hospital	§ 123.25(2)	Control of anesthetic explosion hazards	11/26/2016	granted
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	11/11/2017	rejected
Magee Rehabilitation Hospital	§ 153.1	2.6-2.3.1.1 General (glazed areas)	01/27/2018	rejected
	§ 153.1	2.6-2.3.1.2 Inpatient spaces (patient living areas)	03/04/2017	granted
	§ 153.1	2.6-2.3.1.2 Space requirements	03/16/2018	granted
	§ 153.1	2.6-2.3.1.2(1) Space requirements (dining, recreation and day spaces)	01/06/2018	rejected
	§ 153.1	2.6-2.3.3 Personal services (barber/beauty) areas	03/16/2018	granted
Magee Womens Hospital of UPMC Health System	§ 153.1	2.1-2.6.7.2(4) Microwave (nourishment area or rooms)	10/07/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	04/15/2017	granted
	§ 153.1	2.2-3.12.2.2(1) Area (space requirements)	10/07/2017	granted
	§ 153.1	2.2-3.4.5.4(1) Patient toilet rooms	01/06/2018	granted
	§ 153.1	2.2-3.4.5.4(2) Patient toilet rooms	01/06/2018	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	02/17/2018	granted
	§ 153.1	2.1-8.5.3.3(2) Location and access requirements (TDRs)	02/17/2018	granted
	§ 153.1	2.2-3.4.5.2(1) Space requirements (area—ultrasound facilities)	06/17/2017	granted
	§ 153.1	2.2-3.4.5.2(2) Space requirements (clearances—ultrasound facilities)	06/17/2017	granted
	§ 153.1	2.2-3.4.5.4(1) Patient toilet rooms	04/08/2017	granted
	§ 153.1	2.2-3.4.5.4(2) Patient toilet rooms	04/08/2017	granted
Main Line Hospital Bryn Mawr	§ 103.1	Principle	04/15/2017	granted
	§ 103.3	Governing body bylaws	04/15/2017	denied
	§ 103.4	Functions	04/15/2017	denied
	§ 103.5	Other functions	04/15/2017	denied
	§ 153.1	2.1-8.5.1.2 Size (communications systems)	11/19/2016	granted
	§ 153.1	2.1-8.5.1.4 Building system requirements (communications systems)	11/19/2016	granted
	§ 153.1	2.2-2.11.12.1 Waiting rooms (cesarean delivery suites)	01/14/2017	granted
	§ 153.1	2.2-3.4.8.2 Patient toilet rooms	01/14/2017	granted
Main Line Hospital Bryn Mawr Rehabilitation	§ 153.1	2.6-2.2.2.2 Space requirements	10/08/2016	granted
Main Line Hospital Lankenau Medical Center	§ 153.1	2.2-2.6.2.6 Toilet or human waste disposal rooms	11/26/2016	granted

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Main Line Hospital, Inc. d/b/a Lankenau Medical Center	§ 103.1	Principle	04/15/2017	granted
	§ 103.3	Governing body bylaws	04/15/2017	granted
	§ 103.4	Functions	04/15/2017	granted
	§ 103.5	Other functions	04/15/2017	granted
Main Line Hospital, Inc. d/b/a Paoli Hospital	§ 103.1	Principle	04/15/2017	granted
	§ 103.3	Governing body bylaws	04/15/2017	denied
	§ 103.4	Functions	04/15/2017	denied
	§ 103.5	Other functions	04/15/2017	denied
Meadville Medical Center	§ 153.1	2.2-3.4.5.4(1) Patient toilet rooms	01/27/2018	granted
Mercy Fitzgerald Hospital	§ 107.61	Written orders	06/17/2017	granted
Mercy Philadelphia Hospital	§ 107.61	Written orders	06/17/2017	granted
Millcreek Community Hospital	§ 107.1	Principle (general provisions)	03/11/2017	denied
	§ 153.1	2.1-2.4.3.1(2)(a) Location (seclusion rooms)	10/14/2017	granted
	§ 153.1	2.1-2.6.1.1(2) Administrative center or nurse stations (support areas for nursing units and other patient care areas)	03/11/2017	withdrawn
	§ 153.1	2.1-2.6.1.1(2) Hand-washing stations (administrative center or nurse stations)	07/22/2017	granted
	§ 153.1	2.3-3.1 General (diagnostic and treatment areas)	07/22/2017	denied
	§ 153.1	2.5-2.2.2.1 Capacity (rehabilitation nursing units)	03/11/2017	withdrawn
	§ 153.1	2.5-7.2.3.3(1) Ceilings	10/14/2017	denied
	§ 153.1	2.6-2.2.2.1 Capacity (rehabilitation nursing units)	07/22/2017	granted
	§ 153.1	2.6-2.2.2.2(1) Area (rehabilitation nursing units)	07/22/2017	granted
	§ 153.1	2.6-2.2.2.2(1) Space requirements (rehabilitation nursing units)	03/11/2017	withdrawn
	§ 153.1	2.6-2.2.2.2(2) Clearances (rehabilitation nursing units)	07/22/2017	granted
	§ 153.1	2.6-2.2.2.8 Patient storage (rehabilitation nursing units)	03/11/2017	withdrawn
	§ 153.1	2.6-2.2.2.8(1) Patient storage (rehabilitation nursing units)	07/22/2017	granted
	§ 153.1	2.6-2.2.6.13 Examination rooms (support areas for the rehabilitation nursing units)	03/11/2017	withdrawn
	§ 153.1	2.6-2.2.6.13 Examination rooms	07/22/2017	denied
	§ 153.1	2.6-2.3.1.2(1) Inpatient spaces (patient living areas)	07/22/2017	granted
	§ 153.1	2.6-2.3.3 Personal services (barber/beauty) areas	07/22/2017	granted
Milton S. Hershey Medical Center	§ 51.23	Positron emission tomography	02/25/2017	granted
	§ 101.172	Patient limits	12/02/2017	granted
	§ 107.61	Written orders	01/14/2017	granted
	§ 107.62(a)	Oral orders	06/17/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 107.62(b)	Medical staff bylaws	06/17/2017	granted
	§ 123.5	Administration of anesthesia	11/19/2016	granted
	§ 153.1	2.2-2.2.8.1 Family and visitor lounges	02/17/2018	granted
	§ 153.1	2.2-2.6.2.6(1) Toilet room or human waste disposal rooms	07/22/2017	granted
	§ 153.1	2.2-2.11.6.13(1) Location (examination/treatment room and/or multipurpose diagnostic testing rooms)	03/04/2017	granted
	§ 153.1	2.2-3.4.2.1(1) CT scanner rooms	05/13/2017	granted
	§ 153.1	2.2-3.4.2.1(2) CT scanner rooms	05/13/2017	granted
	§ 153.1	2.2-3.4.2.1(3) CT scanner rooms	05/13/2017	granted
	§ 153.1	3.1-3.2.2.2(1) Area (space requirements)	10/14/2017	granted
	§ 153.1	3.1-3.2.2.2(a) Clearances (space requirements)	10/14/2017	granted
	§ 153.1	3.1-3.2.3.1 General	01/14/2017	granted
	§ 153.1	3.7-3.2.3.2 Clearances (space requirements)	10/14/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements)	10/14/2017	granted
Monongahela Valley Hospital	§ 103.36(b)(4)	Personnel records	07/22/2017	withdrawn
	§ 153.1	2.2-3.4.5.4 Patient toilet rooms	03/16/2018	granted
Moses Taylor Hospital	§ 51.23	Positron emissions tomography (mobile)	11/19/2016	granted
Muncy Valley Hospital	§ 107.62(a)	Oral orders	12/23/2017	granted
	§ 107.62(b)	Medical staff bylaws	12/23/2017	granted
	§ 131.22	Treatment orders	02/13/2016	granted
Nason Hospital	§ 103.31	Chief executive officer	02/18/2017	granted
	§ 138.15	High-risk cardiac catheterizations	08/12/2017	granted
Ohio Valley General Hospital	§ 153.1	2.5-2.2.4.4 Quiet rooms	11/19/2016	granted
	§ 153.1	2.5-2.2.6.13 Consultation rooms	11/19/2016	granted
	§ 153.1	2.5-2.2.6.15 Spaces for group therapy	11/19/2016	granted
	§ 153.1	2.5-2.2.8.1 Visitor rooms	11/19/2016	granted
	§ 153.1	2.5-2.2.8.2 Social spaces	11/19/2016	granted
Penn Highlands Brookville	§ 107.61	Written orders	04/15/2017	granted
Penn Highlands Clearfield, 809 Turnpike Avenue, Clearfield	§ 153.1	3.1-3.2.2.3 Hand-washing stations (examination/observation rooms)	10/07/2017	granted
	§ 153.1	3.1-3.6.5.2(1)(2) Design requirements (hand-washing stations)	10/07/2017	granted
	§ 145.1	Principle (professional library services)	02/04/2017	granted
	§ 145.5	Materials (professional library services)	02/04/2017	granted
	§ 145.6	Procedures (professional library services)	02/04/2017	granted
	§ 145.7	Catalogue (professional library services)	02/04/2017	granted
	§ 145.8	Facilities (professional library services)	02/04/2017	granted
Penn Highlands DuBois	§ 103.31	Chief executive officer	12/02/2017	granted
	§ 103.31	The chief executive officer	07/22/2017	denied
	§ 107.61	Written orders	04/15/2017	granted
	§ 109.2(b)	Director of nursing services	09/24/2016	granted
	§ 153.1	2.2-2.2.2.1 Capacity	03/16/2018	granted
	§ 153.1	2.2-2.2.2.2 Space requirements	03/16/2018	granted
	§ 153.1	3.1-3.2.2.2(1) Area	03/16/2018	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 153.1	3.1-3.2.2.2(2) Clearances	03/16/2018	granted
	§ 153.1	3.1-3.2.3.2(1) Area (space requirements)	11/19/2016	granted
	§ 153.1	3.1-3.2.3.2(2) Clearances (space requirements)	11/19/2016	granted
	§ 153.1	3.1-3.6.5.1 Location (hand-washing stations)	01/06/2018	granted
	§ 153.1	3.1-3.6.5.3(1) Additional requirements for hand-washing stations that serve multiple patient care stations	01/06/2018	granted
	§ 153.1	3.12-3.2.2.1(5)(a) Hand-washing stations (individual therapy rooms)	01/06/2018	granted
Penn Highlands Elk	§ 107.61	Written orders	04/15/2017	granted
	§ 153.1	2.1-7.2.3.1(6)(a) Flooring and wall bases	03/16/2018	granted
	§ 153.1	2.2-3.3.4.3(1)(b) Phase I post-anesthetic care unit (PACU)	03/16/2018	granted
Penn Highlands Elk, 763 Johnsonburg Road	§ 109.2(a) and (b)	Director of nursing services	09/03/2016	granted
Penn Presbyterian Medical Center	§ 153.1	2.1-4.3.8.11(2)(a) and (b) Appendix—refrigeration equipment (food and supply storage)	02/18/2017	not nec.
	§ 153.1	2.1-4.3.8.11(2)(iii) Refrigeration equipment (food and supply storage)	02/18/2017	withdrawn
Penn State Hershey Rehabilitation, LLC	§ 103.3(1)	Governing body bylaws	04/15/2017	denied
	§ 107.11	Principle (medical staff bylaws, rules and regulations)	04/15/2017	denied
	§ 107.5(b)(1)	Membership appointment and reappointment	04/15/2017	denied
Pennsylvania Hospital of the University of Pennsylvania Health System	§ 153.1	2.1-8.5.3.2 Size (TDRs) (1st level)	02/11/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs) (4th to 9th floors Schiedt Building)	08/12/2017	granted
	§ 153.1	2.2-2.11.3.2(2) Space requirements	10/15/2016	granted
	§ 153.1	2.2-3.3.4.4(1)(b)(ii) General (location of Phase II recovery rooms or areas)	08/12/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs) (3rd floor)	02/17/2018	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs) (8th floor)	02/17/2018	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	10/07/2017	granted
Phoenixville Hospital	§ 107.2	Medical staff membership	10/14/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	10/14/2017	granted
	§ 127.32	Written orders (radiology service)	10/14/2017	granted
	§ 131.22	Treatment orders (rehabilitation services)	03/03/2018	granted
	§ 131.22	Treatment orders (rehabilitation)	10/14/2017	rejected
Pinnacle Health Hospitals	§ 153.1	2.1-7.2.2.5(3)(a) Windows in patient rooms	06/17/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	06/17/2017	granted
Pocono Medical Center	§ 153.1	2.1-2.4.3.9(1)(b) Minimum ceiling heights (special design elements)	12/24/2016	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Pottstown Memorial Medical Center	§ 107.2	Medical staff membership	10/14/2017	granted
	§ 107.62(a)	Oral orders	10/14/2017	granted
	§ 107.62(b)	Medical staff bylaws	10/14/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	10/14/2017	granted
	§ 127.31(b)	Policies and procedures (radiology services)	10/14/2017	granted
	§ 127.32	Written orders (radiology services)	10/14/2017	granted
Prime Healthcare Services—Suburban Hospital, LLC d/b/a Suburban Community Hospital	§ 153.1	2.2-2.2.6.13 Examination rooms (support areas for medical/nursing units)	01/20/2018	granted/denied in part
Prospect CCMC, LLC d/b/a Crozer-Chester Medical Center	§ 153.1	2.1-2.2.5.1 Location (hand-washing stations in patient rooms)	02/17/2018	denied
	§ 153.1	2.1-2.2.6.3(3) Bedpan washers (room features)	02/17/2018	denied
	§ 153.1	2.1-8.2.1.2 Ventilation and space-conditioning requirements	02/17/2018	denied
	§ 153.1	2.1-8.5.3.1(1) Number (TDRs)	02/17/2018	denied
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	02/17/2018	denied
	§ 153.1	2.2-2.2.2.6 Patient toilet rooms	02/17/2018	denied
	§ 153.1	2.2-2.2.2.7(2)(a)(i) Patient bathing facilities	02/17/2018	denied
	§ 153.1	2.2-2.2.2.7(2)(a)(ii) Patient bathing facilities	02/17/2018	denied
	§ 153.1	2.2-2.2.2.7(2)(b)(ii) Patient bathing facilities	02/17/2018	denied
	§ 153.1	2.2-2.2.2.7(2)(c)(i) Patient bathing facilities	02/17/2018	denied
	§ 153.1	2.2-2.2.2.7(2)(c)(ii) Patient bathing facilities	02/17/2018	denied
	§ 153.1	2.2-2.2.2.7(3)(a) Patient bathing facilities	02/17/2018	denied
	§ 153.1	2.2-2.2.2.7(3)(c) Patient bathing facilities	02/17/2018	denied
Regional Hospital of Scranton	§ 153.1	2.1-8.5.3.2 Size (TDRs)	10/15/2016	granted
Riddle Memorial Hospital	§ 153.1	2.2-2.11.3.2(1) Space requirements	03/16/2018	granted
	§ 153.1	2.2-2.11.3.2(2) Space requirements	03/16/2018	granted
	§ 153.1	2.2-2.12.6.12(1) Environmental services room	03/16/2018	granted
	§ 153.1	2.2-2.12.6.12(2) Environmental services room	03/16/2018	granted
	§ 153.1	2.2-3.4.2.1(1)(b) Size (CT scanner rooms)	12/02/2017	granted
Robert Packer Hospital	§ 107.61	Written orders	06/17/2017	granted
Sacred Heart Hospital	§ 117.53(3)	Emergency contraception	02/17/2018	withdrawn
	§ 117.57	Religious and moral exemptions	02/17/2018	withdrawn
Saint Luke's Hospital of Bethlehem, Pennsylvania	§ 153.1	2.1-2.2.6.2 Patient toilet rooms (nursing units)	12/02/2017	rejected
	§ 153.1	2.1-7.2.2.1 Corridor widths	12/02/2017	rejected

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Saint Vincent Health System d/b/a Saint Vincent Hospital	§ 107.61	Written orders	09/09/2017	granted
	§ 111.27	Nutritional aspects of patient care	08/12/2017	denied
	§ 153.1	2.1-8.5.3.2 Size (TDRs) (1st floor)	10/07/2017	granted
	§ 153.1	2.2-2.16.2.6(1)(2) Toilet rooms	10/07/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs) (5th floor)	12/02/2017	granted
	§ 153.1	2.2-2.10.8.2 Patient/infant rooms	12/02/2017	granted
	§ 153.1	2.2-2.11.6.13(3) Examination/treatment room and/or multipurpose diagnostic testing rooms	12/02/2017	denied
Schuylkill Medical Center—East Norwegian Street	§ 153.1	2.2-2.2.2.7(2)(a)(i) Patient bathing facilities (tubs or showers)	10/29/2016	granted
	§ 153.1	2.2-2.2.2.7(2)(c) Patient bathing facilities (The following shall be . . .)	10/29/2016	granted
Select Specialty Hospital—Johnstown, Inc.	§ 107.62(a)	Oral orders	02/17/2018	granted
	§ 107.62(b)	Medical staff bylaws	02/17/2018	granted
Sharon Regional Health System	§ 51.23	Positron emission tomography	05/20/2017	granted
	§ 107.2	Medical staff memberships	05/20/2017	granted
	§ 107.62(a)	Oral orders	05/20/2017	granted
	§ 107.62(b)	Medical staff bylaws	05/20/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	05/20/2017	granted
	§ 127.1	Principle	05/20/2017	granted
	§ 127.22	Radiation safety inspections	05/20/2017	denied
	§ 127.32	Written orders	05/20/2017	granted
	§ 136.21(a)(1)	Quality management and improvement	05/20/2017	denied
	§ 137.11	Facilities and equipment	05/20/2017	denied
	§ 137.11	Facilities and equipment	11/11/2017	granted
	§ 137.21	Policies and procedures	05/20/2017	denied
	§ 137.21(b)(9)	Policies and procedures (clean gynecology patients)	12/02/2017	granted
	§ 137.33	Obstetrical-gynecological nursing service	05/20/2017	denied
	§ 137.33(d)	Obstetrical-gynecological nursing service (bedside nursing care)	12/02/2017	granted
	§ 138.2	Definitions	05/20/2017	granted
	§ 153.1	2.2-2.16.2.2 Clearances (space requirements)	10/07/2017	granted
Soldiers & Sailors Memorial Hospital	§ 107.61	Written orders	07/08/2017	granted
	§ 107.62(a)	Oral orders	12/23/2017	granted
	§ 107.62(b)	Medical staff bylaws	12/23/2017	granted
Somerset Hospital	§ 153.1	2.1-2.5 Support areas for patient care—general	04/22/2017	granted
	§ 153.1	2.1-2.6.10 Soiled workroom or soiled holding rooms	04/22/2017	granted
	§ 153.1	2.1-2.6.12 Equipment and supply storage room or alcoves	04/22/2017	granted
	§ 153.1	2.2-3.5.3.1(2) Location (pre-procedure and recovery patient care areas)	04/22/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
St. Christopher's Hospital for Children	§ 139.33(d)	Formula preparation (neonatal services)	02/17/2018	rejected
St. Clair Memorial Hospital	§ 105.11(b)	Access (admission and discharge)	01/06/2018	denied
	§ 153.1	2.2-2.2.6.4 Multipurpose rooms	09/24/2016	denied
	§ 153.1	2.2-2.2.8.1 Family and visitor lounges	09/24/2016	denied
St. Joseph Medical Center	§ 107.62(a)	Oral orders	09/20/2017	granted
	§ 107.62(b)	Medical staff bylaws	09/20/2017	granted
St. Luke's Hospital Bethlehem	§ 153.1	2.5-3.4.1.1(2) Electroconvulsive therapy	11/19/2016	denied
St. Luke's Hospital Monroe Campus	§ 105.1	Principle (admission and discharge)	01/20/2018	denied
	§ 138.15	High-risk cardiac catheterizations	10/15/2016	granted
	§ 107.61	Written orders	08/20/2016	granted
St. Luke's Miner Memorial Medical Center	§ 153.1	2.1-8.5.3.1(1) Number (TDR)	09/09/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	09/09/2017	granted
	§ 153.1	2.1-8.5.3.3(2) Location and access requirements	09/09/2017	granted
	§ 153.1	2.1-8.5.3.4(1) Facility requirements	09/09/2017	granted
St. Mary Medical Center	§ 107.61	Written orders	10/07/2017	granted
Suburban Community Hospital	§ 107.2	Medical staff membership	12/23/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	12/23/2017	granted
	§ 127.32	Written orders (radiology services)	12/23/2017	granted
	§ 51.23	Positron emission tomography	12/23/2017	denied
Sunbury Community Hospital	§ 107.2	Medical staff membership	12/02/2017	granted
	§ 107.61	Written orders	12/02/2017	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	12/02/2017	granted
	§ 127.32	Written orders (radiology services)	12/02/2017	granted
Temple University Hospital	§ 153.1	2.2-2.2.6.13 Examination rooms	12/10/2016	granted
TGCH Inc. d/b/a Washington Health System Greene	§ 107.61	Written orders	10/07/2017	granted
	§ 119.12	Location (outpatient facilities)	01/21/2017	granted
Thomas Jefferson University Hospitals	§ 107.61	Written orders	02/11/2017	granted
	§ 153.1	2.2-2.2.2.2(2)(a) Clearances (space requirements)	01/14/2017	granted
	§ 153.1	2.2-2.2.2.7(2)(c)(i) Toilets (patient bathing facilities)	01/14/2017	granted
	§ 153.1	2.1-2.2.5.1 Location (hand-washing stations in the patient rooms)	01/14/2017	granted
	§ 153.1	2.1-2.2.6.1 General (patient toilet rooms)	01/14/2017	granted
	§ 153.1	2.1-2.2.6.2 Patient toilet rooms	01/14/2017	granted
	§ 153.1	2.1-2.2.6.3 Room features (patient toilet rooms)	01/14/2017	granted
	§ 153.1	2.2-2.10.6.14 Lactation support spaces	09/24/2016	granted
	§ 153.1	2.2-2.11.2.2(2) Space requirements (postpartum rooms)	01/14/2017	granted
	§ 153.1	2.2-2.12.6.14(1) Lactation support spaces	09/24/2016	granted
	§ 153.1	2.1-7.2.3.1(6) Flooring and wall bases (3 West)	12/23/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 153.1	2.2-2.12.3.2(1)(b) General (baby holding nurseries)	01/14/2017	granted
	§ 153.1	2.2-2.12.6.12(1) Environmental services rooms	01/14/2017	granted
	§ 153.1	2.2-2.2.2.7(2)(c)(ii) Hand-washing sink (patient bathing facilities)	01/14/2017	granted
Thomas Jefferson University Hospitals (9 Thompson)	§ 153.1	2.2-2.2.2.2(2)(a) Clearances (medical/surgical nursing units)	12/23/2017	granted
	§ 153.1	2.2-2.2.4.6(2) Patient rooms (bone marrow/stem cell transplant units)	07/22/2017	denied
	§ 153.1	2.2-2.2.4.6(3) Anterooms (bone marrow/stem cell transplant units)	07/22/2017	denied
	§ 153.1	2.2-2.2.4.6(4)(a)(ii) Viewing panels (bone marrow/stem cell transplant units)	07/22/2017	granted
	§ 153.1	2.2-2.2.4.6(4)(B)(3)(b) Staff entrance observation (bone marrow/stem cell transplant units)	07/22/2017	granted
Thomas Jefferson University Hospitals (Internal Medicine at MHD)	§ 153.1	3.1-3.2.2.2(1) Space requirements (area—2nd floor exam rooms)	05/20/2017	granted
	§ 153.1	3.1-6.2.4.1 Public toilets	05/20/2017	granted
	§ 153.1	3.1-7.2.2.1 Corridor widths	06/17/2017	granted
Thomas Jefferson University Hospitals (Jefferson Cardiology)	§ 153.1	3.1-3.2.2.2(1) Space requirements (area—mezzanine exam rooms)	05/20/2017	granted
Thomas Jefferson University Hospitals (Jefferson Dermatology)	§ 153.1	3.1-3.2.2.2(1) Area (space requirements)	10/07/2017	granted
	§ 153.1	3.1-3.2.2.2(2) Clearance (space requirements)	10/07/2017	granted
	§ 153.1	3.7-3.2.3.1 Area (procedure rooms)	07/22/2017	granted
	§ 153.1	3.7-3.2.3.2 Clearances (procedure rooms)	07/22/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements)	06/17/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements) (7th floor procedure room)	05/20/2017	denied
Thomas Jefferson University Hospitals (Jefferson Hematology)	§ 153.1	3.1-3.2.2.2(1) Area (general purpose examination rooms)	07/22/2017	granted
	§ 153.1	3.1-3.2.2.2(1) Area (space requirements)	06/17/2017	granted
	§ 153.1	3.1-3.2.2.2(2) Clearances (space requirements)	06/17/2017	granted
	§ 153.1	3.1-7.2.2.1 Corridor widths	06/17/2017	granted
	§ 153.1	3.1-7.2.2.1 Corridor widths (architectural details)	07/22/2017	granted
	§ 153.1	3.1-7.2.2.3(2) Doors and door hardware (door openings)	06/17/2017	granted
	§ 153.1	3.1-7.2.2.3(2) Toilet rooms (doors and door hardware)	07/22/2017	granted
	§ 153.1	3.7-3.2.3.1 Area (procedure rooms)	07/22/2017	granted
	§ 153.1	3.7-3.2.3.2 Clearances (procedure rooms)	07/22/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements)	06/17/2017	denied

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Thomas Jefferson University Hospitals (Jefferson Nephrology)	§ 153.1	3.1-3.2.2.2(1) Area (space requirements) (7th floor exam rooms)	05/20/2017	granted
	§ 153.1	3.1-6.2.4.1 Public toilets	05/20/2017	granted
Thomas Jefferson University Hospitals (Jefferson Oral & Maxillofacial Surgery)	§ 153.1	3.1-3.2.2.2(1) Area (space requirements) (3rd floor exam rooms)	05/20/2017	granted
	§ 153.1	3.1-6.2.4.1 Public toilets	05/20/2017	granted
	§ 153.1	3.8-3.1.2.2(1) Area (space requirements) (area—3rd floor procedure rooms)	05/20/2017	denied
Thomas Jefferson University Hospitals (Jefferson Otolaryngology)	§ 153.1	3.7-3.2.3.1 Area (procedure rooms)	07/22/2017	granted
	§ 153.1	3.7-3.2.3.2 Clearances (procedure rooms)	07/22/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements)	06/17/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements) (7th floor procedure room)	05/20/2017	denied
Thomas Jefferson University Hospitals (Jefferson Surgery)	§ 153.1	3.7-3.2.3.1 Area (procedure rooms)	07/22/2017	granted
	§ 153.1	3.7-3.2.3.2 Clearances (procedure rooms)	07/22/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements)	06/17/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements) (5th floor procedure room)	05/20/2017	denied
Thomas Jefferson University Hospitals (Jefferson Urology)	§ 153.1	3.1-3.2.2.2(1) Area (space requirements) (7th floor exam rooms)	05/20/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements)	06/17/2017	granted
	§ 153.1	3.8-3.1.2.1 Area (space requirements) (7th floor procedure room)	05/20/2017	denied
Titusville Area Hospital	§ 153.1	2.2-3.1.3.6(8) Treatment rooms or areas (human decontamination areas)	03/16/2018	denied
	§ 153.1	2.2-3.1.3.7 Patient toilet rooms	03/16/2018	granted
	§ 153.1	2.2-3.1.6.12 Environmental services room	03/16/2018	granted
	§ 153.1	2.2-3.1.7.1 Staff lounges	03/16/2018	granted
	§ 153.1	3.1-6.2.4.1 Toilet rooms for public uses	09/09/2017	denied
Troy Community Hospital	§ 103.31	Chief executive officer	02/18/2017	granted
Tyrone Hospital	§ 138.18(b)	EPS studies	10/08/2016	granted
Uniontown Hospital	§ 153.1	2.2-2.6.6.11(2)(a) Equipment and supply storage	09/09/2017	granted
UPMC Hamot	§ 153.1	2.1-7.2.3.3(4)(a) Restricted areas (ceilings)	11/19/2016	withdrawn
UPMC Horizon	§ 103.31	Chief executive officer	05/13/2017	denied
	§ 153.1	2.1-3.2.2.2(1) Examination lights (room features)	12/10/2016	granted
	§ 153.1	2.1-3.2.2.2(2) Storage for supplies (room features)	12/10/2016	granted
	§ 153.1	2.1-3.2.2.2(3) Accommodations for written or electronic documentation (room features)	12/10/2016	granted
	§ 153.1	2.1-3.2.2.2(5) Hand-washing stations (room features)	12/10/2016	granted
	§ 153.1	2.1-7.2.2.2(3) Ceiling heights (secure holdings rooms)	12/10/2016	granted

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 153.1	2.2-3.1.4.3(2) Maximum wall lengths (secure holding rooms)	12/10/2016	granted
	§ 153.1	2.2-3.1.4.3(3)(d) Patient room doors (secure holding rooms)	12/10/2016	granted
UPMC Jameson	§ 103.31	Chief executive officer	05/13/2017	denied
	§ 107.26(b)(3)	Additional committees	09/09/2017	granted
	§ 107.32	Meetings and attendance	05/20/2017	denied
	§ 107.61	Written orders	04/22/2017	granted
	§ 153.1	2.2-2.6.2.6(1) Toilet room or human waste disposal rooms	07/22/2017	granted
	§ 153.1	2.2-3.12.2.2(1)(a) Space requirements (chemotherapy infusion)	02/11/2017	granted
	§ 153.1	2.2-3.4.5.4(1) Patient toilet rooms	10/15/2016	granted
UPMC McKeesport	§ 153.1	2.1-2.4.3.1(1)(b) Seclusion room/general/capacity	05/20/2017	granted
	§ 153.1	2.5-2.2.1 General (psychiatric nursing units)	06/17/2017	granted
	§ 153.1	2.5-2.2.2.6(3) Patient toilet room	05/20/2017	granted
	§ 153.1	2.5-2.2.6.13(1) Consultation rooms	05/20/2017	granted
	§ 153.1	2.5-7.2.2.7(1) Fire sprinklers and other protrusions	06/17/2017	granted
	§ 153.1	2.5-7.2.2.7(2) Fire sprinklers and other protrusions	06/17/2017	granted
	§ 153.1	2.5-7.2.3.3(1) Ceilings	06/17/2017	granted
	§ 153.1	2.5-7.2.3.3(1)(b) Ceilings	06/17/2017	granted
UPMC Mercy	§ 153.1	2.1-8.5.3.2 Size (TDRs)	10/15/2016	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	12/10/2016	granted
	§ 153.1	2.1-8.5.3.3 Location and access requirements (TDRs)	10/15/2016	granted
UPMC Pinnacle Hospitals	§ 133.21	Facilities	10/07/2017	withdrawn
	§ 133.31	Policies and procedures	10/07/2017	withdrawn
UPMC Pinnacle Memorial	§ 107.2	Medical staff membership	12/23/2017	denied
	§ 107.2	Medical staff membership	01/20/2018	granted
	§ 123.25(2)	Control of anesthetic explosion hazards	03/16/2018	granted
	§ 127.32	Written orders (radiology services)	01/20/2018	rejected
	§ 138.15	High-risk cardiac catheterizations	03/16/2018	granted
	§ 138.18(a)	EPS studies (board certification)	12/23/2017	denied
	§ 138.18(b)	EPS studies (therapeutic electrophysiology)	12/23/2017	denied
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	12/23/2017	granted
UPMC Presbyterian Shadyside	§ 153.1	2.1-2.2.5.1(1) Location (hand-washing station in the patient rooms)	06/17/2017	denied
	§ 153.1	2.1-2.4.3.2(1) Space requirements (seclusion rooms)	01/20/2018	granted
	§ 153.1	2.1-2.6.1.1(2) Hand-washing stations (administrative center or nurse stations)	01/14/2017	granted
	§ 153.1	2.1-2.6.11.3 Storage space for stretchers and wheelchairs	08/12/2017	granted
	§ 153.1	2.1-8.3.7.3 Bath stations	08/12/2017	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	12/17/2016	granted
	§ 153.1	2.1-8.5.3.2 Size (TDRs)	02/18/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 153.1	2.2-2.2.2.1(1) Capacity (medical/surgical nursing units)	01/14/2017	denied
	§ 153.1	2.2-2.2.2.2(2)(a) Clearances (medical/surgical nursing units)	01/14/2017	not nec.
	§ 153.1	2.2-2.2.2.7(2)(b)(i) Patient bathing facilities (medical/surgical nursing units)	01/14/2017	not nec.
	§ 153.1	2.2-2.6.2.2(1) Area (space requirements)	08/12/2017	granted
	§ 153.1	2.2-2.6.2.2(2)(b) Space requirements (clearances)	09/10/2016	granted
	§ 153.1	2.2-2.6.7.4 Staff accommodations (support areas for staff)	08/12/2017	not nec.
	§ 153.1	2.2-2.6.8.1(2) Family and visitor lounges (support areas for families and visitors)	08/12/2017	granted
	§ 153.1	2.2-3.4.2.1(1)(b) CT scanner rooms	09/09/2017	denied
	§ 153.1	2.2-3.4.5.4(1) Area (ultrasound facilities)	05/13/2017	granted
	§ 153.1	2.2-3.4.5.4(2) Clearances (ultrasound facilities)	05/13/2017	granted
	§ 153.1	2.5-2.2.2.6(2) Patient toilet rooms	09/24/2016	granted
UPMC St. Margaret	§ 107.2	Medical staff membership	08/12/2017	granted
	§ 153.1	2.6-2.2.2.7(1) Patient bathing facilities (rehabilitation nursing units)	03/11/2017	granted
Valley Medical Facilities, Inc. d/b/a Heritage Valley Beaver	§ 107.1	Principle (medical staff)	02/17/2018	denied
Valley Medical Facilities, Inc. d/b/a Heritage Valley Sewickley	§ 107.1	Principle (medical staff)	02/17/2018	denied
Washington Hospital	§ 107.61	Written orders	10/07/2017	granted
	§ 153.1	2.2-3.5.1.2 Location (interventional imaging procedure rooms)	12/10/2016	granted
	§ 153.1	2.2-3.5.2.1(1) Space requirements (All procedure rooms)	10/08/2016	granted
	§ 153.1	2.2-3.5.2.1(1) Space requirements (interventional imaging procedure rooms)	12/10/2016	granted
	§ 153.1	2.2-3.5.3.1(2) General (location pre-procedure and recovery patient areas)	10/08/2016	granted
Wayne Memorial Hospital	§ 153.1	2.1-8.5.3.2 Size (TDRs)	03/11/2017	granted
Waynesboro Hospital	§ 103.31	The chief executive officer	06/03/2017	granted
	§ 109.2	Director of nursing services	06/03/2017	granted
	§ 153.1	2.2-3.1.3.6(10)(a) Space requirements (fast-track areas)	11/26/2016	granted
	§ 153.1	2.2-3.1.3.6(10)(b) Examination/treatment areas (fast-track areas)	11/26/2016	granted
	§ 153.1	2.2-3.12.2.2(1)(c) Area (space requirements) (chemotherapy infusion)	12/10/2016	granted
WellSpan Surgery and Rehabilitation Hospital	§ 107.4	Medical staff status	02/18/2017	denied
West Penn Hospital	§ 153.1	2.1-2.2.5.1 Location (hand-washing stations in the patient rooms)	02/17/2018	granted
	§ 153.1	2.2-2.11.1.2 Newborn nursery	12/24/2016	granted
	§ 153.1	3.11-6.2.3.2 Waiting areas	03/11/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Wilkes-Barre General Hospital	§ 153.1	2.1-3.1.3.6(3) Space requirements (multiple bed treatment rooms or areas)	10/15/2016	granted
	§ 153.1	2.2-3.1.3.6(2)(a) Space requirements (single bed treatment rooms or areas)	10/15/2016	granted
	§ 153.1	2.2-3.1.7.1 Staff lounges	10/15/2016	granted
	§ 153.1	2.2-3.12.8.1 Waiting rooms	10/15/2016	granted
	§ 153.1	2.2-3.6.1.2 Nuclear medicine procedure room space requirements	08/12/2017	granted
Williamsport Regional Medical Center	§ 107.62(a)	Oral orders	12/23/2017	granted
	§ 107.62(b)	Medical staff bylaws	12/23/2017	granted
	§ 131.22	Treatment orders	02/13/2016	granted
	§ 153.1	2.2-2.13.6.7 Formula facilities	02/17/2018	not nec.
	§ 153.1	2.2-2.2.6.10 Soiled workroom or soiled holding rooms	02/17/2018	granted
	§ 153.1	2.2-2.2.6.11 Equipment and supply storage	02/17/2018	granted
	§ 153.1	2.2-2.2.6.3 Nurse or supervisor offices	02/17/2018	rejected
	§ 153.1	2.2-2.2.6.4 Multipurpose rooms	12/23/2017	denied
	§ 153.1	2.2-2.2.6.5 Hand-washing stations	02/17/2018	rejected
	§ 153.1	2.2-2.2.6.6 Medication safety zones	02/17/2018	rejected
	§ 153.1	2.2-2.2.6.7 Nourishment area or rooms	02/17/2018	rejected
	§ 153.1	2.2-2.2.6.8 Ice-making equipment	02/17/2018	granted
	§ 153.1	2.7-2.2.4.2 Airborne infection isolation (AII) rooms	12/23/2017	granted
	§ 153.1	2.7-2.2.6.10 Soiled workrooms or soiled holding rooms	12/23/2017	rejected
	§ 153.1	2.7-2.2.6.11 Equipment and supply storage	12/23/2017	rejected
	§ 153.1	2.7-2.2.6.15 Infant feeding preparation facilities	12/23/2017	rejected
	§ 153.1	2.7-2.2.6.3 Nurse or supervisor office	12/23/2017	rejected
	§ 153.1	2.7-2.2.6.5 Hand-washing stations	12/23/2017	rejected
	§ 153.1	2.7-2.2.6.6 Medication safety zone	12/23/2017	rejected
	§ 153.1	2.7-2.2.6.7 Nourishment areas or rooms	12/23/2017	rejected
	§ 153.1	2.7-2.2.6.8 Ice-making equipment	12/23/2017	rejected
York Hospital	§ 153.1	2.1-8.5.3.2 Size (TDRs)	11/19/2016	granted

Abortion Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Hillcrest Women's Medical Center	§ 29.33(6)	Requirements for abortion	05/13/2017	granted

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Advanced Center for Surgery	§ 551.21(d)(3)	Criteria for ambulatory surgery	09/24/2016	denied
AFP Surgery Center	§ 553.31(a)	Administrative responsibilities	11/11/2017	denied
Allegheny Health Network Endoscopy Center Westmoreland	§ 551.21	Criteria for ambulatory surgery	01/27/2018	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Allegheny Health Network Surgery Center—Bethel Park, LLC	§ 551.21	Criteria for ambulatory surgery	12/17/2016	denied
	§ 551.21	Criteria for ambulatory surgery (re: general surgeon)	05/21/2016	denied
	§ 551.21	Criteria for ambulatory surgery (re: gynecologists)	05/21/2016	granted
American Access Care of Pennsylvania ASC, LLC	§ 551.21(d)(1)	Criteria for ambulatory surgery (blood loss)	04/15/2017	granted
	§ 551.21(d)(3)	Criteria for ambulatory surgery (major blood vessels)	04/15/2017	granted
	§ 551.3	Definitions	07/22/2017	granted
	§ 551.3(ii)	Class B definitions (PSIII patients)	04/15/2017	denied
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	04/22/2017	granted
	§ 571.1	3.7-7.2.2.1(2) Corridor widths	04/15/2017	granted
	§ 571.1	3.7-7.2.2.3(1)(b) Door openings (doors and door hardware)	04/15/2017	granted
	§ 571.1	3.1-3.6.7(1) Hand-washing stations (nourishment areas or rooms)	04/15/2017	granted
Best Impression Surgery Center, LLC	§ 553.31(a)	Administrative responsibilities	06/17/2017	not nec.
Brandywine Valley Endoscopy Center	§ 553.31	Administrative responsibilities	03/03/2018	denied
Bryn Mawr Medical Specialists Surgery Center	§ 551.21(d)(3)	Criteria for ambulatory surgery	01/14/2017	denied
Bryn Mawr Surgery Center, LLC	§ 569.35(7)	General safety precautions (flammable agents in ASF)	04/15/2017	granted
Bryn Mawr Surgery Center, LLC d/b/a The Orthopaedic Surgery Center at Bryn Mawr Hospital	§ 555.21	Surgical procedures	12/02/2017	withdrawn
Butler Ambulatory Surgery Center, LLC d/b/a The Surgery Center at Benbrook	§ 551.21(d)	Criteria for ambulatory surgery	03/03/2018	granted
Calcagno and Rossi Vein Surgery Center, LLC	§ 555.33(d)(6)	Anesthesia policies and procedures	10/15/2016	granted
Capital Surgery & Laser Center, LLC	§ 553.31	Administrative responsibilities	09/20/2017	denied
Carbon-Schuylkill Endoscopy Center	§ 553.31	Administrative responsibilities	01/06/2018	withdrawn
Center for Specialized Surgery	§ 571.1	Table 6.7.2 Supply air outlets (supply air outlet classifications) (operating rooms)	06/17/2017	granted
CH Ambulatory Surgery Center of Hazleton	§ 571.1	3.7-7.2.3.3(3) Walls	09/24/2016	granted
Chambersburg Endoscopy Center, LLC	§ 551.21(d)(1)	Criteria for ambulatory surgery	06/18/2016	granted
Children's Surgery Center, LLC	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Eric Felix	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. John Dryden	02/04/2017	granted
	§ 553.31(a)	Administrative responsibilities	12/10/2016	granted
	§ 555.32(a)	Administration of anesthesia (CRNA students)	01/28/2017	granted

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	02/17/2018	rejected
	§ 559.2	Director of nursing	12/10/2016	not nec.
Children's Surgery Center of Lehigh Valley, LLC (Bethlehem)	§ 569.35(7)	General safety precautions (flammable agents in ASF)	12/23/2017	rejected
Children's Surgery Center of Malvern, LLC	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients	12/24/2016	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Andrew Greenstein	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Eric Felix	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Francis Hoerz	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Jay Goldsleger	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Mark Simeone	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Pooja Sukumar	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Thomas Gamba	02/04/2017	granted
	§ 551.22(3)(ii)	Criteria for performance of ambulatory surgery on pediatric patients— Dr. Scott Smith	02/04/2017	granted
	§ 553.31(a)	Administrative responsibilities	12/10/2016	granted
	§ 555.32(a)	Administration of anesthesia (CRNA students)	01/28/2017	granted
	§ 559.2	Director of nursing	02/04/2017	granted
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	02/17/2018	withdrawn
CHOP King of Prussia Specialty Care & Ambulatory Surgery Center	§ 551.21(d)	Criteria for ambulatory surgery	01/09/2016	denied
Colonoscopy Center, Sellersville	§ 555.31(a)	Principle (anesthesia services)	11/11/2017	denied
Colonoscopy Center, Lansdale	§ 555.31(a)	Anesthesia Services	12/23/2017	rejected
	§ 571.1	3.1-3.6.5.3 Additional requirements for hand-washing stations that serve multiple patient care stations	01/06/2018	rejected
	§ 571.1	3.7-3.6.14.1 In the operating room, a clinical sink . . .	01/20/2018	rejected
	§ 571.1	3.7-3.6.14.2 In the recovery area, a toilet . . .	01/20/2018	rejected
	§ 571.1	3.9-3.6.15.1 In the procedure area, a clinical sink . . .	01/20/2018	rejected
	§ 571.1	3.9-3.6.15.2 In the recovery area, a toilet . . .	01/20/2018	rejected

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Cosmedica Bensalem	§ 571.1	3.7-3.6.1 Nurse or control station	09/03/2016	denied
Cosmedica King of Prussia	§ 571.1	3.1-6.2.4.2 Public toilets	08/20/2016	denied
Crozer-Keystone Surgery Center at Brinton Lake	§ 551.21	Criteria for ambulatory surgery	02/18/2017	denied
	§ 555.3	Requirements for membership and privileges	12/10/2016	granted
	§ 557.3	Quality assurance and improvement program	12/10/2016	denied
Crozer-Keystone Surgery Center at Haverford	§ 551.21	Criteria for ambulatory surgery	08/20/2016	withdrawn
	§ 553.31	Administrative responsibilities	11/19/2016	denied
Delaware Valley Laser Surgery Institute	§ 553.31(a)	Administrative responsibilities	02/17/2018	denied
Delaware Valley Nephrology & Hypertension Nephrology Associates, PC	§ 551.21(d)(1) and (3)	Criteria for ambulatory surgery	11/19/2016	denied
Dermatology & Cosmetic Surgery Center, PC	§ 551.31(d)	Administrative responsibilities	12/23/2017	denied
Drexel Centers for Digestive Health	§ 553.1	Principle	04/01/2017	denied
	§ 553.31	Administrative responsibilities	07/22/2017	revoked
E. Ronald Salvitti, M.D., Inc. d/b/a Southwestern PA Eye Surgery Center	§ 551.3(ii)	Class B definitions (PS IV patients)	09/09/2017	denied
East Stroudsburg ASC	§ 569.35(7)	General safety precautions	12/02/2017	rejected
Einstein Surgery Center	§ 553.31(a)	Administrative responsibilities	10/07/2017	granted
Elite Surgery Center, LLC	§ 551.21	Criteria for ambulatory surgery	02/04/2017	granted
	§ 551.21(d)	Criteria for ambulatory surgery	02/13/2016	denied
Endoscopy Center of Central PA	§ 553.31	Administrative responsibilities	12/02/2017	denied
Fertility Partners of PA Surgery Center, LLC	§ 555.31(a)	Anesthesia services (propofol)	10/07/2017	granted
Foundation Surgery Affiliates at Fort Washington	§ 555.31(a)	Anesthesia services (propofol)	11/19/2016	denied
Gamma Surgery Center, LLC	§ 553.31(a)	Administrative responsibilities	07/22/2017	withdrawn
Geisinger Endoscopy Montoursville currently operating as Susquehanna Endoscopy Center, LLC	§ 551.21(d)	Criteria for ambulatory surgery	03/11/2017	granted
	§ 551.3(ii)	Class B definitions (PSIII patients)	03/11/2017	granted
	§ 555.31(a)	Anesthesia services (propofol)	03/11/2017	granted
	§ 571.1	3.9-3.1 Examination rooms	03/11/2017	withdrawn
Grandview Surgery & Laser Center	§ 551.21(a)(2)	Criteria for ambulatory surgery	06/13/2015	granted
Hanover SurgiCenter, LLC	§ 553.31(a)	Administrative responsibilities	02/17/2018	denied
Hypertension-Nephrology Associates, P.C. d/b/a Hypertension-Nephrology Associates Vascular Center	§ 569.35(7)	General safety precautions (flammable agents in ASF)	01/27/2018	granted
Indiana Ambulatory Surgical Associates, LLC	§ 555.1	Principle (medical staff)	01/20/2018	rejected
	§ 553.1	Principle (governing body)	01/20/2018	granted
	§ 557.1	Policy (quality assurance and improvement)	01/20/2018	denied

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 563.1	Principle (medical records)	02/17/2018	granted
	§ 563.2	Organization and staffing (medical records)	02/17/2018	granted
	§ 567.2	Committee responsibilities (infection control)	01/20/2018	rejected
Jefferson Endoscopy Center at Bala, LLC	§ 551.3(ii)	Class B definitions (PSIII patients)	02/04/2017	granted
	§ 553.31	Administrative responsibilities	07/22/2017	denied
Jefferson Surgical Center	§ 553.2	Ownership	07/22/2017	denied
	§ 553.3	Governing body responsibilities	07/22/2017	granted
	§ 553.4	Other functions	07/22/2017	denied
	§ 555.1	Principle (medical staff)	07/22/2017	granted
	§ 555.2	Medical staff membership	07/22/2017	granted
	§ 555.3	Requirements for membership and privileges	07/22/2017	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners	07/22/2017	granted
	§ 563.1	Principle (medical records)	07/22/2017	granted
	§ 563.2	Organization and staffing	07/22/2017	granted
	§ 567.2	Committee responsibilities	07/22/2017	granted
	§ 567.3	Policies and procedures	07/22/2017	granted
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	12/17/2016	granted
	§ 571.2(d)	Modifications to HHS requirements re: hospital type elevator	12/10/2016	granted
Laser Spine Surgical Center of PA, LLC	§ 551.3(ii)	Class B definitions (PSIII patients)	10/15/2016	denied
	§ 571.1	Table 3.1-3 Station outlets (two vacuum lines, 3.7-3.3)	10/15/2016	denied
	§ 571.1	Table 7.1 Design parameters—operating rooms (class B and C)	10/15/2016	denied
	§ 571.1	Section 571.1	10/15/2016	denied
	§ 571.1	3.7-3.4.3.1(1)(b) Size (phase I post—anesthesia recovery rooms)	10/15/2016	denied
Lehigh Valley Hospital, Inc. d/b/a LVHN Children's Surgery Center	§ 551.21(d)(2)	Criteria for ambulatory surgery	08/12/2017	denied
Lehigh Valley Hospital, Inc. d/b/a Fairgrounds Surgical Center	§ 555.1	Principle (medical staff)	01/20/2018	granted
	§ 555.2	Medical staff membership	01/20/2018	granted
	§ 555.3	Requirements for membership and privileges (medical staff)	01/20/2018	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners (medical staff)	01/20/2018	granted
Lehigh Valley Hospital, Inc. d/b/a LVHN Surgery Center—Tilghman	§ 553.2	Ownership (governing body)	01/20/2018	denied
	§ 553.3	Governing body responsibilities	01/20/2018	denied
	§ 553.4	Other functions (governing body)	01/20/2018	rejected
	§ 555.1	Principle (medical staff)	01/20/2018	rejected

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 555.2	Medical staff membership	01/20/2018	rejected
	§ 555.3	Requirements for membership and privileges (medical staff)	01/20/2018	rejected
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners (medical staff)	01/20/2018	rejected
	§ 563.1	Principle (medical records)	01/20/2018	rejected
	§ 563.2	Organization and staffing (medical records)	01/20/2018	rejected
Lehigh Valley Vascular Institute, LLC	§ 553.31(a)	Administrative responsibilities	04/08/2017	denied
	§ 559.2	Director of nursing	04/08/2017	denied
	§ 551.21(d)(3)	Criteria for ambulatory surgery	06/03/2017	granted/ denied in part
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	04/08/2017	granted
LVHN Children's Surgery Center	§ 551.21(d)(2)	Criteria for ambulatory surgery	03/12/2016	denied
	§ 551.21(d)(3)	Criteria for ambulatory surgery	03/12/2016	denied
	§ 553.2	Ownership (governing body)	01/06/2018	denied
	§ 553.3	Governing body responsibilities	01/06/2018	denied
	§ 553.4	Other functions (governing body)	01/06/2018	denied
	§ 555.1	Principle (medical staff)	01/06/2018	rejected
	§ 555.2	Medical staff membership	01/06/2018	rejected
	§ 555.3	Requirements for membership and privileges (medical staff)	01/06/2018	rejected
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners (medical staff)	01/06/2018	rejected
	§ 563.1	Principle (medical records)	01/06/2018	rejected
	§ 563.2	Organization and staffing (medical records)	01/06/2018	rejected
Mahoning Valley Ambulatory Surgery Center	§ 555.31(a)	Anesthesia services (propofol)	02/17/2018	granted
Main Line Endoscopy Center, East	§ 553.31	Administrative responsibilities	10/08/2016	denied
	§ 553.31(b)	Administrative responsibilities	02/11/2017	denied
	§ 559.2	Director of nursing	10/08/2016	denied
	§ 559.2	Director of nursing	02/11/2017	denied
Main Line Endoscopy Center, South	§ 551.52	ASF responsibilities	02/17/2018	denied
	§ 553.31(b)	Administrative responsibilities	02/04/2017	denied
	§ 559.2	Director of nursing	02/04/2017	denied
Main Line Endoscopy Center, West	§ 553.31(b)	Administrative responsibilities	02/04/2017	denied
	§ 559.2	Director of nursing	02/04/2017	denied
Main Line Vascular Institute, LLC	§ 551.3(ii)	Class B definitions (PSIII patients)	07/22/2017	granted
	§ 553.31(a)	Administrative responsibilities	04/08/2017	denied
	§ 559.2	Director of nursing	04/08/2017	not nec.
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	04/08/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Memorial Hospital Outpatient Endoscopy Center	§ 551.3	Definitions	12/23/2017	rejected
	§ 553.1	Principle	12/23/2017	rejected
	§ 553.3	Governing body responsibilities	12/23/2017	rejected
	§ 553.31	Administrative responsibilities	12/23/2017	rejected
	§ 553.31(b)	Administrative responsibilities	12/23/2017	rejected
	§ 553.3(8)(iii)	Governing body responsibilities	12/23/2017	rejected
	§ 553.4	Other functions	12/23/2017	rejected
	§ 555.1	Principle	12/23/2017	rejected
	§ 555.2	Medical staff membership	12/23/2017	rejected
	§ 555.3	Requirements for membership and privileges	12/23/2017	rejected
	§ 555.31(a)	Anesthesia services (propofol)	01/20/2018	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners	12/23/2017	rejected
	§ 557.1	Policy	12/23/2017	rejected
	§ 557.2	Plan	12/23/2017	rejected
	§ 557.3	The quality assurance and improvement program	12/23/2017	rejected
	§ 557.4	Quality assurance and improvement committee	12/23/2017	rejected
	§ 563.1	Principle	12/23/2017	rejected
	§ 563.2	Organization and staffing	12/23/2017	rejected
	§ 563.2(a)	Organization and staffing	12/23/2017	rejected
	§ 567.2	Committee responsibilities	12/23/2017	rejected
	§ 567.2(1)	Committee responsibilities	12/23/2017	rejected
	§ 569.1	Principle	12/23/2017	rejected
Mountain Laurel Surgery Center	§ 555.32(a)	Administration of anesthesia (CRNA students)	11/26/2016	granted
Mt. Lebanon Surgical Center of St. Clair Hospital	§ 553.31(a)	Administrative responsibilities	02/17/2018	not nec.
North East Surgery Center	§ 551.31(a)(3)(i)	Licensure	03/04/2017	granted/ denied in part
Northeast Regional Surgery Center	§ 569.35(7)	General safety precautions	08/12/2017	granted
Northwood Surgery Center	§ 551.21(d)(2)	Criteria for ambulatory surgery	09/20/2017	denied
OSS Ambulatory Surgery Center	§ 553.3	Governing body responsibilities	12/10/2016	granted
	§ 553.4	Other functions	12/10/2016	granted
	§ 555.3	Requirements for membership and privileges	12/10/2016	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners	12/10/2016	granted
	§ 557.2	Plan	12/10/2016	granted
	§ 557.3	Quality assurance and improvement program	12/10/2016	granted
	§ 563.2	Organization and staffing	12/10/2016	granted
	§ 567.2	Committee responsibilities	12/10/2016	granted
	§ 567.3	Policies and procedures	12/10/2016	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Oxford Valley Pain & Surgical Center	§ 51.3(a)	Notification	09/09/2017	denied
	§ 555.32(a)	Administration of anesthesia (CRNA students)	11/19/2016	denied
Pain Center of Wyoming Valley, LLC	§ 569.35(7)	General safety precautions (flammable agents in ASF)	02/17/2018	granted
Penn Highlands DuBois Surgery Center	§ 553.31	Administrative responsibilities	12/23/2017	granted
	§ 571.1	3.7-3.2.3.1 Area (space requirements)	10/15/2016	granted
Pennsylvania Surgery and Laser Center	§ 571.1	3.7-7.2.2.1(3) Corridor widths	10/29/2016	granted
Peripheral Vascular Institute of Philadelphia, LLC	§ 551.3(ii)	Class B definitions (PSIII patients)	07/22/2017	granted
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	04/08/2017	granted
PGC Endoscopy Center for Excellence, LLC	§ 551.52	ASF responsibilities	02/24/2018	denied
	§ 555.31	Principle (anesthesia services)	11/11/2017	denied
Philadelphia Surgery Center, Inc.	§ 565.1	Principle (laboratory services)	11/11/2017	denied
Philadelphia SurgiCenter, PC	§ 107.2	Medical staff membership	12/02/2017	denied
	§ 51.3	Notification	11/11/2017	denied
Phoenixville Hospital Ambulatory Surgery Center—Limerick	§ 553.31	Administrative responsibilities	03/03/2018	denied
	§ 559.2	Director of nursing	03/03/2018	denied
Phoenixville Hospital Ambulatory Surgery Center—Main Line	§ 553.31	Administrative responsibilities	03/03/2018	denied
	§ 559.2	Director of nursing	03/03/2018	denied
Phoenixville Hospital ASC—Blue Bell	§ 553.1	Principle	11/11/2017	granted
	§ 553.2	Ownership	11/11/2017	denied
	§ 553.3	Governing body responsibilities	11/11/2017	denied
	§ 553.31(a)	Administrative responsibilities	11/11/2017	denied
	§ 553.4	Other functions	11/11/2017	denied
	§ 555.1	Principle	11/11/2017	granted
	§ 555.2	Medical staff membership	11/11/2017	granted
	§ 555.3	Requirements for membership and privileges	11/11/2017	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners	11/11/2017	granted
	§ 557.1	Policy (quality assurance and improvement)	11/11/2017	denied
	§ 557.2	Plan (quality assurance and improvement)	11/11/2017	granted
	§ 557.3	The quality assurance and improvement program	11/11/2017	granted
	§ 557.4	Quality assurance and improvement committee	11/11/2017	denied
	§ 567.2	Committee responsibilities (infection control)	11/11/2017	granted
	§ 563.1	Principle (medical records)	11/11/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 563.2	Organization and staffing (medical records)	11/11/2017	granted
	§ 561.2	Pharmaceutical service	11/11/2017	denied
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	10/14/2017	granted
Phoenixville Hospital ASC—Limerick	§ 551.2(d)(2) and (3)	Criteria for ambulatory surgery	11/11/2017	denied
	§ 553.1	Principle	11/11/2017	granted
	§ 553.2	Ownership	11/11/2017	denied
	§ 553.3	Governing body responsibilities	11/11/2017	denied
	§ 553.31(a)	Administrative responsibilities	11/11/2017	denied
	§ 553.4	Other functions	11/11/2017	denied
	§ 555.1	Principle	11/11/2017	granted
	§ 555.2	Medical staff membership	11/11/2017	granted
	§ 555.3	Requirements for membership and privileges	11/11/2017	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners	11/11/2017	granted
	§ 557.1	Policy	11/11/2017	denied
	§ 557.2	Plan	11/11/2017	granted
	§ 557.3	The quality assurance and improvement program	11/11/2017	granted
	§ 557.4	Quality assurance and improvement committee	11/11/2017	denied
	§ 561.2	Pharmaceutical service	11/11/2017	denied
	§ 563.1	Principle	11/11/2017	granted
	§ 563.2	Organization and staffing	11/11/2017	granted
	§ 567.2	Committee responsibilities	11/11/2017	granted
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	10/14/2017	granted
Phoenixville Hospital ASC—Main Line	§ 553.1	Principle	11/11/2017	granted
	§ 553.2	Ownership	11/11/2017	denied
	§ 553.3	Governing body responsibilities	11/11/2017	denied
	§ 553.31(a)	Administrative responsibilities	11/11/2017	denied
	§ 553.4	Other functions	11/11/2017	denied
	§ 555.1	Principle	11/11/2017	granted
	§ 555.2	Medical staff membership	11/11/2017	granted
	§ 555.3	Requirements for membership and privileges	11/11/2017	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners	11/11/2017	granted
	§ 557.1	Policy	11/11/2017	denied
	§ 557.2	Plan	11/11/2017	granted
	§ 557.3	The quality assurance and improvement program	11/11/2017	granted
	§ 557.4	Quality assurance and improvement committee	11/11/2017	denied
	§ 567.2	Committee responsibilities	11/11/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
	§ 563.1	Principle	11/11/2017	granted
	§ 563.2	Organization and staffing	11/11/2017	granted
	§ 561.2	Pharmaceutical service	11/11/2017	denied
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	10/14/2017	granted
Pinnacle Health Pain Management Center West	§ 553.3(8)	Governing body responsibilities	04/15/2017	granted
	§ 569.35(7)	General safety precautions (flammable agents in ASF)	04/01/2017	granted
Pottstown Ambulatory Center	§ 555.31(a)	Anesthesia services (propofol)	11/19/2016	granted
Pottstown Surgical Center	§ 51.31	Principle	04/01/2017	denied
	§ 571.1	3.7-1.2.3 Shared services	04/01/2017	denied
Premier Surgery Center of Pittsburgh, LLC	§ 571.1	3.9-5.1.1.3 General (instrument processing rooms)	12/02/2017	granted
Progressive Laser Surgical Institute	§ 553.31	Administrative responsibilities	07/09/2016	denied
Progressive Laser Surgical Institute, Ltd.	§ 553.31	Administrative responsibilities	07/22/2017	denied
Progressive Surgical Institute	§ 553.31	Administrative responsibilities	07/09/2016	denied
Progressive Surgical Institute ABE Inc.	§ 553.31	Administrative responsibilities	07/09/2016	denied
Prospect CCMC, LLC d/b/a Crozer Endoscopy Center	§ 557.3(a)—(f)	The quality assurance and improvement program	09/09/2017	granted
Prospect CCMC, LLC d/b/a Crozer Keystone Surgery Center at Brinton Lake	§ 557.3(a)—(f)	The quality assurance and improvement program	09/09/2017	granted
Prospect CCMC, LLC d/b/a Crozer Keystone Surgery Center at Haverford	§ 557.3(a)—(f)	The quality assurance and improvement program	09/09/2017	granted
Renaissance Center for Plastic Surgery	§ 569.35(7)	General safety precautions	09/20/2017	granted
Riddle Surgical Center	§ 553.31(a)	Administrative responsibilities	03/11/2017	denied
Ridley Crossing Surgical Center, LLC	§ 553.31	Administrative responsibilities	08/12/2017	denied
Roy A. Himelfarb Surgery Center	§ 551.21	Criteria for ambulatory surgery	12/31/2016	withdrawn
	§ 569.35(7)	General safety precautions	01/20/2018	granted
Sally Balin Ambulatory Surgical Center	§ 569.35(7)	General safety precautions	07/29/2017	granted
Skin Center, The	§ 551.3(ii)	Class B definitions (PSIII patients)	12/17/2016	granted
South Hills Surgery Center, LLC	§ 553.31	Administrative responsibilities	11/11/2017	granted
	§ 553.4(b)	Other functions	11/11/2017	not nec.
	§ 559.2	Director of nursing	11/11/2017	not nec.
Southwestern Ambulatory Surgery Center, LLC	§ 553.31(a)	Administrative responsibilities	07/22/2017	granted
Southwestern Pennsylvania Eye Surgery Center	§ 553.31	Administrative responsibilities	11/11/2017	granted
St. Clair Memorial Hospital d/b/a Mt. Lebanon Surgical Center of St. Clair Hospital	§ 559.2	Director of nursing	01/27/2018	not nec.

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
St. Luke's Anderson Ambulatory Surgery Center	§ 553.1	Principle	11/11/2017	granted
	§ 553.1	Principle (governing body)	01/20/2018	granted
	§ 553.2	Ownership	06/17/2017	denied
	§ 553.3(2)(4)—(9) and (11)—(16)	Governing body responsibilities	06/17/2017	denied
	§ 553.4(b) and (e)—(g)	Other functions	06/17/2017	denied
	§ 553.31	Administrative responsibilities	06/17/2017	granted
	§ 555.1	Principle (medical staff)	07/08/2017	granted
	§ 555.2	Medical staff membership	07/08/2017	granted
	§ 555.3	Requirements for membership and privileges	07/08/2017	granted
	§ 555.4	Clinical activities and duties of physician assistants and certified registered nurse practitioners	07/08/2017	granted
	§ 557.2(a)	Plan (written plan)	07/08/2017	granted
	§ 557.2(b)	Plan (plan endorsed by governing body and medical director)	07/08/2017	granted
	§ 557.2(c)	Plan (emphasizes ongoing nature and comprehensiveness of scope)	07/08/2017	granted
	§ 557.2(d)	Plan (emphasizes ongoing nature and comprehensiveness of scope)	07/08/2017	granted
	§ 557.3(a)	Quality assurance and improvement program (measures implemented)	07/08/2017	granted
	§ 557.3(b)	Quality assurance and improvement program (data monitoring and evaluation)	07/08/2017	granted
	§ 557.3(c)	Quality assurance and improvement program (identification of problems and actions taken)	07/08/2017	granted
	§ 557.3(d)	Quality assurance and improvement program (frequency, severity and source)	07/08/2017	granted
	§ 557.3(e)	Quality assurance and improvement program (mechanism assuring activities is documented and reported)	07/08/2017	granted
	§ 557.3(f)	Quality assurance and improvement program (establishment of committee)	07/08/2017	granted
	§ 563.2(a)	Organization and staffing (medical record service)	07/08/2017	granted
	§ 563.2(b)	Organization and staffing (medical record staff)	07/08/2017	granted
	§ 563.10	Ownership (medical records)	07/08/2017	granted
	§ 567.1	Principle (environmental services)	07/08/2017	denied
	§ 567.2	Committee responsibilities (infection control)	01/20/2018	granted
	§ 567.3	Policies and procedures (infection control)	01/20/2018	granted
	§ 569.1	Principle (fire and safety services)	07/08/2017	denied
	§ 569.3	Policies and procedures (fire and safety services)	07/08/2017	denied

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
St. Luke's West End Endoscopy	§ 551.31(e)	Licensure	10/15/2016	denied
	§ 551.3(ii)	Class B definitions (PSIII patients)	02/11/2017	granted
	§ 553.3(1)	Governing body responsibilities	10/15/2016	denied
Surgery Center at Limerick	§ 551.21(d)(2) and (3)	Criteria for ambulatory surgery	09/24/2016	granted
Surgery Center at Penn Medicine University City	§ 571.1	2.2-3.13.6.12(1) Environmental services rooms	07/22/2017	withdrawn
Surgery Center of Lebanon, LP	§ 553.31	Administrative responsibilities	06/03/2017	granted
Temple University School of Podiatric Medicine ASC	§ 569.35(7)	General safety precautions	08/12/2017	granted
TMA Vascular Access Center	§ 571.1	3.7-1.3.3.4 Location and layout	11/11/2017	denied
	§ 571.1	3.1-3.6.5.3(1) Hand-washing stations	11/11/2017	denied
	§ 571.1	3.7-3.7.3 Staff shower	11/11/2017	denied
	§ 571.1	3.7-3.4.2.2(2)(a) Clearances (patient care stations)	11/11/2017	denied
	§ 571.1	3.7-3.4.3.1(2)(b)(ii) Clearances (Phase I post-anesthesia recovery rooms)	11/11/2017	denied
	§ 571.1	3.7-7.2.2.1(3) Corridor width (PACU)	11/11/2017	denied
	§ 571.1	3.7-3.6.13.1(1) Decontamination/clean areas (general)	11/11/2017	denied
	§ 571.1	3.7-3.6.13.1(2) Location (general)	11/11/2017	denied
	§ 571.1	3.7-3.6.13.1(3) Sterile processing rooms (general)	11/11/2017	denied
Trevoze Specialty Care Surgical Center	§ 555.31(a)	Anesthesia services (propofol)	11/19/2016	denied
Tri-State Surgery Center, LLC	§ 551.21(d)	Criteria for ambulatory surgery	02/04/2017	granted
	§ 553.31(a)	Administrative responsibilities	08/12/2017	granted
	§ 551.21(d)	Criteria for ambulatory surgery	08/20/2016	withdrawn
UOC Surgical Services, Ltd.	§ 551.21	Criteria for ambulatory surgery	12/12/2015	granted
Valley Ambulatory Surgical Center, LLC	§ 551.21(d)(2)	Criteria for ambulatory surgery	01/20/2018	rejected
Valley Forge Surgical Center, LP	§ 555.31(a)	Anesthesia services (propofol)	08/26/2017	granted
	§ 571.1	3.1-6.2.4.1 Toilet rooms	12/24/2016	granted
Vascular Access Center of Delaware Valley	§ 569.35(7)	General safety precautions (flammable agents in ASF)	02/17/2018	granted
Vascular Access Center of Pittsburgh, LLC	§ 551.3(ii)	Class B definitions (PSIII patients)	07/22/2017	granted
Village SurgiCenter, LP	§ 551.21	Criteria for ambulatory surgery	11/11/2017	withdrawn
West Shore Pain & Spine Institute, LLC	§ 553.31(a)	Administrative responsibilities	08/26/2017	granted
	§ 559.2	Director of nursing	08/26/2017	granted
Wexford Surgery Center	§ 551.21	Criteria for ambulatory surgery	04/16/2016	denied
	§ 551.21(d)(2)	Criteria for ambulatory surgery (laparoscopic hernia repair)	11/26/2016	denied
	§ 551.21(d)(2)	Criteria for ambulatory surgery (laparoscopic cholecystectomy)	11/26/2016	denied
Wyomissing Surgical Services, Inc.	§ 553.31	Administrative responsibilities	11/11/2017	granted

Long-Term Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Abramson Senior Care at Lankenau Medical Center	§ 205.6(a)	Function of building	01/27/2018	granted
	§ 205.26(e)	Laundry	01/27/2018	granted
	§ 205.36(g) and (h)	Bathing facilities	01/27/2018	granted
Allied Services Transitional Rehabilitation Unit	§ 201.18(e)	Management	01/28/2017	granted
Bala Nursing and Retirement Center	§ 211.9(g)	Pharmacy services	03/11/2017	granted
Baptist Homes of Western Pennsylvania	§ 201.3	Definitions	11/29/2017	granted
Belle Reve Health Care Center	§ 211.9(g)	Pharmacy services	04/22/2017	granted
Berwick Retirement Village Nursing Home	§ 211.9(g)	Pharmacy services	03/25/2017	granted
Bryn Mawr Terrace	§ 211.9(g)	Pharmacy services	10/14/1017	granted
Calvary Fellowship Homes, Inc.	§ 205.67(k)	Electric requirements for existing and new construction	02/24/2018	granted
Cathedral Village	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	10/24/2018	granted
Centennial Healthcare and Rehabilitation Center	§ 211.9(g)	Pharmacy services	03/11/2017	granted
Chestnut Hill Lodge Health and Rehabilitation Center	§ 211.9(g)	Pharmacy services	01/27/2017	granted
Christ's Home Retirement Community	§ 211.9(g)	Pharmacy services	01/13/2018	granted
Church of the Brethren Home	§ 205.20(a)	Resident bedrooms	03/11/2017	granted
Claremont Nursing and Rehabilitation Center of Cumberland County	§ 205.6(a) and (b)	Function of building	09/16/2017	granted
Country Meadows Nursing Care of Bethlehem	§ 201.22(h)	Prevention, control and surveillance of tuberculosis (TB)	08/26/2017	granted
Courtyard Gardens Nursing and Rehabilitation Center	§ 205.28(b)	Nurses' station	04/29/2017	granted
	§ 205.33(a)	Utility rooms	04/29/2017	granted
Darway Healthcare and Rehabilitation Center	§ 205.36(h)	Bathing facilities	09/30/2017	granted
Dock Terrace	§ 205.32(b)	Janitor closet	02/03/2017	granted
Elizabethtown Nursing and Rehabilitation Center	§ 211.9(g)	Pharmacy services	02/18/2017	granted
Elkins Crest Health and Rehabilitation Center	§ 211.9(g)	Pharmacy services	04/08/2017	granted
Forbes Center for Rehabilitation and Healthcare	§ 211.9(g)	Pharmacy services	02/25/2017	granted
Forest Park Healthcare and Rehabilitation Center	§ 205.67(j)	Electric requirements for existing and new construction	01/21/2017	granted
Forestview	§ 205.20(a)	Resident bedrooms	12/02/2017	granted
Fox Subacute at Mechanicsburg	§ 205.7	Basements or cellars	04/01/2017	granted
	§ 205.19(b)	Windows and windowsills	04/01/2017	granted
Fox Subacute at South Philadelphia	§ 205.10(a)	Doors	07/29/2017	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Frederick Living—Cedarwood	§ 201.22(e)	Prevention, control and surveillance of tuberculosis (TB)	04/01/2017	granted
Glendale Uptown Home	§ 211.9(g)	Pharmacy services	05/27/2017	granted
Green Valley Skilled Nursing and Rehabilitation Center	§ 211.9(g)	Pharmacy services	03/18/2017	granted
Harrison Senior Living of Christiana	§ 205.67(k)	Electric requirements for existing and new construction	02/18/2017	granted
Haven Skilled Rehabilitation and Nursing	§ 201.22(e)	Prevention, control and surveillance of tuberculosis (TB)	01/13/2018	granted
Homestead Village, Inc.	§ 201.3	Definitions	09/30/2017	granted
Jameson Care Center	§ 201.22(d) and (e)	Prevention, control and surveillance of tuberculosis (TB)	02/25/2017	granted
Jefferson Hills Healthcare and Rehabilitation Center	§ 211.9(g)	Pharmacy services	02/25/2017	granted
	§ 205.33(a)	Utility rooms	04/15/2017	granted
Juniper Village at Bucks County Rehabilitation and Skilled Care	§ 201.18(e)	Management	10/14/2017	granted
Kearsley Rehabilitation and Nursing Center	§ 211.9(g)	Pharmacy services	11/04/2017	granted
Kirkland Village	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	08/26/2017	granted
Lakeside at Willow Valley	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	09/09/2017	granted
Laurel Square Healthcare and Rehabilitation Center	§ 211.9(g)	Pharmacy services	03/11/2017	granted
Lebanon Valley Brethren Home	§ 211.9(g)	Pharmacy services	04/29/2017	granted
Lifquest Nursing Center	§ 205.6(a)	Window and window sills	11/04/2017	granted
Linwood Nursing and Rehabilitation Center	§ 205.67(j) and (k)	Electric requirements for existing and new construction	05/27/2017	granted
Loyalsock Rehab Center	§ 205.33(a)	Utility rooms	12/16/2017	granted
ManorCare Health Services—Elizabethtown	§ 205.20(a)	Resident bedrooms	11/29/2017	granted
ManorCare Health Services—King of Prussia	§ 211.9(g)	Pharmacy services	05/27/2017	granted
ManorCare Health Services—Lancaster	§ 205.20(a)	Resident bedrooms	07/08/2017	granted
Masonic Village at Warminster	§ 201.22(d)—(f)	Prevention, control and surveillance of tuberculosis (TB)	07/29/2017	granted
Meadowood	§ 211.9(g)	Pharmacy services	07/29/2017	granted
Meadville Medical Center	§ 201.22(e) and (k)	Prevention, control and surveillance of tuberculosis (TB)	04/01/2017	granted
Menno Haven Rehabilitation Center	§ 205.6(a)	Function of building	09/30/2017	granted
	§ 205.67(j)	Electric requirements for existing and new construction	09/30/2017	not nec.
Monroeville Rehabilitation and Wellness Center	§ 211.9(g)	Pharmacy services	08/26/2017	granted
Mt. Lebanon Rehabilitation and Wellness Center	§ 211.9(g)	Pharmacy services	04/15/2017	granted
Oakwood Heights of Presbyterian SeniorCare	§ 205.36(g)	Bathing facilities	02/17/2018	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Paramount Nursing and Rehabilitation at South Hills	§ 205.6(a)	Function of building	07/29/2017	granted
	§ 201.17	Location	07/29/2017	granted
Phoebe Allentown Health Care Center	§ 201.22(e)	Prevention, control and surveillance of tuberculosis (TB)	03/03/2018	granted
Phoebe Berks Health Care Center, Inc.	§ 201.22(e)	Prevention, control and surveillance of tuberculosis (TB)	02/24/2018	granted
Phoebe Richland Health Center	§ 201.22(e)	Prevention, control and surveillance of tuberculosis (TB)	02/24/2018	granted
Pleasant Acres Nursing & Rehabilitation Center	§ 211.9(g)	Pharmacy services	07/22/2017	granted
Premier Armstrong Rehabilitation and Nursing Facility	§ 211.9(g)	Pharmacy services	09/16/2017	granted
Presbyterian Homes of the Presbytery of Huntingdon	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	12/02/2017	granted
Providence Point Healthcare Residence	§ 201.3	Definitions	11/29/2017	granted
Reformed Presbyterian Home	§ 201.22(d) and (e)	Prevention, control and surveillance of tuberculosis (TB)	04/01/2017	granted
Rehab at Shannondell	§ 205.6(a)	Function of building	10/24/2018	granted
Richfield Healthcare and Rehabilitation Center	§ 211.9(g)	Pharmacy services	04/29/2017	granted
Riverwoods	§ 205.36(h)	Bathing facilities	01/13/2018	granted
Rolling Hills Healthcare and Rehabilitation Center	§ 205.23	Location of bedrooms	03/18/2017	granted
Rothermel L. Caplan Transitional Care Unit	§ 201.22(d) and (e)	Prevention, control and surveillance of tuberculosis (TB)	04/29/2017	granted
Sacred Heart Free Home	§ 211.9(g)	Pharmacy services	12/02/2017	granted
Sarah Reed Senior Living	§ 205.19(b)	Windows and windowsills	06/17/2017	granted
Shenango Presbyterian SeniorCare	§ 205.33(a)	Utility rooms	06/17/2017	granted
Silvercare Nursing & Rehabilitation	§ 205.6(a)	Function of building	02/11/2017	granted
	§ 201.17	Location	03/18/2017	granted
Southeastern Pennsylvania Veteran's Center	§ 205.6(a)	Function of building	01/06/2018	granted
	§ 205.7	Basements or cellars	01/06/2018	granted
Spirit of Mercy Skilled Nursing Center	§ 201.18(e)	Management	01/28/2017	granted
St. Paul Homes	§ 205.20(a)	Resident bedrooms	11/11/2017	granted
Susque-View Home, Inc.	§ 205.36(g)	Bathing facilities	09/30/2017	granted
Tel Hai Retirement Community	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	09/30/2017	granted
The Glen at Willow Valley	§ 205.6(a)	Function of building	06/17/2017	granted
	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	10/24/2018	withdrawn
The Health Center at The Hill at Whitemarsh	§ 205.36(h)	Bathing facilities	05/27/2017	granted
	§ 211.9(g)	Pharmacy services	10/14/2017	granted
The Inn at Freedom Village	§ 205.36(g)	Bathing facilities	03/03/2018	granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
The Springs at the Watermark	§ 211.9(g)	Pharmacy services	04/15/2017	granted
The Summit at Blue Mountain Nursing and Rehabilitation Center	§ 211.9(g)	Pharmacy services	04/22/2017	granted
The Willows of Presbyterian SeniorCare	§ 205.28(b)	Nurses' stations	02/13/2017	granted
Tulip Special Care, LLC	§ 205.7	Basements or cellars	02/11/2017	granted
	§ 205.27	Lounge and recreations rooms	02/11/2017	granted
	§ 205.36(b) and (h)	Bathing facilities	02/11/2017	granted
	§ 205.38(d)	Toilet facilities	02/11/2017	granted
	§ 205.10(a)	Doors	11/11/2017	granted
United Zion Retirement Community	§ 205.6(a) and (b)	Function of building	02/18/2017	granted
	§ 205.28(b)	Nurses' stations	02/18/2017	granted
	§ 205.33(a)	Utility rooms	02/18/2017	granted
	§ 205.36(a)	Bathing facilities	12/02/2017	granted
	§ 205.67(k)	Electric requirements for existing and new construction	01/27/2017	granted
UPMC Heritage Place	§ 201.22(d)	Prevention, control and surveillance of tuberculosis (TB)	01/21/2017	granted
	§ 205.36(a) and (b)	Bathing facilities	02/11/2017	granted
Valencia Woods at St. Barnabas	§ 211.9(g)	Pharmacy services	02/13/2017	granted
Watson town Nursing and Rehabilitation Center	§ 201.3	Nurse aide, definitions	03/18/2017	granted
Westminster Village	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	08/26/2017	granted
Westminster Woods at Huntingdon	§ 201.3	Definitions	09/16/2017	granted
	§ 201.22(j)	Prevention, control and surveillance of tuberculosis (TB)	12/02/2017	granted
William Hood Dunwoody Care Center	§ 205.67(k)	Electric requirements for existing and new construction	02/24/2018	granted
Willowbrooke Court at Normandy Farms Estates	§ 205.67(j) and (k)	Electric requirements for existing and new construction	05/27/2017	granted
	§ 205.36(h)	Bathing facilities	08/26/2017	granted
Willowbrooke Court Skilled Care Center at Normandy Farms Estate	§ 205.28(c)(3) and (g)	Nurses stations	10/14/2017	granted
Windy Hill Village of the Presbyterian Homes	§ 201.22(d), (e), (j) and (k)	Prevention, control and surveillance of tuberculosis (TB)	09/30/2017	granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone 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,
Secretary

[Pa.B. Doc. No. 18-574. Filed for public inspection April 13, 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 § 201.22(d) and (e) (relating to prevention, control and surveillance of tuberculosis (TB)):

ManorCare Health Services—North Hills
1105 Perry Highway
Pittsburgh, PA 15237
FAC ID # 127902

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(h):

Southwestern Nursing Care Center
500 Lewis Run Road
Pittsburgh, PA 15122
FAC ID # 452302

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Mountain View Care and Rehabilitation Center
2309 Stafford Avenue
Scranton, PA 18505
FAC ID # 053602

Saint Barnabas Nursing Home
5827 Meridian Road
Gibsonia, PA 15044
FAC ID # 710302

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,
Secretary

[Pa.B. Doc. No. 18-575. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Newborn Screening and Follow-Up Technical Advisory Board Meeting

The Newborn Screening and Follow-Up Technical Advisory Board, established under the Newborn Child Testing Act (35 P.S. §§ 621—625), will hold a public meeting on Thursday, May 3, 2018, from 10 a.m. to 3 p.m. The meeting will be held at the Department of Transportation, Materials and Testing Laboratory, DGS Annex Complex, 81 Lab Lane, Harrisburg, PA 17110-2543.

The agenda will include information and updates on Krabbe, mucopolysaccharidosis II and spinal muscular atrophy. The agenda will also include an update from the Bureau of Family Health on: data collected and information on lysosomal storage disorders and severe combined immunodeficiency; information on NewSTEPs 360, the grant received to improve the timeliness of newborn screening; reports of committee activities; and discussion on the R4S tool pilot program, a laboratory performance database.

For additional information or for persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so, contact Stacey Gustin, Public Health Program Manager, Division of Newborn Screening and Genetics, (717) 783-8143 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,
Secretary

[Pa.B. Doc. No. 18-576. Filed for public inspection April 13, 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, May 4, 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 bud-

getary 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,
Secretary

[Pa.B. Doc. No. 18-577. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Federal Poverty Income Guidelines for 2018

The Department of Human Services (Department) announces the implementation in this Commonwealth of the 2018 Federal Poverty Income Guidelines (FPIG) which were issued by the Department of Health and Human Services and published at 83 FR 2642 (January 18, 2018).

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are published in 55 Pa. Code (relating to human services) and administered by the Department. These categories include Healthy Horizons for the Elderly and Disabled (55 Pa. Code Chapter 140, Subchapter B (relating to eligibility provisions for the healthy horizons program for the elderly/disabled)) and the Modified Adjusted Gross Income (MAGI) based eligibility categories for pregnant women, children, parent/caretakers and adults. The MAGI categories were established by the Department's implementation of the Patient Protection and Affordable Care Act (Pub.L. No. 111-148) at 43 Pa.B. 4035 (July 13, 2013).

The percentages for the Medicaid categories of MAGI and Healthy Horizons are set forth as follows:

MAGI—

- a. 215% for pregnant women and infants under 1 year of age; and the Family Planning Services program.
- b. 185% for individuals 0—64 years of age who are eligible for 12-months of Transitional Medical Assistance, this is the second 6-month limit.
- c. 157% for children 1—5 years of age.
- d. 133% for children 6—18 years of age and for adults 19—64 years of age.
- e. 102% for individuals 19—64 years of age with a permanent disability (Medical Review Team or Social Security Administration determined) who are not eligible for Medicare or individuals 19—20 years of age with income at or below the Medically Needy Only limit who are not eligible for Medicare.
- f. 33% for children through 18 years of age and parents/caretakers.

*MAGI FPIGs represent the MAGI converted standards which will be valid until September 2019.

Healthy Horizons—

- a. 100% for persons eligible for categorically needy, Medicare Buy-In and Medicare cost-sharing benefits.
- b. 120% for persons eligible for the Specified Low-Income Medicare Beneficiaries.
- c. 135% for persons eligible for the Qualifying Individuals Beneficiaries benefits.

There are different resource limits for each of the Healthy Horizons programs.

Persons	33% of FPIG		100% of FPIG		102% of FPIG		120% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$334	\$4,007	\$1,012	\$12,140	\$1,032	\$12,383	\$1,214	\$14,568
2	\$453	\$5,432	\$1,372	\$16,460	\$1,400	\$16,790	\$1,646	\$19,752
3	\$572	\$6,858	\$1,732	\$20,780	\$1,767	\$21,196	\$2,078	\$24,936
4	\$691	\$8,283	\$2,092	\$25,100	\$2,134	\$25,602	\$2,510	\$30,120
5	\$810	\$9,709	\$2,452	\$29,420	\$2,501	\$30,009	\$2,942	\$35,304
6	\$928	\$11,135	\$2,812	\$33,740	\$2,868	\$34,415	\$3,374	\$40,488
7	\$1,047	\$12,560	\$3,172	\$38,060	\$3,236	\$38,822	\$3,806	\$45,672
8	\$1,166	\$13,986	\$3,532	\$42,380	\$3,603	\$43,228	\$4,238	\$50,856
Each Additional Person	\$119	\$1,426	\$360	\$4,320	\$368	\$4,407	\$432	\$5,184

Persons	133% of FPIG		135% of FPIG		157% of FPIG		185% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$1,346	\$16,147	\$1,366	\$16,389	\$1,589	\$19,060	\$1,872	\$22,459
2	\$1,825	\$21,892	\$1,852	\$22,221	\$2,154	\$25,843	\$2,538	\$30,451
3	\$2,304	\$27,638	\$2,338	\$28,053	\$2,719	\$32,625	\$3,204	\$38,443
4	\$2,782	\$33,383	\$2,824	\$33,885	\$3,284	\$39,407	\$3,870	\$46,435
5	\$3,261	\$39,129	\$3,310	\$39,717	\$3,850	\$46,190	\$4,536	\$54,427
6	\$3,740	\$44,875	\$3,796	\$45,549	\$4,415	\$52,972	\$5,202	\$62,419
7	\$4,219	\$50,620	\$4,282	\$51,381	\$4,980	\$59,755	\$5,868	\$70,411
8	\$4,698	\$56,366	\$4,768	\$57,213	\$5,545	\$66,537	\$6,534	\$78,403
Each Additional Person	\$479	\$5,746	\$486	\$5,832	\$566	\$6,783	\$666	\$7,992

Persons	200% of FPIG		215% of FPIG		235% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$2,024	\$24,280	\$2,176	\$26,101	\$2,378	\$28,529	\$2,530	\$30,350
2	\$2,744	\$32,920	\$2,950	\$35,389	\$3,224	\$38,681	\$3,430	\$41,150
3	\$3,464	\$41,560	\$3,724	\$44,677	\$4,070	\$48,833	\$4,330	\$51,950
4	\$4,184	\$50,200	\$4,498	\$53,965	\$4,916	\$58,985	\$5,230	\$62,750
5	\$4,904	\$58,840	\$5,272	\$63,253	\$5,762	\$69,137	\$6,130	\$73,550
6	\$5,624	\$67,480	\$6,046	\$72,541	\$6,608	\$79,289	\$7,030	\$84,350
7	\$6,344	\$76,120	\$6,820	\$81,829	\$7,454	\$89,441	\$7,930	\$95,150
8	\$7,064	\$84,760	\$7,594	\$91,117	\$8,300	\$99,593	\$8,830	\$105,950
Each Additional Person	\$720	\$8,640	\$774	\$9,288	\$846	\$10,152	\$900	\$10,800

Additional information on the programs is available at county assistance offices.

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 13, 2018.

Public Comments

Interested persons are invited to submit written comments regarding the implementation of FPIGs to the Department of Human Services, Office of Income Maintenance, Cathy Buhrig, Director, Bureau of Policy, Room 427, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 calendar days will be reviewed and considered.

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).

Fiscal Note: 14-NOT-1225. No fiscal impact; (8) recommends adoption.

TERESA D. MILLER,
Secretary

[Pa.B. Doc. No. 18-578. Filed for public inspection April 13, 2018, 9:00 a.m.]

**DEPARTMENT OF MILITARY
AND VETERANS AFFAIRS**

Per Diem Rates at Pennsylvania State Veterans' Homes

The Department of Military and Veterans Affairs (Department) has established the following per diem rates for the costs of care for residents at Pennsylvania's six State Veterans' Homes. These rates are based on costs of care for the period July 1, 2016, to June 30, 2017. The Department has implemented and will continue to implement cost-savings measures for the State Veterans' Homes, which are reflected in these per diem rates.

These per diem rates are effective February 8, 2018, until further notice.

Hollidaysburg Veterans' Home, Hollidaysburg:

Nursing Care \$452
Personal Care (Domiciliary) \$215

Pennsylvania Soldiers' and Sailors' Home, Erie:

Nursing Care \$397
Personal Care (Domiciliary) \$185

Southeastern Veterans' Center, Spring City:

Nursing Care \$348
Personal Care (Domiciliary) \$240

Gino J. Merli Veterans' Center, Scranton:

Nursing Care	\$453
Personal Care (Domiciliary)	N/A

Southwestern Veterans' Center, Pittsburgh:

Nursing Care	\$386
Personal Care (Domiciliary)	N/A

Delaware Valley Veterans' Home, Philadelphia:

Nursing Care	\$401
Personal Care (Domiciliary)	\$195

ANTHONY J. CARRELLI,
Major General,
Pennsylvania Air National Guard,
The Adjutant General

[Pa.B. Doc. No. 18-579. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash Adventure Instant Lottery Game 1338

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 Cash Adventure (hereinafter "Cash Adventure"). The game number is PA-1338.

2. *Price:* The price of a Cash Adventure instant lottery game ticket is \$3.

3. *Play Symbols:* Each Cash Adventure ticket play area will contain a "TEMPLE GRID" area and a "YOUR COORDINATES" area. The "TEMPLE GRID" will contain a seven by seven grid with numbers horizontally across the top of the grid, and letters vertically along the left side of the grid. The numbers across the top of the grid are: 1, 2, 3, 4, 5, 6 and 7. The letters along the left side of the grid are: A, B, C, D, E, F and G. The play symbols located in the "TEMPLE GRID" are: Monkey (MONKEY) symbol, Butterfly (BTRFLY) symbol, Beetle (BEETLE) symbol, Parrot (PARROT) symbol, Spider (SPIDER) symbol, Jaguar (JAGUAR) symbol, Lizard (LIZARD) symbol, Turtle (TURTLE) symbol and a Toucan (TOUCAN) symbol. The play symbols located in the "YOUR COORDINATES" area will consist of one letter and one number and are: A1, A2, A3, A4, A5, A6, A7, B1, B2, B3, B4, B5, B6, B7, C1, C2, C3, C4, C5, C6, C7, D1, D2, D3, D4, D5, D6, D7, E1, E2, E3, E4, E5, E6, E7, F1, F2, F3, F4, F5, F6, F7, G1, G2, G3, G4, G5, G6 and G7.

4. *Prizes:* The prizes, located in the "LEGEND," that can be won in this game are: \$3, \$5, \$10, \$15, \$30, \$50, \$100, \$150, \$300, \$1,000 and \$50,000. A player can win up to two times on a ticket.

5. *Approximate Number of Tickets Available for the Game:* Approximately 8,400,000 tickets will be available for sale for the Cash Adventure lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets upon which the player matches four Toucan (TOUCAN) symbols in the "TEMPLE 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 \$50,000.

(b) Holders of tickets upon which the player matches four Turtle (TURTLE) symbols in the "TEMPLE 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 \$1,000.

(c) Holders of tickets upon which the player matches four Lizard (LIZARD) symbols in the "TEMPLE 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 \$300.

(d) Holders of tickets upon which the player matches four Jaguar (JAGUAR) symbols in the "TEMPLE 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 matches four Spider (SPIDER) symbols in the "TEMPLE 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 matches four Parrot (PARROT) symbols in the "TEMPLE 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 \$30.

(g) Holders of tickets upon which the player matches four Beetle (BEETLE) symbols in the "TEMPLE 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.

(h) Holders of tickets upon which the player matches four Butterfly (BTRFLY) symbols in the "TEMPLE 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.

(i) Holders of tickets upon which the player matches four Monkey (MONKEY) symbols in the "TEMPLE 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 \$3.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Scratch The YOUR COORDINATES Area To Reveal 20 Different Coordinates (Letter-Number Combinations). Do Not Scratch The Entire Temple Grid Area. Find The Corresponding Grid Locations For Each Of The Revealed Coordinates On The Temple Grid And Scratch Only Those Squares. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
4—MONKEY SYMBOLS	\$3	8.33	1,008,000
4—BUTTERFLY SYMBOLS	\$5	14.29	588,000
4—BEETLE SYMBOLS	\$10	33.33	252,000
(4—BEETLE SYMBOLS) + (4—BUTTERFLY SYMBOLS)	\$15	100	84,000
4—PARROT SYMBOLS	\$30	250	33,600
4—SPIDER SYMBOLS	\$50	500	16,800
4—JAGUAR SYMBOLS	\$100	600	14,000
(4—JAGUAR SYMBOLS) + (4—SPIDER SYMBOLS)	\$150	857.14	9,800
4—LIZARD SYMBOLS	\$300	6,000	1,400
4—TURTLE SYMBOLS	\$1,000	6,667	1,260
4—TOUCAN SYMBOLS	\$50,000	840,000	10

Reveal four like play symbols, win the prize shown for that symbol in the “LEGEND.”

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Cash Adventure instant lottery game tickets.

9. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Cash Adventure, prize money from winning Cash Adventure instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Cash Adventure instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Cash Adventure or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-580. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Double Match Instant Lottery Game 1339

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Double Match (hereinafter “Double Match”). The game number is PA-1339.

2. *Price:* The price of a Double Match instant lottery game ticket is \$2.

3. *Play Symbols:* Each Double Match instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3

(THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ) and 30 (THIRTY).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$25.⁰⁰ (TWY FIV), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$200, \$500, \$1,000, and \$20,000. The player can win up to seven times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,600,000 tickets will be printed for the Double Match instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols are:

(1) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(2) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(4) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(5) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(6) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(7) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40.⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(8) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(9) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(10) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(12) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(13) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(b) Determination of prize winners for holders of tickets with three matching prize symbols in the "YOUR NUMBERS" area are:

(1) Holders of tickets with three matching prize symbols of \$20,000 (TWY THO) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$20,000.

(2) Holders of tickets with three matching prize symbols of \$1,000 (ONE THO) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets with three matching prize symbols of \$500 (FIV HUN) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$500.

(4) Holders of tickets with three matching prize symbols of \$200 (TWO HUN) in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$200.

(5) Holders of tickets with three matching prize symbols of \$100 (ONE HUN) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$100.

(6) Holders of tickets with three matching prize symbols of \$50⁰⁰ (FIFTY) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$50.

(7) Holders of tickets with three matching prize symbols of \$40⁰⁰ (FORTY) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$40.

(8) Holders of tickets with three matching prize symbols of \$25⁰⁰ (TWY FIV) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$25.

(9) Holders of tickets with three matching prize symbols of \$20⁰⁰ (TWENTY) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$20.

(10) Holders of tickets with three matching prize symbols of \$10⁰⁰ (TEN DOL) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets with three matching prize symbols of \$5⁰⁰ (FIV DOL) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$5.

(12) Holders of tickets with three matching prize symbols of \$4⁰⁰ (FOR DOL) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$4.

(13) Holders of tickets with three matching prize symbols of \$2⁰⁰ (TWO DOL) in the “YOUR NUMBERS” area, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>2 Ways To Play!</i>				
<i>1. When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>2. Match 3 Like Prize Amounts, Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,600,000 Tickets</i>
	3—\$2s	\$2	20	630,000
\$2		\$2	20	630,000
\$2 × 2		\$4	50	252,000
	3—\$4s	\$4	60	210,000
\$4		\$4	75	168,000
	3—\$5s	\$5	53.57	235,200
\$5		\$5	51.72	243,600
\$4 × 2	3—\$2s	\$10	375	33,600
\$5 × 2		\$10	500	25,200
	3—\$10s	\$10	750	16,800
\$10		\$10	750	16,800
\$5 × 2	3—\$10s	\$20	250	50,400
	3—\$20s	\$20	300	42,000
\$20		\$20	300	42,000
\$5	3—\$20s	\$25	750	16,800
\$10 × 2	3—\$5s	\$25	1,500	8,400
	3—\$25s	\$25	1,500	8,400
\$25		\$25	1,500	8,400
\$25 + \$5	3—\$10s	\$40	1,000	12,600
\$10 × 2	3—\$20s	\$40	1,000	12,600
	3—\$40s	\$40	2,000	6,300
\$40		\$40	2,000	6,300
\$20 × 2	3—\$10s	\$50	1,500	8,400
\$20 + \$5	3—\$25s	\$50	1,500	8,400
\$25 + \$5	3—\$20s	\$50	1,500	8,400
	3—\$50s	\$50	4,000	3,150
\$50		\$50	4,000	3,150
(\$20 × 2) + \$10	3—\$50s	\$100	4,800	2,625
\$25 × 2	3—\$50s	\$100	4,800	2,625
\$50 × 2		\$100	6,000	2,100
	3—\$100s	\$100	8,000	1,575

<i>2 Ways To Play!</i>				
<i>1. When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>2. Match 3 Like Prize Amounts, Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,600,000 Tickets</i>
\$100		\$100	8,000	1,575
\$50 × 2	3—\$100s	\$200	120,000	105
(\$25 × 2) + (\$20 × 2) + (\$5 × 2)	3—\$100s	\$200	120,000	105
	3—\$200s	\$200	120,000	105
\$200		\$200	120,000	105
	3—\$500s	\$500	120,000	105
\$500		\$500	120,000	105
	3—\$1,000s	\$1,000	1,260,000	10
\$1,000		\$1,000	1,260,000	10
	3—\$20,000s	\$20,000	2,520,000	5
\$20,000		\$20,000	2,520,000	5

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Double Match instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Double Match, prize money from winning Double Match instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Double Match instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Double Match or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-581. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Great 8s Instant Lottery Game 1340

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Great 8s (hereinafter “Great 8s”). The game number is PA-1340.

2. *Price:* The price of a Great 8s instant lottery game ticket is \$1.

3. *Play Symbols:* Each Great 8s instant lottery game ticket will contain one play area featuring five play symbols and their captions. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 8 (EIGHT) symbol and a GREAT (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$16⁰⁰ (SIXTN), \$24⁰⁰ (TWY FOR), \$32⁰⁰ (TRY TWO), \$40⁰⁰ (FORTY), \$48⁰⁰ (FRY EGT), \$80⁰⁰ (EGTY), \$400 (FOR HUN), \$800 (EGT HUN) and \$8,000 (EGT THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$5, \$8, \$10, \$16, \$24, \$32, \$40, \$48, \$80, \$400, \$800 and \$8,000. The player can win up to 5 times on the ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 8,400,000 tickets will be printed for the Great 8s instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$8,000 (EGT THO) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$8,000.

(b) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$800 (EGT HUN) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$800.

(c) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$80⁰⁰ (EGTY) appears in all five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$80⁰⁰ (EGTY) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$80.

(f) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$16⁰⁰ (SIXTN) appears in all five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$80.

(g) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$48⁰⁰ (FRY EGT) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$48.

(h) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$16⁰⁰ (SIXTN) appears in two of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in one of the "Prize" areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$48.

(i) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$32⁰⁰ (TRY TWO) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$32.

(l) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the "Prize" areas and a prize symbol

of \$1⁰⁰ (ONE DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$32.

(m) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$24⁰⁰ (TWY FOR) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$24.

(n) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$16⁰⁰ (SIXTN) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$16.

(o) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in two of the "Prize" areas, a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$16.

(p) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in all five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$8⁰⁰ (EGT DOL) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$8.

(s) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets with a GREAT (WINALL) symbol in the play area and a prize symbol of \$1⁰⁰ (ONE DOL) appears in all five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of \$1.

(w) Holders of tickets with an 8 (EIGHT) symbol in the play area and a prize symbol of FREE (TICKET) appears in the "Prize" area to the right of that 8 (EIGHT) symbol, on a single ticket, shall be entitled to a prize of one Great 8s instant lottery game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal An "8" (EIGHT) Symbol, Win Prize Shown To the right of That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
FREE	FREE \$1 TICKET	10	840,000
\$1	\$1	100	84,000
\$1 × 2	\$2	42.86	196,000
\$2	\$2	24	350,000
GREAT w/ (\$1 × 5)	\$5	300	28,000
\$5	\$5	214.29	39,200
\$2 × 4	\$8	200	42,000
\$8	\$8	60	140,000
GREAT w/ (\$2 × 5)	\$10	1,500	5,600
\$10	\$10	375	22,400
GREAT w/ ((\$2 × 2) + (\$1 × 2) + \$10)	\$16	428.57	19,600
\$8 × 2	\$16	3,000	2,800
\$16	\$16	3,000	2,800
\$8 × 3	\$24	1,500	5,600
\$16 + \$8	\$24	3,000	2,800
\$24	\$24	3,000	2,800
GREAT w/ ((\$10 × 3) + (\$1 × 2))	\$32	8,000	1,050
\$8 × 4	\$32	48,000	175
\$16 × 2	\$32	48,000	175
\$32	\$32	24,000	350
GREAT w/ ((\$10 × 3) + (\$5 × 2))	\$40	8,000	1,050
\$10 × 4	\$40	24,000	350
\$40	\$40	24,000	350
GREAT w/ ((\$16 × 2) + \$10 + \$5 + \$1)	\$48	80,000	105
\$16 × 3	\$48	80,000	105
\$24 × 2	\$48	80,000	105
\$48	\$48	34,286	245
GREAT w/ (\$16 × 5)	\$80	4,615	1,820
\$80	\$80	4,615	1,820
GREAT w/ (\$80 × 5)	\$400	240,000	35
\$400	\$400	240,000	35
\$800	\$800	48,000	175
\$8,000	\$8,000	840,000	10

Reveal a "GREAT" (WINALL) symbol, win all 5 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Great 8s instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize,

either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Great 8s, prize money from winning Great 8s instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Great 8s instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Great 8s or through normal communications methods.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania My First Million Instant Lottery Game 1336

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania My First Million (hereinafter “My First Million”). The game number is PA-1336.

2. *Price:* The price of a My First Million instant lottery game ticket is \$20.

3. *Play Symbols:* Each My First Million instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and an “INSTANT CASH BONUS” area. The “INSTANT CASH BONUS” area is played separately. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRTY), 31

(THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Trophy (TROPHY) symbol, WIN ALL (WINALL) symbol and a MILLION (\$1MIL) symbol. The play symbols and their captions located in the “INSTANT CASH BONUS” area are: Chest (NO BONUS), Safe (TRY AGAIN), Bank (NO BONUS), Coin Stacks (TRY AGAIN), Gold Bar (NO BONUS), and a Cash (CASH) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL). The prize symbols and their captions located in the “INSTANT CASH BONUS” area are: \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in the “INSTANT CASH BONUS” area are: \$20, \$40, \$50, \$100, \$200, \$500 and \$1,000. A player can win up to 21 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the My First Million instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Million (\$1MIL) symbol, and a prize symbol of \$1MILL (ONE MIL) appears in the “prize” area under that Million (\$1MIL) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. This prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a WIN ALL (WINALL) symbol, and a prize symbol of \$500 (FIV HUN) appears in all twenty of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which a Cash (CASH) symbol appears in the "INSTANT CASH BONUS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area to the right of that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN ALL (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN ALL (WINALL) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a Cash (CASH) symbol appears in the "INSTANT CASH BONUS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area to the right of that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN ALL (WINALL) symbol, and a prize symbol \$40⁰⁰ (FORTY) appears in five of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in fifteen of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN ALL (WINALL) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which a Cash (CASH) symbol appears in the "INSTANT CASH BONUS" area,

and a prize symbol of \$200 (TWO HUN) appears in the "prize" area to the right of that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a Cash (CASH) symbol appears in the "INSTANT CASH BONUS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area to the right of that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which a Cash (CASH) symbol appears in the "INSTANT CASH BONUS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area to the right of that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which a Cash (CASH) symbol appears in the "INSTANT CASH BONUS" area, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area to the right of that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets upon which a Cash (CASH) symbol appears in the "INSTANT CASH BONUS" area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area to the right of that Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Trophy (TROPHY) symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the "prize" area under that Trophy (TROPHY) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>Bonus:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$20 w/ TROPHY		\$20	30	180,000
	\$20 w/ CASH	\$20	15	360,000
\$20		\$20	30	180,000
\$20	\$20 w/ CASH	\$40	150	36,000
\$20 × 2		\$40	150	36,000
	\$40 w/ CASH	\$40	150	36,000
\$40 w/ TROPHY		\$40	150	36,000
\$40		\$40	150	36,000
	\$50 w/ CASH	\$50	60	90,000
\$50 w/ TROPHY		\$50	30	180,000
\$50		\$50	60	90,000
\$20 × 5		\$100	100	54,000
\$40 × 2	\$20 w/ CASH	\$100	100	54,000
(\$40 w/ TROPHY) + (\$20 × 2)	\$20 w/ CASH	\$100	300	18,000
\$50 w/ TROPHY	\$50 w/ CASH	\$100	300	18,000
\$100 w/ TROPHY		\$100	100	54,000
\$100		\$100	300	18,000
\$20 × 10		\$200	2,000	2,700
\$40 × 5		\$200	1,714	3,150
\$50 × 4		\$200	1,714	3,150
(\$50 w/ TROPHY) + \$50	\$100 w/ CASH	\$200	1,200	4,500
\$100 w/ TROPHY	\$100 w/ CASH	\$200	1,500	3,600
	\$200 w/ CASH	\$200	1,500	3,600
\$200 w/ TROPHY		\$200	1,200	4,500
\$200		\$200	2,400	2,250
WIN ALL w/ ((\$40 × 5) + (\$20 × 15))		\$500	3,000	1,800
WIN ALL w/ (\$20 × 20)	\$100 w/ CASH	\$500	6,000	900
\$40 × 10	\$100 w/ CASH	\$500	12,000	450
\$50 × 10		\$500	6,000	900
(\$100 w/ TROPHY) × 5		\$500	4,000	1,350
	\$500 w/ CASH	\$500	12,000	450
\$500 w/ TROPHY		\$500	3,000	1,800
\$500		\$500	12,000	450
WIN ALL w/ (\$50 × 20)		\$1,000	6,000	900
WIN ALL w/ ((\$100 × 5) + (\$40 × 10) + (\$20 × 5))		\$1,000	6,000	900
WIN ALL w/ ((\$40 × 5) + (\$20 × 15))	\$500 w/ CASH	\$1,000	6,000	900
\$200 × 5		\$1,000	24,000	225
(\$100 × 4) + (\$40 × 10)	\$200 w/ CASH	\$1,000	24,000	225

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Bonus:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
(\$500 w/ TROPHY) × 2		\$1,000	24,000	225
	\$1,000 w/ CASH	\$1,000	24,000	225
\$1,000 w/ TROPHY		\$1,000	12,000	450
\$1,000		\$1,000	24,000	225
WIN ALL w/ (\$500 × 20)		\$10,000	540,000	10
\$1,000 × 10		\$10,000	540,000	10
(\$1,000 w/ TROPHY) × 10		\$10,000	540,000	10
\$10,000 w/ TROPHY		\$10,000	540,000	10
\$10,000		\$10,000	540,000	10
\$100,000		\$100,000	1,080,000	5
\$1,000,000 w/ MILLION SYMBOL		\$1,000,000	1,080,000	5

Reveal a “TROPHY” (TROPHY) symbol, win prize shown under that symbol automatically.

Reveal a “WIN ALL” (WINALL) symbol, win all 20 prizes shown.

Reveal a “MILLION” (\$1MIL) symbol, win \$1 Million instantly!

INSTANT CASH BONUS: Reveal a “CASH” (CASH) symbol, win prize shown to the right of that symbol. Bonus is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell My First Million instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of My First Million, prize money from winning My First Million instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the My First Million instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will

expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote My First Million or through normal communications methods.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Win It All Instant Lottery Game 1337

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Win It All (hereinafter “Win It All”). The game number is PA-1337.

2. *Price:* The price of a Win It All instant lottery game ticket is \$5.

3. *Play Symbols:* Each Win It All instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “WIN IT ALL NUMBER” area. The play symbols and their captions located in the “WINNING NUMBERS” and the “WIN IT ALL NUMBER” areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), and 30 (THIRTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), and a Dynamite (DYNMT) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$100,000. The player can win up to 12 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Win It All instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas, a prize

symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the “prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “prize”

areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches the “WIN IT ALL NUMBER” play symbol and a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the

matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Dynamite (DYNMT) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Dynamite (DYNMT) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number; Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
\$5 w/ DYNAMITE	\$5	15	720,000
\$5	\$5	30	360,000
\$5 × 2	\$10	60	180,000
\$10 w/ DYNAMITE	\$10	20	540,000
\$10	\$10	60	180,000
\$5 × 4	\$20	300	36,000
\$10 × 2	\$20	300	36,000
(\$5 w/ DYNAMITE) × 4	\$20	200	54,000
(\$10 w/ DYNAMITE) + \$10	\$20	200	54,000
(\$10 w/ DYNAMITE) × 2	\$20	200	54,000
\$20 w/ DYNAMITE	\$20	120	90,000
\$20	\$20	300	36,000
\$5 × 8	\$40	600	18,000
\$10 × 4	\$40	600	18,000
(\$20 w/ DYNAMITE) × 2	\$40	600	18,000
\$40 w/ DYNAMITE	\$40	600	18,000
\$40	\$40	600	18,000

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<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
\$5 × 10	\$50	600	18,000
\$10 × 5	\$50	600	18,000
(((\$5 w/ DYNAMITE) × 6) + (\$10 × 2))	\$50	600	18,000
(((\$20 w/ DYNAMITE) × 2) + \$10)	\$50	600	18,000
\$50 w/ DYNAMITE	\$50	600	18,000
\$50	\$50	600	18,000
WIN IT ALL MATCH w/ ((\$10 × 8) + (\$5 × 4))	\$100	750	14,400
WIN IT ALL MATCH w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	750	14,400
\$10 × 10	\$100	12,000	900
\$20 × 5	\$100	6,000	1,800
\$50 × 2	\$100	12,000	900
(((\$40 w/ DYNAMITE) × 2) + \$20)	\$100	6,000	1,800
(\$50 w/ DYNAMITE) + (\$10 × 5)	\$100	12,000	900
\$100 w/ DYNAMITE	\$100	6,000	1,800
\$100	\$100	12,000	900
WIN IT ALL MATCH w/ ((\$50 × 2) + (\$10 × 10))	\$200	6,000	1,800
WIN IT ALL MATCH w/ ((\$5 × 10) + \$100 + \$50)	\$200	6,000	1,800
\$20 × 10	\$200	60,000	180
\$50 × 4	\$200	60,000	180
\$100 × 2	\$200	60,000	180
(\$50 w/ DYNAMITE) × 4	\$200	40,000	270
(\$100 w/ DYNAMITE) × 2	\$200	60,000	180
\$200 w/ DYNAMITE	\$200	60,000	180
\$200	\$200	60,000	180
WIN IT ALL MATCH w/ ((\$50 × 2) + (\$40 × 10))	\$500	9,231	1,170
\$50 × 10	\$500	60,000	180
\$100 × 5	\$500	120,000	90
(((\$50 w/ DYNAMITE) × 2) + (\$40 × 10))	\$500	120,000	90
\$500 w/ DYNAMITE	\$500	60,000	180
\$500	\$500	120,000	90
WIN IT ALL MATCH w/ ((\$200 × 2) + (\$100 × 5) + (\$20 × 5))	\$1,000	24,000	450
\$100 × 10	\$1,000	120,000	90
(\$200 w/ DYNAMITE) × 5	\$1,000	60,000	180
\$1,000 w/ DYNAMITE	\$1,000	60,000	180
\$1,000	\$1,000	120,000	90
\$500 × 10	\$5,000	1,080,000	10
\$5,000	\$5,000	1,080,000	10
\$100,000	\$100,000	1,080,000	10

Reveal a “DYNAMITE” (DYNMT) symbol, win prize shown under that symbol automatically.

When any of “YOUR NUMBERS” match the “WIN IT ALL NUMBER,” win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Win It All instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Win It All, prize money from winning Win It All instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Win It All instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Win It All or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-584. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF STATE

Revised Electronic Voting System Examination Directive

The Secretary of the Commonwealth (Secretary) has revised the Directive Concerning the Conduct of Electronic Voting System Examinations by the Commonwealth of Pennsylvania (Directive). The Directive is issued by the Secretary to voting system vendors seeking an electronic voting system examination in the Commonwealth and governs the conduct for all electronic voting system examinations.

The most recent changes to the Directive align with another directive issued by the Secretary on February 9, 2018, requiring voter-verifiable paper records or voter-verifiable paper ballots of the votes cast by a voter.

The following are the major changes to the voting system examination Directive as noted in paragraph 19 of the Directive:

- COSTARS-10 contracts will expire in 2019 and cannot be renewed for 2020 and beyond.

- Vendors interested in offering voting systems in this Commonwealth going forward must meet the updated requirements in the new Invitation for Bids, COSTARS-39, released on April 2, 2018. Detailed information about how to qualify for the new contract can be found at <http://www.emarketplace.state.pa.us/Solicitations.aspx?SID=COSTARS-39>.

- In the meantime, both the COSTARS-10 and COSTARS-39 contracts can run concurrently so that counties under the earlier contracts maintain coverage provided by those agreements, such as maintenance and training, until new voting systems are procured.

In addition to the previously listed changes, a minor update has been added to paragraph 3. All voting systems examined by the Department of State (Department) will also be tested against any standards adopted by the Secretary regarding resiliency and auditability.

The revised Directive is available on the Department's web site at www.dos.pa.gov (select "Voting & Elections," then "Policies, Statistics & Other Services," then "Voting Systems"). For more information, contact Sindhu Ramachandran, Voting System Analyst, Bureau of Commissions, Elections and Legislation, (717) 525-5743, sramachand@pa.gov.

ROBERT TORRES,
Acting Secretary

[Pa.B. Doc. No. 18-585. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Bureau of Maintenance and Operations; Access Route Approval

Under 75 Pa.C.S. § 4908 (relating to operation of certain combinations on interstate and certain other highways), the Department of Transportation approved on April 4, 2018, the following access route for use by the types of truck combinations as indicated:

1. (X) 96" wide twin trailers (28 1/2' maximum length of each trailer).
2. (X) 102" wide 53' long trailer.
3. (X) 102" wide 48' long trailer.
4. (X) 102" wide twin trailers (28 1/2' feet maximum length—each).
5. (X) 102" wide maxi-cube.

<i>Route Identification</i>	<i>Route Description</i>	<i>County</i>	<i>Length Miles</i>
SR 1003	From SR 0340 to SR 1027	Lancaster	3.10
SR 1027	From SR 1027 to Creek Hill Road	Lancaster	0.15

The County of Lancaster approved the access route within its respective jurisdiction.

Questions should be directed to George Harpster at (717) 783-6473.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-586. Filed for public inspection April 13, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Findings

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)) establishing the Department of Transportation (Department), the Acting Director of the Bureau of Project Delivery, as delegated by the Secretary of Transportation, makes the following written findings:

The Department is planning the following listed projects. Environmental and Section 4(f) Documentation has been developed for the following identified projects to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System at <http://www.dotdom2.state.pa.us/ceea/ceeainnsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed identified projects, and all reasonable steps have been taken to minimize the effects.

• **SR 0000, Section N/A—Milford Borough, Pike County.**

Project Description: The project involves the rehabilitation of the Mott Street Historic Bridge (T-426; Pike County Bridge No. 21) over Sawkill Creek. The bridge is currently closed to vehicular and pedestrian traffic. The rehabilitated bridge will be for pedestrian/bike use only.

Environmental Documents: CE 2 Evaluation approved on September 6, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on December 12, 2016.

Proposed Use of Section 4(f)/2002 Resource: Delaware Water Gap National Recreation Area, including the Glen Trail, is operated by the National Park Service. The National Park Service will close and fence off approximately 0.25 acre of the trail during construction within the project area due to safety concerns.

• **SR 0001, Section 03S—Middletown and Bensalem Townships, Bucks County.**

Project Description: The proposed project will involve the reconstruction and widening of approximately 2.75 miles of SR 0001 including four interchanges (the Street Road, Pennsylvania Turnpike, Neshaminy and Pennel Interchanges) and eight bridges.

Environmental Documents: CE Level 2 Re-evaluation approved on August 24, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use approved on July 21, 2006.

Proposed Use of Section 4(f)/2002 Resource: The Reading Railroad—New York Line is listed on the National Register of Historic Places (NRHP). Approximately 0.049 acre of land will be permanently impacted through the placement of four piers for the overhead SR 0001 bridge within the NRHP boundary. These piers will replace two existing piers within the NRHP boundary that occupy 0.068 acre of land. This land will be vacated.

• **SR 0017, Section 017—Saville Township, Perry County.**

Project Description: The proposed project is a bridge replacement over an unnamed tributary to Panther Creek. The project consists of the replacement of a single span concrete slab bridge with a precast box culvert and end sections, which includes wingwalls and scour protection.

Environmental Documents: ED BRPA Evaluation approved on December 26, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 31, 2017.

Proposed Use of Section 4(f)/2002 Resource: The Reed-Simonton Farm was determined to be eligible for listing on the NRHP. Approximately 0.015 acre of right-of-way (ROW) will be required from the resource.

• **SR 0088, Section 000—Speers and Charleroi Boroughs, Washington County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 0088, Section 000 bridge over Maple Creek. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE BRPA Re-evaluation approved on December 6, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on July 5, 2016.

Proposed Use of Section 4(f)/2002 Resource: The Charleroi Water Treatment Plant was determined to be eligible for listing on the NRHP. Approximately 0.03 acre of ROW will be required from the resource.

• **0095, Section GR1—Philadelphia City, Philadelphia County.**

Project Description: The proposed project will include utility relocation work and surface reconstruction and relocation work on Richmond Street between Aramingo Avenue and Ann Street. Girard Avenue will also be reconstructed between Fletcher Street and Richmond Street. Section GR1 will include reconstruction of the Girard Avenue Bridge over northbound Aramingo Avenue, replacement of the four bridges carrying Conrail over relocated Richmond Street and construction of new retaining walls along Richmond Street.

Environmental Documents: CE 2 Re-evaluation approved on November 28, 2017, and an Individual Section 4(f) Evaluation approved on August 22, 2006.

Proposed Use of Section 4(f)/2002 Resources: The Fishtown Historic District is eligible for listing on the NRHP. Two contributing resources will be impacted, the I.P. Morris Co. Machine Shop 2 and the Standard Feather Company. The impacts described in the Section 4(f) Evaluation involve the acquisition and demolition of both Section 4(f) Resources.

• **SR 0152, Section LPS—Abington Township, Montgomery County.**

Project Description: The proposed project is a superstructure replacement of the SR 0152, Section LPS bridge over the SEPTA Lansdale/Doylestown Regional Commuter Rail Line. The project consists of the removal of the bridge superstructure including concrete railroad protective barriers, parapets, sidewalks, bituminous wearing surface and concrete box beams.

Environmental Documents: ED 1b Re-evaluation approved on November 6, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on July 12, 2012.

Proposed Use of Section 4(f)/2002 Resources: The SEPTA Lansdale/Doylestown Regional Commuter Rail Line, formerly North Pennsylvania Railroad, is eligible for listing on the NRHP. Approximately 0.003 acre of ROW will be required from the resource.

• **SR 0225, Section 022—Mifflin Township, Dauphin County.**

Project Description: The proposed project is a bridge replacement of SR 0225 over an unnamed tributary to

Deep Creek. The project consists of the replacement of an existing cast-in-place rigid frame culvert with a pre-cast box culvert and end sections, which includes wingwalls and scour protection.

Environmental Documents: CE BRPA Evaluation approved on December 21, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on November 17, 2017.

Proposed Use of Section 4(f)/2002 Resources: The Lykens Valley Rural Historic District is eligible for listing on the NRHP. Approximately 0.06 acre of ROW will be required from the resource.

• **SR 0230, Section 030—Elizabethtown Borough, Lancaster County.**

Project Description: The proposed project involves a superstructure replacement of the SR 0230 (North Market Street) crossing over Conoy Creek. Roadway activities will include an overlay of the approaches and minimal full-depth pavement replacement at the abutments.

Environmental Documents: CE 2 Re-evaluation approved on August 31, 2017, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on October 13, 2015.

Proposed Use of Section 4(f)/2002 Resource: The Market Street Bridge and the Elizabethtown Historic District were determined to be eligible for listing on the NRHP. Demolition of the bridge, a contributing feature of the Elizabethtown Historic District, will have an adverse effect on the on the bridge and the Elizabethtown Historic District.

• **SR 0231, Section 000—Blaine and Independence Townships, Washington County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 0231, Section 000 bridge over Brush Run. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE 1b Re-evaluation approved on September 20, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on June 29, 2016.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.5 acre of ROW from the approximately 5,078-acre State Game Lands # 232, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 0372, Section 000—Christiana Borough, Lancaster County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 0372, Section 000 (Water Street) bridge over Williams Run. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE 1b Re-evaluation approved on July 14, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on January 14, 2016.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.21 acre of ROW from the approximately 2-acre Christiana Borough South Park, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 0414, Section 057—McHenry Township, Lycoming County.**

Project Description: The proposed project involves the replacement of the bridge carrying SR 0414 over Bluestone Run with minimal approach roadway work.

Environmental Documents: CE BRPA Evaluation approved on October 16, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on October 10, 2017.

Proposed Use of Section 4(f)/2002 Resources: The new bridge will require approximately 0.01 acre of ROW from the approximately 528-acre Pine Creek Rail Trail, a Department of Conservation and Natural Resources owned property, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 0581, Section 013—Hampden Township, Cumberland County.**

Project Description: The proposed project involves providing signals at the SR 581 eastbound and westbound interchange ramps at the Creekview Road overpass. Roadway and shoulder widening will be provided to add right turn lanes at each ramp. Pedestrian curb ramps, push buttons and cross walks will be provided throughout the interchange.

Environmental Documents: CE 1b Evaluation approved on July 27, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on March 9, 2017.

Proposed Use of Section 4(f)/2002 Resource: The Stayman-Bashore Farm was determined to be eligible for listing in the NRHP. Approximately 0.548 acre of drainage easement will be required from the resource.

• **SR 0696, Section 012—Hopewell Township, Cumberland County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 0696, Section 012 culvert over Newburg Run. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE BRPA Evaluation approved on September 26, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on September 19, 2017.

Proposed Use of Section 4(f)/2002 Resource: The Shuman Farm was determined eligible for listing on the NRHP. Approximately 0.227 acre of ROW will be required from the resource.

• **SR 0739, Section WID—Blooming Grove Township, Pike County.**

Project Description: The proposed project involves safety improvements on SR 0739 from Pike County Boulevard, north, to the intersection with US Route 6. The construction scope of work calls for shoulder widening, installation of edgeline/shoulder rumble strips and drainage upgrades.

Environmental Documents: CE BRPA Evaluation approved on July 18, 2017, and a Determination of Section

4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on April 14, 2017.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.297 acre of drainage easement from the approximately 83,519-acre Delaware State Forest, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 1001, Section 05B—Bedford Township, Bedford County.**

Project Description: The project proposes to replace the existing bridge over Imlertown Run on SR 1001 with a precast box culvert.

Environmental Documents: ED BRPA Evaluation approved on July 19, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on June 22, 2017.

Proposed Use of Section 4(f)/2002 Resource: The Dutch Corner Rural Historic District is listed on the NRHP. Approximately 0.047 acre of right-of-way will be required from within the resource, but the project will not have an adverse effect on the Dutch Corner Rural Historic District.

• **SR 1003, Section 022—Swatara Township and Jonestown Borough, Lebanon County.**

Project Description: The proposed project involves the replacement of the existing four-span structure carrying SR 1003 (Lancaster Street) over Little Swatara Creek. The anticipated structure work will involve construction of a four-span composite prestressed concrete spread box beam superstructure.

Environmental Documents: CE BRPA Evaluation approved on December 27, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on October 19, 2017.

Proposed Use of Section 4(f)/2002 Resources: The new bridge will require approximately 0.104 acre of ROW from the approximately 24-acre George H. Kaufman Jonestown Community Park, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 1006, Section 01B—Greenwich and Richmond Townships, Berks County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 1006, Section 01B bridge over Sacony Creek. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE 1b Re-evaluation approved on August 24, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on December 10, 2015.

Proposed Use of Section 4(f)/2002 Resource: The Virginville Historic District is listed on the NRHP. Approximately 0.003 acre of ROW will be required from the property at 479 Main Street and approximately 0.008 acre of ROW will be required from the property at 477 Main Street, two contributing properties within the Virginville Historic District.

• **SR 1015, Section 04B—Woodbury Township, Bedford County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 1015, Section 04B bridge over Yellow Creek. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE 2 Evaluation approved on August 31, 2017, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on August 18, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 22, 2017.

Proposed Use of Section 4(f)/2002 Resource: The South Morrison Cove Rural Historic District is listed on the NRHP. The bridge is a contributing resource to the South Morrison Cove Rural Historic District and replacement will result in an adverse effect on the South Morrison Cove Rural Historic District. Approximately 0.117 acre of ROW will be required of Keagy's property (currently known as the Wile Farm), which is a contributing resource to the South Morrison Cove Rural Historic District.

• **SR 1026, Section 02B—Reade and White Townships, Cambria County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 1026, Section 02B (State Park Driver) bridge over Clearfield Creek. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE BRPA Re-evaluation approved on August 8, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on June 22, 2017.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.09 acre of ROW from the approximately 23,131-acre State Game Lands # 108, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 2009, Section A01—Penn Township, Centre County.**

Project Description: The proposed project is the replacement of the existing bridge that carries SR 2009 over an unnamed tributary to Penns Creek with a pre-cast concrete box culvert.

Environmental Documents: ED 1b Evaluation approved on October 30, 2017, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 10, 2017, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on October 10, 2017.

Proposed Use of Section 4(f)/2002 Resources: The demolition of the bridge, a contributing element to the NRHP-eligible Penns Valley Brush Valley Historic District, will result in an adverse effect on the Penns Valley Brush Valley Historic District. Approximately 0.039 acre of ROW will be required from the Penns Valley Brush Valley Historic District.

• **SR 3001, Section A01—Lewistown Borough, Mifflin County.**

Project Description: The project proposes to replace the existing single span reinforced concrete arch bridge, which carries SR 3001 over Kishacoquillas Creek. The proposed structure will be constructed at the existing location and along the same alignment. Included with the bridge replacement will be the upgrade of the roadway drainage, signage, curb and sidewalk, as well as pavement markings within the project area.

Environmental Documents: CE BRPA Evaluation approved on July 19, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on July 18, 2017.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.013 acre of ROW from the Kish Creek River Walk, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 3008, Section A01—Upper St. Clair Township, Allegheny County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 3008, Section A01 bridge over McLaughlin Run. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE BRPA Re-evaluation approved on August 16, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on January 27, 2016.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.065 acre of ROW from the approximately 29.75-acre Upper St. Clair Municipal Park, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 3009, Section H10—Jackson Township, Greene County.**

Project Description: The proposed project is the replacement of the existing bridge that carries SR 3009 (Toms Run Road) over a branch of Toms Run. The structure will be replaced on the existing horizontal and vertical alignments with minimal approach work.

Environmental Documents: ED BRPA Evaluation approved on November 1, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 23, 2017.

Proposed Use of Section 4(f)/2002 Resources: The Kent Tenant/Lough/Huffman Farmstead was determined to be eligible for the NRHP. Approximately 0.32 acre of ROW will be required from the resource.

• **SR 3010, Section 011—Hamiltonban Township, Adams County.**

Project Description: This project will involve the replacement of the SR 3010 (Water Street), Section 011 bridge over Spring Run with a reinforced box culvert.

Environmental Documents: CE BRPA Evaluation approved on November 16, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 2, 2017.

Proposed Use of Section 4(f)/2002 Resources: The Northern Adams County Fruitbelt Historic District is listed on the NRHP. Approximately 0.89 acre of ROW will be required from two contributing properties within the Northern Adams County Fruitbelt Historic District, but the project will not have an adverse effect on the Northern Adams County Fruitbelt Historic District.

• **SR 3040, Section A02—Unionville Borough, Centre County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 3040, Section A02 (South Eagle Valley Road) bridge over Dewitt Run. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE 2 Re-evaluation approved on November 16, 2017, and a Final Individual Section 4(f) Evaluation approved on July 28, 2017.

Proposed Use of Section 4(f)/2002 Resource: The Unionville Historic District was determined to be eligible for listing on the NRHP. Demolition of the bridge and removal of a stone wall, both contributing elements to the Unionville Historic District, will result in an adverse effect on the Unionville Historic District. The new bridge will require permanent ROW from five contributing properties within the Unionville Historic District totaling 0.101 acre.

• **SR 4001, Section 004—Cummings Township, Lycoming County.**

Project Description: The proposed project involves the reconstruction of the SR 4001 (Little Pine Creek Road) bridge over Love Run and includes minor approach work.

Environmental Documents: CE BRPA Re-evaluation approved on December 19, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on June 12, 2017.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.25 acre of ROW from the approximately 2,158-acre Little Pine State Park, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 4005, Section 000—Menallen Township, Adams County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 4005, Section 000 bridge over Opossum Creek. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE BRPA Re-evaluation approved on July 21, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on July 28, 2016.

Proposed Use of Section 4(f)/2002 Resource: The Northern Adams County Fruitbelt Historic District is listed on the NRHP. Approximately 0.08 acre of ROW will be required from the resource, but the project will not have an adverse effect on the Northern Adams County Fruitbelt Historic District.

• **SR 4006, Section 000—Menallen Township, Adams County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 4006, Section 000 bridge over Opossum Creek. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE 2 Re-evaluation approved on December 14, 2017, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 10, 2017, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on October 10, 2017.

Proposed Use of Section 4(f)/2002 Resources: The demolition of the bridge, a contributing element to the NRHP listed Northern Adams County Fruitbelt Historic District, will result in an adverse effect on the Northern Adams County Fruitbelt Historic District. The new bridge will require ROW from a contributing property within the Northern Adams County Fruitbelt Historic District totaling 0.03 acre.

• **SR 4012, Section B04—Brighton Township, Beaver County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 4012, Section B04 (Bradys Run Road) bridge over South Branch Brady Run. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE BRPA Re-evaluation approved on August 30, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on August 21, 2017.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.04 acre of ROW from the approximately 1,456-acre Bradys Run Park that qualifies as a Section 4(f)/Section 2002 resource.

• **SR 4012, Section P30—Brighton Township, Beaver County.**

Project Description: The Department, through the P3 RBRP, proposes to replace the SR 4012, Section P30 (Bradys Run Road) bridge over South Branch Brady Run. The project also includes updating guiderail, improving drainage, and milling and overlaying the approaches. Minor profile adjustments along the roadway approaches are also anticipated.

Environmental Documents: CE BRPA Re-evaluation approved on August 22, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on August 10, 2016.

Proposed Use of Section 4(f)/2002 resource: The new bridge will require approximately 0.18 acre of ROW from the approximately 1,456-acre Bradys Run Park that qualifies as a Section 4(f)/Section 2002 resource.

• **SR 7015, Section 248—London Grove Township, Chester County.**

Project Description: The proposed project will replace the three span concrete encased steel I beam bridge,

which carries Valley Road over Middle Branch White Clay Creek. The proposed bridge improvements involve replacing the existing structure and modifying the approach roadways accordingly.

Environmental Description: ED 2 Re-evaluation approved on July 13, 2017, and a Section 2002 Evaluation approved on April 4, 2004.

Proposed Use of Section 4(f)/2002 Resource: Chester County Bridge # 248 (also known as Pusey's Abattoir Bridge) is eligible for listing on the NRHP. Since the least harm alternative requires the complete replacement of the NRHP-eligible Chester County Bridge # 248, the project was found to have a significant impact on this resource.

• **SR 7104, Section BR—Lower Merion Township, Montgomery County.**

Project Description: The Pennswood Road Bridge over Amtrak project involves the complete replacement of the bridge superstructure, rehabilitation and reuse of the existing substructure, and adjacent approach roadway work.

Environmental Documents: CE 1b Re-evaluation approved on August 29, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on February 4, 2014.

Proposed Use of Section 4(f)/2002 Resource: Our Mother of Good Counsel Roman Catholic Church was determined to be eligible for listing on the NRHP. Approximately 0.012 acre of ROW and approximately 0.04 acre of slope easement will be required from the resource.

• **SR 7023, Section 186—Chester City, Delaware County.**

Project Description: The proposed project involves the replacement of the existing two-span bridge with a single span bridge. The work also includes the construction of new abutments and removal of the existing pier.

Environmental Documents: CE 1b Re-evaluation approved on December 15, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use approved on May 22, 2008.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.10 acre of ROW from the approximately 3.904-acre Chester City Recreational Facility, a city-owned park, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 7206, Section 353—Elk Lick Township, Somerset County.**

Project Description: The proposed project involves rehabilitation of the Maust Bridge, which carries Moser Road over the Casselman River. Rehabilitation will require the bridge to be removed, disassembled onsite and transported to a fabrication shop for repairs. The bridge will be transported back to the site, reassembled and placed on the improved abutments and abutment seats. The rehabilitated bridge will remain a one-lane bridge; however, the bridge posting will be increased.

Environmental Documents: CE 1b Re-evaluation approved on November 22, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 31, 2017.

Proposed Use of Section 4(f)/200s Resource: The Miller Farm was determined to be eligible for listing on the NRHP. Approximately 0.025 acre of ROW will be required from the resource.

• **SR 7215, Section BR—Union and Swatara Townships, Lebanon County.**

Project Description: The project involves the replacement of the existing Inwood Iron Bridge, which carries T-575 (Iron Bridge Road) over the Swatara Creek. The existing historic truss bridge will be dismantled, relocated offsite for rehabilitation, and then transported to and erected at the Allwein Property for permanent preservation by the Lebanon County Commissioners.

Environmental Documents: CE 2 Evaluation approved on September 21, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on June 5, 2017.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.22 acre of ROW from the approximately 3,520-acre Swatara State Park, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 7301, Section 000—Pittsburgh City, Allegheny County.**

Project Description: The project consists of the rehabilitation of the Rachel Carson/9th Street Bridge over the Allegheny River, the 10th Street Bypass and the Three Rivers Heritage Trail. The bridge is listed on the NRHP and the proposed bridge improvements will be designed and implemented in a manner sensitive to the bridge's historic integrity.

Environmental Documents: CE 2 Evaluation approved on August 1, 2017, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on August 1, 2017.

Proposed Use of Section 4(f)/2002 Resource: The 9th Street Bridge, also known as the Rachel Carson Bridge, is listed on the NRHP. The rehabilitation of the bridge will result in an adverse effect to the historic bridge's integrity. Measures have been incorporated into the project plans and specifications to minimize harm to the historic bridge resource.

• **SR 7301, Section 01B—City of Allentown, Lehigh County.**

Project Description: The project consists of a bridge replacement carrying West Gordon Street over Jordan Creek. The bridge will be replaced on existing alignment and work will include approach roadway repairs.

Environmental Documents: CE 1b Evaluation approved on August 29, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on August 18, 2017.

Proposed Use of Section 4(f)/2002 Resource: The bridge will require approximately 0.05 acre of slope easement from the approximately 0.44-acre Fourth and Gordon Playlot, which qualifies as a Section 4(f)/Section 2002 resource.

• **SR 7301, Section LOC—City of Pittsburgh, Allegheny County.**

Project Description: The existing bridge will be demolished and replaced with a new context-sensitive bridge of similar arched structure design to provide the same picturesque framing of the ravine, which the Penn Lincoln Parkway runs through. The new bridge will be constructed on the existing alignment and will be of similar or same span length and configuration.

Environmental Documents: CE 1b Re-evaluation approved on September 12, 2017, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on May 23, 2013.

Proposed Use of Section 4(f)/2002 Resource: The new bridge will require approximately 0.02 acre of ROW from the approximately 456-acre Schenley Park (City of Pitts-

burgh Public Park), which qualifies as a Section 4(f)/Section 2002 resource.

JAMES A. FORINGER, PE,
Acting Director
Bureau of Project Delivery

[Pa.B. Doc. No. 18-587. Filed for public inspection April 13, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-523	Environmental Quality Board Noncoal Mining Program Fees 48 Pa.B. 733 (February 3, 2018)	3/5/18	4/4/18

Environmental Quality Board Regulation # 7-523 (IRRC # 3190)

Noncoal Mining Program Fees

April 4, 2018

We submit for your consideration the following comments on the proposed rulemaking published in the February 3, 2018 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

1. Statutory authority; Consistency with the intent of the General Assembly; Fiscal impact.

This proposed rulemaking increases permit application and administrative fees. EQB states the increases are needed to support the Noncoal Mining Program (Program) and the Department of Environmental Protection's (DEP) duty to implement the Noncoal Surface Mining Conservation and Reclamation Act (Act) and the Clean Streams Law. EQB has proposed an incremental approach to raising fees. Fees will be automatically increased three times after the rulemaking is adopted. The increases will occur one year, three years and five years after adoption of the rulemaking. Seven years after the adoption of the rulemaking, DEP will adjust the fees every two years. These adjustments will be based on the United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation, or an equivalent index recognized by the United States Department of Labor. The fee schedule will be adjusted in increments of \$25 and the adjusted fee schedule will be published in the *Pennsylvania Bulletin*.

EQB has cited Section 7(a) of the Act (52 P.S. § 3307(a)) as part of its statutory authority for this rulemaking. That section of the Act states, in part, the following:

The department is authorized to charge and collect from persons a reasonable filing fee, *which shall not exceed the cost of reviewing, administering and enforcing the permit.* (Emphasis added.)

In the material submitted in support of this proposal, EQB has not included a projection of expenses for the Program. Without a projection of expenses, how can EQB ensure that the revised fees will not exceed the cost of reviewing, administering and enforcing permits, as required by Section 7(a) of the Act? We ask EQB to provide a projection of expenses for the program and to compare those expenses to projected revenues. The projections should cover, at a minimum, seven years. We will review those projections to determine if the proposed rulemaking is authorized by statute and consistent with the intent of the General Assembly.

2. Possible conflict with or duplication of statutes or existing regulations; Implementation procedures.

We are concerned that the proposed automatic, incremental fee increases could conflict with existing regulations found at 25 Pa. Code § 77.106(d). This subsection requires DEP, at least every three years, to recommend regulatory changes to the fees to EQB to address disparities between Program income generated by fees and Program costs. Automatic fee increases would potentially make the language of Subsection (d) obsolete. How will EQB implement the new fee structure and the requirements of Subsection (d)? This should be explained in the Preamble to the final-form regulation.

3. Whether a less costly or less intrusive alternative method of achieving the goal of the regulation has been considered for regulations impacting small businesses; Fiscal impact.

Regulatory Analysis Form (RAF) Question # 15 asks an agency to identify the types and number of persons, businesses and small businesses which will be affected by the regulation. EQB explains that there are approximately 1,200 licensed noncoal mine operators in Pennsylvania and most are considered small businesses. Question # 10 of the RAF asks an agency to explain the need for the regulation. As part of the response, EQB states the following, "The proposed rulemaking will provide additional funding to sustain the program, which at the current rate of expenditures will exhaust the reserves in the Noncoal Surface Mining Fund, resulting in inadequate funding and curtailment of the program." How much of a reserve is currently in the Noncoal Surface Mining Fund? Is there a statutory minimum that must be kept in reserve? In lieu of the proposed fee increases, has EQB considered spending down the reserve? We believe such an approach could lessen the financial burden of the small businesses affected by this regulation.

4. Section 77.106. Fees.—Statutory authority; Implementation procedures; Fiscal impact; Clarity.

Subsection (g) is a new subsection that provides for an ongoing fee adjustment factor. The adjustments will be based on the United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation or an equivalent index recognized by the United States Department of Labor. We have five concerns with this subsection. First, the new language states that the permit application and administrative fees found under Subsections (e) and (f) will be adjusted by the DEP every two years. Use of the word "will" would require fees to be raised or lowered, regardless of the findings of DEP during its triennial review of the fees required by Subsection (d). To provide discretion, we suggest that "will" be changed to "may."

Second, as written, DEP would be the agency amending the regulation by publishing a revised fee schedule in the *Pennsylvania Bulletin*. Prior to publication, DEP is to provide the proposed fee schedule to the Aggregate Advisory Board. We recommend that the final-form regulation include a definition for this Board.

Third, this proposal is being promulgated by EQB. Does DEP have the statutory authority to make the adjustments contemplated by this Subsection? What specific statutory authority would allow DEP to amend a regulation by publishing a notice in the *Pennsylvania Bulletin*? Has EQB considered following the procedures set forth in Subsection (d)? Under that subsection, DEP recommends regulatory changes to EQB.

Fourth, adjustments to fees are to be based on the "United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation or an equivalent index recognized by the United States Department of Labor." Why does EQB believe the first index cited is most appropriate for this type of adjustment? Under what circumstances would the second index be used? The description of this language in the Preamble indicates that the second index could be used if it is found to "be more appropriate." The language in the rulemaking, coupled with the description in the Preamble, makes it unclear how this provision will be implemented. We ask EQB to clarify how it will implement the fee adjustments of this subsection.

Finally, in order for this Commission to gain an understanding of the potential fiscal impact the fee adjustments of this subsection will have, we ask EQB to provide a 10-year history of the percentage increase or decrease for the first index cited.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-588. Filed for public inspection April 13, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

**Highmark Benefits Group (HGHM-131420333);
Small Group Off Exchange; Rate Filing**

Highmark Benefits Group submitted a rate filing to change the premium rates for its Small Group products (HMO). The filing proposes an average rate change of 0.83% for groups renewing on or after July 1, 2018. Approximately 5,000 members will be impacted. The proposed rate change will generate an additional annual revenue of approximately \$291,000 and will be effective for renewing groups on and after July 1, 2018.

Unless formal administrative action is taken prior to June 28, 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 (click on the "Consumers" tab, then under "Resources" select "Product Notices").

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 Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-589. Filed for public inspection April 13, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

**Keystone Health Plan East (INAC-131405465);
Small Group Off Exchange Quarters 3 and 4 of
2018; Rate Filing**

Keystone Health Plan East submitted a rate filing to change the premium rates for its Small Group products (HMO). The filing proposes an average rate change of 1.59% (a rate decrease from the current approved rates) for groups renewing on or after July 1, 2018. Approximately 50,000 members will be impacted.

Unless formal administrative action is taken prior to June 27, 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 (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-590. Filed for public inspection April 13, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

QCC Insurance Company (INAC-131403779); Small Group Off Exchange Quarters 3 and 4 of 2018; Rate Filing

QCC Insurance Company submitted a rate filing to change the premium rates for its Small Group products (PPO). The filing proposes an average rate change of 0.05% (a rate decrease from the current approved rates) for groups renewing on or after July 1, 2018. Approximately 28,000 members will be impacted.

Unless formal administrative action is taken prior to June 27, 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 (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-591. Filed for public inspection April 13, 2018, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Thursday, April 26, 2018.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director

[Pa.B. Doc. No. 18-592. Filed for public inspection April 13, 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. Protests may only be filed in the event that there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. 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 April 30, 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 of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-2017-2640264 (Corrected). Super Mover Bros., LLC (106 Marshall Drive, Renfrew, Butler County, PA 16053) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2018-3000034. AK Moving Solutions, LLC (9906 Bustleton Avenue, Apartment E14, Philadelphia, PA 19115) household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-593. Filed for public inspection April 13, 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 April 30, 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. Sonia & K. Enterprises, Inc.; Docket No. C-2018-2647033

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 Sonia & K. Enterprises, Inc., (respondent) is under suspension effective January 31, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 146 Marlborough Road, Upper Darby, PA 19082.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 06, 1997, at A-00113499.

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-00113499 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: 2/20/2018

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. Iron Man
Trucking, LLC; Docket No. C-2018-2647237**

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 Iron Man Trucking, LLC, (respondent) is under suspension effective February 01, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 2607 Clarkstown Road, Muncy, PA 17756.
3. That respondent was issued a Certificate of Public Convenience by this Commission on February 15, 2017, at A-8919535.
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-8919535 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: 2/20/2018

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.

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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. 18-594. Filed for public inspection April 13, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transmission Lines; Prehearing Conference

A-2018-3000708. Duquesne Light Company. Application of Duquesne Light Company filed under 52 Pa. Code Chapter 57, Subchapter G (relating to Commission review of siting and construction of electric transmission lines) for approval of the siting and construction of the 138 kV transmission lines associated with the Universal-Plum project in Penn Hills, Monroeville and Plum Borough, Allegheny County.

A-2018-3000732. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) (relating to additional

powers of certain public utility corporations) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Javaid Alvi, Pervaiz Alvi and Walter Lorence in Penn Hills Township and Plum Borough, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000733. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Sampson Brothers, Inc. in Monroeville, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000743. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Jeffrey G. Woodring and Regina M. Woodring in Plum Borough, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000747. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Maria Palombo Aiello, Antoinette Cardinale and Anna Louise Palombo in Plum Borough, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000754. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of United States Steel Corporation in Plum Borough, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000755. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Davidson Property Co., LLC in Plum Borough, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000756. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of

eminent domain to acquire a certain portion of the lands of Consol Mining Company, LLC in Monroeville, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000766. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Parkway Associates, Inc. in Penn Hills Township, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000768. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Cathleen L. Scott in Plum Borough, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

A-2018-3000769. Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of Union Railroad Company in Monroeville and Penn Hills Township, Allegheny County for the siting and construction of transmission lines associated with the proposed Universal-Plum project is necessary or proper for the service, accommodation, convenience or safety of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 7, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the 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, at the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Duquesne Light Company

Through and By Counsel: Anthony D. Kanagy, Esquire, Garrett P. Lent, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101

Prehearing Conference

An initial prehearing conference on the previously-captioned case will be held as follows:

Date: Friday, June 15, 2018

Time: 10 a.m.

Location: 2nd Floor Hearing Room
Piatt Place
Suite 220
301 Fifth Avenue
Pittsburgh, PA 15222

Presiding: Administrative Law Judge Conrad A. Johnson
Piatt Place
Suite 220
301 Fifth Avenue
Pittsburgh, PA 15222
(412) 565-3550
Fax: (412) 565-5692

Persons with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the Scheduling Office at the Commission at least 2 business days prior to the hearing:

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-595. Filed for public inspection April 13, 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 April 30, 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-18-03-02. LLL Trans, Inc. (1026 Disston Street, Philadelphia, PA 19111): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, 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-18-03-03. AMPR Taxi, Inc. (117 Ardsley Road, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, 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.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 18-596. Filed for public inspection April 13, 2018, 9:00 a.m.]

STATE BOARD OF NURSING**Bureau of Professional and Occupational Affairs v.
Jennifer Marie Stocklas, LPN; File No. 16-51-
10231; Doc. No. 0034-51-2017**

On January 31, 2018, Jennifer Marie Stocklas, LPN, license No. PN276277, last known of Bath, Northampton County, was indefinitely suspended and was assessed a \$950 cost of investigation fee based on being addicted to alcohol, hallucinogenic, narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to Ariel E. O'Malley, 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 the appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-597. Filed for public inspection April 13, 2018, 9:00 a.m.]

