

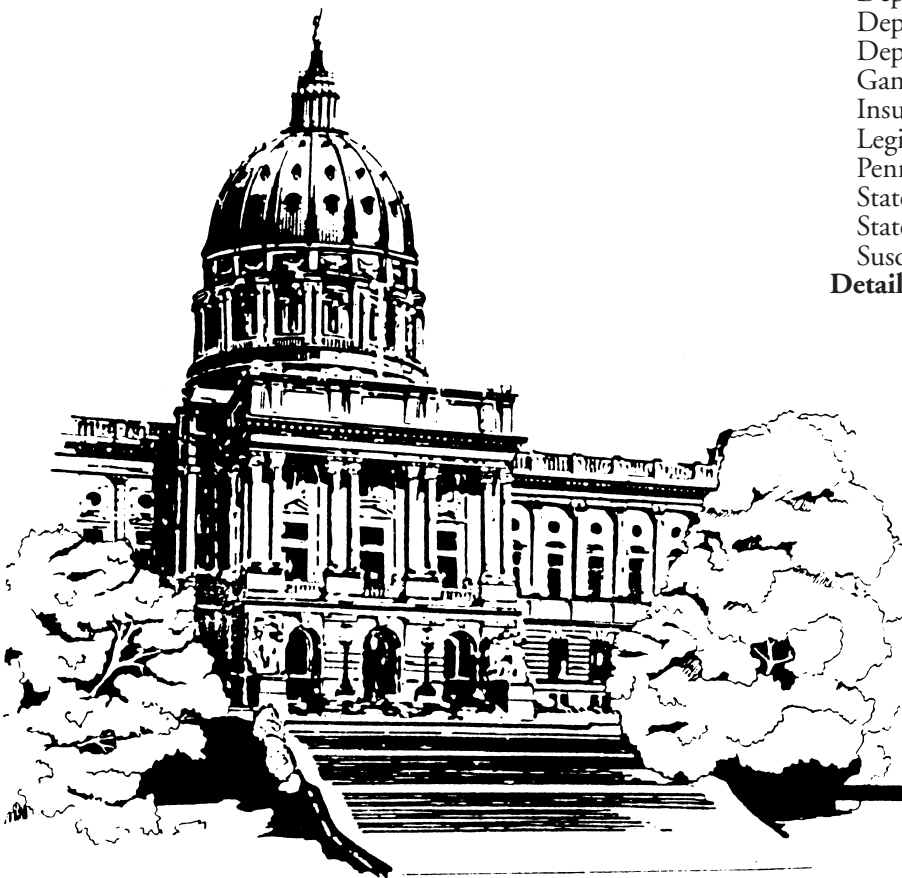
# PENNSYLVANIA BULLETIN

Volume 48  
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## Agencies in this issue

The General Assembly  
The Courts  
Capitol Preservation Committee  
Department of Banking and Securities  
Department of Conservation and Natural Resources  
Department of Environmental Protection  
Department of Health  
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Game Commission  
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State Employees' Retirement Board  
State Horse Racing Commission  
Susquehanna River Basin Commission

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

**No. 528, November 2018**

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

## *Pennsylvania Bulletin*

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

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

The following documents are published in the *Pennsylvania Bulletin*: Governor's Executive Orders; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

The agency then allows sufficient time for public comment before taking final action. A Final Rulemaking must be published in the *Pennsylvania Bulletin* before the changes can take effect. If the agency wishes to adopt changes to the Proposed Rulemaking to enlarge the scope, it must repropose.

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government.

### **How to Find Rules and Regulations**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://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](http://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.

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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 GENERAL ASSEMBLY

## THE GENERAL ASSEMBLY

### Recent Actions during the 2018 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2018 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2018 General Acts of Regular Session Enacted—Act 077 through 164</b>					
077	Oct 2	HB1917	PN2815	One year	Detectives and Private Police (22 Pa.C.S.)—omnibus amendments
078	Oct 12	HB1346	PN2167	90 days	Crimes Code (18 Pa.C.S.) and Municipalities (53 Pa.C.S.)—unlawful use of unmanned aircraft and prohibiting local regulation of unmanned aircraft
079	Oct 12	HB2060	PN3820	180 days	Crimes Code (18 Pa.C.S.) and Domestic Relations Code (23 Pa.C.S.)—omnibus amendments
080	Oct 19	SB1090	PN1825	30 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—antihazing, purchase, consumption, possession or transportation of liquor or malt or brewed beverages, safe harbor for violation of section 6308(a) and asset forfeiture
081	Oct 19	HB0783	PN4136	60 days	Vehicle Code (75 Pa.C.S.)—transfer of ownership of vehicles used for human habitation
082	Oct 19	HB1386	PN4070	Immediately	Public School Code of 1949—instructional certificate grade spans and age levels and duties of department
083	Oct 19	HB1414	PN4134	60 days	Vehicle Code (75 Pa.C.S.)—omnibus amendments
084	Oct 19	HB1499	PN3688	60 days	Real and Personal Property (68 Pa.C.S.)—omnibus amendments
085	Oct 19	HB2297	PN4054	60 days	Multiple Designations in Multiple Counties—Lance Corporal Michael L. Freeman, Jr., Memorial Highway and Cpl. Carl F. Hynek III Memorial Highway
086	Oct 19	SB0172	PN2024	Immediately*	Vehicle Code (75 Pa.C.S.)—speed timing devices, automated speed enforcement systems in active work zones and establishing a pilot program for automated speed enforcement system on designated highway
087	Oct 23	HB0270	PN4245	Immediately	State Lottery Law—medication synchronization, Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier, board, medication therapy management and coordination of benefits
088	Oct 23	HB1539	PN3353	60 days	Domestic Relations Code (23 Pa.C.S.)—standby guardianship, temporary guardianship and release of information in confidential reports
089	Oct 23	HB2133	PN3817	180 days	Kinship Caregiver Navigator Program Act—enactment
090	Oct 23	SB0180	PN2048	Immediately*	Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—omnibus amendments
091	Oct 24	HB0026	PN4146	120 days	Vehicle Code (75 Pa.C.S.)—omnibus amendments
092	Oct 24	HB0044	PN0400	180 days	Domestic Relations Code (23 Pa.C.S.)—commencement of proceedings
093	Oct 24	HB0126	PN4072	Immediately*	Health and Safety (35 Pa.C.S.)—omnibus amendments
094	Oct 24	HB0149	PN4251	60 days	Crimes Code (18 Pa.C.S.)—unlawful use of an audio or video device in court
095	Oct 24	HB0163	PN4271	180 days	Amusements (4 Pa.C.S.), Crimes Code (18 Pa.C.S.) and Vehicle Code (75 Pa.C.S.)—suspension of operating privileges of licensed drivers
096	Oct 24	HB0353	PN3779	1 year	Controlled Substance, Drug, Device and Cosmetic Act—professional prescription, administration and dispensing

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
097	Oct 24	HB0504	PN3297	60 days	Insurance Department Act of 1921—self-service storage insurance
098	Oct 24	HB0544	PN4273	60 days	Land for Recreation—liability for landowners to recreational users
099	Oct 24	HB0099	PN4254	60 days	Boroughs and Incorporated Towns (8 Pa.C.S.)—regulation of contracts
100	Oct 24	HB0645	PN4278	Immediately*	Tax Reform Code of 1971—excluded transactions, tax credit, grant of tax credit and reporting
101	Oct 24	HB0927	PN1080	60 days	Municipal Waste Planning, Recycling and Waste Reduction Act—municipal implementation of recycling programs
102	Oct 24	HB0983	PN2743	60 days	Domestic Relations Code (23 Pa.C.S.)—alimony pendente lite, counsel fees and expenses
103	Oct 24	HB1013	PN4069	60 days	Insurance Company Law of 1921—emergency services and quality eye care for insured Pennsylvanians
104	Oct 24	HB1216	PN3819	60 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—neglect of animal, offense of attack of guide dog, offense of discrimination on account of guide, signal or service dog or other aid animal and rescue from motor vehicle
105	Oct 24	HB1228	PN3299	60 days	Public School Code of 1949—sun protection of students and application of nonprescription sunscreen
106	Oct 24	HB1233	PN4252	180 days	Mental Health Procedures Act—omnibus amendments
107	Oct 24	HB1284	PN3816	Immediately	Pennsylvania Business One-Stop Shop Act—enactment
108	Oct 24	HB1294	PN2647	Immediately*	Vehicle Code (75 Pa.C.S.)—special plates for recipients of Purple Heart, special plates for recipients of Legion of Merit and use and display of illuminated signs
109	Oct 24	HB1511	PN4253	90 days	Tax Reform Code of 1971—imposition of tax and establishing the Tourism Promotion Fund
110	Oct 24	HB1822	PN4045	120 days	Education (24 Pa.C.S.)—suicide prevention in institutions of higher education
111	Oct 24	HB1840	PN3802	Immediately	Workers' Compensation Act—schedule of compensation, computation of benefits and physical examination or expert interview
112	Oct 24	HB1884	PN4107	60 days	Patient Test Result Information Act—enactment
113	Oct 24	HB1885	PN4255	60 days	Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—requiring or changing amount of bond
114	Oct 24	HB1886	PN2641	60 days	Probate, Estates and Fiduciaries Code (20 Pa.C.S.)—provisions concerning powers, duties and liabilities
115	Oct 24	HB1936	PN4275	Immediately	Vehicle Code (75 Pa.C.S.)—restrictions on use of highways and bridges, operation by persons under age sixteen and mufflers and sound controls
116	Oct 24	HB1951	PN2762	60 days	Crimes Code (18 Pa.C.S.)—access of minors to dextromethorphan and imposing a penalty
117	Oct 24	HB1958	PN4276	180 days	Vehicle Code (75 Pa.C.S.)—platooning and highly automated vehicles
118	Oct 24	HB2049	PN3127	60 days	Assistance and Service Animal Integrity Act—enactment
119	Oct 24	HB2052	PN3593	60 days	Public School Code of 1949—military parent student support
120	Oct 24	HB2075	PN4249	60 days	Public Utilities (66 Pa.C.S.)—valuation of and return on the property of public utility
121	Oct 24	HB2124	PN4277	60 days	Public School Code of 1949—information regarding education loans
122	Oct 24	HB2453	PN3590	60 days	Check Casher Licensing Act—omnibus amendments

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
123	Oct 24	HB2476	PN4132	60 days	Crimes Code (18 Pa.C.S.) and Prisons and Parole Code (61 Pa.C.S.)—weapons or implements for escape and contraband prohibited
124	Oct 24	HB2557	PN4247	Immediately	Intergovernmental Cooperation Authorities Act for Cities of the Third Class—enactment
125	Oct 24	SB0006	PN2105	60 days	Human Services Code—omnibus amendments
126	Oct 24	SB0031	PN0012	60 days	Tobacco Settlement Act—Spinal Cord Injury Research Program, Spinal Cord Research Advisory Committee, department responsibilities, use of funds and spinal cord injury research program funds
127	Oct 24	SB0299	PN1849	60 days	Pennsylvania Election Code—number of signers required for nomination petitions of candidates at primaries
128	Oct 24	SB0353	PN2088	Immediately	Conveyance—Commonwealth property in multiple counties
129	Oct 24	SB0403	PN1228	60 days	Municipalities (53 Pa.C.S.)—commission members
130	Oct 24	SB0554	PN2054	60 days	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—omnibus amendments
131	Oct 24	SB0627	PN0700	Immediately	Tax Reform Code of 1971—definitions
132	Oct 24	SB0676	PN1289	Immediately	Workers' Compensation Act—omnibus amendments
133	Oct 24	SB0748	PN2095	Immediately	Public Safety Facilities Act—enactment
134	Oct 24	SB0764	PN2049	365 days	Board of Vehicles Act—omnibus amendments
135	Oct 24	SB0771	PN0969	60 days	Boroughs and Incorporated Towns (8 Pa.C.S.) and Cities (11 Pa.C.S.)—completion, filing and publication of auditor's report and financial statement, annual reports, publication, filing report with Department of Community and Economic Development
136	Oct 24	SB0772	PN0970	60 days	First Class Township Code—surcharges, auditors' report and publication of financial statements
137	Oct 24	SB0773	PN0971	60 days	Incorporated Towns, Election of Officers—publication of audit report
138	Oct 24	SB0796	PN2106	Immediately*	Vehicle Code (75 Pa.C.S.)—omnibus amendments
139	Oct 24	SB0798	PN1078	60 days	Commerce and Trade (12 Pa.C.S.)—establishment and membership
140	Oct 24	SB0801	PN1012	60 days	Boroughs and Incorporated Towns (8 Pa.C.S.) and Cities (11 Pa.C.S.)—regulation of contracts and contracts or purchases not requiring advertising or bidding
141	Oct 24	SB0802	PN1013	60 days	First Class Township Code—general regulations concerning contracts
142	Oct 24	SB0803	PN1014	60 days	Second Class Township Code—letting contracts
143	Oct 24	SB0804	PN1015	60 days	Incorporated Towns Contracts Regulated—regulation of contracts
144	Oct 24	SB0888	PN1998	180 days	Vehicle Code (75 Pa.C.S.)—additional parking regulations
145	Oct 24	SB0897	PN2084	Immediately	Crimes Code (18 Pa.C.S.) and Judicial Code (42 Pa.C.S.)—restitution for injuries to person or property and victim impact statements
146	Oct 24	SB0915	PN2085	60 days	Judicial Code (42 Pa.C.S.)—victim and witness outreach, eligibility for relief and jurisdiction and proceedings
147	Oct 24	SB0916	PN2086	Immediately*	Judicial Code (42 Pa.C.S.) and Law and Justice (44 Pa.C.S.)—omnibus amendments
148	Oct 24	SB0919	PN1549	6 months	Housing Authorities Law—powers of authority and relocation

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
149	Oct 24	SB0945	PN1718	60 days	Vehicle Code (75 Pa.C.S.)—contributions to Veterans' Trust Fund
150	Oct 24	SB0947	PN1330	60 days	Boroughs and Incorporated Towns (8 Pa.C.S.) and Cities (11 Pa.C.S.)—personal property and city property and affairs
151	Oct 24	SB0948	PN1331	60 days	First Class Township Code—suits and property
152	Oct 24	SB0949	PN1332	60 days	Incorporated Towns Contracts Regulated—power to convey
153	Oct 24	SB0961	PN2098	Immediately*	Vehicle Code (75 Pa.C.S.)—omnibus amendments
154	Oct 24	SB1005	PN2026	60 days	County Code—omnibus amendments
155	Oct 24	SB1007	PN1396	Jan. 1, 2020	Municipalities (53 Pa.C.S.)—omnibus amendments
156	Oct 24	SB1078	PN1560	60 days	Public Officers (65 Pa.C.S.)—executive sessions
157	Oct 24	SB1092	PN1710	60 days	Judicial Code (42 Pa.C.S.)—sentencing for offenses involving domestic violence in presence of minor
158	Oct 24	SB1095	PN1994	Immediately	Public School Code of 1949—Keystone Exams
159	Oct 24	SB1098	PN2107	Immediately*	Vehicle Code (75 Pa.C.S.)—meeting or overtaking school bus and enforcement of failure to stop for school bus with flashing red lights
160	Oct 24	SB1127	PN1827	60 days	Crimes Code (18 Pa.C.S.) and Procurement (62 Pa.C.S.)—omnibus amendments
161	Oct 24	SB1156	PN2108	60 days	Multiple designations in multiple counties
162	Oct 24	SB1171	PN2104	60 days	Agriculture Code (3 Pa.C.S.) and Environmental Resources (27 Pa.C.S.)—Nutrient Management Advisory Board, establishment of board, powers of board and review of regulations
163	Oct 24	SB1205	PN1848	Immediately	Insurance (40 Pa.C.S.)—corporate governance annual disclosure and small company exemption
164	Oct 24	SB1209	PN1886	Immediately*	Sexual Assault Testing and Evidence Collection Act—sexual assault evidence collection program and Pennsylvania State Police report
<b>2018 Vetoes of Regular Session of Bills—Veto 002 through 005</b>					
002	Oct 19	HB2138	PN3328		Human Services Code—work requirements
003	Oct 24	HB0083	PN2769		Capital Facilities Debt Enabling Act—bonds, issue of bonds and notes, maturity and interest
004	Oct 24	HB2157	PN3278		Public School Code of 1949—Commission for Agricultural Education Excellence, utilization of credits and classification of program code
005	Oct 24	SB1172	PN2094		Price Gouging Act—price gouging prohibited and investigation

\* denotes an effective date with exceptions

#### Effective Dates of Statutes

The effective dates specified for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective date of statutes).

#### Advance Copies of Statutes

Section 1106 of 1 Pa.C.S. (relating to prothonotaries to keep files of advance copies of statutes) provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available.

One-time purchases of the advance copies of statutes can be purchased through the State Bookstore's web site at [www.shoppaheritage.com](http://www.shoppaheritage.com).

VINCENT C. DeLIBERATO, Jr.,  
Director

[Pa.B. Doc. No. 18-1776. Filed for public inspection November 16, 2018, 9:00 a.m.]

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS [ 204 PA. CODE CH. 207 ] Transmitting Remittances

By Order of the Supreme Court of Pennsylvania of October 14, 1988, Judicial Administration Docket No. 88, the Court Administrator has been delegated the authority under the Judicial Code, 42 Pa.C.S. § 3502(c)(3), to adjust, through regulation, the level of fines, costs, fees and other remittances as otherwise fixed by law so as to facilitate the transmission of remittances through or by a financial intermediary.

In accordance therewith, the regulation filed by the Court Administrator on March 20, 2006 relating to the adjustments of fines, costs, fees and other remittances is hereby amended, in the following form. See 204 Pa. Code § 207.2.

Filed in the Administrative Office of Pennsylvania Courts on November 5, 2018.

THOMAS B. DARR,  
*Court Administrator of Pennsylvania*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

##### CHAPTER 207. TRANSMITTING REMITTANCES

§ 207.2. Philadelphia [ **Traffic Court** ] **Municipal Court Traffic Division**—Adjustment of Fines, Costs, Fees and Other Remittances.

(a) Pursuant to 42 Pa.C.S. § 3502(c)(3), the Court Administrator of Pennsylvania hereby adjusts the level of fines, costs, fees and other remittances in all cases under the Motor Vehicle Code (Title 75, *Pennsylvania Consolidated Statutes*) and local ordinances prosecuted in the Philadelphia [ **Traffic Court** ] **Municipal Court Traffic Division** by increasing such costs, fees and other remittances to the amount of twenty-five dollars (\$25.00) per citation or traffic violation report. Said amount shall be paid to a contracting financial intermediary and shall be added to the fines, costs, fees and other remittances at such time as the Philadelphia [ **Traffic Court** ] **Municipal Court Traffic Division** sends or causes to be served a written notice other than a summons to a defendant.

(b) This regulation shall become effective April 1, 2006, and shall apply to all citations and traffic violation reports filed [ **with the Traffic Court** ] prior to that date.

[Pa.B. Doc. No. 18-1777. Filed for public inspection November 16, 2018, 9:00 a.m.]

## Title 210—APPELLATE PROCEDURE

### PART II. INTERNAL OPERATING PROCEDURES [ 210 PA. CODE CH. 69 ] Amendment to Commonwealth Court Internal Operating Procedure

The Commonwealth Court has amended its Internal Operating Procedure §§ 341 and 342, 210 Pa. Code §§ 69.341 and 69.342, effective December 14, 2018.

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART II. INTERNAL OPERATING PROCEDURES

##### CHAPTER 69. INTERNAL OPERATING PROCEDURES OF THE COMMONWEALTH COURT OF PENNSYLVANIA

##### ORIGINAL JURISDICTION

§ 69.341. Process; Designation of Officials for Service of Process.

[ The Sheriff of Dauphin County is the official agency designated to execute service of process issuing from the court, either directing in Dauphin County or by deputizing the respective sheriffs of other counties, for the service of process in those other counties. ]

The Commonwealth Court is a court of Statewide jurisdiction. Therefore, for purposes of Pa.R.C.P. No. 400(d), an action commenced in this court is deemed commenced in all counties of this Commonwealth. Accordingly, where service is to be effectuated within this Commonwealth by a sheriff, the sheriff of any county where service may be made is authorized to serve process issuing from this court and does not need to be deputized.

§ 69.342. Process; Designation of Officials for Execution of Bench Warrants of Arrest.

By order in a particular case, a judge may designate the Pennsylvania State Police or [ **the Sheriff of Dauphin County** ] the sheriff of any county where the bench warrant may be executed as the official agency for the execution of a bench warrant of arrest. [ **The Sheriff of Dauphin County may act either directly, within Dauphin County, or by deputizing sheriffs of other counties.** ]

[Pa.B. Doc. No. 18-1778. Filed for public inspection November 16, 2018, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**ERIE COUNTY**

**Clerk of Courts Fees 2019; No. 90051-2018**

**Order of Court**

*And Now*, to-wit, this 31st day of October, 2018, pursuant to 42 Pa.C.S.A. Sect. 1725.4(a), the following fees are hereby approved and adopted, effective January 1, 2019.

Bond Fee	\$16.50
Summary Appeal Fee	\$43.50
Superior Court Appeal Fee	\$ 43.50
Clerk's Fee (Plea)	\$118.50
Clerk's Fee (Trial)	\$161.50

*By the Court*

JOHN J. TRUCILLA,  
*President Judge*

[Pa.B. Doc. No. 18-1779. Filed for public inspection November 16, 2018, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**ERIE COUNTY**

**Prothonotary Fees 2019; No. 90048-2018**

**Order of Court**

*And Now*, to-wit, this 24th day of October, 2018, pursuant to 42 P.S. Sect. 21071.1(b), the fee schedule appended to this order is hereby approved and adopted, effective January 1, 2019.

*By the Court*

JOHN J. TRUCILLA,  
*President Judge*

<b>APPEAL TO HIGHER COURT</b> —Superior, Commonwealth & Supreme (Pro Costs)	54.50
(State)	90.25
<b>ARBITRATION/MEDIATION PRAECIPE</b>	22.00
<b>ASSIGNMENTS</b>	9.00
<b>BANKRUPTCH ORDERS</b>	9.00
<b>CERTIFICATES</b> —(separately issued certificate documents)	
Discontinuance/Satisfactions	5.50
Divorce	5.50
Member in Good Standing	5.50
Notary Certificate	5.50
<b>COMMENCEMENT OF ACTION</b> (this includes \$5.00 Automation Fee, \$ .50 state tax, \$40.25 JCS)	137.75
<b>Custody Complaint/Petition</b>	146.25
(This includes \$5.00 Automation Fee, \$ .50 state tax, \$40.25 JCS, & \$8.50 AOPC fee)	
<b>Divorce</b> —Add \$40.25 JCS Fee for each additional named count	222.75
Add \$48.75 (JCS Fee + \$8.50 AOPC Fee) when Custody is named as a count	
Includes \$10.00 Surcharge for each complaint	
Includes \$75.00 Master Fee Fund	
<b>Name Change</b> —Add \$11.00 Lien Search Fee (140.75 + 11.00 per name)	148.75
(This includes \$5.00 Automation Fee, \$ .50 state tax, \$40.25 JCS)	
<b>COPY COSTS</b> —Per Page	.25
Certified Copies (\$1.00 for certification + .25 per page)	1.00
Gold Seal Certified Copies (\$5.50 + \$.25 Per page)	5.50
<b>CRIMINAL JUDGMENTS W/SAT FEE (CLERK OF COURTS)</b> (includes \$.50 state tax)	26.00
<b>DISTRICT JUDGE APPEALS</b> (includes \$.25 state tax, \$40.25 JCS fee & \$5.00 automation)	137.50
<b>DIVORCE TRANSMITTAL</b>	11.00
<b>EXECUTIONS</b> —(Personal Property or Real Estate) (includes \$.50 state tax)	28.00
<b>EXEMPLIFICATION OF RECORD</b>	11.00
<b>FOREIGN EXECUTIONS</b> (includes \$.50 state tax)	28.00
<b>GOVERNMENT AGENCY CASES</b> (Includes \$.50 state tax, \$40.25 JCS & \$5.00 Automation)	51.25

<b>JUDGMENTS</b> —Agreement to Revive, Decree Nisi, Default, Final Judgment, Judgments against Garnishees and Judgments on Award, Verdicts & Court Ordered Judgments	16.50
Declaratory Judgment (New Action) (includes state tax \$.50, JCS \$40.25 & Automation fee \$5.00)	137.75
District Judge Judgments (Includes \$.25 state tax)	16.75
Foreign Judgments (includes state tax \$.50, JCP \$40.25 & Automation fee \$5.00)	137.75
Complaint in Confession of Judgment (Includes \$.50 state tax & JCS \$40.25)	57.25
Exemplified Judgments (includes \$.50 state tax)	17.00
<b>LICENSE REVOCATION</b> (certification of motor vehicle judgment)	11.00
<b>LIENS</b> — Commonwealth Tax Lien (includes \$ .50 state tax)	17.00
Federal Tax Lien (includes \$.50 state tax)	17.00
Commonwealth Tax Lien (w/sat fee) (includes state tax \$.50 for Lien & \$.50 for Sat)	26.50
Municipal Liens (includes Satisfaction fee & state tax)	26.00
Suggestion of Non-Payment (Commonwealth Liens)	16.50
Suggestion of Non-Payment (Municipal Lien (includes sat fee))	25.50
<b>LIS PENDENS</b> —Commencing an action (includes \$.50 state tax, \$40.25 JCS, \$5.00 automation fee)	137.75
On a Pending Action	16.50
<b>MASTER FEE PETITION</b>	450.00
<b>MECHANICS LIEN</b> —Claims (includes \$.50 state tax, \$40.25 JCS, \$5.00 automation fee)	137.75
Waivers/Releases (includes \$.50 state tax)	22.50
<b>MENTAL HEALTH PETITIONS</b>	11.00
<b>MOTOR VEHICLE LICENSE and/or REGISTRATION SUSPENSION APPEAL</b>	137.75
(Includes \$.50 state tax, \$40.25 JCS, \$5.00 automation fee)	
<b>NOTARY PUBLIC</b> Registration of Signature	3.50
<b>PETITION FOR APPOINTMENT OF BOARD OF VIEWERS</b>	54.50
<b>PETITION TO OPEN AND/OR STRIKE JUDGMENT</b>	137.75
(Includes \$.50 state tax, \$40.25 JCS, \$5.00 automation fee)	
<b>POUNDAGE</b> For the handling of money paid into Court:	
For each \$1.00 of the first \$1,000.00	.03
For each \$1.00 over the initial \$1,000.00 or fraction thereof	.01
<b>POWER OF ATTORNEY</b> (includes \$.50 state tax)	22.50
Revocation of Power of Attorney (per named)	9.00
<b>PRAECIPE FOR NOTICE OF INTENT TO ATTACH WAGES</b>	137.75
(Includes \$.50 state tax, \$40.25 JCS, \$5.00 automation fee)	
<b>PRAECIPE FOR WRIT OF ATTACHMENT OF WAGES</b> (includes \$.50 state tax)	28.00
<b>PROTECTION FROM ABUSE PETITIONS</b> (Fees ordered by Court)	
<b>REINSTATEMENT OF ALL COMPLAINTS</b>	9.00
<b>RE-ISSUANCE OF ALL WRITS</b>	9.00
<b>RELEASES</b> (per legal description)	9.00
<b>RESUMPTION OF PRIOR SURNAME</b>	9.00
<b>SATISFACTIONS/DISCONTINUANCES/VACATE</b>	9.00
<b>SATISFACTIONS—COMMONWEALTH</b> Liens	9.50
<b>SEARCHES</b> (genealogy or name changes)	11.00
<b>STATEMENT OF COSTS</b>	5.50
<b>STATEMENT OF OBJECTIONS</b>	137.50
(Includes \$.25 state tax, \$40.25 JCS, \$5.00 automation fee)	
<b>SUBORDINATIONS &amp; POSTPONEMENTS</b>	9.00
<b>SUBPOENA</b>	2.50



<b>TRANSFER OF VENUE</b>	16.50
<b>WRIT OF CERTIORARI</b>	137.75
(Includes \$.50 state tax, \$40.25 JCS, \$5.00 automation fee)	
<b>WRIT OF POSSESSION / WRIT OF SEIZURE</b> (includes \$.50 state tax)	28.00
<b>WRIT OF REVIVAL</b>	22.00
<b>WRIT OF SCIRE FACIAS</b> (includes \$40.25 JCS & \$.50 state tax)	57.25
<b>YEARLY FINANCIAL STATEMENT OF BONDING COMPANIES</b>	5.50

[Pa.B. Doc. No. 18-1780. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that John Andrew Klamo having been suspended from the practice of law in the State of New Jersey; the Supreme Court of Pennsylvania issued an Order dated October 31, 2018 suspending John Andrew Klamo from the practice of law in this Commonwealth for a period of two years, effective November 30, 2018. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*

[Pa.B. Doc. No. 18-1781. Filed for public inspection November 16, 2018, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[ 58 PA. CODE CHS. 133 and 137 ]

#### Wildlife Classification; Wildlife

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its September 25, 2018, meeting amended § 137.2 (relating to release of animals) to add the Hungarian partridge to the list of species that may be lawfully released on public or private lands for dog training or hunting purposes without first securing a permit. The Commission also added § 133.7 (relating to Hungarian partridge) to reclassify the Hungarian partridge as a wild bird and not a game bird in an effort to treat this species in a similar manner to the Chukar partridge.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 48 Pa.B. 5608 (September 8, 2018).

#### 1. Purpose and Authority

The Hungarian partridge (also known as the grey partridge) is a non-native bird first introduced to the United States from Hungary in the early 1900s. Wildlife agencies, including the Commission, stocked many thousands of these birds in an attempt to establish wild populations and to maintain quality small game hunting opportunities. Hungarian partridges were stocked by the Commission in the 1920s, 1930s and then again in the 1950s. These efforts failed and a population of wild Hungarian partridges was never established within this Commonwealth. The Commission has determined that there are currently no wild populations of Hungarian partridges found within this Commonwealth.

The Commission has received a public request to consider adding Hungarian Partridges to the list of birds that may be released for dog training purposes. The Commission has reviewed the proposal and determined there to be no significant biological concerns in moving forward with this proposal. As a result, the Commission amended § 137.2 to add the Hungarian partridge to the list of species that may be lawfully released on public or private lands for dog training or hunting purposes without first securing a permit. The Commission also created § 133.7 to reclassify the Hungarian partridge as a wild bird and not a game bird in an effort to treat this species in a similar manner to the Chukar partridge.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the commission to “Add to or change the classification of any wild bird or wild animal.” Section 2102(c) of the code (relating to regulations) directs that “The commission shall promulgate regulations concerning the transportation, introduction into the wild, importation, exportation, sale, offering for sale or purchase of game or wildlife or the disturbing of game or wildlife in their natural habitat.” The addition of § 133.7 and amendments to § 137.2 are adopted under this authority.

#### 2. Regulatory Requirements

This final-form rulemaking amends § 137.2 to add the Hungarian partridge to the list of species that may be lawfully released on public or private lands for dog training or hunting purposes without first securing a permit. This final-form rulemaking adds § 133.7 to reclassify the Hungarian partridge as a wild bird and not a game bird in an effort to treat this species in a similar manner to the Chukar partridge.

#### 3. Persons Affected

Persons wishing to release Hungarian partridges into the wild on public or private lands and hunt or train dogs over same within this Commonwealth will be affected by this final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

#### 5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

#### 6. Effective Date

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. Contact Person

For further information regarding this final-form rulemaking, contact Randy L. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-434 remains valid for the final adoption of the subject regulations.

### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 133. WILDLIFE CLASSIFICATION

#### Subchapter A. GENERAL

#### § 133.7. Hungarian partridge.

Notwithstanding the listing of the Hungarian partridge in the definition of a game bird in section 102 of the act (relating to definitions), the Hungarian partridge shall be reclassified as a wild bird generally and will no longer be classified as a game bird.

#### CHAPTER 137. WILDLIFE

#### § 137.2. Release of animals.

(a) Except as otherwise provided, it is unlawful to release captive held or captive raised game or wildlife on any lands, public or private, without first securing a permit from the Commission. Lawfully acquired mallard ducks, ringneck pheasant, bobwhite quail, chukar partridge and Hungarian partridge may be released for dog training or hunting purposes.

\* \* \* \* \*

[Pa.B. Doc. No. 18-1782. Filed for public inspection November 16, 2018, 9:00 a.m.]

**Title 58—RECREATION**

**GAME COMMISSION**

**[ 58 PA. CODE CH. 147 ]**

**Deer Control; Special Permits**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its September 25, 2018, meeting amended § 147.322 (relating to application for deer control permit) to provide greater clarity of what circumstances will satisfy the public hunting requirement.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 48 Pa.B. 5607 (September 8, 2018).

*1. Purpose and Authority*

Section 147.322 has historically required that all “[p]ublic land within the proposed boundaries be open to lawful public hunting unless otherwise prohibited under this title or as otherwise authorized or waived by the Director.” In large part, this requirement is derived directly from section 103 of the act which provides, in relevant part, that “[t]he commission shall utilize hunting and trapping as methods of effecting necessary management of game, furbearer and wildlife populations.” While section 103 does not limit management of wild resources to public hunting only, the Commission has concluded that it is clearly intended as the primary method of management.

Over the years, the Commission has observed that deer control permit applicants utilize varying degrees of use of public hunting as a prerequisite to meeting the public hunting requirement of § 147.322. Many applicants have established organized controlled hunts, while others have organized or invited established hunting clubs onto the public or private, or both, properties covered by the permit to help reduce deer populations. Still others invite only local government (permittee) employees to engage in hunting on the public or private, or both, properties covered by the permit. While the Commission has approved permit applications in the past involving this latter method of satisfying the public hunting component, it has more recently recognized the importance of pushing deer control back, primarily, into the hands of the public through more clearly defined public hunting. This action will still allow landowners (both public and private) to allow hunting, in whole or in limited part, to meet their deer control and land use goals.

To this end, the Commission amended § 147.322 to provide greater clarity of what circumstances will satisfy the public hunting requirement. The Commission specifically intends with this action to reject hunting opportunity that is afforded to an individual or class of individuals solely by virtue of their public employment as satisfying the public hunting requirement. This action will improve the use and prominence of public hunting as the primary method of wild resource management without unduly restricting the purpose and ultimate goals of the deer control permit program. This action formalized into the deer control permit regulations the current policy being used to evaluate and approve deer control permit applications.

Section 2901(b) of the code (relating to authority to issue permits) provides that “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to § 147.322 are adopted under this authority.

*2. Regulatory Requirements*

This final-form rulemaking amends § 147.322 to provide greater clarity of what circumstances will satisfy the public hunting requirement.

*3. Persons Affected*

Political subdivision or government agency applicants wishing to participate in the Commission’s deer control permit program will be affected by this final-form rulemaking.

*4. Comment and Response Summary*

There were no official comments received regarding this final-form rulemaking.

*5. Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

*6. Effective Date*

This final-form rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

*7. Contact Person*

For further information regarding this final-form rulemaking, contact Randy L. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-435 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 147. SPECIAL PERMITS**

**Subchapter R. DEER CONTROL**

**POLITICAL SUBDIVISIONS**

**§ 147.322. Application for deer control permit.**

(a) An application for a deer control permit shall be completed and submitted by an authorized officer or employee of the political subdivision, homeowners association or nonprofit land-holding organization in the form and manner required by the Director.

(b) An application for a deer control permit must contain the following information:

(1) *Description.* A comprehensive description of the background and scope of the white-tailed deer population or damage problem, or both. The description must include a report of all alternative solutions or other steps taken by the applicant to mitigate the white-tailed deer population or damage problem, or both, prior to application for this permit and must specifically define how licensed public hunting for white-tailed deer has been utilized in the problem area and what results hunting activities have had on the population or damage problem, or both.

(2) *Deer management plan.* A comprehensive deer management plan which sets forth the applicant's white-tailed deer management goals, recommended implementation plan and a reference to the specific number of animals sought to be removed. The applicant shall specifically define how licensed public hunting for white-tailed deer will be utilized in the problem area during the term of the requested deer control permit.

(3) *Map.*

(i) A map or set of maps showing the proposed project area and its boundaries and clearly illustrating all of the following distinct features and areas within the proposed project area:

- (A) Land uses.
- (B) Cover types.
- (C) Areas open to public hunting for white-tailed deer.
- (D) Areas damaged by white-tailed deer.
- (E) Areas of white-tailed deer congregation.
- (F) Applicable safety zones.
- (G) Proposed white-tailed deer control areas.

(ii) The map must indicate the individual acreage values for each of the listed features and acres.

(c) Public land within the proposed boundaries shall be open to lawful public hunting unless otherwise prohibited under this title or as otherwise authorized or waived by the Director. Private land within the proposed boundaries may be closed to public hunting at the landowner's discretion. However, if closed, deer control activities may not occur thereon.

(d) For the purposes of this section, the term "public hunting" shall be defined as hunting opportunity that is available, in whole or in part, to members of the general public, but shall not include hunting opportunity that is afforded to an individual or class of individuals solely by virtue of their public employment.

[Pa.B. Doc. No. 18-1783. Filed for public inspection November 16, 2018, 9:00 a.m.]

## Title 61—REVENUE

### DEPARTMENT OF REVENUE

#### [ 61 PA. CODE CH. 113 ]

#### Withholding of Tax

The Department of Revenue (Department), under authority contained in section 354 of the Tax Reform Code of 1971 (72 P.S. § 7354), amends 61 Pa. Code § 113.4 (relating to time and place for filing reconciliation and withholding statements) to read as set forth in Annex A.

#### *Purpose of Final-Form Rulemaking*

The purpose of this final-form rulemaking is to improve the efficiency and accuracy of the Department's tax system by further automating the reporting of tax information.

#### *Explanation of Regulatory Requirements*

The final-form rulemaking amendments to § 113.4(c) reduce the threshold for the electronic transmission requirement of the annual reconciliation statement from 250 to 10 or more withholding statements (Form W-2). In addition, "magnetic media" will be deleted and replaced

with "electronic transmission." Electronic transmission is defined in subsection (d). This final-form rulemaking amends the method of filing for certain affected employers, not the information that is required to be reported. Finally, reference to specific form numbers in subsections (b) and (c) will be deleted. Given that form numbers change periodically, the Department is removing the numbers to avoid confusion and the forms are being referenced in accordance with § 2.12 (relating to forms) of the *Pennsylvania Code & Bulletin Style Manual*.

#### *Affected Parties*

Employers and tax practitioners in this Commonwealth will be affected by the regulation.

#### *Comment and Response Summary*

Notice of proposed rulemaking was published at 47 Pa.B. 6726 (October 28, 2017). This final-form rulemaking is being adopted to read as set forth in Annex A.

The Department has prepared a comment and response document that covers the public comments and the comments of the Independent Regulatory Review Commission (IRRC) to the proposed rulemaking and the Department's responses thereto. It is available to interested parties by contacting Maria L. Miller, Office of Chief Counsel, Department of Revenue, P.O. Box 281061, Harrisburg, PA 17128-1061.

In its evaluation of provisions, during the proposal stage, the Department received comments from IRRC and the Pennsylvania Institute of Certified Public Accountants (PICPA). No official comments were received from either the House Finance Committee or the Senate Finance Committee. The following is a summary of the Department's response to the key issues referenced in the comments:

As requested by IRRC, the Department is adding more detailed information on the Regulatory Analysis Form (RAF) to support why the regulation is in the public interest.

To address the concerns of PICPA regarding notice to the public of the new electronic filing requirements, the Department is formalizing a communications plan to publish compliance information on the Department's web site, distribute information through the electronic filing system e-TIDES and conduct a mailing to non-eTIDES filers.

#### *Fiscal Impact*

The Department has determined that the amendments in this final-form rulemaking will have minimal revenue effect on the Commonwealth. This final-form rulemaking is not designed to be revenue generating. It is an administrative processing change that will lower the Department's operating costs.

#### *Paperwork*

This final-form rulemaking will not create additional paperwork for the public or the Commonwealth. It will require certain employers to file their annual withholding reconciliation statements and accompanying wage and tax withholding statements by means of electronic transmission instead of on paper.

#### *Effective Date*

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

will be applicable to annual withholding reconciliations statements that are required to be filed after the effective date of the regulation.

*Sunset Date*

This final-form rulemaking is scheduled for review within 5 years of final publication. A sunset date has not been assigned.

*Contact Person*

The contact person for an explanation of the amendments is Maria L. Miller, Office of Chief Counsel, Department of Revenue, P.O. Box 281061, Harrisburg, PA 17128-1061.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 18, 2017, the Department submitted a copy of the notice of proposed rulemaking, published at 47 Pa.B. 6726 and a copy of a RAF to IRRC and to the Chairpersons of the House Committee on Finance and the Senate Committee on Finance. In compliance with section 5(c) of the Regulatory Review Act, the Department also provided IRRC and the House and Senate Committees with copies of the comments received, as well as other documentation.

In preparing this final-form rulemaking, the Department has considered the comments received from IRRC and PICPA.

This final-form rulemaking was deemed approved by the House and Senate Committees on October 17, 2018, and was approved by IRRC on October 18, 2018, in accordance with section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.5a(e)).

*Finding*

The Department of Revenue finds that:

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

(2) The amendments are necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

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

(1) The regulations of the Department, 61 Pa. Code Chapter 113, are amended by amending § 113.4 to read as set forth in Annex A.

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

(3) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

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

C. DANIEL HASSELL,  
*Secretary*

*(Editor's Note: See 48 Pa.B. 7085 (November 3, 2018) for IRRC's approval order.)*

**Fiscal Note:** Fiscal Note 15-459 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 61. REVENUE**

**PART I. DEPARTMENT OF REVENUE**

**Subpart B. GENERAL FUND REVENUES**

**ARTICLE V. PERSONAL INCOME TAX**

**CHAPTER 113. WITHHOLDING OF TAX**

**§ 113.4. Time and place for filing reconciliation and withholding statements.**

(a) An employer shall furnish a wage and tax withholding statement to each of his employees on or before January 31 following the year of payment of compensation, or within 30 days from the date of the last payment of compensation if employment or the business is terminated.

(1) An employer shall use the combined Federal-State Wage and Tip Withholding Statement (Form W-2) issued by the Internal Revenue Service or one that conforms thereto with the word "Commonwealth" printed, stamped or typed thereon. The statement must show the name of employer, address and identification number of the employer; the name, address and Social Security number of the employee; the total compensation paid during the taxable year; and the total amount of Pennsylvania tax withheld during the taxable year.

(2) The wage and tax withholding statements required in this chapter shall be in addition to a requirement of the Federal or a local government.

(b) Every employer who withholds tax under this chapter shall file with the Department an annual withholding reconciliation statement, on a form provided by the Department, along with a copy of all employee wage and tax withholding statements, by the following:

(1) A going business for tax withheld in the prior year, annually, by January 31.

(2) A terminated business within 30 days after the end of the month in which business or payment of compensation ceased.

(c) The annual withholding reconciliation statement and accompanying wage and tax withholding statements as required under subsection (b) shall be forwarded to the Department by electronic transmission as specified in instructions of the Department. If an employer is required to furnish nine or less wage and tax withholding statements under subsection (a), the employer may forward the annual withholding reconciliation statement and accompanying wage and tax withholding statements to the Department by first class mail.

(d) For purposes of this section, the term "electronic transmission" means the process of sending digital or analog data over a communication medium to one or more computing, network, communication or electronic devices.

[Pa.B. Doc. No. 18-1784. Filed for public inspection November 16, 2018, 9:00 a.m.]

# PROPOSED RULEMAKING

## GAME COMMISSION

[ 58 PA. CODE CH. 135 ]

### Lands and Buildings; Goose Hunting Areas

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its September 25, 2018, meeting to amend § 135.103 (relating to registration for controlled goose hunting areas) to authorize persons who possess a senior lifetime resident hunting license or senior lifetime resident combination hunting license and who can provide documentation evidencing their eligibility for the resident disabled veteran license or a reduced fee resident disabled veteran license to apply to participate in the Veterans with disabilities only day.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the September 25, 2018, meeting of the Commission. Comments can be sent until January 25, 2019, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

Current regulations authorize the Commission hold special disabled veteran goose hunts at both the Pymatuning and Middle Creek Wildlife Management Areas. Section 135.103 currently identifies those eligible to participate in these special hunts as persons holding a resident disabled veterans license. However, the Commission has become aware that § 135.103 unintentionally restricts an otherwise qualifying disabled veteran from applying to participate in the controlled goose hunt if he or she purchases a senior lifetime license of either the regular or combination class. The Commission has determined that this can easily be corrected through a minor regulatory change. The Commission is proposing to amend § 135.103 to authorize persons who possess a senior lifetime resident hunting license or senior lifetime resident combination hunting license and who can provide documentation evidencing their eligibility for the resident disabled veteran license or a reduced fee resident disabled veteran license to apply to participate in the Veterans with disabilities only day.

Section 721(a) of the code (relating to control of property) provides "The administration of all lands and waters owned, leased or otherwise controlled by the commission shall be under the sole control of the Director, and the commission shall promulgate regulations...for its use and protection as necessary to properly manage these lands or waters." The amendments to § 135.103 are proposed under this authority.

#### 2. Regulatory Requirements

This proposed rulemaking will amend § 135.103 to authorize persons who possess a senior lifetime resident hunting license or senior lifetime resident combination hunting license and who can provide documentation evidencing their eligibility for the resident disabled veteran license or a reduced fee resident disabled veteran license to apply to participate in the Veterans with disabilities only day.

#### 3. Persons Affected

Persons wishing to hunt waterfowl at the Middle Creek and Pymatuning Wildlife Management Areas will be affected by this proposed rulemaking.

#### 4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

#### 5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information regarding this proposed rulemaking, contact Randy L. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-437. No fiscal impact; (8) recommends adoption.

### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 135. LANDS AND BUILDINGS

#### Subchapter F. SPECIAL WILDLIFE MANAGEMENT AREAS

#### § 135.103. Registration for controlled goose hunting areas.

The following apply to reservations for controlled goose hunting areas:

\* \* \* \* \*

(4) The Director will establish the number of applications to be drawn no later than 20 days prior to the respective drawing of reservations for the Middle Creek and Pymatuning Wildlife Management Areas. Reservations will be awarded by the Commission to individuals selected during random public drawings from all eligible applications submitted for each management area. The drawings for each management area will occur on the date, time and at the location set by the Director or a designee. The Commission will hold separate drawings for the disabled access blinds for persons in possession of a disabled person permit issued under section 2923(a) of the act (relating to disabled person permits).

(i) *Youth only day.* The Director may designate 1 shooting day at the Middle Creek and Pymatuning Wildlife Management Areas as a youth-only day. Adults who accompany a junior hunter on this day may participate in the hunt by calling only. Applications received from junior hunters will be separated and drawn prior to the other applications on the established drawing date for the management area. Unsuccessful applicants for the youth shooting day will then be placed with all other applications and the drawing will proceed until all shooting days are filled.

(ii) *Veterans with disabilities day only day.* The Director may designate 1 shooting day at the Middle Creek and Pymatuning Wildlife Management Areas as a veterans with disabilities only day. Only persons who possess a

resident disabled veteran license [ or ], a reduced fee resident disabled veteran license **or persons who possess a senior lifetime resident license or senior lifetime resident combination hunting license who can provide documentation evidencing their eligibility for the resident disabled veteran license or a reduced fee resident disabled veteran license** are eligible to apply. Successful applicants may be accompanied by up to three properly licensed guests of any general or base hunting license classification. Applications received from veterans with disabilities will be separated and drawn prior to all other applications on the established drawing date for each wildlife management area.

\* \* \* \* \*

[Pa.B. Doc. No. 18-1785. Filed for public inspection November 16, 2018, 9:00 a.m.]

## GAME COMMISSION

### [ 58 PA. CODE CH. 147 ]

#### Special Permits; Mentored Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its September 25, 2018, meeting to amend §§ 147.802—147.804 (relating to definitions; application; and general) to: 1) expand the mentored youth program to include youth up to 16 years of age; 2) expand the mentored adult program to include persons 17 years of age or older; 3) limit participation in the mentored junior and mentored adult program to 3 years total; and 4) set mentored junior permit fees at \$5 for resident applicants and \$40 for nonresident applicants, plus any applicable transactional and issuing agent fees.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the September 25, 2018, meeting of the Commission. Comments can be sent until January 25, 2019, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

Currently the regulations provide for a mentor program for youth, defined as an individual under 12 years of age, and adults, defined as an individual 18 years of age or older. There is currently no provision in the regulations for mentoring individuals 12 years of age or older, but under 17 years of age. This proposal would expand the mentored youth program to allow individuals 12 years of age or older, but under 17 years of age to be eligible, thereby allowing them to participate in hunting without taking hunter-trapper education or purchasing a hunting license. The mentored youth program has been a very successful mechanism for introducing potential hunters to the sport. A recent survey showed that individuals who participate in the mentored youth program were more likely to purchase hunting licenses in the future, compared to individuals who had not participated in the mentored youth program. Expanding upon the mentored youth program to allow individuals 12 years of age or older, but under 17 years of age to participate, would

allow the agency to recruit nontraditional potential hunters, who did not have access to someone who could take them hunting on a consistent basis, or shepherd them through hunter-trapper education, but yet have developed an interest in hunting and would like to participate before making the commitments necessary to become a license buyer. The Commission is proposing to amend §§ 147.802—147.804 to: 1) expand the mentored youth program to include youth under 17 years of age; 2) expand the mentored adult program to include persons 17 years of age or older; 3) limit participation in the mentored junior and mentored adult program to 3 years total; and 4) set mentored junior permit fees at \$5 for resident applicants and \$40 for nonresident applicants, plus any applicable transactional and issuing agent fees.

Section 2701(a) of the code (relating to license requirements) states that “Except in defense of person or property or pursuant to exemptions authorized by the commission for implementing a mentored youth hunting program, every person, prior to engaging in any of the privileges granted by this title, shall first obtain the applicable license subject to any conditions or other requirements imposed by this title.” Section 2901(b) of the Code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.” The amendments to §§ 147.802—147.804 are proposed under this authority.

#### 2. Regulatory Requirements

This proposed rulemaking will amend §§ 147.802—147.804 to: 1) expand the mentored youth program to include youth under 17 years of age; 2) expand the mentored adult program to include persons 17 years of age or older; 3) limit participation in the mentored junior and mentored adult program to 3 years total; and 4) set mentored junior permit fees at \$5 for resident applicants and \$40 for nonresident applicants, plus any applicable transactional and issuing agent fees.

#### 3. Persons Affected

Persons 12 years of age and older and under 18 years of age who wish to participate in the mentored hunting program will be affected by this proposed rulemaking.

#### 4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

#### 5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information regarding this proposed rulemaking, contact Randy L. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-438. No fiscal impact; (8) recommends adoption.

## Annex A

## TITLE 58. RECREATION

## PART III. GAME COMMISSION

## CHAPTER 147. SPECIAL PERMITS

## Subchapter X. MENTORED HUNTING PROGRAM PERMIT

## § 147.802. Definitions.

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

*Lawful hunting device*—Any firearm or implement that is lawful to be possessed during the current season and used to harvest the particular species hunted.

*Mentor*—A licensed person, 21 years of age or older who is serving as a guide to a mentored youth or mentored adult while engaged in hunting or related activities.

*Mentored adult*—An unlicensed person, [ 18 ] 17 years of age or older, who is accompanied by a mentor while engaged in hunting or related activities.

*Mentored youth*—An unlicensed person, under [ 12 ] 17 years of age who is accompanied by a mentor while engaged in hunting or related activities.

*Stationary*—The state or condition where a person is still, fixed in place or static, indicated by a cessation of all forward, backward or lateral movement, whether in the standing, kneeling, sitting or prone position.

## § 147.803. Application.

(a) *Form and content.* Applications for mentored hunting permits issued under this subchapter shall be made through the Commission or any of its authorized license-issuing agents on the appropriate form designated by the Commission for this purpose. Each application must include the name, address, telephone number, date of birth, Social Security number of the applicant and any other information required by the Commission.

(b) *Eligibility.*

(1) Mentored youth hunting permits are available to youth applicants under 12 years of age or 12 years of age or older, but under 17 years of age, who have never held a prior hunting license within this Commonwealth or another state or nation. Mentored youth hunting permits are available to eligible youth applicants [ until they reach 12 years of age, after which a junior hunting license is required. ] under 12 years of age for an unrestricted number of license years. Mentored youth hunting permits are available to eligible junior applicants 12 years of age or older, but under 17 years of age, except when the applicant has previously held a mentored youth permit for a total of 3 license years, including years when under 12 years of age. In these circumstances, an applicable junior hunting license is required.

(2) Mentored adult hunting permits are available to adult applicants [ 18 ] 17 years of age or older who have never held a prior hunting license within this Commonwealth or another state or nation. [ Mentored adult hunting permits are available to eligible adult applicants for a total of 3 consecutive, unbroken license years after which an applicable adult hunting license is required. ] Mentored adult hunting permits are available to eligible adult applicants

for a total of 3 license years, including years when under 17 years of age. In these circumstances, an applicable adult hunting license is required.

(c) *Minors.* Applications may be submitted on behalf of an eligible mentored youth upon presentation of a written request executed by a parent or legally constituted guardian.

(d) *Fee.*

(1) The fee for a mentored youth hunting permit will be [ \$1, plus any applicable transactional and issuing agent fees. ]:

(i) \$1, plus any applicable transactional and issuing agent fees, for resident and nonresident applicants under 12 years of age.

(ii) \$5, plus any applicable transactional and issuing agent fees, for resident applicants 12 years of age or older, but under 17 years of age.

(iii) \$40, plus any applicable transactional and issuing agent fees, for nonresident applicants 12 years of age or older, but under 17 years of age.

(2) The fee for a mentored adult hunting permit will be:

(i) For residents, \$19, plus any applicable transactional and issuing agent fees.

(ii) For nonresidents, \$100, plus any applicable transactional and issuing agent fees.

## § 147.804. General.

(a) *License required.* A mentor shall possess a valid Pennsylvania hunting license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) prior to engaging in any mentored hunting activities.

(b) *Permit required.* A mentored youth or mentored adult shall possess a valid applicable mentored hunting permit prior to engaging in any mentored hunting activities. Purchase of a hunting license by an eligible mentored youth or mentored adult shall automatically invalidate any mentored permit and associated harvest tags held by same.

\* \* \* \* \*

[Pa.B. Doc. No. 18-1786. Filed for public inspection November 16, 2018, 9:00 a.m.]

## GAME COMMISSION

[ 58 PA. CODE CH. 133 ]

## Wildlife Classification; Birds and Mammals

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its September 25, 2018, meeting to amend §§ 133.21 and 133.41 (relating to classification of birds; and classification of mammals) to adjust the Commonwealth's threatened and endangered species list for the Peregrine Falcon, Piping Plover, Red Knot, Northern long-eared bat, Little brown bat and Tri-colored bat.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).



This proposed rulemaking was made public at the September 25, 2018, meeting of the Commission. Comments can be sent until January 25, 2019, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

### 1. Purpose and Authority

The Commission has a fiduciary duty to manage our wildlife and their habitat for present and future generations. With this trust comes tough decisions. Enhanced protection through listing of these species is the right decision for this Commonwealth's wildlife and the public the Commission serves. Listing engages the Commission in decisions that help avoid, minimize, or mitigate impacts compounded by the primary causes of decline. The endangered/threatened classification recognizes the inherent value of each surviving member of the species. The Commission is proposing to amend §§ 133.21 and 133.41 to adjust the Commonwealth's threatened and endangered species list for the following species:

*Peregrine Falcon*: Upgrading from "Endangered" to "Threatened" reflects steady Statewide population recovery as specified in the Board-approved Peregrine Falcon Management Plan. The recovery metrics for upgrading species status to Threatened have been achieved.

*Piping Plover*: Upgrading from "Extirpated" to "Endangered" recognizes the return of a breeding bird to this Commonwealth and follows the regulatory process in § 133.4 (relating to definitions). The Commission is celebrating the return of a native bird species to this Commonwealth after more than 60 years absence, in which pairs have successfully nested at Presque Isle State Park in 2017 and 2018, with reasonable expectation that they will return in the future. Presque Isle is the only regular location in which this species occurs in this Commonwealth.

*Red Knot*: Red knot subspecies *rufa* was classified as Federally "Threatened" in 2014, with this Commonwealth listed in the historic migratory range. It was designated a Species of Greatest Conservation Need in the Pennsylvania Wildlife Action Plan (Plan) because it is a rare migrant (found only at Presque Isle State Park and Conejohela Flats), due to its Federally protected status, and because the population is highly vulnerable to further declines (PGC-PFBC 2015). Averting adverse impacts to the species during migration contributes to the range-wide conservation of this species. This State listing follows § 133.4 in response to Federal listing.

*Bats*: All hibernating bat species are Species of Greatest Conservation Need in the Plan due to their catastrophic declines caused by White Nose Syndrome (PGC-PFBC 2015). State listing provides the best tool to protect the remaining maternity sites and hibernacula to thwart further declines and, hopefully, prevent Federal listing through the environmental review process. The Tri-colored bat was recently petitioned to be protected under the United States Endangered Species Act (16 U.S.C.A. §§ 1531–1544), with a 90-finding of "warranted." The United States Fish and Wildlife Service will evaluate all information as part of the status review process. State listing of the Northern long-eared bat follows Federal listing in 2016 by regulation. Declines in the Little brown bat and Tri-colored bat are more severe in this Commonwealth than that of the long-eared bat, and therefore call for State listing. Protection of the few remaining populations of these bats is critical to their potential recovery. State listing triggers protections, through environmental review, and proactive measures to encourage recovery. Only recent occurrence sites will be regulated.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to "Add to or change the classification of any wild bird or wild animal." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to §§ 133.21 and 133.41 are proposed under this authority.

### 2. Regulatory Requirements

This proposed rulemaking will amend §§ 133.21 and 133.41 to adjust the Commonwealth's threatened and endangered species list for the Peregrine Falcon, Piping Plover, Red Knot, Northern long-eared bat, Little brown bat and Tri-colored bat.

### 3. Persons Affected

Persons concerned with the protected status of the Peregrine Falcon, Piping Plover, Red Knot, Northern long-eared bat, Little brown bat and Tri-colored bat within this Commonwealth will be affected by this proposed rulemaking.

### 4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

### 5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

### 6. Contact Person

For further information regarding this proposed rulemaking, contact Randy L. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-436. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 133. WILDLIFE CLASSIFICATION

##### Subchapter B. BIRDS

#### § 133.21. Classification of birds.

The following birds are classified:

- (1) *Endangered*.
  - (i) King Rail (*Rallus elegans*)
  - (ii) Short-eared Owl (*Asio flammeus*)
  - (iii) Black Tern (*Chlidonias niger*)
  - (iv) Least Bittern (*Ixobrychus exilis*)
  - (v) [ **Peregrine Falcon (*Falco peregrinus anatum*)** ] **Piping Plover (*Charadrius melodus*)**
  - (vi) Loggerhead Shrike (*Lanius ludovicianus*)

- (vii) American Bittern (*Botaurus lentiginosus*)
- (viii) Great Egret (*Ardea alba*)
- (ix) Yellow-crowned Night Heron (*Nycticorax violaceus*)
- (x) Common Tern (*Sterna hirundo*)
- (xi) Blackpoll Warbler (*Setophaga striata*)
- (xii) Black-crowned Night-Heron (*Nycticorax nycticorax*)
- (xiii) Dickcissel (*Spiza americana*)
- (xiv) Sedge Wren (*Cistothorus platensis*)
- (xv) Yellow-bellied Flycatcher (*Empidonax flavi-ventris*)
- (xvi) Upland Sandpiper (*Batramia longicauda*)
- (2) *Threatened.*
- (i) Northern Harrier (*Circus cyaneus*)
- (ii) Long-eared Owl (*Asio otus*)
- (iii) Peregrine Falcon (*Falco peregrinus anatum*)**
- (iv) Red Knot (*Calidris canutus rufa*)**

### Subchapter C. MAMMALS

#### § 133.41. Classification of mammals.

The following mammals are classified:

- (1) *Endangered.*
- (i) Indiana Bat (*Myotis sodalis*)
- (ii) Least Shrew (*Cryptotis parva*)
- (iii) Northern flying squirrel (*Glaucomys sabrinus macrotis*)
- (iv) Northern long-eared bat (*Myotis septentrionalis*)**
- (v) Little brown bat (*Myotis lucifungus*)**
- (vi) Tri-colored bat (*Perimyotis subflavus*)**
- (2) *Threatened.*
- (i) Small-footed Myotis (*Myotis leibii*)
- (ii) Allegheny Woodrat (*Neotoma magister*)
- (iii) West Virginia Water Shrew (*Sorex palustris punctulatus*)

[Pa.B. Doc. No. 18-1787. Filed for public inspection November 16, 2018, 9:00 a.m.]

# NOTICES

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 16.162: New Pennsylvania Civil War Battle Flag Facility.** The following is a general description of the work involved: demolition of existing toilet rooms walls; relocation of existing piping; construction of new cmu partitions; construction of new gypsum wallboard partitions; construction of a new roof structure; construction of new roofing system; construction of new gypsum wallboard ceiling with plaster veneer; construction of new drywall ceiling; construction of new acoustical tile ceiling; installation of new rubber base; installation of a new roof hatch; installation of new metal door frames and metal doors; installation of metal frame with butt glazing system; floor preparation and installation of new terrazzo floor; fabrication and installation of new stainless steel floor and ceiling tracks for flag staff storage cases; installation of new toilet accessories; installation of new mechanical system; installation of new lighting and controls; installation of new fire detection system; installation of new fire detection system above roof; installation of new "clean agent" fire protection system below roof; installation of new wet sprinkler system in limited areas; installation of conduit for new security hardware at select doors to be installed by others; installation of conduit for new security cameras to be installed by others; and painting of all walls and ceilings.

A \$100 deposit is required for issuance of project documents. The issue date of the request for proposals will be on November 26, 2018, at 2 p.m. A mandatory preproposal conference and walk through will be held on December 18, 2018, at 1 p.m. at 2221 Forster Street, Harrisburg, PA in the east end of the parking lot. The proposal receipt date is January 17, 2019, at 2 p.m.

Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 18-1788. Filed for public inspection November 16, 2018, 9:00 a.m.]

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 18.165: Capitol Maintenance of Finishes and Fixtures.** This is a 5-year maintenance project. The scope includes dusting and general cleaning of plaster and marble, walls, beam drops, soffits, moldings, bronze and marble railings, bronze and marble sculpture, gilded surfaces, finished woodwork, painted art work and miscellaneous architectural materials and finishes. The work also includes repair, preparation and refinishing of historic plaster, marble and wood, and touch in of gilded surfaces by qualified artisans. The duration of the project will be from July 2019—June 2024.

A \$100 deposit is required for issuance of project documents. The issue date of the request for proposals will be November 26, 2018, at 2 p.m. A mandatory preproposal conference and walk through will be held on December 18, 2018, at 10 a.m. in Room 630, Main Capitol Building, Harrisburg, PA. The proposal receipt date is January 17, 2019, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 18-1789. Filed for public inspection November 16, 2018, 9:00 a.m.]

## 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 November 6, 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 Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-5-2018	LINKBANCORP, Inc. Camp Hill Cumberland County Application for approval to acquire 100% of Stonebridge Bank, West Chester.	Effective

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
08-17-2018	Somerset Trust Company Somerset Somerset County	915 Mills Drive North Huntingdon Westmoreland County	Opened
11-02-2018	FNCB Bank Dunmore Lackawanna County	360 South Mountain Boulevard Mountain Top Luzerne County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-26-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	14 West Wyomissing Avenue Mohnton Berks County	Closed
10-19-2018	United Bank of Philadelphia Philadelphia Philadelphia County	1620 East Wadsworth Avenue Philadelphia Philadelphia County	Closed

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-31-2018	CONSOL Employees Credit Union McMurray Allegheny County	Filed

Application for approval to merge CONSOL Employees Credit Union, McMurray, with and into Heritage Federal Credit Union, Pittsburgh.

**Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
10-24-2018	1st Ed Credit Union Chambersburg Franklin County	Filed

Amendment to Article 8 of the institution's Articles of Incorporation provides for the addition of all employees and students who are employed or attend, or both, any school district in York County and members of their immediate family to its field of membership.

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 18-1790. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of December 2018

The Department of Banking and Securities (Department), under the authority contained 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 December 2018, is 5 3/4%.

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 3.25 to which was added 2.50 percentage points for a total of 5.75 that by law is rounded off to the nearest quarter at 5 3/4%.

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 18-1791. Filed for public inspection November 16, 2018, 9:00 a.m.]

**DEPARTMENT OF CONSERVATION  
AND NATURAL RESOURCES**

**Conservation and Natural Resources Advisory  
Council Meeting**

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, November 28, 2018, at 10 a.m. at the Rachel Carson Building, Room 105, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this meeting or agenda items can be directed to Gretchen Leslie at (717) 772-9084. Persons who wish to participate during the public comment section are encouraged to submit their comments in writing to Gretchen Leslie, Advisor, Conservation and Natural Resources Advisory Council, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Katie Woodbury directly at (717) 783-5878 to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 18-1792. Filed for public inspection November 16, 2018, 9:00 a.m.]

**DEPARTMENT OF CONSERVATION  
AND NATURAL RESOURCES**

**State-Owned Real Estate for Sale**

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry, is selling a property in the Borough of McConnellsburg, Fulton County. The Department will accept bids for the purchase of 0.71 acre ± of land and building containing 2,332 square feet ±, formerly known as the Buchanan Forest District Office, 440 Buchanan Trail, McConnellsburg, PA 17233. Interested parties wishing to receive a copy of solicitation LRS-002-102246 should view the Department of General Services' web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Jarod Daubert at (717) 787-2279.

Under section 1 of the act of May 5, 1921 (P.L. 418, No. 194) (32 P.S. § 131), the sale of State Forest land, including buildings, improvements and appurtenances, can proceed when it is determined by the State Forester that the lands are more valuable for other use than for State Forest purposes and not needed for use in the administration and protection of the State Forests, to the party or parties offering the highest price.

As is the policy of the Department, the public is hereby notified of this sale. All bids, whether delivered or sent by mail, must be received in the bid opening room on or before 2 p.m. on Thursday, December 20, 2018.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 18-1793. Filed for public inspection November 16, 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.

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0272591 (Industrial)	Hickory Run Energy Station 7500 College Boulevard Suite 400 Overland Park, KS 66210-4016	Lawrence County North Beaver Township	Unnamed Tributary of Mahoning River and Unnamed Tributary to Mahoning River (20-B)	Yes

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

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

**PA0266795**, Sewage, SIC Code 4952, **Christopher P. Scott**, 10 Stable Drive, Elverson, PA 19520. Facility Name: Scott Residence SRSTP. This proposed facility is located in West Lampeter Township, **Lancaster County**. Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	Instant. Maximum
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean		

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

The EPA Waiver is in effect.

**PA0088277**, Sewage, SIC Code 4952, **Summit Ridge Homeowners Assoc**, 1013 N George Street, York, PA 17404-2025. Facility Name: Summit Ridge STP. This existing facility is located in Berwick Township, **Adams County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Beaver Creek, is located in State Water Plan watershed 7-F and is classified for 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 .02555 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Annl Avg			Annl Avg		
	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Annl Avg			Annl Avg		
	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Annl Avg			Annl Avg		
	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .02555 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.7
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5

Sludge use and disposal description and location(s): Columbia, Lancaster under PA0026123.

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

The EPA Waiver is in effect.

**PA0266752**, Sewage, SIC Code 4952, **Sargen Jeffrey W**, 471 Shady Dell Road, York, PA 17403. Facility Name: Sargen Residence SRSTP. This proposed facility is located in Spring Garden Township, **York County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0007 MGD.—Limits.

<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 (GPD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Annl Avg					
	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	200

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

The EPA Waiver is in effect.

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

**PA0232963**, Industrial, SIC Code 4952, **American Truck Plazas, LLC**, 1460 N Ridge Road, Milton, PA 17847-7877. Facility Name: Penn 80 Milton. This proposed facility is located in Turbot Township, **Northumberland County**.

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

The receiving stream(s), Limestone Run and Unnamed Tributary to Limestone Run, is located in State Water Plan watershed 10-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, 002, 003 and 004 are based on a design flow of 0 MGD.

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

The proposed effluent limits for Outfall 005 are based on a design flow of 0.075 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	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
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	Report
Total Nitrogen	Report Annl Avg	Report Daily Max	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	Report Annl Avg	Report Daily Max	XXX	Report Daily Max	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15 Avg Qrtly	XXX	30

The proposed effluent limits for Outfall 104 are based on a design flow of 0 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Daily Maximum	Maximum	Instant. Maximum
Total Suspended Solids						
Internal Monitoring Point	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease						
Internal Monitoring Point	XXX	XXX	XXX	Report	XXX	XXX
Depth to Water Level (In)						
Internal Monitoring Point	XXX	Report	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 105 are based on a design flow of 0 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Daily Maximum	Maximum	Instant. Maximum
Depth to Water Level (In)						
Internal Monitoring Point	XXX	Report	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): Waste Activated Sludge is stored in a sludge holding tank and is typically disposed at the Milton Regional Sewer Authority and Kelly Township Municipal Authority facilities.

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

- Requirements for discharges of Stormwater from Industrial Activities



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

The EPA Waiver is in effect.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.*

**PA0091243**, Sewage, SIC Code 4952, **Laurel Highlands Council-Boy Scouts of America**, 1275 Bedford Avenue, Pittsburgh, PA 15219. Facility Name: Heritage Reservation. This existing facility is located in Wharton Township, **Fayette County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Little Sandy Creek, is located in State Water Plan watershed 19-G and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .017 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly		Average Monthly	Maximum	
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Flow (MGD)	0.017	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 3.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	10.0	XXX	XXX	20.0
Total Suspended Solids	XXX	XXX	10.0	XXX	XXX	20.0
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
Ultraviolet light transmittance (%)	XXX	XXX	Report Inst Min 10.0	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	10.0	XXX	XXX	20.0
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	3.5	XXX	XXX	7.0
May 1 - Oct 31	XXX	XXX	2.0	XXX	XXX	4.0

Sludge use and disposal description and location(s): Sludge is dewatered and transported to neighboring STP for further treatment/disposal.

The EPA Waiver is in effect.

**PA0028193**, Sewage, SIC Code 4952, **McCandless Township Sanitary Authority**, 418 Arcadia Drive, Pittsburgh, PA 15237-5557. Facility Name: Longvue STP 2. This existing facility is located in Ross Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Girtys Run, is in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.10 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	8.3	12.5	XXX	10	15	20

## NOTICES

<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>	
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
		Daily Max				
Total Suspended Solids	20.9	31.3	XXX	25	37.5	50
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
		Daily Max				
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	400	XXX
				Geo Mean	90%	
					SAMPLES	
Ammonia-Nitrogen						
Nov 1 - Apr 30	2.5	3.8	XXX	3.0	4.5	6
May 1 - Oct 31	1.7	2.5	XXX	2.0	3.0	4
Copper, Total	XXX	XXX	XXX	0.060	0.150	XXX
					Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of .094 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>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	

Sludge use and disposal description and location(s): Municipal Landfill.

The EPA Waiver is in effect.

**PA0000469**, Industrial, SIC Codes 8731 and 8734, **Arconic Inc.**, 100 Technical Drive, New Kensington, PA 15068. Facility Name: Arconic Technology Center. This existing facility is located in Upper Burrell Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of treated industrial waste, treated sewage, non-contact cooling water, and storm water.

The following notice reflects changes to the notice published on August 19, 2017.

The receiving streams, unnamed tributaries of Pine Run, are located in State Water Plan watershed 18-B and are classified for Warm Water Fishes, aquatic life, water supply, and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001, 002, 003, 006, 008, 009, 501—509, 511, 512, and 514—520 are for storm water discharges.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.075 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	0.075	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Daily Min			
Total Residual Chlorine (TRC)	0.011	0.038	XXX	0.018	XXX	0.060

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	15.6	31.3	XXX	25.0	XXX	50.0
Total Suspended Solids	18.8	37.5	XXX	30.0	XXX	60.0
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
Ultraviolet light transmittance (%)	XXX	XXX	Report	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen						
Nov 1 - Apr 30	2.30	4.60	XXX	3.67	XXX	7.34
May 1 - Oct 31	1.25	2.50	XXX	2.0	XXX	4.0
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	0.47	0.47	XXX	0.75	0.75	XXX
Iron, Total	0.94	1.88	XXX	1.5	3.0	XXX
Manganese, Total	0.63	1.25	XXX	1.0	2.0	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.055 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	19.5	41.0	XXX
Oil and Grease	XXX	XXX	XXX	12.0	20.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.5	1.0	XXX
Chromium, Hexavalent	XXX	XXX	XXX	0.01	0.02	XXX
Copper, Total	XXX	XXX	XXX	0.1	0.2	XXX
Iron, Total						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total	XXX	XXX	XXX	0.022	0.044	XXX
Manganese, Total						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total	XXX	XXX	XXX	0.6	1.2	XXX
Zinc, Total	XXX	XXX	XXX	0.17	0.34	XXX

In addition, the permit contains the following new special condition: approval for representative storm water sampling whereby storm water samples at Outfall 008 represent effluent quality at Outfalls 008, 514 and 515; storm water samples at Outfall 504 represent effluent quality at Outfalls 001, 002, 503, 504 and 517; storm water samples at Outfall 507 represent effluent quality at Outfalls 505, 506, 507, 508, 509 and 519; storm water samples at Outfall 511 represent effluent quality at Outfalls 003, 006, 511 and 512; and storm water samples at Outfall 516 represent effluent quality at Outfalls 501, 502, 516, 518 and 520.

Non-contact cooling water discharges from Outfalls 001, 002, 003, 006, 008 and 009 were eliminated or re-routed to Outfall 005. Therefore, the Clean Water Act Section 316(a) variance for alternative temperature limits at those outfalls will not be renewed.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not in effect.

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

**PA0265560**, Industrial, SIC Code 4941, **Aqua PA Inc.**, 665 S Dock Street, Sharon, PA 16146. Facility Name: Aqua PA—Mt Jewett WTP. This proposed facility is located in Hamlin Township, **McKean County**.

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

The receiving stream, Kane Creek, is located in State Water Plan watershed 16-C and is classified for cold water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0064 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>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.3	XXX	0.6
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Aluminum, Total	XXX	XXX	XXX	2.0	XXX	4.0
Iron, Total	XXX	XXX	XXX	2.0	XXX	4.0
Manganese, Total	XXX	XXX	XXX	1.0	XXX	2.0

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

- Solids Handling
- Chlorine Minimization
- Sedimentation Basin Cleaning

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.

**PA0271403**, Sewage, SIC Code 8400, **Living Treasures I, Inc.**, 268 Fox Road, New Castle, PA 16101-8026. Facility Name: Living Treasures STP. This proposed facility is located in Slippery Rock 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(s), Unnamed Tributary of Slippery Rock Creek, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 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>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Daily Min XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	XXX	XXX	XXX	11.5	XXX	23
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report Daily Max	XXX

Sludge use and disposal description and location(s): Septage must be disposed of in a method that is in accordance with the Pennsylvania Solid Waste Management Act.

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.

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


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

**WQM Permit No. 2282406**, Amendment # 4, Sewerage, **Berrysburg Municipal Authority**, P.O. Box 183, Berrysburg, PA 17005.

This proposed facility is located in Berrysburg Borough, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit amendment approval for the installation of an aerated tank directly following the UV System.

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

**WQM Permit No. 6218410**, Sewage, **Robert Mallery**, 945 Margaretta Avenue, Pittsburgh, PA 15234.

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

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

**WQM Permit No. 3718405**, Sewage, **Zachary Cowher**, 126 Leon Drive, New Castle, PA 16101.

This proposed facility is located in Shenango Township, **Lawrence County**.

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

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


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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390092	Macungie Investors, LLC P.O. Box 429 Conshohocken, PA 19428	Lehigh	Lower Macungie Twp	Cedar Creek (HQ-CWF, MF)
PAD390100	RGC Development LP 6866 Chrisphalt Dr Bath, PA 18014	Lehigh	Lynn Twp	School Creek (CWF, MF)
PAD390091	Lehigh Valley Health Network Facilities & Construction Dept 5th Fl 2100 Mack Blvd P.O. Box 4000 Allentown, PA 18105	Lehigh	Salisbury Twp	Little Lehigh Creek (HQ-CWF, MF) Cedar Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450066	Paradise Twp 5912 Paradise Valley Rd Cresco, PA 18326	Monroe	Paradise Twp	UNT to Paradise Creek (HQ-CWF, MF)

*Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540008	Robert Ciccone RGC Development LP 6866 Chrisphalt Dr Bath, PA 18014	Schuylkill	Tamaqua Boro	Owl Creek (HQ-CWF, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD380007	Brian Martin 30 Valley Drive Jonestown, PA 17038	Lebanon	Swatara Township	UNTs Swatara Creek (WWF) EV Wetlands Swatara Creek (WWF)

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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140049 Previously PAI041414001 RENEWAL	Bellefonte Area IDA 236 West Lamb Street Bellefonte, PA 16823	Centre	Bellefonte Borough	Spring Creek HQ-CWF

## 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.

### ACT 38 NUTRIENT MANAGEMENT PLANS CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Oregon Dairy, LLC 2870 Oregon Pike Lancaster, PA 17543	Lancaster	970.3	1,171.89	Dairy	NA	N
Landis Farms— Tim Landis 2607 Klingerstown Rd Herndon, PA 17830	Northumberland	948.2	554.79	Swine & Beef	NA	New
Leonard Martin East side of Bordner Road between Martin Rd and Temple Rd. Bethel Township	Berks	12	385.15	Poultry— Broilers	NA	New

### PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be

considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER**

**Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Application No. 4818503**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
(Christian Springs Water System)  
1 Aqua Way  
White Haven, PA 18661

Municipality Moore Township  
County **Northampton**  
Responsible Official Patrick R. Burke  
Director of Operations  
Aqua Pennsylvania, Inc.  
204 E. Sunbury Street  
Shamokin City, PA 17872

Type of Facility Public Water Supply  
Consulting Engineer Peter J. Lusardi, P.E.  
GHD Inc.  
1240 North Mountain Road  
Harrisburg, PA 17112

Application Received Date October 29, 2018

Description of Action This application proposes construction of a new 20,000-gallon above ground water storage tank with submersible mixer to replace the existing underground 10,000-gallon tank at the Christian Springs well station.

**Application No. 4818504**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
(Evanwood Water System)  
1 Aqua Way  
White Haven, PA 18661

Municipality Moore Township  
County **Northampton**  
Responsible Official Patrick R. Burke  
Director of Operations  
Aqua Pennsylvania, Inc.  
204 E. Sunbury Street  
Shamokin City, PA 17872

Type of Facility Public Water Supply  
Consulting Engineer Peter J. Lusardi, P.E.  
GHD Inc.  
1240 North Mountain Road  
Harrisburg, PA 17112

Application Received Date October 29, 2018

Description of Action This application proposes construction of a new 15,000-gallon above ground water storage tank with submersible mixer to replace the existing underground 10,000-gallon tank at the Evanwood well station.

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 2818509, Minor Amendment**, Public Water Supply.

Applicant **Roxbury Dollar General**  
Municipality Letterkenny Township  
County **Franklin**  
Responsible Official Trent Stumbaugh, Contract  
Water Operator  
28 Sarah Susan Lane  
Greencastle, PA 17225

Type of Facility Public Water Supply  
Consulting Engineer Joseph M. McDowell, P.E.  
Martin & Martin, Inc.  
37 S Main Street, Suite A  
Chambersburg, PA 17201

Application Received: 8/17/2018

Description of Action One (1) new groundwater well, carbon filter with aeration for turbidity removal and sodium hypochlorite disinfection with 4-log treatment of viruses.

**Permit No. 0618526 MA, Minor Amendment**, Public Water Supply.

Applicant **Mazzola's Pizza**  
Municipality Ruscombmanor Township  
County **Berks**  
Responsible Official Givseppe Mazzola  
Owner  
3675 Pricetown Road  
Fleetwood, PA 19522

Type of Facility Public Water Supply  
Consulting Engineer Jeremy S. Madaras, P.E.  
J.S. Madaras Consulting LLC  
250 Indian Lane  
Boyertown, PA 19512

Application Received: 10/4/2018

Description of Action Mazzola's Pizza has submitted a PWS construction permit application for approval to install a sodium hypochlorite disinfection system and multiple contact tanks to provide 4-log treatment of viruses at Entry Point No. 101.

**Permit No. 2218508**, Public Water Supply.

Applicant **Capitol Region Water**  
 Municipality Susquehanna Township  
 County **Dauphin**  
 Responsible Official Michael McFadden  
 Water System Superintendent  
 100 Pine Drive  
 Harrisburg, PA 17101

Type of Facility Public Water Supply  
 Consulting Engineer Michael J. Mehaffey, P.E.  
 Gannett Fleming, Inc.  
 P.O. Box 67100  
 Harrisburg, PA 17106-7100

Application Received: 10/12/2018  
 Description of Action Removal and replacement of the existing dry granular/powder sodium fluorosilicate feed system with a liquid hydrofluorosilicic acid system.

**Permit No. 3618521**, Public Water Supply.

Applicant **City of Lancaster**  
 Municipality East Lampeter Township  
 County **Lancaster**  
 Responsible Official Charlotte Katzenmoyer  
 Public Works Director  
 120 North Duke Street  
 Lancaster, PA 17608-1559

Type of Facility Public Water Supply  
 Consulting Engineer Matthew D. Warfel  
 The ARRO Consulting, Inc.  
 108 West Airport Road  
 Lititz, PA 17543

Application Received: 10/23/2018  
 Description of Action Repainting and modifications to the existing Lafayette finished water storage tank.

*Central Office: Bureau Director, Safe Drinking Water,  
 P.O. Box 8467, Harrisburg, PA 17105-8467.*

**Permit No. 9996158**, Public Water Supply.

Applicant **Berkeley Club Beverages, Inc.**  
 [Township or Borough] Berkeley Springs, West Virginia  
 Responsible Official Michael R. Morris  
 General Manager

Type of Facility Out-of-State Bottled Water System  
 Application Received Date October 29, 2018  
 Description of Action Applicant requesting Department approval to sell a new bottled water product in Pennsylvania under the brand name: Purified Water.

## WATER ALLOCATIONS

### Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. § 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**WA 39-1005**, Water Allocation, **MHC Green Acres LP/Equity Lifestyle Properties**, 8785 Turkey Ridge Road, Breiningsville, PA 18031, Upper Macungie Township, **Lehigh County**. The applicant is requesting an allocation for the purchase of water from the Lehigh County Authority's system with a quantity of allocation of up to 98,000 gpd. Application was received on October 29, 2018.

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**WA 28-869B**, Water Allocations. **Edenville Water Association, Inc. (PWS ID No. 7280046), Franklin County**. The applicant is requesting the right to withdraw 28,000 gpd, when available, from Spring No. 2; and a combined maximum of 50,000 gpd, when available, from both sources. Both of these sources are currently used by the Association and are located in Saint Thomas Township, Franklin County. Applicant Address: Glen P. Shatzer, President, Edenville Water Association Inc., 9932 Circle Drive, St. Thomas, PA 17252. Application Received: 1/31/2017.

**WA 07-308C**, Water Allocations. **Hollidaysburg Borough Authority (PWS ID No. 4070017), Blair County**. The Hollidaysburg Borough Authority has submitted a water allocation application for the right to purchase up to 1.45 million gallons per day, based on a thirty (30) day average, from the Altoona Water Authority. Applicant Address: Richard A. Mingle, Chairman, Hollidaysburg Borough Authority, 401 Blair Street, Hollidaysburg, PA 16648. Consulting Engineer: David R. Stiffler, P.E., Stiffler, McGraw & Associates, Inc., 19 N Juniata Street, Hollidaysburg, PA 16648. Application Received: 9/26/2018.

## 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



tion measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Barile Property**, 11 Evergreen Road, Franklin Township, **Carbon County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Fegley Oil Company, 551 West Penn Pike, Tamaqua, PA 18252, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Times News* on June 18, 2018.

#### **DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

**Application for Determination of Applicability Received Under the Solid Waste Management Act (53 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**General Permit No. WMGR096SE010. Philadelphia Regional Port Authority**, 3460 N. Delaware Avenue, Philadelphia, PA 19134. This application is for a determination of applicability (DOA) under General Permit No. WMGR096 for the beneficial use of regulated fill material, as defined in Department of Environmental Protection, (DEP) Document No. 258-2182-2773 (Management of Fill), to be used as construction material at 50-114 Kitty Hawk Avenue in the City and County of Philadelphia. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on October 26, 2018. The 60-day notice requirement is waived.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

### **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.

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**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.**

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

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

**46-0020L: Superior Tube Company** (3900 Germantown Pike, Collegeville, PA 19426) for the establishment of a facility wide VOC Plantwide Applicability Limitation (PAL); the project consists of the reduction of the current facility wide VOC PTE limitation to a lower actual facility wide VOC PAL limit to 96 tons per year. For Source ID 149 (vapor degreaser) the HAP VOC emissions rates, pertaining to TCE, are being eliminated as this source no longer uses HAP solvents and the non-HAP VOC emissions, pertaining to nPb, rates have increased to 80.9 tons per year. Any other existing emission limit has not been revised or removed. The plan approval will include emission limits, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility is located in Collegeville, **Montgomery County**.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**67-05142A: Johnson Controls, Inc.** (100 JCI Way, York, PA 17406) for the installation of a spray coating booth, at a new industrial air handling equipment manufacturing facility located in East Manchester Township, **York County**. Maximum air emissions from the operation are estimated at 1.77 ton CO; 2.10 tons NO<sub>x</sub>; 1.12 ton total PM; 0.01 ton SO<sub>x</sub>; 18.36 tons VOC. The facility is a State-only facility. DEP's review of the information

submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**25-1045A: RH EnergyTrans, LLC** (558 West 6th St., Suite 200, Erie, PA 16507) for repurposing of existing sources at their existing natural gas compressor station in Elk Creek Township, **Erie County**.

Notice is hereby given pursuant to 25 Pa. Code Sections 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 25-1045A to RH EnergyTrans, LLC for the repurposing of sources at their existing Countyline Compressor Station facility located on Pageville Rd., Elk Creek Township, Erie County. The Plan Approval will subsequently be incorporated into a State Only Operating Permit in accordance with 25 Pa. Code § 127.402.

Plan Approval No. 25-1045A is for the repurposing of the subject site from a gathering compressor station to a transmission compressor station, in conjunction with RH EnergyTrans' Risberg Pipeline project. The existing facility consists of three (3) 378 bhp natural gas-fired compressor engines, one (1) 2,000 gal and one (1) 1,000 gal capacity storage tank(s), and associated fugitive emissions. No additional sources are proposed under the subject plan approval. Based on the information provided by the applicant and DEP's own analysis, the subject sources will have the potential to emit 10.5 tons of nitrogen oxides (NO<sub>x</sub>), 3.0 tons of volatile organic compounds (VOCs), 1.8 ton of carbon monoxide, 3.66 tons of particulate matter, all of which will be particulate matter less than 10 microns (PM<sub>10</sub>), and 0.02 ton of sulfur oxides (SO<sub>x</sub>) per year.

The Plan Approval will contain testing, monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. The subject sources will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subpart OOOO, for Crude Oil and Natural Gas Facilities, and National Emissions Standards for Hazardous Air Pollutants for Source Categories, 40 CFR Part 63, Subpart ZZZZ, for Stationary Reciprocating Internal Combustion Engines.

Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must

be received by the Department within 30 days of the last day of publication. Written comments should include the name, address and telephone number of the person submitting comments; identification of the proposed Plan Approval; No. 25-1045A; and concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

### OPERATING PERMITS

#### **Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**06-05069: East Penn Manufacturing Company, Inc.** (P.O. Box 147, Lyon Station, PA 19536) for approval of a Reasonably Available Control Technology 2 (RACT 2) plan for the lead-acid battery assembly facilities in Richmond Township, **Berks County**, as a significant modification to their Title V operating permit.

In accordance with 25 Pa. Code §§ 129.91—129.100, the Pennsylvania Department of Environmental Protection (Department) has made a preliminary determination to approve a RACT 2 plan to be submitted as part of the State Implementation Plan (SIP) for the above-mentioned facility.

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

The proposed RACT 2 plan, if approved by DEP, will be issued as a significant modification to the facility's Title V operating permit (06-05069). The relevant RACT 2 requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 2 approval will be excluded from the SIP submittal.

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

RACT 2 Case-by-Case Requirements in keeping with 25 Pa. Code § 129.91 and given in SG 10C:

In accordance with the alternative RACT evaluation completed per 25 Pa. Code § 129.99(c), Sources 213 and 605 shall comply with the following case-by-case RACT 2 requirements for VOC:

#### I. Source 213—Miscellaneous Chemicals

a.) EPM will keep records of the individual emissions unit's installation dates that comprise Source ID 213 to distinguish emissions units that were or were not in operation prior to July 21, 2012. EPM will ensure records pertaining to the individual emissions units' installation dates are available to the Department upon request.

b.) VOC emissions from Source 213 components that were in operation prior to 7/21/12 shall not exceed 24.5 tpy on a 12-month running total.

c.) The permittee shall minimize the VOC emissions from the miscellaneous solvent usage in the following manner:

i. All solvents shall be stored and transported in closed containers or pipes.

ii. All rags containing solvent shall be placed into closed storage containers for storage.

iii. All rags containing solvent shall be placed into sealed containers and disposed of.

iv. Spills of materials containing VOC shall be minimized and shall be cleaned up immediately with cleaning cloths or alternative approved methods that will minimize the evaporation of VOC into the atmosphere.

v. Minimize VOC emissions from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent, and all spent solvent is captured in closed containers.

d.) The permittee shall keep sufficient records to enable the demonstration of compliance with Conditions I(a) and (b).

e.) The permittee shall record the quantity and identity of all VOC-containing materials used in Source 213 on the various sources on a monthly basis. These records shall be maintained and shall be made part of the permittee's annual "AIMS" report to the Department. The records shall be compiled into a monthly and 12-month rolling total format.

f.) Manufacturer supplied VOC data sheets for all coatings and cleaning agents applied within the most recent five (5) years shall be maintained at the facility and be made available to the Department at any time upon request.

#### II. Source 605—Battery Finishing

a.) EPM will keep records of the individual emissions unit's installation dates that comprise Source ID 605 to distinguish emissions units that were or were not in operation prior to July 21, 2012. EPM will ensure records pertaining to the individual emissions units' installation dates are available to the Department upon request.

b.) VOC emissions from Source 605 components that were in operation prior to 7/21/12 shall not exceed 15 tpy on a 12-month running total.

c.) The permittee shall minimize the VOC emissions from the battery finishing operations in the following manner:

i. Use of good management procedures and standard operating procedures including the following:

a. Employee training detailing practices to control cleaning solution usage to minimize emissions.

b. Controlled distribution of VOC containing cleaning solutions.

c. Periodic evaluation of alternative cleaning solutions (i.e. low-VOC or non-VOC materials).

d. Good housekeeping procedures for the storage, use, and disposal of cleaning solutions.

e. Periodic inspection of cleaning solution usage practices and procedures.

f. Keeping cleaning solution containers closed when not in use.

g. Monitoring, recordkeeping, and reporting of cleaning solution VOC content and usage.

d.) The permittee shall keep sufficient records to enable the demonstration of compliance with Conditions II(a) and (b).

e.) The permittee shall record the quantity and identity of all VOC-containing battery finishing materials used at the facility on a monthly basis. These records shall be maintained and shall be made part of the permittee's annual "AIMS" report to the Department. The records shall be compiled into a monthly and 12-month rolling total format.

f.) Manufacturer supplied VOC data sheets for all coatings and cleaning agents applied within the most recent five (5) years shall be maintained at the facility and be made available to the Department at any time upon request.

*Public Comment Details:*

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to Thomas Hanlon, Environmental Engineering Manager, Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. A 30-day comment period from the date of publication of this notice will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT 2 condition, including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the RACT 2 approval.

*Public hearing.* A public hearing will be held on Tuesday, December 18, 2018, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Dawne Wilkes at 717-705-4702. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be Tuesday, December 11, 2018.

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

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Tim Fuller at 717-705-4732.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with

Disabilities Act should contact Dawne Wilkes at 717-705-4702 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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.*

**48-00067: New Enterprise Stone & Lime** (3912 Brumbaugh Road, New Enterprise, PA 16664-0077) The Department intends to issue a State-Only (Synthetic Minor) Operating Permit renewal for operation of a crushing plant located in Lower Nazareth Township, **Northampton County**. The sources include a primary, secondary, and two tertiary crushers. Associated other sources include screening and conveying material. Control devices include a water spray system. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00099: Haines and Kibblehouse, Inc.—Pikes Creek Asphalt** (P.O. Box 196, 2052 Lucon Road, Skipack, PA 19474-0196). The Department intends to issue a renewal State-Only Synthetic Minor Permit for the Pikes Creek Asphalt Plant located in Lehman Township, **Luzerne County**. The source is considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), 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.

**40-00110: Quality Collision, Inc.** (365 Courtdale Ave., Courtdale, PA 18704). The Department intends to issue a renewal State-Only Natural Minor Permit for Quality Collision, Inc. located in Courtdale Borough, **Luzerne County**. The sources at this facility include two spray paint booths. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**06-03061: IFS Industries, Inc.** (400 Orrton Avenue, Reading, PA 19611) to issue a State Only Operating Permit for the adhesive manufacturing facility located in Reading City, **Berks County**. The potential emissions from the facility are estimated at 4.55 tpy of NO<sub>x</sub>, 3.91 tpy of CO, 7.52 tpy of PM<sub>10</sub>, 0.03 tpy of SO<sub>x</sub>, 17.74 tpy of VOC and 4.28 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting require-

ments to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from Pa. Code Chapter 130, Subchapter D Adhesives, Sealants, Primers and Solvents.

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

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

**59-00007: NRG REMA, LLC** (250 Power Plant Dr., P.O. Box F, Shawville, PA 16873) to issue a renewal State Only (Synthetic Minor) Operating Permit for the Blossburg Generation Station located in Covington Township, **Tioga County**. The facility is currently operating under State Only (Synthetic Minor) Operating Permit 59-00007. The facility's sources include one 21.9 MW simple cycle turbine and one 1,335 bhp diesel-fired startup engine. The facility has potential emissions of 18.64 TPY of CO; <100 TPY of NO<sub>x</sub>; 0.78 TPY of SO<sub>x</sub>; 1.54 TPY of PM/PM<sub>10</sub>; 0.53 TPY of VOCs; 0.30 TPY combined hazardous air pollutants; 26,433 TPY GHGs. The diesel startup engine is subject to 40 CFR Part 63, Subpart ZZZZ—NESHAPS for Stationary Reciprocating Internal Combustion Engines. The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Part 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

**63-00872: RTS Packaging, LLC** (300 & Penn Central Railroad, Charleroi, PA 15022) Natural Minor Operating Permit is for a facility that produces paper packaging products and is located in Charleroi Borough, **Washington County**. In accordance with 25 Pa. Code § 127.424 and § 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the above-mentioned facility.

Sources of emissions are grouped as VOC/HAP Sources, Fuel Burning Sources, and Fabrication Sources. Potential emissions at this facility shall not to exceed 14.21 tons per year (TPY) PM, 2.17 TPY PM<sub>10</sub>, 0.27 TPY PM<sub>2.5</sub>, 1.05 TPY VOC, 3.52 TPY NO<sub>x</sub>, 2.95 TPY CO, 0.02 TPY SO<sub>x</sub>, and 0.09 HAP. The facility is required to conduct surveys of the site once per day to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Bradley Spayd, Air Quality Engineering Trainee, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments

must contain the name, address and telephone number of the person submitting the comments; identification of the proposed Operating Permit (63-00872); and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information 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 by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Bradley Spayd, Air Quality Engineering Trainee, at the previously listed address. For additional information concerning the permit or the issuance procedure, contact Bradley Spayd at the previously listed address or phone at (412) 442-5227.

All comments must be received prior to the close of business 30 days after the date of this publication.

**65-00778: Three Rivers Marine & Rail Terminals, LLC** (2124 PA-906, Belle Vernon, PA 15012) Natural Minor Operating Permit is for a facility that stores, transfers, packages, and loads and unloads various products and is located in Rostraver Township, **Westmoreland County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the above-mentioned facility. Sources of emissions consist of loading and unloading operations of various materials. Emissions at the facility are primarily fugitive particulate matter (PM) emissions. No fuel-fired air contamination sources exist at this site. The facility is required to conduct daily surveys of the site to ensure compliance with fugitive and malodor emission requirements and maintain records of those surveys. Emissions are projected to be 16.2 tons per year (TPY) PM and 2.6 TPY PM<sub>10</sub>. The air quality permit includes operation requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Bradley Spayd, Air Quality Engineering Trainee, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments; identification of the proposed Operating Permit (65-00778); and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information 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 by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Bradley Spayd, Air Quality Engineering Trainee, at the previously listed address. For additional information concerning the permit or the issuance procedure, contact Bradley Spayd at the previously listed address or phone at (412) 442-5227.

All comments must be received prior to the close of business 30 days after the date of this publication.

## 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.*

**56111302 and NPDES No. PA0236101. Wilson Creek Energy, LLC**, (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Acosta Deep Mine in Jenner, Lincoln, and Quemahoning Townships, **Somerset County** and related NPDES permit. Includes renewal of Air Quality GPA/GP12 authorization. No additional discharges. The application was considered administratively complete on November 1, 2018. Application received: April 9, 2018.

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

**Permit No. 11880201 and NPDES No. PA0598208. Ebensburg Power Co.**, 11 Lloyd Ave., Latrobe, PA 15650, permit renewal for reclamation only of a bituminous surface mine in Cambria Township, **Cambria County**, affecting 56.5 acres. Receiving streams: unnamed tributary to/and South Branch Blacklick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 26, 2018.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

**33180101 and NPDES Permit No. PA0280542. P. and N. Coal Co., Inc.** (P.O. Box 332, Punxsutawney, PA 15767). Revision to an existing NPDES permit to add a sedimentation trap in Rose & Clover Townships, **Jefferson County**. Receiving streams: Redbank Creek, classified for the following uses: TSF; and unnamed tributaries to Redbank Creek, unnamed tributaries to Rattlesnake Run, and Rattlesnake Run; all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 25, 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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 52090301C2 and NPDES No. PA0224791. Dingman's Ferry Stone, Inc.**, (P.O. Box 686, Dingman's Ferry, PA 18328), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Delaware Township, **Pike County** affecting 68.2 acres, receiving stream: Hornbeck Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: October 12, 2018.

**Permit No. 64000301C5 and NPDES No. PA0224073. The H & K Group, Inc.,** (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lebanon Township, **Wayne County** affecting 225 acres, receiving stream: unnamed tributary to Big Brook to Dyberry Creek to Lackawaxen River, classified for the following uses: EV—cold water and migratory fishes. Application received: October 22, 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

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

**NPDES No. PA0251909 (Mining permit No. 02090201), Coal Valley Sales, LLC**, 111 Freeport Road, Pittsburgh, PA 15215, renewal NPDES permit for a bituminous surface mine in West Deer and Indiana Townships, **Allegheny County**, affecting acres 221.5. Receiving stream: Unnamed Tributaries to Little Deer Creek, classified for the following use: TSF. This receiving stream is included in the Little Deer Creek TMDL. Application received: October 22, 2015.

The following stormwater outfalls discharge to unnamed tributary to Little Deer Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	SWO
003	N	SWO
004	N	SWO

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. 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	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)	50	50	50
Total Cadmium (mg/l)		Monitor and Report	
Total Copper (mg/l)		Monitor and Report	
Total Lead (mg/l)		Monitor and Report	
Total Mercury (mg/l)		Monitor and Report	
Total Selenium (mg/l)		Monitor and Report	
Total Vanadium (mg/l)		Monitor and Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

#### Noncoal NPDES Draft Permits

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

**NPDES No. PA0220248 (Mining Permit No. 1474301, Mines 1, 2, 3, & 4), Graymont (PA) Inc.**, 375 Graymont Road, Bellefonte, PA 16823. Revision to NPDES permit for Noncoal Surface Mine in Spring Township, **Centre County** affecting 76.9 acres. Receiving stream(s): Logan Branch classified for the following use(s): CWF. Application received: May 21, 2018.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The following outfall(s) discharge to Spring Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
012	Yes
013	Yes

The proposed effluent limits for the previously listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		25.0	45.0	62.5

In addition, the proposed effluent limits for outfalls 012 and 013 will include:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Oil and Grease	Monitor Only	Monitor Only	Monitor Only	Monitor Only

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

**NPDES Permit No. PA0119253 on Surface Mining Permit No. 7474SM1. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc.**, (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), modification of an NPDES Permit for a limestone quarry operation in Palmer, Upper and Lower Nazareth Townships, **Northampton County**, affecting 140.4 acres. Receiving stream: unnamed tributary to Schoeneck Creek, classified for the following uses: warm water and migratory fishes. Application received: August 6, 2018.



The following outfall discharge to unnamed tributary to Schoeneck Creek:

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	MDT (non-process groundwater/ pit sump)

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Alkalinity greater than Acidity <sup>1</sup>				
*Discharge (MGD)		12.0	16.0	
Total Suspended Solids		35.0	70.0	90.0

<sup>1</sup> The parameter is applicable at all times.

\*Increase from 2.0 MGD

**NPDES Permit No. PA0224642 on Surface Mining Permit No. 09080301. H & K Group, Inc.,** (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a argillite quarry operation in Hilltown Township, **Bucks County**, affecting 52.9 acres. Receiving stream: unnamed tributary to East Branch Perkiomen Creek, classified for the following uses: trout stock and migratory fishes. Application received: September 14, 2018.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are BAT limits described above for noncoal mining activities.

The following outfall discharge to unnamed tributary Morris Run to East Branch Perkiomen Creek:

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	O.D.

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron		3.0	6.0	7.0
Total Dissolved Solids		500	750	
Total Suspended Solids		35.0	70.0	90.0
Flow (MGD)		.75		

pH<sup>1</sup> (S.U.): Must be between 6.0 and 9.0 at all times.

Alkalinity must exceed acidity at all times.

**NPDES Permit No. PA0225789 on Surface Mining Permit No. 6575SM5. Lehigh Cement Company, LLC,** (7660 Imperial Way, Allentown, PA 18195), new/revised/renewal of an NPDES Permit for a shale, sand and gravel quarry operation in Ross Township, **Monroe County**, affecting 37.4 acres. Receiving stream: Aquashicola Creek Watershed, classified for the following uses: HQ—cold water and migratory fishes. Application received: October 26, 2017.

Non-discharge BMP's shall be in effect.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to

which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

## WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E15-903. Brandywine Station, LLC**, 707 Eagleview Boulevard, Exton, PA 19341, Downingtown Borough, and East Caln Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway/floodplain of the East Branch of Brandywine Creek (WWF, MF), including tributaries, associated with the River Station Mixed-Use Redevelopment—Phase 2.

1. To construct and maintain a 10-foot wide pedestrian bridge situated above the floodway measuring approximately 125-feet in length.

2. Removal of an existing water control structure, utility pipe crossing, and pedestrian bridge from the former mill raceway.

3. To construct and maintain 2 stormwater outfall structures along the stream and the stormwater ditch.

4. Construction of recreational trail in the southwest portion of the Project Site, including associated 8-foot wide pedestrian bridge over the old mill raceway.

5. Construction of walkway improvements in Johnson-town Park and earthwork/grading activities.

The site is located at about 2,000 feet southeast of the intersection of Lancaster Avenue (RT. 30) and Manor Avenue (RT. 322), (USGS Downingtown, PA Quadrangle Latitude 40.001045; Longitude -75.703665).

**E09-1028. Bucks County Public Works Department**, 55 East Court Street, Doylestown, PA 18901, Hilltown Township, **Bucks County**, ACOE Philadelphia District.

The Bucks County Public Works Department is proposing to construct and maintain the following water obstruction and encroachment activities associated with the Rickert Road over Morris Run (TSF-MF) bridge replacement project.

1. To remove a structurally deficient reinforced 80-foot long, 60-foot clear span, Portland cement concrete deck girder bridge and in its place, construct and maintain a precast concrete arch bridge with a clear span of 60 feet over Morris Run (Impact 3, TSF-MF) resulting in 20 linear feet (52 square feet, 0.001 acre) permanent watercourse impact, 95 linear feet (1,860 square feet, 0.043 acre) of temporary watercourse impact, 2,850 square feet (0.065 acre) permanent floodway impact and 2,877 square feet (0.066 acre) temporary floodway impact.

2. To place and maintain fill within a wetland (Wetland 1, PEM) associated with the construction of the West roadway embankment resulting in 638 square feet (0.015 acre) of permanent wetland impact and 452 square feet (0.010 acre) of temporary wetland impact.

3. To place and maintain fill within a wetland (Wetland 2, PEM) associated with the construction of the East roadway embankment resulting in 89 square feet (0.002 acre) of permanent wetland impact and 189 square feet (0.004 acre) of temporary wetland impact.

4. To construct and maintain an 18-inch stormwater outfall located on an unnamed tributary to Morris Run (Impact 4, TSF-MF) resulting in 585 square feet (0.0134 acre) of permanent watercourse impact. This activity also involves the placement of riprap rock apron.

The existing bridge was built in 1908 and was determined eligible listing in the National Register of Historic Places (National Register) in 2001. The project is located on Rickert Run Rd. South of Frontier Rd. in Hilltown

Township, Bucks County. (USGS PA Doylestown Quadrangle—Latitude 40.366794, Longitude 75.220479 W).

**E46-1171. Lower Gwynedd Township**, 1130 N Bethlehem Pike, Spring House, PA 19477, Lower Gwynedd Township, **Montgomery County**, ACOE Philadelphia District.

Lower Gwynedd Township is proposing to construct and maintain the following water obstruction and encroachment activities associated the Springhouse Roadway Improvements Project Phase 1—Sumneytown Pike Culvert Extension:

1. To extend an existing 60-foot-long, 15-foot by 6-foot concrete box culvert carrying Willow Run (TSF-MF) to a total length of 90 feet resulting in 56 linear feet (896 square feet, 0.21 acre) of permanent stream impact and 102 linear feet (1,530 square feet, 0.035 acre) of temporary stream impact with 2,318 square feet (0.053 acre) of permanent floodway impact and 4,313 square feet (0.099 acre) of temporary floodway impact.

2. To construct 32-inch and 42-inch diameter outfalls downstream of the culvert extension resulting in 5 linear feet of permanent stream impact and 305 square feet (0.007 acre) of permanent floodway impact.

The project is located near the intersection of Sumneytown Pike and N. Bethlehem Pike in Lower Gwynedd Township, Montgomery County. (USGS PA Ambler Quadrangle—Latitude 40.186025, Longitude 75.228347 W).

**E46-1170. SEI Investments Corporation**, 1 Freedom Valley Drive, Oaks, PA 19456, Upper Providence Township, **Montgomery County**, ACOE Philadelphia District.

To perform the below listed water obstruction and encroachment activities associated the SEI Investments—North Campus Expansion. The proposed development includes the construction of 6 office buildings, access driveways and a multi-story parking garage. The proposed project will have approximately 0.095 acre of temporary impacts to the Wetlands designated as Wetlands B and C, and the unnamed tributary to the Perkiomen Creek. The proposed project also includes 0.638 acre of permanent impacts to the designated wetlands A, B, C and G, as well as the ephemeral stream located downslope of Wetland A and the unnamed tributary to the Perkiomen. The proposed project is not located within the 100-year floodplain.

The site is approximately at the intersection of Freedom Valley Drive and Cider Mill Road (to the west), along the Perkiomen Creek and Perkiomen Trail (to the east). (Lansdale Lat. 40° 8' 39"; Long. 75° 26' 58").

**E09-1026. Borough of Perkasio**, 620 W. Chestnut Street, P.O. Box 96, Perkasio, PA 18944-0096, Borough of Perkasio, **Bucks County**, ACOE Philadelphia District.

To construct and maintain approximately 1,137 square foot amphitheater at Lenape Park including ADA parking facility in the floodplain (outside of the 100-year floodway) of the East Branch Perkiomen Creek (TSF-MF) associated with the concerts and rehabilitation of the Lenape Park.

The site is located at about 500 feet northwest of Constitution Ave and Herbert Street (Telford, PA USGS Quadrangles Latitude: 40.3654; Longitude: -75.298356).

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E36-977: Lancaster County**, 150 North Queen Street, Lancaster, PA 17603 in Sadsbury Township, **Lancaster County**, West Fallowfield & West Sadsbury Townships, **Chester County**, U.S. Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 27-foot 10.5-inch wide two span bridge having a normal span of 90 feet and an underclearance of 8 feet across East Branch Octoraro Bridge (TSF, MF). The project is located on Steelville Mill Road at the intersection with Creek Road (Latitude 39.9374, Longitude -75.9843). No wetlands will be impacted by this project.

**E06-731: Oak Grove Partners LLC**, 3335 Morgantown Road, P.O. Box 7, Mohnton, PA 19540 in Robeson Township, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain a road crossing in and across Hay Creek (EV, MF), its floodway, and EV PEM wetland permanently impacting 23 linear feet of Hay Creek and 0.1 acre of EV PEM wetland, and install and maintain a 73-foot-long 53-inch diameter CMP culvert with associated grading in and along a UNT to Hay Creek (EV, MF) and its associated floodway permanently impacting 144 linear feet of the UNT to Hay Creek all for the purpose of constructing a residential development (40.196831, -75.873274). The applicant is proposing to compensate for these impacts by creating 0.18 acre of wetland on-site. The project is located along Furnace Road east of the intersection with PA State Route 10, Latitude: 40° 11' 48", Longitude 75° 52' 23" in Robeson Township, Berks County.

**E06-701: Sunoco Pipeline, LP (SPLP)**, 535 Fritztown Road, Sinking Spring, PA 19608. Mariner East II Pennsylvania Pipeline project in Cumru Township, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

Sunoco Pipeline, LP proposes a Major Amendment to its permit, Permit # E06-701, which authorized the installation and maintenance of an approximately 20.4-mile-long, 20.0-inch natural gas pipeline and an approximately 20.4-mile long 16.0-inch natural gas pipeline and appurtenant structures in Berks County. The major amendment request proposes to alter the installation method of the 16.0-inch pipeline across three Unnamed Tributaries to Wyomissing Creek (HQ-CWF, MF) and an Exceptional Value Palustrine Scrub Shrub wetland from the authorized conventional bore to open cut. Approximately 112 linear feet of stream and 0.09 acre of wetland will be impacted. The project is located 0.4 mile north of the intersection of SR 625 and Wyomissing Road (Latitude: 40.2549° N; Longitude: 75.9896° W) in Cumru Township, Berks County.

*Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E43-367, JMJACD Associates LTD.** Penn Stainless Building and Access Drive Addition, in Jackson Township, **Mercer County**, ACOE Pittsburgh District (Jackson Center, PA Quadrangle N: 41°, 15', 38"; W: 80°, 9', 50").

The applicant proposes to construct a building addition and additional access road to their current facility. The project will permanently impact .035 acre of PFO and PEM wetlands.

**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—691.1001) 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 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.

*Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0253537 (Industrial)	Rolling Rock Club Trout Hatchery P.O. Box 747 Ligonier, PA 15658-0747	Westmoreland County Ligonier Township	Rolling Rock Creek (18-C)	Yes
PA0218740 (Sewage)	Mountain Shadows STP P.O. Box 158 Mammoth, PA 15664-0158	Westmoreland County Mount Pleasant Township	Boyer Run (19-D)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0272621 (Sewage)	Larry Chambers SRSTP 2320 William Flynn Highway Butler, PA 16001-0748	Butler County Center Township	Unnamed Tributary to Muddy Creek (20-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAS604802 (Storm Water)	Grays Vehicle Clinic 1314 Axemann Road Bellefonte, PA 16823-8108	Centre County Spring Township	Logan Branch (9-C)	Yes

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

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**WQM Permit No. WQG02631801**, Sewage, SIC Code 4952, **Peters Township Sanitary Authority**, 111 Bell Drive, McMurray, PA 15317.

This proposed facility is located in Peters Township, **Washington County**.

Description of Proposed Action/Activity: The applicant proposes to construct a new pump station and force main, at the intersection of Shoreline Drive & Driftwood Drive, to serve existing homes in the Hidden Brook Development.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

**WQM Permit No. 6318405**, Sewage, SIC Code 4952, **Peters Township Sanitary Authority Washington County**, 111 Bell Drive, McMurray, PA 15317-6403.

This proposed facility is located in Peters Township, **Washington County**.

Description of Proposed Action/Activity: construction and/or rehabilitation of approximately 12,000 linear feet of sanitary sewer. The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

**WQM Permit No. 6570401 A-7**, Sewage, SIC Codes 8731 and 8734, **Arconic Inc.**, 100 Technical Drive, New Kensington, PA 15068.

This existing facility is located in Upper Burrell Township, **Westmoreland County**.

Description of Proposed Action/Activity: Increase the design flow rate of the existing sewage treatment plant.

**VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions.**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD090029	Wright Warrington, LLC P.O. Box 1908 Media, PA 19063	Bucks	Warrington Township	Little Neshaminy Creek WWM
PAD150107	Charnwood Property Group, LLC P.O. Box 459 Harleysville, PA 19438	Chester	East Vincent Township	Unnamed Tributary to Schuylkill River (North) HQ-TSF-MF Schuylkill River (South) HQ-TSF-MF
PAD510023	Philaport, the Port of Philadelphia 3460 North Delaware Avenue Philadelphia, PA 19134	Philadelphia	City of Philadelphia	Delaware River WWF

**VII. Approvals to Use NPDES and/or Other General Permits.**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

**List of NPDES and/or Other General Permit Types.**

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Penn Township Chester County	PAC150058	Phillips Mushroom Farms P.O. Box 190 Kennett Square, PA 19348	Unnamed Tributaries of White Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New London Township Chester County	PAC150064	New London Township P.O. Box 1002 New London Township, PA 19360	Unnamed Tributary to West Branch White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
East Fallowfield Township Chester County	PAC150065	Bawa Muhaiyaddeen Fellowship 99 Fellowship Drive Coatesville, PA 19320	Buck Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Phoenixville Borough Chester County	PAC150074	Borough of Phoenixville 351 Bridge Street Phoenixville, PA 19460	French Creek TSF MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franklin Township Chester County	PAC150078	Daniel C. Danese 476 Chesterville Road Landenberg, PA 19350-1545	West Branch White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Grove Chester County	PAC150088	Avondale Investors, LLC 14 Ballingomingo Road Conshohocken, PA 19428-0429	East Branch White Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Easttown Township Chester County	PAC150089	Moser Construction Management, LLC 1171 Lancaster Avenue Suite 201 Berwyn, PA 19312	Darby Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Goshen Township Chester County	PAC150090	Islamic Society of Chester County P.O. Box 3042 West Chester, PA 19381	Taylor Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Garden Township Chester County	PAC150098	New Garden Township 299 Starr Road Landenberg, PA 19350	Unnamed Tributary to Egypt Run CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAC150100	The Rubenstein Company, LP 2929 Arch Street 28th Floor Philadelphia, PA 19104-2868	Valley Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Goshen Township Chester County	PAC150104	East Goshen Township 1580 Paoli Pike West Chester, PA 19380	East Brach Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510098	Relteva, LLC 1515 Des Peres Road St. Louis, MO 63131	Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510091	William Penn Charter School 3000 West School House Lane Philadelphia, PA 19144-5412	Schuylkill River WWF-MF Wissahickon 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.*

*Carbon County Conservation District, 5664 Interchange Road, Lehighton, PA 18235.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC130007	KRR Realty LLC c/o Richard Reaman 9 Little Flower Ave Nesquehoning, PA 18240	Carbon	Nesquehoning Boro	UNT to Nesquehoning Creek (CWF, MF)

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC400097	TCNE Acquisition I LLC Andrew Mele 300 Conshohocken Rd Ste 250 West Conshohocken, PA 19428	Luzerne	Hazle Twp	UNT to Black Creek (CWF, MF)
PAC400098	PENNDOT Engineering District 4-0 Susan Hazelton 55 Keystone Industrial Park Dunmore, PA 18512	Luzerne	Hazle Twp W Hazleton Boro Sugarloaf Twp	UNT to Black Creek (CWF, MF)
PAC400094	Alliance Rd Assoc David Gray 725 Skippack Pike Ste 340 Blue Bell, PA 19422	Luzerne	Butler Twp	UNT to Black Creek (CWF, MF)
PAC400088	UGI Utilities Inc Paul Szykman 1 UGI Center Wilkes-Barre, PA 18711-0600	Luzerne	Hanover Twp	Warrior Creek (CWF, MF)
PAC400019	UGI Utilities Inc Allison Dennison 1 UGI Center, Bldg A Wilkes-Barre, PA 18771	Luzerne	Dupont Boro	Mill Creek (CWF, MF) Lidy Creek (CWF, MF)

*Northampton County Conservation District, 14 Gracedale Ave., Greystone Building, Nazareth, PA 18064-9211.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAC480063	Bethlehem Commerce Center LLC 13191 Crossroads Parkway N 6th Fl City of Industry, CA 91746-3421	Northampton	City of Bethlehem	Saucon Creek (CWF, MF)

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Phillips, Section Chief, 717.705.4802.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Littlestown Borough Adams County Issued	PAC010069	Littlestown Borough Authority 10 South Queen Street Littlestown, PA 17340	Piney Creek (WWF, MF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Douglass Township Berks County Issued	PAC060150	Michael Moyer Moyer Mooney West End, L.P. 1090 MacArthur Road Whitehall, PA 18052	Schuylkill River (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Tulpehocken Township Berks County Issued	PAC060165	Thomas Wise T.W. Construction, LLC 31 Witman Road Womelsdorf, PA 19567	UNT Mill Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
East Pennsboro Township Cumberland County Issued	PAC210106	PennDOT Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	Susquehanna River (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Hampden Township Cumberland County Issued	PAC210096	4003 Trindle Road, LLC 5229 E. Trindle Road Mechanicsburg, PA 17050	UNT Cedar Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Bethel Township Lebanon County Issued	PAC380087	Jacob Light 659 Greble Road Lebanon, PA 17046	UNT Earlakill Run (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
North Cornwall Township Lebanon County Issued	PAC380088	Marc DeSouza 225 North Presidential Avenue Bala Cynwyd, PA 19004	Snitz Creek, (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
North Cornwall Township Lebanon County Issued	PAC380091	Bruce Thaler 116 Union Avenue Altoona, PA 16602	Snitz Creek, (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

*Facility Location &  
Municipality*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
North Towanda Township Bradford County	PAC080027	Michelle Shedden Bradford County 301 Main Street Towanda, PA 18848	UNT to Susquehanna River—WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Athens Township Bradford County	PAC080032	Glenn O. Hawbaker, Inc. 1952 Waddle Road Suite 203 State College, PA 16803	UNT to Bucks Creek—WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Patton Township Centre County	PAC140019	Landmark Cottage Construction PA, LLC 315 Oconee Street Athens, GA 30601	UNT Big Hollow Run—CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Benner Township Centre County	PAC140042	SilcoTek Corporation 225 Penntech Drive Bellefonte, PA 16823	Spring Creek, CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817



<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
College Township Centre County	PAC140053	Sheetz, Inc. 351 Sheetz Way Claysburg, PA 16625	UNT Spring Creek— CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Harris Township Centre County	PAG02001407009R(2)	EnergyCap 2026 Sandy Drive State College, PA 16801	UNT Spring Creek— CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Harris Township Centre County	PAG02001407009R(2)	Vertical Adventures Inc 6295 Busch Blvd Columbus, OH 43229  KBB&H Partnership P.O. Box 4000 State College, PA 16801	UNT Spring Creek— CWF, MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Meadville, Crawford County	PAC200042 Major Amendment	Crawford County 903 Diamond Park Meadville, PA 16335	Mill Run WWF	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Chartiers Township Washington County	PAR206115	IGS Industries Inc. 200 Country Club Road Meadow Lands, PA 15347-0368	Unnamed Tributary to Chartiers Creek— 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

**STATE CONSERVATION COMMISSION**

**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Nelson Martin 1850 Horseshoe Pike Annville, PA 17003	Lebanon	314.3	810.47	Swine	N/A	Approved
Hillside Poultry Farms, Inc. 1849 Letterkenny Road Chambersburg, PA 17202	Franklin	460.3	1,166.25	Poultry— Layers	N/A	Approved
Paul Ebersol 4970 Sunset Pike Chambersburg, PA 17202	Franklin	209.6	128.15	Poultry— Ducks	N/A	Approved
Martin Farms 167 Overcash Road Chambersburg, PA 17202	Franklin	1,079	1,561.66	Dairy	HQ	Approved
Burk Lea Farms 3099 Grand Point Road Chambersburg, PA 17201	Franklin	1,405	1,803.6	Dairy	N/A	Approved
Franklin Family Farms— McClay's Farm McClay's Mill Road Newburg, PA 17240	Franklin	0	628.95	Swine	N/A	Approved

## 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 (35 P.S. § 721.1—721.17).

*Southeast Region: Water Supply Management Program  
Manager, 2 East Main Street, Norristown, PA 19401.*

#### Permit No. 2318503, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19401
Township	Marple
County	<b>Delaware</b>
Type of Facility	PWS
Consulting Engineer	GHD 1240 Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	October 25, 2018

#### Permit No. 4618512, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Upper Merion
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	GHD 1240 Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	October 30, 2018

**Permit No. 4618516**, Public Water Supply.  
 Applicant **Audubon Water Company**  
 2650 Eisenhower Drive  
 Norristown, PA 19043  
 Township Lower Providence  
 County **Montgomery**  
 Type of Facility PWS  
 Consulting Engineer Evan Mill Environmental, LLC  
 101 Fellowship Rd  
 Chester Springs, PA 19425  
 Permit to Construct Issued October 31, 2018

**Operations Permit # 0918514** issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. **PWS ID # 1090001**, Bristol Township, **Bucks County** on October 31, 2018 for the operation of a 25-gallon brine storage tank facilities approved under construction permit # 0918514.

**Operations Permit # 0918512** issued to **Hilltown Township Water and Sewer Authority**, P.O. Box 365, Sellersville, PA 18960. **PWS ID # 1090117**, Hilltown Township, **Bucks County** on October 30, 2018 for the operation of a permanent interconnection with North Penn Water Authority, a permanent interconnection with Telford Borough and abandonment of the Perkasio interconnection facilities approved under construction permit # 0918512.

**Operations Permit # 1518522** issued to **MISA Corporation**, 3982 West Lincoln Highway, Parkesburg, PA 19364. **PWS ID # 1150094**, West Bradford Township, **Chester County** on October 30, 2018 for the operation of an emergency interconnection with Aqua Pennsylvania, Inc.'s Spring Run System facilities approved under construction permit # 1518522.

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Permit No. 3480013**, **Operations Permit**, Public Water Supply.

Applicant **Hammel Property Management, LLC**  
 The Orchard at Airport Road  
 MHP  
 8220 Airport Road  
 Northampton, PA 18067  
 [Borough or Township] East Allen Twp.  
 County **Northampton**  
 Type of Facility PWS  
 Consulting Engineer N/A  
 Permit to Operate Issued October 30, 2018

**Permit No. 2520107**, **Operations Permit**, Public Water Supply.

Applicant **Pike County Commissioners Office**  
 Pike County Jail & Complex  
 175 Pike County Boulevard  
 Lords Valley, PA 18428

[Borough or Township] Blooming Grove Township  
 County **Pike**  
 Type of Facility PWS  
 Consulting Engineer N/A  
 Permit to Operate Issued October 18, 2018

**Permit No. 2400054**, **Operations Permit**, Public Water Supply.

Applicant **Borough of Freeland Municipal Authority**  
 711 Birkbeck Street  
 P.O. Box C  
 Freeland, PA 18224

[Borough or Township] Freeland Borough  
 County **Luzerne**  
 Type of Facility PWS  
 Consulting Engineer Samantha Albert, P.E.  
 Borton Lawson  
 613 Baltimore Dr.  
 Suite 300  
 Wilkes-Barre, PA 18702

Permit to Operate Issued 10/15/2018

**Permit No. 3390055**, **PWS Major Amendment**.

Applicant **Lehigh County Authority**  
 P.O. Box 3348  
 Allentown, PA 18106-3348

[Township or Borough] North Whitehall Township  
**Lehigh County**

Responsible Official Liesel M. Gross  
 Lehigh County Authority  
 1053 Spruce Street  
 P.O. Box 3348  
 Allentown, PA 18106-3348

Type of Facility Public Water Supply  
 Consulting Engineer Stephen A. Marcino, P.E.  
 Johnson, Mirmiran and  
 Thompson  
 1600 Market Street  
 Suite 520  
 Philadelphia, PA 19103

Operation Permit Issued 10/26/2018

**Permit. No. 3518503MA**, Public Water Supply.

Applicant **PA American Water Company**  
 800 W. Hershey Park Drive  
 Hershey, PA 17033

[Township or Borough] City of Scranton  
**Lackawanna County**

Responsible Official Mr. David Kaufman  
 Vice President—Engineering

Type of Facility Public Water Supply  
 Consulting Engineer Mr. Richard C. Dudek, PE  
 PA American Water Company  
 2699 Stafford Avenue  
 Scranton, PA 18505

Operation Permit Issued 10/16/2018

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 6718503**, Public Water Supply.

Applicant **Dollar General**  
 Municipality **Chanceford Township**  
 County **York**  
 Responsible Official **Larry L. Miller, Water System Operator**  
 2021 Horseshoe Road  
 Lancaster, PA 17602

Type of Facility **The following treatment will be installed: a softener for iron removal, nitrate removal, calcite pH adjustment and ultraviolet disinfection.**

Consulting Engineer **Scott M. Rights, P.E.**  
**Steckbeck Engineering Associates**  
 279 N Zinns Mill Rd  
 Lebanon, PA 17042

Permit to Construct Issued **10/30/2018**

**Permit No. 3618520 MA**, Public Water Supply.

Applicant **Noah W. Kreider & Sons LLP**  
 Municipality **Penn Township**  
 County **Lancaster**  
 Responsible Official **Thomas W. Beachler, Vice President of Operations**  
 1461 Lancaster Road  
 Manheim, PA 17545

Type of Facility **Installation of continuous monitoring and recording equipment for entry point free chlorine residual.**

Consulting Engineer **Charles A. Kehew II, P.E.**  
**James R. Holley & Associates, Inc.**  
 18 South George Street  
 York, PA 17401

Permit to Construct Issued **10/30/2018**

**Operation Permit No. 2216508 MA** issued to: **Gratz Borough Water Revenue Fund (PWS ID No. 7220005)**, Gratz Borough, **Dauphin County** on 10/30/2018 for facilities approved under Construction Permit No. 2216508 MA.

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. 4907502-T1-A2—Construction—Public Water Supply.**

Applicant **Cherokee Filtration Plant**  
 Township/Borough **Riverside Borough**  
 County **Northumberland County**  
 Responsible Official **Mr. Thomas P. Forrestal**  
**Cherokee Pharmaceuticals, LLC**  
 110 Avenue C  
 Riverside, PA 17868

Type of Facility **Public Water Supply—Construction**

Consulting Engineer **Mr. Thomas Komar PE**  
**Obrien & Gere, Inc.**  
 46 W. Market St.  
 Suite 101  
 Danville, PA 17821-1896

Permit Issued **October 29, 2018**

Description of Action **Authorizes replacement of the old Acceleator No. 1 with a static mixer, flocculation unit, and inclined plate settling tank.**

**Permit No. 4118503—Construction—Public Water Supply.**

Applicant **Stallion Oilfield Construction, LLC**  
 Township/Borough **City of Williamsport**  
 County **Lycoming County**  
 Responsible Official **Mr. Robert J. Ryan**  
**Deputy General Counsel**  
**Stallion Oilfield Construction, LLC**  
 950 Corbindale Road  
 Suite 300  
 Houston, TX 77024

Type of Facility **Public Water Supply—Construction**

Consulting Engineer **Mr. Mathew E. Pierce**  
**Penn Environmental & Remediation, Inc.**  
 111 Ryan Court  
 Pittsburgh, PA 15205

Permit Issued **November 2, 2018**

Description of Action **Authorizes the Williamsport Regional Operation Center of Stallion Oilfield Construction, LLC (Stallion) to withdraw water from the following facilities: Canton Borough Authority's potable bulk water loading station located at 89 Sullivan Street, Canton, PA 17724, up to the maximum amount allowed in the permission letter from Canton Borough Authority to Stallion; and Williamsport Municipal Water Authority's potable bulk water loading station located at 26 Arch Street, Williamsport, PA 17701, up to the maximum amount allowed in the permission letter from Williamsport Municipal Water Authority to Stallion.**

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

**Operation Permit** issued to **Greenville Municipal Authority, PWSID No. 6430037**, West Salem Township, **Mercer County**. Permit Number 4388510-MA5 issued November 2, 2018 for the operation of the previously unpermitted chemical treatment at the WTP.

**Permit No. 4300503-T1-MA13**, Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**  
 Township or Borough **City of Hermitage**

County **Mercer County**  
 Type of Facility Public Water Supply  
 Consulting Engineer Richard Horvat, P.E.  
 Entech Engineering  
 400 Rouser Road  
 Coraopolis, PA 15108  
 Permit to Construct November 2, 2018  
 Issued

### WATER ALLOCATIONS

**Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. § 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

*Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.*

**WA-09-936A**, Water Allocations. **Hulmeville Municipal Authority**, 321 Main Street, Hulmeville, PA 19047, Hulmeville Borough, **Bucks County**. Granting the right to purchase 150,000 gallons per day of water, based peak use, from the Bucks County Water and Sewer Authority, in Bucks County.

### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5**

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Plan Location:*

Borough or Township	Borough or Township Address	County
Jackson Township	439 Roths Church Road Spring Grove, PA 17362	York

*Plan Description:* Approval is granted for an update to the Official Plan of Jackson Township, York County. The project is known as the Jackson Township Act 537 Special Study, Additional Service Area (DEP Code No. G1-67931-ACT). The plan provides for the continuation of the on-lot sewage management (OLDS) program for the cluster of homes along the South Lake Road study area of the Township. The management program will follow the requirements of the previously adopted OLDS ordinance for Jackson Township. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

## 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 submis-

sion 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.*

**Barile Property**, 11 Evergreen Road, Franklin Township, **Carbon County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Fegley Oil Company, 551 West Penn Pike, Tamaqua, PA 18252, submitted a Final Report concerning remediation of site soils contaminated with heating oil released from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Lancaster Northwest Gateway/Northwest Drainage Area**, 1039 Harrisburg Pike, Lancaster, PA 17603, Manheim Township, **Lancaster County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Facilities Planning and Capital Projects, P.O. Box 3003, Lancaster, PA 17603, submitted a Final Report concerning soil and groundwater contaminated with used motor oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Rutter's Farm Store # 44**, 6040 Steltz Road, Glen Rock, PA 17327, Codorus Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corp/Rutters Farm Stores, 2295 Susquehanna Trail, Suite C, York, PA 17404, submitted a Final Report concerning remediation of site soil contaminated with used motor oil.

The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

**Former Electroplaters of York**, 209 East Willow Street, Wrightsville, PA 17368, Borough of Wrightsville, **York County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Wrightsville Borough Municipal Authority, 601 Water Street, P.O. Box 187, Wrightsville, PA 17368, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganics, VOCs and PAGs. The report is intended to document remediation of the site to meet the Site Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative

form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**PA Utility Company Sewage Treatment Plant**, 234 The Glen, Tamiment, Lehman Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of PA Utility Company, 234 The Glen, Tamiment, PA 18371, submitted a final report concerning remediation of soil and groundwater contamination found during the removal of an underground storage tank that stored heating oil. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on November 1, 2018.

**McIntyre Property**, 395 East Shore Drive, Page Lake, New Milford Township, **Susquehanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Karen McIntyre, 105 Decker Road, North Abington Township, PA 18414, submitted a Final Report concerning remediation of site soils contaminated with heating oil. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on November 5, 2018.

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

**Former Agway Energy Products Site 2**, East Second Street, Canton Borough, **Bradford County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of YAWGA Energy Products, 5748 East Lake Road, Cazenova, NY 13035, has submitted a Final Report concerning site soil and groundwater contaminated with diesel fuel and unleaded gas. The report demonstrated attainment of the Site-Specific Standard and was approved by the Department on October 31, 2018.

### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (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.*

#### *Renewal Applications Received*

**Laidlaw Carriers Van GP Inc.**, 1179 Ridgeway Road, Woodstock, ON N4S 0A9. License No. PA-AH 0714. Effective Nov 01, 2018.

#### *Hazardous Waste Transporter License Reissued*

**Laidlaw Carriers Van GP Inc.**, 1179 Ridgeway Road, Woodstock, ON N4S 0A9. License No. PA-AH 0714. Effective Nov 01, 2018.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**GP3-40-025: Hunlock Sand & Gravel Company** (121 Gravel Road, Hunlock Creek, PA 18621) on September 7, 2018 to operate a portable crushing operation with water sprays in Hunlock Township, **Luzerne County**.

**GP9-40-025: Hunlock Sand & Gravel Company** (121 Gravel Road, Hunlock Creek, PA 18621) on September 7, 2018 to operate seven (7) internal combustion engines in Hunlock Township, **Luzerne County**.

**GP13-40-003: New Enterprise Stone and Lime Co., Inc.** (3912 Brumbaugh Road, New Enterprise, PA 16664) on September 20, 2018 to operate a hot mix asphalt plant in Plains Township, **Luzerne County**.

**GP3-48-026: West Truckers Franchise, LLC** (925 Harvard Avenue, Bethlehem, PA 18015) on September 11, 2018 to construct and operate a Portable Crushing Operation with water sprays at their 4 Winds concrete batch plant in the City of Bethlehem, **Northampton County**.

**GP9-48-026: West Truckers Franchise, LLC** (925 Harvard Avenue, Bethlehem, PA 18015) on September 11, 2018 to install and operate two (2) Diesel I/C engines their 4 Winds concrete batch plant in the City of Bethlehem, **Northampton County**.

**GP3-58-054: L&D Stoneworks, Inc.** (2774 Stone Street, Montrose, PA 18801) on October 19, 2018 to construct and operate a Portable Crushing Operation with water sprays at their Griffis Quarry in Forrest Lake Township, **Susquehanna County**.

**GP9-58-054: L&D Stoneworks, Inc.** (2774 Stone Street, Montrose, PA 18801) on October 19, 2018 to install and operate six (6) Diesel I/C engines their Griffis Quarry in Forrest Lake Township, **Susquehanna County**.

**GP3-58-055: L&D Stoneworks, Inc.** (2774 Stone Street, Montrose, PA 18801) on October 19, 2018 to construct and operate a Portable Crushing Operation with water sprays at their Middletown Quarry in Middletown Township, **Susquehanna County**.

**GP9-58-055: L&D Stoneworks, Inc.** (2774 Stone Street, Montrose, PA 18801) on October 19, 2018 to install and operate six (6) Diesel I/C engines at their Middletown Quarry in Middletown Township, **Susquehanna County**.

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

*Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**GP14-04-00746: Gabauer Family Crematory, Inc** (1117 5th Avenue, Beaver Falls, PA 15010) on November 1, 2018, to authorize the installation and operation of a 150 pound per hour human crematory for a fixed period of 5 years at their facility located 108 Brady Avenue in Chippewa Township, **Beaver County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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.**

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**25-053F: Urick Foundry** (1501 Cherry St., Erie, PA 16502), on November 1, 2018 issued a Plan Approval for the installation of new foundry equipment capable of producing larger castings. This project will include the installation of two (2) 80-ton sand silos, two (2) bin vents, a mold making system, a new pouring/cooling/ shakeout system, new sand blasting equipment, new grinding equipment and four (4) new baghouses in the City of Erie, **Erie County**. This is a State Only facility.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**23-0119H: Sunoco Partners Marketing & Terminals, L.P. (SPMT)** (2nd and Green Streets, Marcus Hook, PA 19061-0426) On November 1, 2018 for the modification of an existing plan approval to incorporate conditions addressing the retirement of 0.83 ton of VOC Emission Reduction Credits (ERCs) as were required by this plan approval.

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

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

**08-00001B: Tennessee Gas Pipeline Company LLC** (1001 Louisiana Street, Houston, TX 77002) extended the authorization on October 26, 2018, an additional 180 days from November 2, 2018 to May 1, 2019, for continued operation of the Solar Titan compressor turbine (Source ID P201) pending completion of the compliance evaluation. This Plan Approval extension also incorporated the company's minor revision request to change the Responsible Official on page 1. The turbine is in operation at the TGP 319 facility in Wyalusing Township, **Bradford County**.

**08-00050B: Eureka Resources, LLC** (451 Pine Street, Williamsport, PA 17701) on October 24, 2018, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 4, 2018 to May 3, 2019, at their Standing Stone Oil and Gas Wastewater Treatment Facility located in Standing Stone Township, **Bradford County**. The plan approval has been extended.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6328.*

**25-923B: Erie Power LLC** (131 Varick St., Suite 1006, New York, NY 10013) on October 30, 2018, effective October 31, 2018, has issued a plan approval extension for the reactivation of sources 001 (Gas Turbine & Duct Burner (Unit 1)) and 002 (Gas Turbine & Duct Burner (Unit 2)) in North East Township, **Erie County**. This is a Title V facility. This will expire on October 31, 2020.

**Title V Operating Permits Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**67-05014: York Group, Inc.** (2880 Blackbridge Road, York, PA 17406-9703) on October 30, 2018, for the casket manufacturing facility located in Manchester Township, **York County**. The Title V permit was renewed.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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.*

**40-00061: International Paper Co.** (533 Forest Road, Humboldt Industrial Park, Hazleton, PA 18202) The Department issued, on 11/5/18, a State-Only (Synthetic Minor) Operating Permit renewal for operation of a corrugated and solid fiber box manufacturing operation located in Hazle Township, **Luzerne County**. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00076: Wilkes-Barre Materials, LLC** (500 Chase Road, Shavertown, PA 18708-9689) The Department issued, on 11/5/18, a State-Only (Synthetic Minor) Operating Permit renewal for operation of an asphalt paving mixture and block manufacturing operation located in Plains Township, **Luzerne County**. The 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.

**48-00062: Haines & Kibblehouse, Inc./Easton Quarry** (P.O. Box 196, 2052 Lucon Rd, Skippack, PA 19474-0196) The Department intends to issue a State-Only (Natural Minor) Operating Permit renewal for operation of a crushed and broken limestone mining operation located in Lower Mount Bethel Township, **Northampton County**. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.*

**38-03053: Kreamer Funeral Home & Crematory, Inc.** (P.O. Box 780, Jonestown, PA 17038-0780) on October 30, 2018, for the human crematory at the facility located in Union Township, **Lebanon 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.*

**17-00066: Forum US, Inc.** (P.O. Box 897, Gainesville, TX 76241-0897) was issued on October 5, 2018, a State Only operating permit (renewal) for their Clearfield Plant facility located in the Lawrence Township, **Clearfield County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the permit.

**19-00009: Deluxe Building Solutions, LLC** (499 West Third Street, Berwick, PA 18603-2936) on November 1, 2018 was issued a renewal State only operating permit for the Berwick Plant located in Berwick Borough, **Columbia County**. The State only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**65-00769: Raven Industries, Inc.** (5049 Center Drive, Latrobe, PA 15650) on October 31, 2018, the Department of Environmental Protection (DEP) authorized a renewed State-Only Operating Permit for a toner manufacturing facility and is located in Unity Township, **Westmoreland County**. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**48-00001: Columbia Gas Transmission, LLC** (455 Racetrack Road, Washington, PA 15301) on October 23, 2018, in Forks Township, **Northampton County** for an amendment to incorporate process modification. The conditions from Plan Approval 48-00001A were copied into the State Only Operating Permit. Administrative Amendment of State Only Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*



**TVOP-46-00046: UTI Holdings, LLC** (200 West 7th Ave., Trappe, PA 19426), for a de minimis emission increase at a facility located in Trappe Borough, **Montgomery County**, in accordance with 25 Pa. Code § 127.449 and exemption under 25 Pa. Code § 127.14(b). The project consists of the replacement of two natural gas-fired space heaters with a combined heat input of 0.75 MMBtu/hr with two natural gas-fired space heaters with a combined heat input of 0.95 MMBtu/hr.

The total de minimis emission increase (in tons per year) are as follows: NO<sub>x</sub>—0.08, CO—0.07, VOC—0.005, SO<sub>x</sub>—0.001, and PM/PM<sub>10</sub>/PM<sub>2.5</sub>—0.01. The emission increases from all pollutants resulting from the individual, as well as the aggregate, changes do not exceed those levels listed under 25 Pa. Code § 127.449 and qualify as de minimis.

The permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

## 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.*

**03851303 and NPDES No. PA0213462. McVile Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Clementine Mine # 1 in South Buffalo and North Buffalo Townships, **Armstrong County** for reclamation only. No additional discharges. The application was considered administratively complete on August 12, 2015. Application received: October 1, 2014. Permit issued: October 19, 2018.

**30831303 and NPDES No. PA0013511. Cumberland Contura, LLC**, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Whiteley and Wayne Townships, **Greene County** and related NPDES permit to perform stream restoration in an unnamed tributary to Tustin Run. No additional discharges. The application was considered administratively complete on August 8, 2017. Application received: June 16, 2017. Permit issued: October 25, 2018.

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

**Permit No. 56020104. Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201, commencement,

operation and restoration of a bituminous surface mine to change land use from Unmanaged Natural habitat and Forestland to Industrial/Commercial and from Forestland to Unmanaged Natural Habitat in Brothersvalley Township, **Somerset County**, affecting 128.8 acres. Receiving stream: unnamed tributary to Buffalo Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 29, 2018. Permit issued: October 30, 2018.

**Permit No. 56120104 and NPDES No. PA0268950. Wilson Creek Energy, LLC**, P.O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, transfer of an existing bituminous surface and auger mine in Lincoln Township, **Somerset County**, affecting 72.0 acres. Receiving streams: unnamed tributaries to Quemahoning Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 25, 2018. Permit issued: October 31, 2018.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

**61980103 and NPDES Permit No. PA0227846. Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215) Renewal of an existing bituminous surface mine and associated NPDES permit in Irwin Township, **Venango County**, affecting 111.0 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek. This renewal is issued for reclamation only. Application received: August 27, 2018. Permit Issued: October 30, 2018.

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

**Permit No. 40-18-01. Keystone Reclamation Fuel Management, LLC**, (67 Park Place East, Morristown, NJ 07960), Government Finance Construction Contract issued for reclamation of abandoned mine lands in Swoyersville Borough, **Luzerne County** affecting 24.75 acres, receiving streams: Toby Creek Watershed and Abraham Creek Watershed. Application received: February 2, 2018. GFCC issued: October 31, 2018.

**Permit No. PAM118004. Keystone Reclamation Fuel Management, LLC**, (67 Park Place East, Morristown, NJ 07960), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on GFCC No. 40-18-01 in Swoyersville Borough, **Luzerne County**, receiving streams: Toby Creek Watershed and Abraham Creek Watershed. Application received: February 2, 2018. GFCC issued: October 31, 2018.

**Permit No. 40-305-018GP12. Keystone Reclamation Fuel Management, LLC**, (67 Park Place East, Morristown, NJ 07960), general operating permit to operate a coal preparation plant on GFCC No. 40-18-01 in Swoyersville Borough, **Luzerne County**. Application received: May 24, 2018. Permit issued: October 31, 2018.

### Noncoal Permits Issued

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

**20060805. Arthur E. Mook** (21610 North Mosiertown Road, Saegertown, PA 16433). Final bond release for a small industrial minerals surface mine in Cussewago Township, **Crawford County**. Restoration of 2.0 acres completed. Receiving streams: Unnamed tributary to Cussewago Swamp. Application Received: July 30, 2018. Final bond release approved: October 26, 2018.

**20080301. Kosturick Construction, LLC** (8565 State Highway 285, Conneaut Lake, PA 16316) Transfer of an

existing large industrial minerals mine from Andrew M. Kosturick in East Fallowfield Township, **Crawford County**, affecting 41.6 acres. Receiving streams: Unnamed tributary to McDowell Run and unnamed tributary to Crooked Creek. Application received: January 29, 2018. Permit Issued: October 30, 2018.

**PAM618009. Kosturick Construction, LLC** (8565 State Highway 285, Conneaut Lake, PA 16316) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20080301 in East Fallowfield Township, **Crawford County**. Receiving streams: Unnamed tributary to McDowell Run and unnamed tributary to Crooked Creek. Application received: January 29, 2018. Permit Issued: October 30, 2018.

**43182802. Advanced Contracting & Cartage, Inc.** (4572 Greenville Sandy Lake Road, Stoneboro, PA 16153) Commencement, operation and restoration of a small industrial minerals mine in Lake Township, **Mercer County**, affecting 5.5 acres. Receiving streams: Unnamed tributary to Shenango River. Application received: August 9, 2018. Permit Issued: October 30, 2018.

**PAM618055. Advanced Contracting & Cartage, Inc.** (4572 Greenville Sandy Lake Road, Stoneboro, PA 16153) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 43182802 in Lake Township, **Mercer County**. Receiving streams: Unnamed tributary to Shenango River. Application received: August 9, 2018. Permit Issued: October 30, 2018.

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

**Permit No. PAM113051R. Allan & Debra J. Wadge**, (9921 North Weston Road, Kingsley, PA 18826), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58130806 in Brooklyn Township, **Susquehanna County**, receiving stream: Hop Bottom Creek. Application received: April 18, 2018. Renewal issued: October 31, 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*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

**04184102. Wampum Hardware Co.** (363 Paden Rd., New Galilee, PA 16141-2018) Blasting activity permit for commercial development in Economy Borough, **Beaver County**. This blasting activity permit expires on December 31, 2018. Permit Issued: October 22, 2018.

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

**Permit No. 36184138. J Roy's, Inc.**, (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Elite Coach in Ephrata Township, **Lancaster County** with an expiration date of October 23, 2019. Permit issued: October 30, 2018.

**Permit No. 67184119. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Industrial Services & Installation, Inc. in Manchester Township, **York County** with an expiration date of October 11, 2019. Permit issued: October 30, 2018.

**Permit No. 67184120. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Briarcliff in Fairview Township, **York County** with an expiration date of October 23, 2019. Permit issued: November 1, 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**

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E46-1166. Whitpain Township**, 960 Wentz Road, Blue Bell, PA 19422, Whitpain Township, **Montgomery County**, ACOE Philadelphia District.

To stabilize, restore, construct, and maintain approximately 2,100 LF of the stream bank of Wissahickon Creek associated with Cedarbrook Country Club. The work will include flood relief channel, coir-fiber logs (biologs), jute fabrics, rock vanes, peaked stone toe protections and stream bank plantings.

The site is located at Cedarbrook Country Club near the intersection of Norristown Road and Penllyn Pike (Ambler; Lansdale USGS Map, Latitude: 40.164805, Longitude: -75.2452).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-787. County of Chester—Dept. of Facilities and Parks**, 313 West Market Street, Suite 5402, P.O. Box 2748, West Chester, PA 19380-0991, North and East Coventry Townships, **Chester County**, ACOE Philadelphia District.

To amend, construct, repair and maintain the existing Schuylkill River Trail Project Joint Permit Application extending 9.62 Miles from Township Line Road (East Pikeland Twp.) and running Parallel to the Schuylkill River to a terminus at the SR 422 Bridge over the Schuylkill River. The new Trail construction (Section 2, 3, 4 and 5) will include the construction of 14-foot-wide, 3.86 miles long paved trail in and along the 100 year floodplain of the Schuylkill River located on the existing railroad bed, existing canal towpath, Towpath Path Park, and private property; a new 24 ft. by 14 ft. by 7 ft. precast concrete arch bridge and 5 additional minor stream crossings of unnamed tributaries to the Schuylkill River, impacting 1.4 Acre of the floodway and 4.0 Acres of the floodplain. No net fill is proposed for this project.

This Project is for Phase II, which extends from Linfield Road to SR 422, located in East and North Coventry Townships (Phoenixville, PA USGS Quadrangle, Latitude: 40.174889; Longitude: -77.542311).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-898: East Goshen Township**, 1580 Paoli Pike, West Chester, PA 19380-6199, East Goshen Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain approximately 6,750 feet-long shared use pedestrian path along the Paoli Pike partially within the floodway/floodplain of the Unnamed Tributary (UNT) to Ridley Creek (HQ—TSE, MF) associated with the Paoli Pike Shared Use Path Project. The pedestrian path will also cross over the UNT to Ridley Creek on the existing Paoli Pike Bridge.

The site is located around the existing Paoli Pike Bridge (USGS West Chester, PA Quadrangle Latitude 39.992470; Longitude -75.547408).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E23-536. Newtown Township Delaware County Municipal Authority (NTMA)**, 209 Bishop Hollow Road, Newtown Square, PA 19073-3219, Newtown Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain an extension of an existing public network of gravity Sanitary sewer collection pipes, pump stations, and force mains, including seventeen (17) stream crossings of Lewis Run, nine (9) stream crossings of an unnamed tributary to Lewis Run, two (2) crossings of Crum Creek, Eight (8) crossings of an unnamed tributary to Crum Creek (HQ—CWF, MF), for the purpose of providing sewer service within the overall Central Delaware County Authority a.k.a. "Ashford service area public Sewer Expansion Project."

The site is located near Echo Valley Lane and extends through South of Goshen Road (Valley Forge and Media USGS Map; Latitude: 39.992081; Longitude: -75.43954).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E23-545. Danbro LP**, 3700 S. 26th Street, Philadelphia, PA 19145, Chester Township, **Delaware County**, ACOE Philadelphia District.

To construct, regrade, and maintain approximately 805 LF of an existing drainage channel in and along the unnamed tributary of Chester Creek (WWF) impacting approximately 0.028 acre of wetland. Work will include the rehabilitation and the construction of series of pools connected by short pipe runs and constructing a culvert from the discharge point of the pool system. The site is located near the intersection of Concord Road and Sunfield Drive (Marcus Hook, PA, USGS Quadrangle Map, Latitude: 39.852270; Longitude: -75.400227).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E06-717: Mr. Paul Corrigan, DTE Midstream Appalachia, LLC**, 333 Technology Drive, Suite 255, Canonsburg, PA 15317 in Birdsboro Borough & Union, Amity, Oley, and Rockland Townships, **Berks County**, U.S. Army Corps of Engineers Philadelphia.

To install and maintain approximately 13.2-mile-long, 12-inch pipeline and appurtenant structures. The project impacts in Berks County include a total of 1,051 linear feet of permanent impacts to the Schuylkill River (WWF, MF), three (3) Unnamed Tributaries to the Schuylkill River (WWF, MF), nineteen (19) Unnamed Tributaries to Monocacy Creek (WWF, MF), two (2) crossings of Monocacy Creek (WWF, MF), four (4) Unnamed Tributaries to Manatawny Creek (CWF, MF), Little Manatawny Creek (CWF, MF), and an Unnamed Tributary to Little Manatawny Creek (CWF, MF), and 2.07 acres of floodway impacts, and temporarily impact 0.62 acre of floodway; 2.39 acres of permanent impacts to PEM, PFO, and PSS wetland(s), and temporarily impact 0.1 acre of EV PEM wetland. 1.07 acre of PFO and PSS wetland conversion to PSS and PEM is proposed in Berks County which will be offset by plantings and enhancement of 3.72 acres of EV PEM wetland adjacent to Bieber Creek in Oley and Pike Townships, Berks County to mitigate for the conversion of PSS and PFO wetlands. The proposed project impacts in

this permit application are associated with a proposed transmission pipeline project extending approximately 13.2 miles in Pennsylvania between Birdsboro Borough, Berks County, PA and Rockland Township, Berks County, PA. The permit was issued on October 30, 2018.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.*

**E41-695 McIntyre Township Supervisors**, 47 Thompson Street, Ralston, PA 17763. T-665 Pleasant Stream Road, Pleasant Stream Bridge Replacement, McIntyre Township, **Lycoming County**, Baltimore ACOE (Bodines, PA Quadrangle N: 41° 29' 16"; W: -76° 56' 26").

McIntyre Township Supervisors propose to replace a Single Span Steel I-Beam Bridge with a Single Span Pre-Stressed Concrete Spread Box Beam Bridge, which will be located approximately 55 Ft. downstream of the existing structure. The existing bridge has a span of 39.7 Ft., a skew of 80 degrees, an underclearance of 8.0 Ft., and a low chord of 937.52 Ft. and a hydraulic opening of 338 Ft<sup>2</sup>. The proposed bridge has a span of 49.6 Ft., a skew of 60 degrees, an underclearance of 7.61 Ft., and a low chord of 935.78 Ft. and a hydraulic opening of 348 Ft<sup>2</sup>. The proposed structure will utilize Grouted R-8 Rip Rap, choked with R-4 Rip Rap scour protection around the abutments and wing walls. The area disturbed from removing the existing structure and the stream banks between the existing and proposed structure will be stabilized with grouted R-8 Rip Rap, choked with R-4 Rip Rap. The existing structure will be utilized to convey traffic during construction. The project will not impact any jurisdictional wetlands. Pleasant Stream is classified as an Exceptional Value Stream by Title 25, Chapter 93 Water Quality Standards and a Stocked and Wild Trout Stream by PA Fish and Boat Commission. The project will not require mitigation. This permit also includes 401 Water Quality Certification.

#### 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.

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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 # ESX16-129-0005 Major Revision  
Applicant Name Apex WML Midstream, LLC  
Contact Person JD McNally  
Address 6041 Wallace Road Ext., Suite 100  
City, State, Zip Wexford, PA 15090  
County Westmoreland County  
Township(s) Hempfield Township  
Receiving Stream(s) and Classification(s) UNTs of Little Sewickley Creek and Blackberry Pond (TSF)/Sewickley Creek Watershed; UNTs to Bruch Creek (TSF)/Turtle Creek Watershed  
Secondary Receiving Water—Little Sewickley Creek and Turtle Creek (TSF)

ESCGP-2 # ESX18-059-0021  
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 South Fork Dunkard Fork and South Fork Dunkard Fork (TSF)/Wheeling Creek Watershed  
Secondary Receiving Water—Dunkard Fork (WWF)

ESCGP-2 # ESX14-059-0041  
Applicant Name EQT Production Company  
Contact Person Todd Klaner  
Address 2400 Ansys Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Greene County  
Township(s) Morgan Township  
Receiving Stream(s) and Classification(s) UNTs to South Fork Tenmile Creek  
Secondary Receiving Water—South Fork Tenmile Creek (WWF)

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESX29-015-18-0046  
Applicant Name SWN Production Company, LLC  
Contact Person Nicki Atkinson  
Address 917 S.R. 92 Nort  
City, State, Zip Tunkhannock, PA 18657  
County Bradford  
Township(s) Herrick and Orwell Twps.  
Receiving Stream(s) and Classification(s) UNT to Johnson Creek (CWF, MF), UNT to Rummerfield Creek (WWF, MF)  
Secondary: Rummerfield Creek and Johnson Creek

ESCGP-2 # ESG29-105-18-0002(01)  
Applicant Name JKLM Energy, LLC  
Contact Person Scott C. Blauvelt  
Address 2200 Georgetowne Drive, Suite 500  
City, State, Zip Sewickley, PA 15143  
County Potter  
Township(s) Hector  
Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) UNT to California Creek (HQ-CWF), and (2) UNTs to Lehman Hollow (HQ-CWF).  
Secondary Watershed(s): (1) California Creek (HQ-CWF), and (2) Lehman Hollow (HQ-CWF).

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**SPECIAL NOTICES**


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**Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of October 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 as follows to perform radon-related activities in this Commonwealth. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in this Commonwealth 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>
John Bertone	420 William Street Downingtown, PA 19335	Testing
John Biegalski	312 Glenn Rose Circle King of Prussia, PA 19406	Testing
William Cummins	2505 Warm Springs Avenue Huntingdon, PA 16652	Testing
Rick DeShong	P.O. Box 145 Rouzerville, PA 17250	Testing & Mitigation
Keenan Gehman Spotlight Home Inspection, LLC	P.O. Box 75 Perkiomenville, PA 18074	Testing
Richard Graff, Jr.	606 Pritchard Drive Newtown Square, PA 19073	Testing
Jason Greenawalt VBIInspections.com, Inc.	3268 Waltham Avenue Pittsburgh, PA 15216	Testing
Shawn Haney	590 Centerville Road, # 173 Lancaster, PA 17601	Testing
Stephen Murphy	104 Great Oak Drive Lincoln University, PA 19352	Testing
Randolph Payne	5333 Spring Valley Drive Pittsburgh, PA 15236	Testing
Joseph Schwab	3 Vellan Drive Bear, DE 19701	Testing
Mark Shanley	55 Country Acres Drive Kunkletown, PA 18058	Testing
Kerry Staudt	306 Dogwood Lane Womelsdorf, PA 19567	Testing
John Urenovitch	75 South Hunter Highway Drums, PA 18222	Testing
Diana Vaccarello	P.O. Box 373 Murrysville, PA 15668	Testing
Virtus Group (The)	7050 Allentown Boulevard Suite 6 Harrisburg, PA 17112	Testing

[Pa.B. Doc. No. 18-1794. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

*Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

*Draft TGD: Substantive Revision*

**DEP ID:** 393-0300-001. **Title:** Lead and Copper—A Working Guide to the Lead and Copper Rule. **Description:** The regulations in 25 Pa. Code Chapter 109 (relating to safe drinking water) that were amended in August 2002 and December 2010 to incorporate the Federal Lead and Copper Rule (LCR) minor revisions and short-term revisions. This document provides guidance to public water systems to assist in compliance with the key provisions of the LCR. All sections have been revised to include the 2002 minor revisions and the 2010 short-term revisions. Additionally, Chapter 109 citations have been included throughout this document.

**Written Comments:** Interested persons may submit written comments on this draft TGD by January 2, 2019. All comments, including comments submitted by e-mail must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail at [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

**Contact:** Questions regarding this TGD should be directed to Deborah Rotz at [drotz@pa.gov](mailto:drotz@pa.gov) or (717) 705-6352.

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

*Draft TGD: New Guidance*

**DEP ID:** 393-3301-008. **Title:** Water Quality Parameter Reporting Instructions for the Lead and Copper Rule. **Description:** The guidance is necessary because:

1. The new Technical Guidance Manual *Water Quality Parameter Reporting Instructions for the Lead and Copper Rule* provides uniform and detailed instructions for the reporting of public drinking water monitoring results to the Department. The primary objective of the LCR is to control lead and copper levels in public drinking water systems through a treatment technique for corrosion control. An action level (AL) represents a level at which the system must take additional action to reduce lead or copper levels. Treatment technique requirements are triggered when an AL for lead or copper is exceeded. Systems exceeding either the lead or copper AL are required to install Optimal Corrosion Control Treatment, source water treatment or both. Large systems and those small/medium systems that exceed an AL are required to monitor for Water Quality Parameters (WQP).

2. Laboratories and Public Water Systems must now report data electronically, according to 25 Pa. Code Chapter 109.810 (relating to reporting and notification requirements). The new Technical Guidance also provides instructions for submitting WQPs under the LCR into Drinking Water Electronic Lab Reporting System by the Safe Drinking Water Act forms for reporting. In addition, the *Water Quality Parameter Reporting Instructions for the Lead and Copper Rule* Technical Guidance introduces a table containing newer Department approved/accepted methods for WQPs.

**Written Comments:** Interested persons may submit written comments on this draft TGD by January 2, 2019.

All comments, including comments submitted by e-mail must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail at [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments should be submitted to Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

**Contact:** Questions regarding this TGD should be directed to Pauline Risser at [parisser@pa.gov](mailto:parisser@pa.gov) or (717) 772-5970.

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1795. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Cleanup Standards Scientific Advisory Board Meeting Cancellation

The December 6, 2018, meeting of the Cleanup Standards Scientific Advisory Board (Board) has been cancelled. The next Board meeting will be scheduled for early 2019.

Questions should be directed to Troy Conrad at [tconrad@pa.gov](mailto:tconrad@pa.gov) or (717) 783-9480. The agenda and meeting materials for the next Board meeting will be available on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-3429 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. 18-1796. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Final Pennsylvania's Solar Future Plan; Comment Response

Finding Pennsylvania's Solar Future is a 2017—2019 Statewide planning project led by the Department of Environmental Protection's (Department) Energy Programs Office to help this Commonwealth to produce more solar energy by 2030. The project is funded by an award from the United States Department of Energy.

Pennsylvania's Solar Future Plan (Plan) set out to explore if this Commonwealth has both the technical and economic potential to increase solar generation to a point where a target of 10% of electric consumption can be provided by in-State solar generation by 2030. In addition, the project team explored how that target could be reached, while identifying the economic, environmental and health benefits. There was an effort to engage interested stakeholders and recognize the likely pathways to achieving that target, as well as model the economic and environmental benefits to different sectors across this Commonwealth.

The Plan, the primary deliverable of the project, includes extensive modeling of multiple solar growth scenarios to 2030, as well as 15 strategies that could lead this Commonwealth to increasing solar to 10% of electric consumption. The strategies, developed and discussed by the project team and stakeholder group, were identified

as the most impactful actions that will lead to significant, and equitable, growth of the solar industry in this Commonwealth.

The Department released the draft Plan on July 7, 2018. The Department received comments from 138 commentators from July 7, 2018, through August 20, 2018. The Department considered each comment and made adjustments to the draft accordingly. The final Plan and the comment response document can be found at <http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=25782>.

Questions regarding this Plan should be directed to David Althoff at [dalthoff@pa.gov](mailto:dalthoff@pa.gov) or (717) 783-0542.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1797. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Stream Evaluation of Bear Creek (Carbon County) and Tributaries to Nesquehoning Creek and Mahoning Creek (Carbon County); Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the stream sections listed to determine the proper aquatic life use designation in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary to</i>
Bear Creek (04123)	Carbon	Lehigh River
Jeans Run (04101)	Carbon	Nesquehoning Creek
Broad Run (04111)	Carbon	Nesquehoning Creek
Dennison Run (04113)	Carbon	Nesquehoning Creek
Bear Creek (04115)	Carbon	Nesquehoning Creek
Grassy Meadow Run (04117)	Carbon	Nesquehoning Creek
Stewart Creek (04040)	Carbon	Mahoning Creek
Unnamed Tributary (UNT) to Mahoning Creek (04055)	Carbon	Mahoning Creek
UNT to Mahoning Creek (04060)	Carbon	Mahoning Creek

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in the evaluation. These evaluations may lead to recommendations to the Environmental Quality Board for redesignation.

Data should be submitted to Mark Brickner, Division of Water Quality, Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774, or [mbrickner@pa.gov](mailto:mbrickner@pa.gov). Data should be submitted by December 17, 2018. Any data submitted must include the originator's name and address.

For further information, contact Mark Brickner at [mbrickner@pa.gov](mailto:mbrickner@pa.gov) or (717) 787-9637. Persons with a disability may use the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-1798. Filed for public inspection November 16, 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 § 201.18(e) (relating to management):

UPMC McKeesport Long Term Care Facility  
1500 Fifth Avenue  
McKeesport, PA 15132  
FAC ID # 650402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions), specifically the definition of “nurse aides”:

Cambria Care Center  
429 Manor Drive  
Ebensburg, PA 15931  
FAC ID # 035702

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. 18-1799. Filed for public inspection November 16, 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 Tuesday, December 4, 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 updates from the Bureau of Family Health (Bureau) on the Natus Phase 3 Implementation, the NewSTEPs 360 Improving Timeliness in Newborn Screening Grant, the NewSTEPs Site Visit Report and the Vital Records Match. The Lysosomal Storage

Disorders/X-ALD, Cystic Fibrosis, Critical Congenital Heart Defects and Spinal Muscular Atrophy subcommittees will provide updates and the Bureau will provide data related to these disorders.

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 V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 18-1800. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Statewide Quality Care Assessment Program for Fiscal Years 2018-2019 through 2022-2023

This notice describes the continuation of the Statewide Quality Care Assessment Program (Program) from Fiscal Year (FY) 2018-2019 through 2022-2023, as provided for by the act of June 22, 2018 (P.L. 258, No. 40) (Act).

#### Background

Article VIII-G of the Human Services Code (law)<sup>1</sup> authorizes the Department of Human Services (Department) to implement the Program beginning July 1, 2010. Under the law, the Department imposes a monetary assessment on all licensed hospitals in this Commonwealth other than certain exempt hospitals.<sup>2</sup> See 62 P.S. §§ 801-G—816-G.

#### Discussion

The Act amended Article VIII-G of the law. The Act extended the Program through FY 2022-2023, added “net outpatient revenue” as a factor in calculating the assessments, allows the Secretary of Human Services to establish a new base level for net inpatient and net outpatient revenue amounts for the purposes of calculating the annual assessments owed on or after July 1, 2018, requires the Department to prepare a revenue reconciliation report on the restricted account that contains the assessment revenues and provides that any positive balance remaining in the restricted account in excess of \$10 million annually, which is not used by the Commonwealth to obtain Federal matching funds and paid out for hospital payments, shall be factored into the calculation of a new assessment rate by reducing the amount of hospital assessment funds that must be generated during

<sup>1</sup> Article VIII-G was added to the law by the act of July 9, 2010 (P.L. 336, No. 49), re-enacted by the act of July 9, 2013 (P.L. 369, No. 55) and amended by the act of December 28, 2015 (P.L. 500, No. 92).

<sup>2</sup> The following hospitals are exempt from the assessment: (1) Federal veterans’ affairs hospitals; (2) hospitals that provide care, including inpatient hospital services, to all patients free of charge; (3) private psychiatric hospitals; (4) State-owned psychiatric hospitals; (5) critical access hospitals; (6) long-term acute care hospitals; and (7) free-standing acute care hospitals organized primarily for the treatment of and research on cancer in which at least 30% of the inpatient admissions had cancer as the principal diagnosis based on Pennsylvania Health Care Cost Containment Council calendar year 2014 inpatient discharge data. For the purposes of meeting the definition of (7), only discharges with ICD-9-CM principal diagnoses codes of 140 through 239, V58.0, V58.1, V66.1, V66.2 or 990 are considered. 62 P.S. § 801-G.



the next fiscal year in which the Department is able to calculate a new rate, or the funds remaining in the restricted account shall be refunded to the covered hospital that paid the assessment in proportion to the covered hospital's assessment amount paid in the fiscal year.

The Act set the assessment percentage rate under the Program for FY 2018-2019 as 2.98% of the net inpatient revenue of the covered hospital and 1.55% of the net outpatient revenue of the covered hospital.<sup>3</sup> Subject to conditions specified in 62 P.S. § 813-G, the Department intends to use the revenue derived from this assessment to make medical assistance payment to hospitals in accordance with 62 P.S. § 805-G.

#### *Fiscal Impact*

The Department estimates that the FY 2018-2019 assessment for nonexempt hospitals will total \$929.451 million. The Department estimates that the FY 2019-2020 through FY 2022-2023 assessment for nonexempt hospitals will total \$1,036.063 million annually.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,  
*Secretary*

**Fiscal Note:** 14-NOT-1289. (1) General Fund; (2) Implementing Year 2018-19 is -\$929,000,000,000; (3) 1st Succeeding Year 2019-20 through 4th Succeeding Year 2022-23 are -\$1,036,000,000; 5th Succeeding Year 2023-24 is \$0; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption.

[Pa.B. Doc. No. 18-1801. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$300,000 Crossword Explosion Instant Lottery Game 1374

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 \$300,000 Crossword Explosion (hereinafter “\$300,000 Crossword Explosion”). The game number is PA-1374.

<sup>3</sup> The act of June 22, 2018 (P.L. 258, No. 40) also specifies that, for FYs 2019-2020, 2020-2021, 2021-2022 and 2022-2023, the assessment percentage rate under the Statewide Quality Care Assessment Program will be 3.32% of the net inpatient revenue of the covered hospital and 1.73% of the net outpatient revenue of the covered hospital. The Secretary of Human Services may adjust the assessment percentages for all or part of a fiscal year. 62 P.S. § 803-G.

2. *Price:* The price of a \$300,000 Crossword Explosion instant lottery game ticket is \$10.

3. *Play Symbols:* Each \$300,000 Crossword Explosion instant lottery game ticket will feature a “YOUR LETTERS” area, two crossword puzzle play grids, known as “GRID 1” and “GRID 2” respectively, a “BONUS WORDS” area and a “BOOM PRIZE” area. Both “GRID 1,” and “GRID 2,” as well as the “BONUS WORDS” area and the “BOOM PRIZE” area are each played separately. The play symbols located in the “YOUR LETTERS” area are: the letters A through and including Z. The play symbols located in “GRID 1” and “GRID 2” are: the letters A through and including Z; and a Paint Splatter symbol. The Paint Splatter symbol is a free space and when it appears in a winning combination of words, the prize is multiplied by 5X. The play symbols located in the “BONUS WORDS” area are: the letters A through and including Z. The play symbols and their captions located in the “BOOM PRIZE” area are: Bomb (NO BONUS) symbol, Rocket (TRY AGAIN) symbol, Firecracker (NO BONUS) symbol, TNT (TRY AGAIN) symbol, Dynamite (NO BONUS) symbol and a \$100 BURST (WIN100) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the prize areas of the “BONUS WORDS” play area are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$200 (TWO HUN).

5. *Prizes:* The prizes that can be won in “GRID 1” are: \$10, \$20, \$40, \$100, \$200, \$400, \$1,000, \$10,000 and \$30,000. The prizes that can be won in “GRID 2” are: \$20, \$30, \$50, \$100, \$500, \$1,000, \$10,000, \$30,000 and \$300,000. The prizes that can be won in the “BONUS WORDS” area are: \$10, \$20, \$30, \$50, \$100 and \$200. The prize that can be won in the “BOOM PRIZE” area is: \$100. A player can win up to four times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the \$300,000 Crossword Explosion instant lottery game.

#### *7. Determination of Prize Winners:*

(a) Holders of tickets where the player completely matches ten words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets where the player completely matches ten words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets where the player completely matches nine words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets where the player completely matches nine words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets where the player completely matches eight words in “GRID 2,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets where the player completely matches eight words in “GRID 1,” using only the letters found in the “YOUR LETTERS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets where the player completely matches seven words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets where the player completely matches six words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets where the player completely matches five words in "GRID 1," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets where the player completely matches five words in "GRID 2," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets where the player completely matches seven words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets where the player completely matches six words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets where the player completely matches three words in "GRID 2," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$150.

(o) Holders of tickets where the player completely matches three words in "GRID 1," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets where the player completely matches two words in "GRID 2," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets where the player completely matches five words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets where the player completely matches five words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets where the player completely matches two words in "GRID 2," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the

right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a \$100 BURST (WIN100) symbol appears in the "BOOM PRIZE" area, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets where the player completely matches four words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets where the player completely matches two words in "GRID 1," in which the winning combination contains a Paint Splatter symbol, using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets where the player completely matches four words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets where the player completely matches three words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$30.

(aa) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$30 (THIRTY) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets where the player completely matches three words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets where the player completely matches two words in "GRID 2," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets where the player completely matches two words in "GRID 1," using only the letters found in the "YOUR LETTERS" area, on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets where the player matches a word in the "BONUS WORDS" play area, using only the letters found in the "YOUR LETTERS" area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of the matching "BONUS WORDS" play area, on a single ticket, shall be entitled to a prize of \$10.

#### 8. Game Play Instructions for the \$300,000 Crossword Explosion Game are:

(a) The player shall scratch the "YOUR LETTERS" area to reveal 18 letters. For each of the 18 letters revealed in the "YOUR LETTERS" area, the player shall

rub the same letter each time it is found in “GRID 1,” “GRID 2” and the “BONUS WORDS” play areas, revealing a white background.

(b) When a player reveals two or more entire words in “GRID 1” or “GRID 2,” or when a player reveals one entire word in the “BONUS WORDS” area, the player is entitled to win a prize as described in Section 7.

(c) Only the highest prize won in each “GRID” will be paid if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

(d) For purposes of this game, a word must contain at least three letters and cannot be formed by linking letters diagonally or by reading the letters from the bottom to the top.

(e) Every single letter square of a word must be matched and letters combined to form a word must appear in an unbroken horizontal or vertical string of letters in the “GRID 1,” “GRID 2” and the “BONUS

WORDS” play areas. There will only be one word in an unbroken horizontal or vertical string of letters.

(f) Every single letter in the unbroken string must be revealed in the “YOUR LETTERS” area and must be included to form a word.

(g) The possible complete words for each ticket in the game are shown on the “GRID 1,” “GRID 2” and the “BONUS WORDS” areas. The player must match all of the letters in a possible complete word in order to complete the word.

(h) After the player has scratched “GRID 1,” “GRID 2” and the “BONUS WORDS” areas, the player shall scratch the “BOOM PRIZE” area. If the player reveals a \$100 BURST (WIN100) symbol, the player is entitled to win a prize as described in Section 7.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>GRID 1 Win With:</i>	<i>GRID 2 Win With:</i>	<i>BONUS WORDS Win With:</i>	<i>BOOM PRIZE Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
		\$10 w/ BONUS WORD		\$10	20	540,000
2 WORDS				\$10	10	1,080,000
		\$20 w/ BONUS WORD		\$20	60	180,000
	2 WORDS			\$20	24	450,000
3 WORDS				\$20	30	360,000
2 WORDS	2 WORDS	\$10 w/ BONUS WORD		\$40	150	72,000
	3 WORDS	\$10 w/ BONUS WORD		\$40	150	72,000
4 WORDS				\$40	300	36,000
3 WORDS	2 WORDS	\$10 w/ BONUS WORD		\$50	300	36,000
3 WORDS		\$30 w/ BONUS WORD		\$50	600	18,000
4 WORDS		\$10 w/ BONUS WORD		\$50	300	36,000
2 WORDS w/ PAINT SPLATTER				\$50	120	90,000
	4 WORDS			\$50	300	36,000
3 WORDS	2 WORDS	\$20 w/ BONUS WORD		\$60	6,000	1,800
	4 WORDS	\$10 w/ BONUS WORD		\$60	6,000	1,800
4 WORDS	2 WORDS			\$60	6,000	1,800
			\$100 w/ \$100 BURST	\$100	300	36,000
		\$100 w/ BONUS WORD		\$100	1,200	9,000
2 WORDS w/ PAINT SPLATTER		\$50 w/ BONUS WORD		\$100	600	18,000

<i>GRID 1 Win With:</i>	<i>GRID 2 Win With:</i>	<i>BONUS WORDS Win With:</i>	<i>BOOM PRIZE Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
	2 WORDS w/ PAINT SPLATTER			\$100	285.71	37,800
	5 WORDS			\$100	1,200	9,000
5 WORDS				\$100	1,200	9,000
2 WORDS w/ PAINT SPLATTER	4 WORDS		\$100 w/ \$100 BURST	\$200	3,000	3,600
	2 WORDS w/ PAINT SPLATTER		\$100 w/ \$100 BURST	\$200	3,000	3,600
3 WORDS w/ PAINT SPLATTER			\$100 w/ \$100 BURST	\$200	4,000	2,700
6 WORDS				\$200	12,000	900
6 WORDS	3 WORDS w/ PAINT SPLATTER	\$50 w/ BONUS WORD	\$100 w/ \$100 BURST	\$500	4,000	2,700
7 WORDS			\$100 w/ \$100 BURST	\$500	12,000	900
	5 WORDS w/ PAINT SPLATTER			\$500	4,000	2,700
5 WORDS w/ PAINT SPLATTER				\$500	12,000	900
	6 WORDS			\$500	12,000	900
6 WORDS	5 WORDS w/ PAINT SPLATTER	\$200 w/ BONUS WORD	\$100 w/ \$100 BURST	\$1,000	24,000	450
7 WORDS	5 WORDS w/ PAINT SPLATTER		\$100 w/ \$100 BURST	\$1,000	12,000	900
5 WORDS w/ PAINT SPLATTER	5 WORDS w/ PAINT SPLATTER			\$1,000	24,000	450
	7 WORDS			\$1,000	24,000	450
8 WORDS				\$1,000	24,000	450
	8 WORDS			\$10,000	1,080,000	10
9 WORDS				\$10,000	1,080,000	10
	9 WORDS			\$30,000	1,080,000	10
10 WORDS				\$30,000	1,080,000	10
	10 WORDS			\$300,000	1,080,000	10

Scratch each "PAINT SPLATTER" symbol that appears in either crossword grid. Each "PAINT SPLATTER" symbol is a free spot. When a "PAINT SPLATTER" symbol appears in any winning combination of words, win 5 times the corresponding prize found in the prize legend for that grid.

**BONUS WORDS:** When you completely match one entire BONUS WORD using the YOUR LETTERS, win prize shown to the right of that BONUS WORD. BONUS WORDS are played separately.

**BOOM PRIZE:** Reveal a "\$100 BURST" (WIN100) symbol, win \$100 instantly! BOOM PRIZE is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$300,000 Crossword Explosion instant lottery game tickets.

11. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

12. *Unclaimed Prize Money:* For a period of 1 year from the announced close of \$300,000 Crossword Explosion, prize money from winning \$300,000 Crossword Explosion 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 \$300,000 Crossword Explosion instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

13. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

14. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$300,000 Crossword Explosion or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1802. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$3 Million Cash Instant Lottery Game 1373

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 \$3 Million Cash (hereinafter “\$3 Million Cash”). The game number is PA-1373.

2. *Price:* The price of a \$3 Million Cash instant lottery game ticket is \$30.

3. *Play Symbols:* Each \$3 Million Cash instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BONUS GAME” area. The “BONUS GAME” 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 (TWYNIN), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY). 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), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FRTY), CASH (CASH) symbol, 30X (30TIMES) symbol, \$30K (WIN30K) symbol and VAULT (WINALL) symbol. The “YOUR NUMBERS” and “WINNING NUMBERS” play symbols and their captions located in the “BONUS GAME” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT).

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$300 (THR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$3,000 (THR THO), \$30,000 (TRY THO), \$250,000 (TWHNFYTH) and \$3MILL (THR MIL). The prize symbols and their captions located in the “BONUS GAME” area are: \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$300 (THR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$3,000 (THR THO).

5. *Prizes:* The prizes that can be won in this game are: \$30, \$40, \$50, \$100, \$200, \$300, \$500, \$1,000, \$3,000, \$30,000, \$250,000 and \$3,000,000. The prizes that can be won in the “BONUS GAME” area are: \$30, \$40, \$50, \$100, \$200, \$300, \$500, \$1,000 and \$3,000. A player can win up to 30 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the \$3 Million Cash 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 \$3MILL (THR MIL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3,000,000. 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 \$250,000 (TWHNFYTH) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(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 \$30,000 (TRY THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$30K (WIN30K) symbol, and a prize symbol of \$30,000 (TRY THO) appears in the “prize” area under that \$30K (WIN30K) symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a VAULT (WINALL) symbol, and a prize symbol of \$3,000 (THR THO) appears in five of the “prize” areas, a prize symbol of \$1,000 (ONE THO) appears in ten of the “prize” areas and a prize symbol of \$500 (FIV HUN) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$30,000.

(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 \$3,000 (THR THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$3,000 (THR THO) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a 30X (30TIMES) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that 30X (30TIMES) symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(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 \$3,000 (THR THO) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a VAULT (WINALL) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in all twenty five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$300 (THR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$300 (THR HUN) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$300.

(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 \$300 (THR HUN) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$300.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(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 \$200 (TWO HUN) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol

of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(cc) 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<sup>00</sup> (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.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(ee) 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<sup>00</sup> (FORTY) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(gg) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CASH (CASH) symbol, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$30.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “BONUS GAME” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

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 6,000,000 Tickets:</i>
	\$30 w/ BONUS	\$30	30	200,000
\$30 w/ CASH		\$30	15	400,000
\$30		\$30	30	200,000
	\$40 w/ BONUS	\$40	60	100,000
\$40 w/ CASH		\$40	60	100,000
\$40		\$40	60	100,000
	\$50 w/ BONUS	\$50	30	200,000
\$50 w/ CASH		\$50	20	300,000
\$50		\$50	60	100,000
\$50 × 2		\$100	300	20,000
\$30 × 2	\$40 w/ BONUS	\$100	300	20,000
\$50	\$50 w/ BONUS	\$100	150	40,000
\$30 w/ CASH	(\$40 w/ BONUS) + (\$30 w/ BONUS)	\$100	150	40,000
\$50 w/ CASH	\$50 w/ BONUS	\$100	150	40,000
	\$100 w/ BONUS	\$100	100	60,000
\$100 w/ CASH		\$100	100	60,000

<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 6,000,000 Tickets:</i>
\$100		\$100	300	20,000
\$40 × 5		\$200	24,000	250
\$50	(\$30 w/ BONUS) × 5	\$200	12,000	500
\$50 × 3	\$50 w/ BONUS	\$200	12,000	500
\$100	\$100 w/ BONUS	\$200	12,000	500
\$50 × 2	(\$50 w/ BONUS) × 2	\$200	12,000	500
(\$50 w/ CASH) × 2	(\$40 w/ BONUS) + ((\$30 w/ BONUS) × 2)	\$200	12,000	500
\$100 w/ CASH	(\$50 w/ BONUS) × 2	\$200	24,000	250
(\$50 w/ CASH) × 4		\$200	24,000	250
	\$200 w/ BONUS	\$200	12,000	500
\$200 w/ CASH		\$200	12,000	500
\$200		\$200	24,000	250
\$30 × 10		\$300	2,400	2,500
\$30 × 5	(\$100 w/ BONUS) + (\$50 w/ BONUS)	\$300	1,714.29	3,500
\$40 × 5	(\$50 w/ BONUS) × 2	\$300	2,400	2,500
\$50	(\$50 w/ BONUS) × 5	\$300	2,400	2,500
\$100 w/ CASH	(\$100 w/ BONUS) × 2	\$300	1,714.29	3,500
	\$300 w/ BONUS	\$300	2,400	2,500
\$300 w/ CASH		\$300	2,400	2,500
\$300		\$300	2,400	2,500
\$50 × 10		\$500	12,000	500
\$30 × 15	\$50 w/ BONUS	\$500	12,000	500
\$40 × 10	(\$50 w/ BONUS) × 2	\$500	12,000	500
\$50 × 6	(\$100 w/ BONUS) × 2	\$500	12,000	500
(\$30 w/ CASH) × 10	(\$40 w/ BONUS) × 5	\$500	4,000	1,500
(\$50 w/ CASH) + \$50	(\$100 w/ BONUS) × 4	\$500	4,000	1,500
	\$500 w/ BONUS	\$500	12,000	500
\$500 w/ CASH		\$500	12,000	500
\$500		\$500	12,000	500
VAULT w/ (\$40 × 25)		\$1,000	6,000	1,000
VAULT w/ (\$30 × 25)	(\$50 w/ BONUS) × 5	\$1,000	2,400	2,500
\$500 × 2		\$1,000	24,000	250
\$30 × 20	(\$100 w/ BONUS) × 4	\$1,000	24,000	250
\$30 w/ 30X	(\$50 w/ BONUS) × 2	\$1,000	1,600	3,750
\$30 w/ 30X	\$100 w/ BONUS	\$1,000	1,714.29	3,500
(\$500 w/ CASH) + (\$100 × 5)		\$1,000	24,000	250
	\$1,000 w/ BONUS	\$1,000	24,000	250
\$1,000 w/ CASH		\$1,000	24,000	250
\$1,000		\$1,000	24,000	250
VAULT w/ (\$100 × 25)	(\$100 w/ BONUS) × 5	\$3,000	600,000	10
VAULT w/ (\$50 × 25)	(((\$500 w/ BONUS) × 3) + (\$200 w/ BONUS) + (\$50 w/ BONUS))	\$3,000	300,000	20
\$300 × 10		\$3,000	1,200,000	5



<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 6,000,000 Tickets:</i>
\$1,000 × 3		\$3,000	1,200,000	5
\$100 × 15	(\$500 w/ BONUS) × 3	\$3,000	1,200,000	5
\$100 × 20	(\$200 w/ BONUS) × 5	\$3,000	1,200,000	5
(\$500 × 2) + (\$100 × 5)	(\$300 w/ BONUS) × 5	\$3,000	1,200,000	5
(\$500 w/ CASH) × 3	(\$300 w/ BONUS) × 5	\$3,000	1,200,000	5
	\$3,000 w/ BONUS	\$3,000	1,200,000	5
\$100 w/ 30X		\$3,000	600,000	10
\$3,000 w/ CASH		\$3,000	1,200,000	5
\$3,000		\$3,000	1,200,000	5
VAULT w/ ((\$3,000 × 5) + (\$1,000 × 10) + (\$500 × 10))		\$30,000	1,200,000	5
VAULT w/ (\$1,000 × 25)	(\$1,000 w/ BONUS) × 5	\$30,000	1,200,000	5
\$30,000 w/ \$30K SYMBOL		\$30,000	120,000	50
\$30,000		\$30,000	1,200,000	5
(((\$30,000 w/ \$30K SYMBOL) × 7) + (\$3,000 × 13))	(\$200 w/ BONUS) × 5	\$250,000	1,200,000	5
\$250,000		\$250,000	1,200,000	5
\$3,000,000		\$3,000,000	1,200,000	5

Reveal a "CASH" (CASH) symbol, win prize shown under that symbol automatically.

Reveal a "30X (30TIMES) symbol, win 30 times the prize shown under that symbol.

Reveal a "30K" (WIN30K) symbol, win \$30,000 instantly.

Reveal a "VAULT" (WINALL) symbol, win all 25 prizes shown!

**BONUS GAME:** When any of your numbers match the winning number, win bonus prize shown under the matching number. Bonus game is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$3 Million Cash 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 \$3 Million Cash, prize money from winning \$3 Million Cash 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 \$3 Million Cash 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 \$3 Million Cash or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1803. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Icy Hot 7s Instant Lottery Game 1376

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 Icy Hot 7s (hereafter “Icy Hot 7s”). The game number is PA-1376.

2. *Price:* The price of an Icy Hot 7s instant lottery game ticket is \$1.

3. *Play Symbols:* Each Icy Hot 7s instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6, (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), Flame (FLAME) symbol and a 7 Burst (WIN7) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$7<sup>.00</sup> (SVN DOL), \$10<sup>.00</sup> (TEN DOL), \$21<sup>.00</sup> (TWY ONE), \$35<sup>.00</sup> (TRY FIV), \$70<sup>.00</sup> (SVNTY), \$100 (ONE HUN), \$210 (TWOHUNTEN), \$700 (SVN HUN) and \$7,000 (SVN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$7, \$10, \$21, \$35, \$70, \$100, \$210, \$700 and \$7,000. The player can win up to 6 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Icy Hot 7s instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$7,000 (SVN THO) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$7,000.

(b) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$700 (SVN HUN) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$700.

(c) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$210 (TWOHUNTEN) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$210.

(d) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$100 (ONE HUN) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$70<sup>.00</sup> (SVNTY)

appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$70.

(f) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$35<sup>.00</sup> (TRY FIV) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$35.

(g) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$21<sup>.00</sup> (TWY ONE) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$21.

(h) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$7<sup>.00</sup> (SVN DOL) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$7.

(j) Holders of tickets with a 7 Burst (WIN7) symbol in the play area and a prize symbol of \$7<sup>.00</sup> (SVN DOL) appearing in the “prize” area under that 7 Burst (WIN7) symbol, on a single ticket, shall be entitled to a prize of \$7.

(k) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$3<sup>.00</sup> (THR DOL) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$3.

(m) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of \$1.

(o) Holders of tickets with a Flame (FLAME) symbol in the play area and a prize symbol of FREE (TICKET) appearing in the “prize” area under that Flame (FLAME) symbol, on a single ticket, shall be entitled to a prize of one Icy Hot 7s instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A Flame (FLAME) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
FREE	FREE \$1 TICKET	10.71	1,008,000
\$1	\$1	37.50	288,000
\$1 × 2	\$2	60	180,000
\$2	\$2	30	360,000
\$1 × 3	\$3	300	36,000
\$3	\$3	300	36,000
\$1 × 5	\$5	300	36,000
\$3 + \$2	\$5	300	36,000
\$5	\$5	300	36,000
(\$1 × 5) + \$2	\$7	750	14,400
\$7 w/ 7 BURST	\$7	85.71	126,000
\$7	\$7	3,000	3,600
\$5 × 2	\$10	1,500	7,200
\$7 + \$3	\$10	600	18,000
(\$7 w/ 7 BURST) + \$3	\$10	176.47	61,200
\$10	\$10	1,500	7,200
\$7 × 3	\$21	1,500	7,200
(((\$7 w/ 7 BURST) × 2) + \$5 + \$2)	\$21	1,500	7,200
(\$7 w/ 7 BURST) + (\$7 × 2)	\$21	750	14,400
\$21	\$21	1,500	7,200
\$7 × 5	\$35	12,000	900
(((\$7 w/ 7 BURST) × 3) + \$7 + \$5 + \$2)	\$35	4,000	2,700
(\$7 w/ 7 BURST) × 5	\$35	4,000	2,700
\$35	\$35	12,000	900
(\$7 × 5) + \$35	\$70	9,600	1,125
(((\$7 w/ 7 BURST) × 5) + \$35)	\$70	2,286	4,725
\$70	\$70	9,600	1,125
(\$10 × 3) + \$70	\$100	12,000	900
\$100	\$100	12,000	900
\$70 × 3	\$210	120,000	90
\$210	\$210	120,000	90
(\$210 × 2) + (\$100 × 2) + \$70 + \$10	\$700	120,000	90
\$700	\$700	120,000	90
\$7,000	\$7,000	1,080,000	10

Reveal a 7 Burst (WIN7) symbol, win \$7 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Icy Hot 7s 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 Icy Hot 7s, prize money from winning Icy Hot 7s 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 Icy Hot 7s 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 Icy Hot 7s or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1804. Filed for public inspection November 16, 2018, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Power Shot Multiplier Instant Lottery Game 1375

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 Power Shot Multiplier (hereinafter referred to as “Power Shot Multiplier”). The game number is PA-1375.

2. *Price:* The price of a Power Shot Multiplier instant lottery game ticket is \$5.

3. *Play Symbols:* Each Power Shot Multiplier instant lottery game ticket will contain one play area featuring 12 play symbols and their captions and a “Power Shot” area under each “Prize” area, containing one multiplier symbol. 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), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Stack of Cash (CASH) symbol. The multiplier symbols and their captions located in the “Power Shot” area under each “Prize” area are: 1X (PRIZE) symbol, 2X (2TIMES) symbol, 5X (5TIMES) symbol, 10X (10TIMES) symbol and 20X (20TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$75<sup>00</sup> (SVY FIV), \$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, \$15, \$20, \$25, \$40, \$50, \$75, \$100, \$200, \$500, \$1,000, \$5,000 and \$100,000. The player can win up to 12 times on the ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 12,000,000 tickets will be printed for the Power Shot Multiplier instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 1X (PRIZE) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$5,000 (FIV THO) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 1X (PRIZE) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 10X (10TIMES) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 1X (PRIZE) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 2X (2TIMES) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 5X (5TIMES) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 20X (20TIMES) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under that Stack of Cash (CASH) symbol and a 1X (PRIZE) multiplier symbol appears in the “Power Shot” area under that prize symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize



(bb) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under that Stack of Cash (CASH) symbol and a 1X (PRIZE) multiplier symbol appears in the "Power Shot" area under that prize symbol, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under that Stack of Cash (CASH) symbol and a 2X (2TIMES) multiplier symbol appears in the "Power Shot" area under that prize symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$15.

(ee) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize

symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under that Stack of Cash (CASH) symbol and a 1X (PRIZE) multiplier symbol appears in the "Power Shot" area under that prize symbol, on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under that Stack of Cash (CASH) symbol and a 2X (2TIMES) multiplier symbol appears in the "Power Shot" area under that prize symbol, on a single ticket, shall be entitled to a prize of \$10.

(gg) Holders of tickets upon which with a Stack of Cash (CASH) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A "STACK OF CASH" (CASH) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$5	\$5	10	1,200,000
\$5 × 2	\$10	150	80,000
\$5 w/ 2X	\$10	24	500,000
\$10	\$10	600	20,000
\$5 × 3	\$15	300	40,000
\$10 + \$5	\$15	600	20,000
(\$5 w/ 2X) + \$5	\$15	50	240,000
\$15	\$15	600	20,000
\$5 × 4	\$20	600	20,000
\$15 + \$5	\$20	600	20,000
(\$5 w/ 2X) × 2	\$20	300	40,000
\$10 w/ 2X	\$20	200	60,000
\$20	\$20	600	20,000
\$5 × 5	\$25	600	20,000
(\$10 × 2) + \$5	\$25	600	20,000
(\$10 w/ 2X) + \$5	\$25	300	40,000
\$5 w/ 5X	\$25	150	80,000
\$25	\$25	300	40,000
\$5 × 8	\$40	600	20,000
\$10 × 4	\$40	600	20,000
(\$5 w/ 5X) + (\$5 × 3)	\$40	600	20,000
\$20 w/ 2X	\$40	600	20,000
\$40	\$40	600	20,000
\$5 × 10	\$50	600	20,000
(\$10 w/ 2X) + (\$5 w/ 5X) + \$5	\$50	600	20,000
(\$20 w/ 2X) + (\$5 w/ 2X)	\$50	600	20,000
\$5 w/ 10X	\$50	200	60,000
\$10 w/ 5X	\$50	600	20,000
\$50	\$50	600	20,000

<i>Reveal A "STACK OF CASH" (CASH) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$25 × 3	\$75	2,400	5,000
(\$10 w/ 2X) + (\$15 × 3) + (\$5 × 2)	\$75	2,400	5,000
(\$20 w/ 2X) + (\$5 w/ 5X) + \$10	\$75	2,400	5,000
\$15 w/ 5X	\$75	2,000	6,000
\$75	\$75	2,400	5,000
\$10 × 10	\$100	120,000	100
(\$20 × 2) + (\$10 × 2) + (\$5 × 8)	\$100	120,000	100
(\$10 w/ 5X) + (\$5 w/ 10X)	\$100	120,000	100
\$5 w/ 20X	\$100	2,400	5,000
\$10 w/ 10X	\$100	24,000	500
\$50 w/ 2X	\$100	120,000	100
\$100	\$100	120,000	100
\$20 × 10	\$200	120,000	100
(\$50 × 2) + (\$10 × 10)	\$200	120,000	100
(\$50 w/ 2X) + (\$10 w/ 5X) + (\$5 w/ 10X)	\$200	40,000	300
(\$75 w/ 2X) + (\$10 w/ 5X)	\$200	120,000	100
\$10 w/ 20X	\$200	4,800	2,500
\$40 w/ 5X	\$200	40,000	300
\$100 w/ 2X	\$200	120,000	100
\$200	\$200	120,000	100
\$50 × 10	\$500	120,000	100
(\$200 × 2) + (\$100 × 10)	\$500	120,000	100
(\$20 w/ 20X) + (\$10 w/ 10X)	\$500	120,000	100
(\$75 w/ 2X) + (\$50 w/ 5X) + (\$10 w/ 10X)	\$500	120,000	100
\$25 w/ 20X	\$500	6,667	1,800
\$50 w/ 10X	\$500	120,000	100
\$500	\$500	120,000	100
\$100 × 10	\$1,000	1,200,000	10
(\$25 w/ 20X) × ((\$5 w/ 20X) × 5)	\$1,000	1,200,000	10
\$50 w/ 20X	\$1,000	1,200,000	10
\$200 w/ 5X	\$1,000	1,200,000	10
\$500 w/ 2X	\$1,000	1,200,000	10
\$1,000	\$1,000	1,200,000	10
\$500 w/ 10X	\$5,000	1,200,000	10
\$5,000	\$5,000	1,200,000	10
\$100,000	\$100,000	1,200,000	10

Multiply any prize won by the Power Shot multiplier shown below that prize.

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 Power Shot Multiplier 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 Power Shot Multiplier, prize money from winning Power Shot Multiplier 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 Power Shot Multiplier 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 Power Shot Multiplier or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 18-1805. Filed for public inspection November 16, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Repeal of Outdated Notice Regarding Form and Rate Filings; Notice of Form and Rate Filing Requirements under the Accident and Health Filing Reform Act; Notice 2018-10

Certain accident and health insurance policy forms, subject to filing under section 3(a) of the Accident and Health Filing Reform Act (40 P.S. § 3801.303(a)), amended by the act of December 22, 2011 (P.L. 615, No. 134) (Act 134), were exempted from filing with the Insurance Department (Department) by the Insurance Commissioner (Commissioner) by notice published at 46 Pa.B. 2744 (May 28, 2016) under the authority of section 3(b) of Act 134 (Notice 2016-01-Revised). Notice 2016-01-Revised is hereby repealed and replaced.

Regulations and other Federal guidance promulgated since Notice 2016-01-Revised related to the Federal Patient Protection and Affordable Care Act (Pub.L. No. 111-148) and the Health Care and Education Reconciliation Act of 2010 (Pub.L. No. 111-152) together, the Affordable Care Act (ACA) have purported to change requirements on accident and health policy forms and rates in the large and small group markets, as well as the

individual market. Under Act 134, the Commonwealth has authority to review rates for accident and health policies in light of the ACA, and has authority to review forms for accident and health policies that are not exempted from filing.

In recognition of the recent changes in the health insurance landscape, and in order to monitor and assure compliance with State and Federal law requirements, the Department has determined that it is in the public interest to review forms, including riders, amendments, endorsements and, where applicable, documentation for associations acting as policyholders, for short-term limited-duration insurance (STLDI) policies. Certain of these forms are encompassed within current form filing requirements, but some may be currently exempted. Receiving these forms prior to use, as specified in Act 134, will assist the Department in protecting Commonwealth insurance consumers.<sup>1</sup>

#### Form Filings

This notice clarifies current form filing requirements, and therefore is immediately effective. Insofar as this notice is determined to give notice of the discontinuation of any form filing exemptions, that discontinuation shall be effective 90 days hence, as authorized by section 3(b) of Act 134 (authorizing the Commissioner to require any forms exempted from filing to be subsequently made subject to filing with the Department upon 90 days advance notice publication in the *Pennsylvania Bulletin*). By this publication, the Commissioner hereby communicates her intent to discontinue certain form filing exemptions, and also restates current filing requirements.

This notice specifically addresses the form filing requirements pertaining to STLDI policies. The Department recognizes STLDI forms were previously treated as limited benefit forms. STLDI is and remains subject to State law provisions that apply to forms that provide benefits of a limited nature, such as, for example, the requirement in 31 Pa. Code § 88.85 (relating to unusual limitations, reductions, restrictions) that requires a diagonal legend identifying it as a “limited policy.” However, because STLDI has been differentiated from other policies that limit benefits, particularly in its treatment in Federal regulations and guidance, it is separately identified in this notice and in the Department’s form review process.

In addition, the Department is aware that certain insurers may seek to market and issue insurance in this Commonwealth, including STLDI, through out-of-state association health plans (AHP), and may consider that coverage as large group coverage not currently subject to form filing. As previously publicly explained by the Department and acknowledged by the Federal Department of Labor,<sup>2</sup> the Department follows the “look through” approach reflected in State and Federal law:

An insured health plan for employer members of an association in Pennsylvania will provide policy forms and rates, compliant with Pennsylvania law and the Affordable Care Act, consistent with the market in which each employer member is a part, that is, a sole

<sup>1</sup> The Department continues to anticipate that a time will come when the statutory and regulatory landscape for health insurance forms will be more settled, and the Department may be assured that the insurance industry is familiar with applicable requirements, at which point it may repeal the review of certain group forms. See, for example, 28 Pa.B. 4302 (August 29, 1998) (requiring form filings to assure compliance with Act 68 of 1998), later repealed by Notice 2002-06, 32 Pa.B. 3449 (July 13, 2002). However, given the recent promulgation of Federal regulations and other guidance, that time has not yet come.

<sup>2</sup> See August 2, 2018, Letter from Commissioner Altman to the United States Department of Labor and Department of Health and Human Services, available at [https://www.insurance.pa.gov/Pages/Homepage/Testimony\\_Speeches.aspx](https://www.insurance.pa.gov/Pages/Homepage/Testimony_Speeches.aspx). See also August 24, 2018, letter response from the United States Department of Labor (available at the same web address).



proprietor will have an individual policy, an employer group of 2—50 employees will have a small group policy, and an employer group of more than 50 employees will have a large group policy.

While the effective date of any new filing requirement in this notice is 90 days hence, as required by Act 134, the Department expects issuers of insurance through AHPs, including STLDI, to be currently complying with filing requirements in a manner consistent with the August 2, 2018, letter. Therefore, issuers already should be filing with the Department any coverage offered through an AHP intended for sale to individual or small group members of an association in accordance with the Department's individual or small group filing requirements, as applicable.

Further, with respect to AHPs, the Department by this notice reminds insurers of their obligations to file documentation regarding an association or other group of employers to which they market or issue insurance, whether that association or group is located in this Commonwealth or out-of-state, if the coverage is intended to cover employers or individuals in this Commonwealth.

Accordingly, the Department identifies the forms that are currently required to be filed, as well as those that will no longer be exempt from filing, effective 90 days after publication of this notice. The forms specified here are required to be filed by each insurer, as that term is defined in Act 134; provided, however, that a form eligible to be filed through, and in fact filed through, the Interstate Insurance Compact need not be filed with the Department in accordance with this notice.

#### *Forms currently required to be filed*

- Individual accident and health forms, including:
  - o Major medical.
  - o Disability.
  - o Limited benefit.<sup>3</sup>
  - o Short-term limited-duration.
  - o Long-term care.
  - o Medicare supplement.
  - o Student and franchise accident and health.
- Group accident and health forms, including:
  - o Major medical.
  - o Limited benefit forms sold to small groups.<sup>4</sup>
  - o Short-term limited-duration forms sold to small groups.<sup>5</sup>
  - o Long-term care.
  - o Medicare supplement.

#### *Forms to be filed beginning 90 days after publication of this notice*

- Limited benefit forms sold only to large groups (that is, where all employer members of the association or group are large groups, or the association or group of employers meets the aggregation rule set forth in the

<sup>3</sup> A limited benefit policy, for purposes of this notice, includes dental, vision, hospital and other fixed indemnity, accident-only, critical illness, specified disease, wraparound, and any other supplemental or excepted benefit accident and health insurance policy. The term does not include a short-term limited-duration insurance policy, as explained in the previously listed text of this notice.

<sup>4</sup> A limited benefit form marketed or sold to an association or other group of employers is currently subject to review if an employer member of the association is a small group or a sole proprietor.

<sup>5</sup> An STLDI form marketed or sold to an association or other group of employers is currently subject to review if an employer member of the association is a small group or a sole proprietor.

Public Health Service Act (42 U.S.C.A. § 300gg-91(e)(6)) and in section 1304(b)(4) of the Affordable Care Act (42 U.S.C.A. § 18024(b)(4)).

- Short-term limited-duration forms sold only to large groups (that is, where all employer members of the association or group are large groups, or the association or group of employers meets the aggregation rule set forth in the Public Health Service Act (42 U.S.C.A. § 300gg-91—300gg-95 and in section 1304(b)(4) of the Affordable Care Act (42 U.S.C.A. § 18024(b)(4)).

#### *Forms continuing to be deregulated and not subject to filing*

- Blanket accident and health.
- Group disability.

Notwithstanding the continued exemption of certain forms from filing, the Department reminds insurers that it retains full authority to request a copy of any form being issued in this Commonwealth, as provided in section 10 of Act 134 (40 P.S. § 3801.310).

#### *Association Filings*

The Department by this notice reminds insurers that market or sell accident and sickness insurance to an association or other group of employers of the filing requirements set forth in section 756.2 of The Insurance Company Law of 1921 (40 P.S. § 756.2) pertaining to the coverage. See 40 P.S. § 756.2(a)(2) (in-state entities); § 756.2(e) and (f) (out-of-state entities). By statute, documentation is required to be filed for each such association or other group of employers.

#### *Rate Filings*

The Department by this notice reminds insurers that the following accident and health rates are currently required to be filed; provided, however, that a rate eligible to be filed through, and in fact filed through, the Interstate Insurance Compact need not be filed with the Department:

- All individual major medical, student, franchise, blanket, limited benefit, STLD, individual disability, long-term care and Medicare supplement rates.
- All major medical rates and STLDI rates for policies sold to small groups.<sup>6,7</sup>
- All group long-term care and Medicare supplement rates.

The current form and rate filing requirements identified in this notice shall remain in effect as stated; insofar as this notice is determined to give notice of the discontinuation of any form filing exemptions, that discontinuation shall be effective 90 days after publication of this notice in the *Pennsylvania Bulletin*. In accordance with section 3(a) of Act 134, forms shall be filed no less than 45 days prior to use.

<sup>6</sup> Rates for a major medical or STLDI policy marketed or sold to an association or other group of employers are subject to review if an employer member of the association is a small group or a sole proprietor.

<sup>7</sup> Rates for excepted benefits policies (as defined in section 2791(c) of the Public Health Service Act (110 Stat. 1972, (42 U.S.C. § 300gg-91(c))) issued on a group basis are not required to be filed under section 3(e) of Act 134. However, issuers of small group stand-alone dental plans should refer to binder filing requirements in the Department's annual filing instructions for ACA-compliant individual and small group products, available at <http://www.insurance.pa.gov/Companies/ProductAndRateRequire>.

Questions concerning this notice may be directed to the Bureau of Life, Accident and Health, Office of Insurance Product Regulation, 1326 Strawberry Square, Harrisburg, PA 17120, ra-rateform@pa.gov.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 18-1806. Filed for public inspection November 16, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held as follows. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Piatt Building, Room 2018, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Marilyn Barger; Ironshore Indemnity, Inc.; File No. 18-118-228581; Doc. No. P18-10-021; December 7, 2018, 1 p.m.

The following hearings will be held in Hearing Room 503, 110 North Eighth Street, Philadelphia, PA 19107.

Appeal of Chantel Dempsey; Bristol West Insurance Company; File No. 18-176-228624; Doc. No. P18-10-022; December 12, 2018, 11 a.m.

Appeal of Lorena Idrovo; Allstate Fire & Casualty Insurance Company; File No. 18-130-227635; Doc. No. P18-09-006; December 12, 2018, 1 p.m.

Appeal of Barbara Nobles and Anrae T. James; Allstate Fire & Casualty Insurance Company; File No. 18-118-228580; Doc. No. P18-10-018; December 12, 2018, 2 p.m.

Following the hearings and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at each hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 18-1807. Filed for public inspection November 16, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Short-Term Limited Duration Insurance—Guidance for Compliance Filings; Notice 2018-08—Revised

On August 3, 2018, the Internal Revenue Service, Department of the Treasury; Employee Benefits Security Administration, United States Department of Labor; and Centers for Medicare & Medicaid Services, United States Department of Health and Human Services issued a final rule “amend[ing] the definition of short-term, limited-duration insurance for purposes of its exclusion from the definition of individual health insurance coverage.”<sup>1</sup>

The 2018 STLDI Rule became effective October 2, 2018, and requires that any short-term limited-duration insurance (STLDI) policy issued on or after that date display specified notice language. Under the act of December 22, 2011 (P.L. 614, No. 134) (Act 134)<sup>2</sup>, policy forms issued in this Commonwealth are required to be filed with the Insurance Department (Department) prior to use, unless exempted from form filing by the Commissioner.<sup>3</sup> Because no form for STLDI currently approved and in use prior to October 2, 2018, contained the notice language required by the 2018 STLDI Rule, all STLDI forms intended for use on or after October 2, 2018, must be filed with the Department, “no less than 45 days, or a shorter period of time as the Department may establish, prior to their effective dates.”<sup>4</sup>

Therefore, in Notice 2018-08, published at 48 Pa.B. 5580 (September 1, 2018), the Department provides guidance for STLDI forms that have been previously approved by the Department and are compliant with the pre-October 2, 2018, Federal definition of STLDI, for which there is no change to the form other than the addition of the requisite notice language. The pre-October 2, 2018, Federal definition of STLDI specifies that the policy “has an expiration date specified in the contract (taking into account any extensions that may be elected by the policyholder with or without the issuer’s consent) that is less than 3 months after the original effective date of the contract.”<sup>5</sup> Thus, a “pre-October 2, 2018 compliant STLDI form” is a previously approved policy form that has a maximum duration of less than 3 months and is nonrenewable.

If an insurance entity (insurer) seeks to continue marketing and issuing, on or after October 2, 2018, a pre-October 2, 2018, compliant STLDI form, and is not making any changes other than as necessary to add the notice language required by the 2018 STLDI Rule, the policy form will be exempt from the 45-day prior approval filing requirement of Act 134 if the insurer files with the Department the policy form with a Certification executed by an authorized representative of the insurer substantially identical to the Certification form as follows as Attachment A. Attachment A is also available on the Department’s web site at [www.insurance.pa.gov](http://www.insurance.pa.gov).

This notice is revised to specifically include group STLDI forms. The Department is aware that certain insurers may seek to market and issue insurance in this Commonwealth, including STLDI, directly to in-state groups or through out-of-state association health plans and may consider that coverage as large group coverage

<sup>1</sup> Short-Term Limited-Duration Insurance Final Rule, 83 FR 38212 (August 3, 2018) (2018 STLDI Rule).

<sup>2</sup> 40 P.S. §§ 3801.301 et seq.

<sup>3</sup> 40 P.S. § 3801.303(a) and (b); see also Notice 2016-01—Revised 46 Pa.B. 2744 (May 28, 2016).

<sup>4</sup> 40 P.S. § 3801.303(a).

<sup>5</sup> 45 CFR § 144.103 (as promulgated at 81 FR 75316 (October 31, 2016)).

not currently subject to form filing with the Department. By separate notice, the Department has laid out current and prospective form filing requirements for STLDI. By this notice, the Department confirms that the safe harbor previously set forth for pre-October 2, 2018, compliant STLDI forms is applicable to group STLDI forms just as it is for individual STLDI forms.

Policy forms, whether for individual or group coverage, that are not pre-October 2, 2018, compliant STLDI forms, or that are currently in use but may not have been previously approved or for which the insurer is making changes beyond merely those necessary to add the notice language required by the 2018 STLDI Rule, must comply with the filing requirements of Act 134 and the form filing requirements set forth in Notice 2018-10.

Finally, although the pre-October 2, 2018, compliant STLDI forms subject to this notice may have been previously approved by the Department for use on or after October 2, 2018, those forms, like all STLDI forms used in this Commonwealth, remain subject to, and must comply in all respects with, the Commonwealth's insurance laws and regulations, and the Department retains its ability to take enforcement actions and seek any available remedy for noncompliant forms.

Questions regarding this notice may be directed to Tracie Gray, Director, Bureau of Accident and Health, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, RA-rateform@pa.gov.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

**Attachment A**

**PENNSYLVANIA ISSUER SHORT-TERM  
LIMITED-DURATION INSURANCE CERTIFICATION  
FORM**

Name of Insurer:  
NAIC #:  
Policy Form #:

**CERTIFICATION**

I hereby certify that the Short-Term Limited-Duration Insurance (STLDI) policy form referenced above and attached hereto:

(1) Was approved by the Pennsylvania Insurance Department on \_\_\_\_\_ [date];

(2) Complies with the federal definition of STLDI in effect prior to October 2, 2018, being a form that "has an expiration date specified in the contract (taking into account any extensions that may be elected by the policyholder with or without the issuer's consent) that is less than 3 months after the original effective date of the contract" (45 Fed. Reg. § 144.103, as promulgated at 81 Fed. Reg. 75316 et seq., October 31, 2016) that is, has a maximum duration of less than 3 months and is non-renewable;

and

(2) For which no change is being made to the form other than as necessary to add the notice language required by the 2018 STLDI Rule effective October 2, 2018, 83 Fed. Reg. 38212 et seq. (August 3, 2018).

The information set forth in this Certification, to the best of my knowledge, information and belief, is true, correct, and complete.

\_\_\_\_\_  
Date Name of Authorized Representative of the Insurer

\_\_\_\_\_  
Signature of Authorized Representative of the Insurer

[Pa.B. Doc. No. 18-1808. Filed for public inspection November 16, 2018, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Transamerica Life Insurance Company (SERFF # AEGB-131704842); Rate Increase Filing for Form ICC10 TLC-3**

Transamerica Life Insurance Company is requesting approval to increase the premium 42.33% on 319 policyholders with form ICC10 TLC-3.

Unless formal administrative action is taken prior to January 31, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 18-1809. Filed for public inspection November 16, 2018, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Eric Velazquez; License Denial Appeal; Doc. No. AG18-11-002**

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Eric Velazquez has appealed the denial of an application for an insurance producer's license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for December 19, 2018, at 9:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference

on or before December 17, 2018. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene or notices of intervention, if any, must be filed on or before December 4, 2018, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to protests, petitions to intervene or notices of intervention, if any shall be filed on or before December 17, 2018.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 18-1810. Filed for public inspection November 16, 2018, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### Governor's Office

Administrative Circular No. 18-11—Availability—Commonwealth Telephone Directory, Dated August 20, 2018.

Administrative Circular No. 18-12—Holidays—2019, Dated October 5, 2019.

DUANE M. SEARLE,  
Director  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 18-1811. Filed for public inspection November 16, 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 December 3, 2018. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

#### Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

**A-2018-3004793. Lancaster Luxury Limousines, LLC** (57 Gentle Drive, East Earl, Lancaster County, PA 17519) in vehicles seating between 11 and 15 passengers, including the driver, from points in Berks, Cumberland, Dauphin, Lancaster, Lebanon and Schuylkill Counties, to points in Pennsylvania, and return. *Attorney:* Austin W. Wolfe, 54 East Main Street, Mechanicsburg, PA 17055.

**A-2018-3005247. Faulkner Trans, LLC** (13617 Route 333, Port Royal, Juniata County, PA 17082) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Juniata County, to points in Pennsylvania, and return.

#### Application of the following for the approval of the transfer of stock as described under the application.

**A-2018-3005636. Comfort Ride Transit, Inc.** (35 Simons Way, Unit 62, Huntingdon Valley, Montgomery County, PA 19006) for the approval of the transfer of one-thousand shares (1,000) of the issued stock, from Tatiana Kantor to Lora Bederman (510 shares) and Marat Bagramyan (490 shares). *Attorney:* David P. Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

#### Application of the following for approval to begin operating as common carriers for transportation of household goods in use as described under the application.

**A-2018-3005348. Moving Forward, LLC** (903 East Lincoln Highway, Suite B, Exton, Chester County, PA 19341) household goods in use, between points within a 25-mile radius of West Whiteland Township.

#### Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

**A-2018-3005386. DZ Taxi, LLC, t/a Black Bear Car Service** (804 Delaware Drive, Matamoras, Pike County, PA 18336) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in call or demand service, in the Boroughs of Milford and Matamoras and the Townships of Dingman, Westfall and Milford, Pike County.

**A-2018-3005559. Smyth & Tomas, LLC, t/a Economy Shuttle Service** (475 Barker Road, Springfield, Delaware County, PA 19064) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in airport transfer service, from points in Delaware County, to the Philadel-

phia International Airport, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 18-1812. Filed for public inspection November 16, 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 December 3, 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. Expedited Shipping Services, LLC; Docket No. C-2018-3004997 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 Expedited Shipping Services, LLC, (respondent) is under suspension effective September 18, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 894 Schoolhouse Dr., Ashville, PA 16613.
3. That respondent was issued a Certificate of Public Convenience by this Commission on April 07, 2015, at A-8917491.
4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue

an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917491 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/2/2018

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](http://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](mailto: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 regula-

tions 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. WBS Transport, LLC; Docket No. C-2018-3005109**

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 WBS Transport, LLC, (respondent) is under suspension effective September 23, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 118 Summer Ln., Lititz, PA 17543.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 18, 2015, at A-6416256.

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-6416256 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/9/2018

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](http://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. Sterners Moving and Transporting, Inc.; Docket No. C-2018-2647411**

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 Sterner's Moving and Transporting, Inc., (respondent) is under suspension effective January 26, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 267, Jacobus, PA 17407.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 10, 2012, at A-8912283.

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-8912283 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
 David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 10/2/2018

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](http://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](mailto: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. A+ Transit, Inc.;**  
**Docket No. C-2018-3004672**

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 A+ Transit, Inc., (respondent) is under suspension effective September 04, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 208 Mountain Ave., Pittsburgh, PA 15210.
3. That respondent was issued a Certificate of Public Convenience by this Commission on October 27, 2016, at A-6418845.
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-6418845 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: 9/18/2018

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](http://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](mailto: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 CHIVETTA,  
*Secretary*

[Pa.B. Doc. No. 18-1813. Filed for public inspection November 16, 2018, 9:00 a.m.]

**STATE EMPLOYEES' RETIREMENT BOARD**

**Hearings Scheduled**

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' request concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

December 11, 2018	Daniel J. Kerbacher Benefit Recalculation Issue	1 p.m.
December 20, 2018	Mark A. Lilly Multiple Service Issue	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be

held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRILL J. SANCHEZ,  
*Secretary*

[Pa.B. Doc. No. 18-1814. Filed for public inspection November 16, 2018, 9:00 a.m.]

## STATE HORSE RACING COMMISSION

### Urine and Blood Horse Test Samples; Thoroughbred Horse Racing

The State Horse Racing Commission (Commission) provides notice that on October 30, 2018, at its regularly scheduled public meeting, it issued an Order adopting an amendment to its existing thoroughbred regulation at 58 Pa. Code § 163.318(a) (relating to split samples) to clarify from which horses, blood and urine test samples shall be required to be taken after each race. The Commission discovered that the language between 58 Pa. Code § 163.313 (relating to urine samples) and § 163.318(a) of its regulations may cause confusion regarding the specific number of horses the Commission sends for post-race testing for drugs, medications and foreign substances. This regulation removes any ambiguity between those two provisions by utilizing verbatim provisions. This Order was adopted as a temporary regulation under authority of 3 Pa.C.S. § 9311(h) (relating to State Horse Racing Commission), under Administrative Docket No. 2018-10.

The general purpose of the Order is: (1) to clarify from which horses post-race blood and urine test samples shall be specifically required; (2) remove any ambiguity between existing regulations at 58 Pa. Code §§ 163.313 and 163.318; and (3) to bring consistency between existing operational practices and procedures and the existing regulations.

This temporary regulation will become effective upon publication.

The Order and specific provisions have been posted and published on the Commission's web site and a copy may be accessed by the public at <http://www.agriculture.pa.gov/Animals/RacingCommission/commission/Pages/Publications.aspx>. The Commission will also provide copies of the Order and Annex A upon request directed to (717) 787-5539.

THOMAS F. CHUCKAS, Jr.,  
*Director*  
*Bureau of Thoroughbred Horse Racing*  
**Order**

*And Now*, this 30th day of October, 2018, in accordance with its general jurisdiction to regulate all pari-mutuel horse racing activities, including the rules relating to post-race testing, and pursuant to its authority set forth in § 9311(h) of the Racing Act (3 Pa.C.S. § 9311(h)), in order to be consistent with its existing practices and procedures, the Commission hereby adopts the following temporary regulation amending its existing horse regula-

tions at 58 Pa. Code § 163.318 (relating to split samples) to clarify from which horses blood and urine test samples shall be required to be taken after each race. The specific amendatory language is set forth in Annex A. This Order adopting the temporary regulation shall be published in the *Pennsylvania Bulletin* and shall be posted on the Commission's website. The amendatory language shall become effective upon publication.

RUSSELL C. REDDING,  
*Chairperson*

### Annex A

#### TITLE 58. RECREATION PART IV. HORSE RACE COMMISSION CHAPTER 163. RULES OF RACING ILLEGAL PRACTICES

##### § 163.318. Split samples.

(a) The test sample of the winner of each race and of a horse running an unusual or abnormal race and of any other horse as the stewards or the commission may direct shall be taken. If there is a problem in securing a test sample, the following procedures apply:

\* \* \* \* \*

[Pa.B. Doc. No. 18-1815. Filed for public inspection November 16, 2018, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Commission Meeting; Correction

The Susquehanna River Basin Commission (Commission) will hold its regular business meeting on December 6, 2018, at 9 a.m. at the Susquehanna River Basin Commission, Susquehanna Conference Room, 4423 North Front Street, Harrisburg, PA 17110. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice.

For further information contact Ava Stoops, Administrative Specialist, (717) 238-0423, Ext. 1302.

#### *Correction*

The Commission published a document in the *Federal Register* at 83 FR 49969 (October 3, 2018) concerning its public hearing on November 1, 2018, in Harrisburg, PA. The document was revised to update the projects scheduled for action items # 11 and # 12, also contained in the Supplementary Information section of this notice.

#### *Supplementary Information*

The business meeting will include actions or presentations on the following items: (1) informational presentation of interest to the lower Susquehanna River region; (2) consideration of a resolution outlining the auxiliary powers of the Commission under Section 15.1 of the Compact; (3) resolution adopting Fiscal Year (FY) 2018 audit report; (4) ratification/approval of contracts/grants; (5) a report on delegated settlements; (6) settlement agreement from EQT Production Company for violation of passby flow conditions; (7) resolution concerning FY 2020 Federal funding of the Groundwater and Streamflow Information Program; (8) a proposed consumptive use mitigation project located in Conoy Township, Lancaster

County, PA, and associated water supply agreement with the Lancaster County Solid Waste Management Authority; (9) potential request for waiver of 18 CFR 806.31(e) (relating to term of approvals) as it pertains to submittal of renewal application for a groundwater withdrawal approval; and (10) Regulatory Program projects.

The revised projects scheduled for action are as follows:

11. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.045 mgd (30-day average) from Well 10 (Doc. No. 19890101).

12. Project Sponsor and Facility: East Cocalico Township Authority, East Cocalico Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.059 mgd (30-day average) from Well 9 (Doc. No. 19890101).

Regulatory Program projects and the consumptive use mitigation project listed for Commission action are those that were the subject of public hearings conducted by the Commission on November 1, 2018, and August 2, 2018, respectively, and identified in the notices for the hearings,

which were published at 83 FR 49969 (October 3, 2018) and 83 FR 31439 (July 5, 2018), respectively.

The public is invited to attend the Commission's business meeting. Comments on the Regulatory Program projects and the consumptive use mitigation project were subject to deadlines of November 13, 2018, and August 13, 2018, respectively. Written comments pertaining to other items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through [www.srbc.net/about/meetings-events/business-meeting.html](http://www.srbc.net/about/meetings-events/business-meeting.html). The comments are due to the Commission on or before November 30, 2018. Comments will not be accepted at the business meeting noticed herein.

*Authority:* Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

*Dated:* November 2, 2018

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 18-1816. Filed for public inspection November 16, 2018, 9:00 a.m.]

