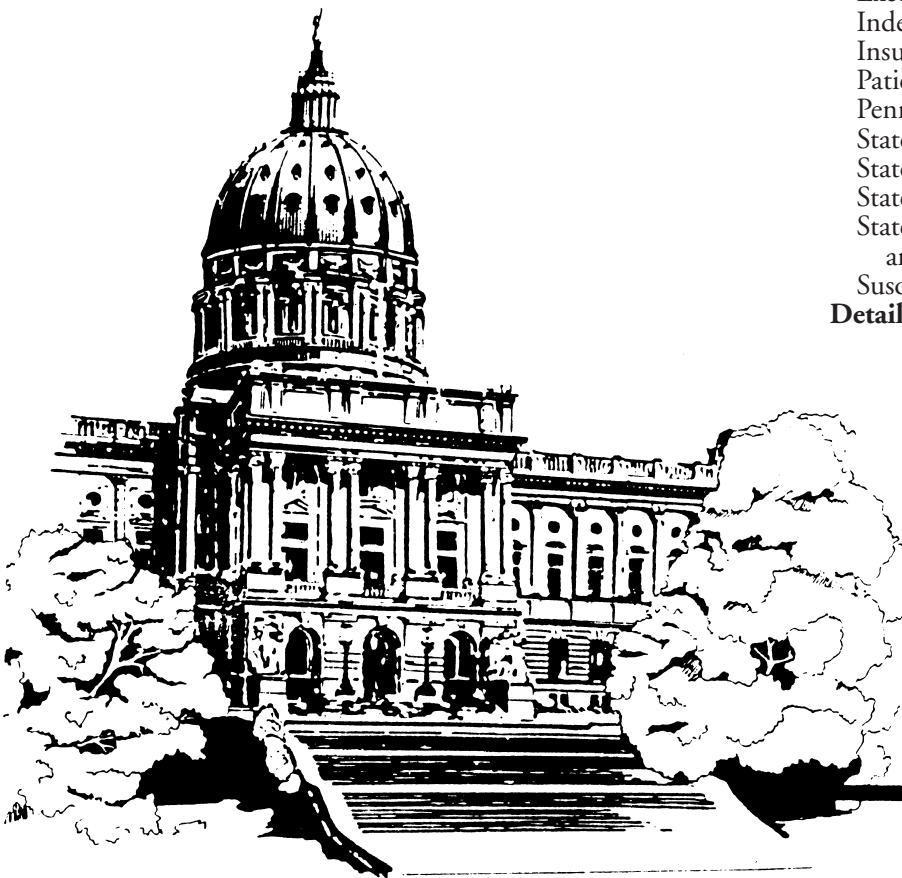


PENNSYLVANIA BULLETIN

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

No. 529, December 2018

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the Pennsylvania Bulletin

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

Source Notes give the history of regulations. To see if there have been recent changes not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

A quarterly List of *Pennsylvania Code* Sections Affected lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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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 GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2018-04 AMENDED]

Pennsylvania Workforce Development Board

August 2, 2018

Whereas, the Commonwealth of Pennsylvania is a national leader in workforce development; and

Whereas, the Commonwealth's economic success depends on a well-educated, highly-skilled workforce trained for the jobs of the future; and

Whereas, the Commonwealth's workforce development system is made up of workforce, education, economic development, human services, and other partners all working together to serve job seekers and employers; and

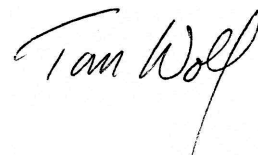
Whereas, a successful workforce development system is built on a foundation of collaboration, alignment, innovation, customer engagement, performance accountability, and labor market information; and

Whereas, the Workforce Innovation and Opportunity Act (WIOA) requires state workforce development partners to work in a coordinated way to help job seekers advance their careers, and help employers build their workforce; and

Whereas, WIOA also outlines workforce development priorities for states including serving individuals with barriers to employment, creating career pathways, advancing sector-based strategies, and using data to drive decision-making; and

Whereas, the Commonwealth has an opportunity to work in a coordinated effort across agencies to address the entire workforce continuum, implement WIOA, and achieve the goals and strategies for workforce development in its WIOA Combined State Plan.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania, the Workforce Innovation and Opportunity Act and other laws, do hereby designate the Pennsylvania Workforce Development Board as the Commonwealth's state workforce development board in accordance with Section 101 of the Workforce Investment and Opportunity Act and invest it with the necessary powers to perform the duties and responsibilities set forth herein.



Governor

Fiscal Note: GOV-2018-04. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE
CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES
Subchapter EEE. PENNSYLVANIA WORKFORCE DEVELOPMENT BOARD

§ 6.681. Purpose.

The purpose of the Pennsylvania Workforce Development Board (Board) is to assist the Governor in:

(1) Reviewing and coordinating State workforce development policies, initiatives, strategies and programs.

(2) Recommending actions to create an aligned, streamlined and improved workforce development system, including the one-stop service delivery system.

(3) Ensuring and facilitating coordination among the following Commonwealth agencies in the development and evaluation of policies, initiatives, strategies and programs to address current and emerging workforce needs:

- (i) Department of Aging.
- (ii) Department of Agriculture.
- (iii) Department of Community and Economic Development.
- (iv) Department of Corrections.
- (v) Department of Education.
- (vi) Department of Human Services.
- (vii) Department of Labor and Industry.

(4) Developing, implementing and modifying the State's workforce development plan.

(5) Reviewing and approving regional and local workforce development plans consistent with the State workforce development plan.

(6) Designating local workforce development areas and developing workforce development funding allocation formulas.

(7) Developing and updating State performance accountability measures and tracking progress toward implementation of the State's workforce development plan.

(8) Collaborating and coordinating with State boards and commissions that shape the economic development and education systems of the Commonwealth to develop Statewide policies that improve workforce development alignment and outcomes across those systems, which may include the following:

- (i) State Board of Education.
- (ii) Ben Franklin Technology Development Authority.
- (iii) Pennsylvania Apprenticeship and Training Council.
- (iv) State Board of Vocational Rehabilitation.
- (v) Pennsylvania Commission for Community Colleges.
- (vi) Pennsylvania State System of Higher Education.
- (vii) State-related universities.
- (viii) Pennsylvania Higher Education Assistance Agency.
- (ix) Pennsylvania Early Learning Council.
- (x) Early Learning Investment Commission.
- (xi) Pennsylvania Reentry Council.
- (xii) Governor's Advisory Council on Library Development.

- (xiii) Pennsylvania Council on Aging.
- (xiv) Pennsylvania Commission for Agriculture Education Excellence.

(9) Ensuring that the policies, performance measures, goals and resource strategies implemented by the Board are developed with appropriate and meaningful engagement of individuals and entities impacted and served by the Commonwealth's workforce development system.

(10) Developing accessible workforce and labor market information.

(11) Coordinating the provision of services among State agencies consistent with the laws and regulations governing workforce development programs and the State's workforce development plan.

§ 6.682. Membership.

The membership of the Pennsylvania Workforce Development Board (Board) shall be in accordance with the requirements for State workforce development boards found in section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C.A. § 3111). Board members shall serve or be appointed as follows:

- (1) The Governor or a designee.
- (2) Two members of each chamber of the General Assembly or a designee.
- (3) The following representatives appointed by the Governor:

(i) A majority of appointees to the Board shall be representatives of the private sector business community in this Commonwealth, including small business owners, chief executive or operating officers, or other business executives with optimum policymaking or hiring authority, including members of local workforce development boards and employers that reflect the current and emerging workforce needs of this Commonwealth.

(ii) At least 20% of appointees to the Board shall be representatives of workforce and community organizations in this Commonwealth.

(A) Membership shall include representatives of labor organizations, who have been nominated by State labor federations.

(B) Membership shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if a joint program does not exist in this Commonwealth, a representative of an apprenticeship program in this Commonwealth.

(C) Membership may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities.

(D) Membership may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

(iii) The remaining appointees to the Board shall be representatives of government, including:

- (A) Chief local elected officials.
- (B) Members of the Governor's cabinet as follows:

1 The Secretary of Aging or designee who oversees workforce development within the Department of Aging and serves as a member of the Secretary of Aging's executive team.

2 The Secretary of Agriculture or designee who oversees workforce development within the Department of Agriculture and serves as a member of the Secretary of Agriculture's executive team.

3 The Secretary of Community and Economic Development or designee who oversees workforce development within the Department of Community

and Economic Development and serves as a member of the Secretary of Community and Economic Development's executive team.

4 The Secretary of Corrections or designee who oversees workforce development within the Department of Corrections and serves as a member of the Secretary of Corrections' executive team.

5 The Secretary of Education or designee who oversees workforce development within the Department of Education and serves as a member of the Secretary of Education's executive team.

6 The Secretary of Human Services or designee who oversees workforce development within the Department of Human Services and serves as a member of the Secretary of Human Services' executive team.

7 The Secretary of Labor and Industry or designee who oversees workforce development within the Department of Labor and Industry and serves as a member of the Secretary of Labor and Industry's executive team.

(C) The Secretary of Policy and Planning, Office of the Governor or a designee.

(D) Any other representative or State official the Governor may designate.

(4) Board members appointed by the Governor shall serve at the pleasure of the Governor.

(5) The Board's membership shall reflect the diversity of this Commonwealth.

§ 6.683. Terms.

The Pennsylvania Workforce Development Board shall establish staggered terms for members.

§ 6.684. Chair.

The Governor will designate one private-sector business member to serve as chair. The chair shall serve at the pleasure of the Governor.

§ 6.685. Executive Director and staff.

(a) The Governor will appoint an Executive Director to oversee the Pennsylvania Workforce Development Board's (Board) operations.

(b) The Executive Director shall have the authority to hire staff to carry out the Board's duties and responsibilities.

(c) The Executive Director shall report directly to the Secretary of Labor and Industry and the Secretary of Policy and Planning on the work of the Board.

(d) The Executive Director shall regularly convene meetings with the agency secretaries or designees who oversee workforce development within the agencies and serve as members of the secretaries' executive teams listed in § 6.682(3)(iii)(B) (relating to membership) to ensure the Board is meeting its purpose as set out in § 6.681 (relating to purpose).

§ 6.686. Responsibilities of State Agencies.

(a) Executive State agencies listed in § 6.681(3) (relating to purpose) shall identify:

1) A designated workforce development representative who oversees or coordinates workforce development within the agency and serves as a member of the secretary's executive team.

2) An agency policy director or designee, to provide support and participate in activities coordinated by the Pennsylvania Workforce Development Board (Board).

(b) All executive State agencies shall respond to recommendations made by the Board regarding the State and Federal workforce development policies and other recommendations of the Board directly related to the development, implementation, improvement and operation of the Commonwealth's workforce development system.

(c) All executive State agencies shall give to the Board any necessary staffing, equipment, data and any other resources or assistance required by the Board in the performance of its operations, duties and responsibilities so far as is compatible with the authority and ability of each State agency.

(d) All executive State agencies shall work in cooperation with the Board to develop and drive one coordinated State workforce development policy.

§ 6.687. Reporting.

(a) The Pennsylvania Workforce Development Board (Board) shall report to the Secretary of Policy and Planning on a quarterly basis on the progress it is making toward responsibilities included in § 6.681 (relating to purpose).

(b) The Board shall report annually to the Governor and the General Assembly on the Board's progress, including key performance metrics tied to the effectiveness of Statewide and regional workforce development systems and the impact of the Board's work in achieving goals articulated in the State's workforce development plan. The report shall be made available to the public on the Department of Labor and Industry's web site.

§ 6.688. Bylaws.

The Pennsylvania Workforce Development Board shall recommend bylaws governing its operations to the Governor for approval.

§ 6.689. Meetings.

The Pennsylvania Workforce Development Board shall meet as it deems necessary to fulfill its responsibilities.

§ 6.690. Committees.

The Pennsylvania Workforce Development Board (Board) shall have the authority to establish, appoint members and delegate duties to committees as it deems necessary to fulfill its duties and responsibilities. All committees shall be chaired by a member of the Board.

§ 6.691. Compensation.

Members of the Pennsylvania Workforce Development Board (Board) shall not receive compensation for their service on the Board. Members shall receive reimbursement for reasonable travel costs and expenditures incurred while performing Board business.

§ 6.692. Effective Date.

This subchapter takes effect immediately.

§ 6.693. Termination Date.

This subchapter shall remain in effect unless revised or rescinded by the Governor.

[Pa.B. Doc. No. 18-1851. Filed for public inspection November 30, 2018, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

Proposed Amendments to the Pennsylvania Rules of Disciplinary Enforcement Relating to Realignment of Board Executive Office Structure and Responsibilities of Hearing Committee Members

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) is considering recommending to the Supreme Court of Pennsylvania that it adopt amendments to Pennsylvania Rules of Disciplinary Enforcement (“Pa.R.D.E.”) 102, 205, 206, 208, 209, 214, 215, 216, 217, 218, 219, 301, 401 and 403, to reflect changes to the Board’s personnel structure and responsibilities of hearing committee members, as set forth in Annex A.

Recently, the Board approved changes to the composition and structure of its Executive Office to eliminate the “Office of the Secretary” and the position of “Secretary of the Board.” The Board has designated personnel to carry out the Board’s duties, chief among those duties, ensuring timely and consistent handling of Board proceedings. An Executive Director will oversee the Prothonotary’s Office, the Attorney Registration Office, Finance, Human Resources and Technology. The Prothonotary’s Office, headed by the Board Prothonotary, will continue to serve as the Board’s filing office. The Board is assisted by legal counsel, consisting of Counsel to the Board, primarily providing counsel to the Board, in performance of its duties, and Special Counsel, primarily providing counsel to the hearing committee members, in performance of their duties. These operational changes necessitate amendments to the Enforcement Rules to remove language pertaining to the former Board structure.

The majority of the proposed rule changes are routine amendments to remove the phrases “Office of the Secretary” and “Secretary of the Board” and replace that language with “Board Prothonotary” or “Attorney Registration Office.” These changes are found at 206(b)(1) and (c), 208(f)(4) and (6), 209(b), 214(d)(4) and (f)(2), 215(a), (a)(6), (b) and (c), 216(e), 217(a), (b), (c) and (e)(1), 218(d)(2)(ii) and (d)(6)(i), 219(g) and (h)(2), 301(e) and 403(f). Proposed amendments at 208(f)(4) and 214(d)(4) clarify that documents are filed with the Board Prothonotary, rather than served.

Proposed amendments to the definitions contained in Rule 102 include adding definitions of “Board Prothonotary,” “Executive Office,” and “Legal Counsel,” removing the definition of “Disciplinary Counsel” and replacing it with a more comprehensive definition of “Office of Disciplinary Counsel,” and amending the definition of “Special Master” to include former senior hearing committee members and Special Counsel.

The expansion of the “Special Master” definition is particularly critical. Recently, the volume of matters before the Board has increased to the extent that the Board has used its power under Rule 205(c)(4), to assign special masters to conduct hearings, in order to ensure timely handling of matters. Rule 205(c)(4) provides that special masters may be former Board members or former

or retired justices or judges not in senior judge status. In order to increase the pool of eligible candidates to serve as special masters and to give the Board flexibility, the Board proposes that the Board’s Special Counsel as well as former senior hearing committee members be included in the list of eligible individuals to serve as special master.

Rule 205(c) addresses the Board’s power and duties. Proposed amendments to subparagraph (c)(2) give the Board the power to appoint an Executive Director, Special Counsel and Counsel to the Board, as well as Chief Disciplinary Counsel and other staff to perform the functions prescribed by the rules. Proposed amendment to subparagraph (c)(4) simplifies the language regarding the Board’s power to assign special masters by removing the list of who may serve as special master and placing that information in the amended definition of “Special Master” in Rule 102, as previously noted. Proposed amendment to subparagraph (c)(5) removes the language that assigning hearing committees may be delegated by the Board to its staff. This language is superfluous, as subparagraph (c)(2) states that the Board has the power to appoint staff to carry out the functions prescribed by the rules.

Rule 401 governs expenses of the Board and sets forth how salaries, expenses and administrative costs are funded. The proposed amended language eliminates a list of employee titles and substitutes the phrase “Disciplinary Board employees,” in order to encompass all employees and to obviate the need to amend the rule when specific employee titles change.

The Board proposes two other amendments to Rule 401. First, the rule is amended to add that expenses of special masters shall be paid by the Board. Currently, this provision is contained in Rule 205(c)(4), pertaining to the Board’s power to assign special masters. Upon review, the Board determined that this language more appropriately falls within Rule 401. Second, the rule is amended to recognize that the Board is funded in two specific ways, by providing that in addition to paying the salaries, expenses and costs referenced in the rule out of funds collected under the provisions of Rule 219, relating to annual attorney registration, these expenses are also paid out of funds collected under Rule 208, relating to costs.

The Board proposes several additional substantive changes to the rules as part of its duty to carry out functions in a timely manner.

Rule 205(c)(7) gives the Board the power to assign hearing committee members to carry out certain duties, including assigning single reviewing members to review recommendations by Disciplinary Counsel for dismissals, informal admonitions, private reprimands, public reprimands and the institution of formal charges. Currently, only senior and experienced members are permitted to review such recommendations. By definition, “senior” and “experienced” members have served for at least 1 year. See, Rule 102, Pa.R.D.E.¹ Recently, the Board has encountered administrative challenges in appointing single reviewing members in disciplinary districts with heavy caseloads that require frequent committee member involvement, particularly in the districts of Philadelphia and its surrounding counties. The Board proposes amend-

¹ By prior Notice of Proposed Rulemaking, the Board seeks amendment to these definitions to eliminate the time requirements and to specify a set number of hearings into formal charges as the criteria for attaining these statuses. See 48 Pa.B. 5717 (September 15, 2018).

ing this subparagraph to allow new members to review Disciplinary Counsel recommendations, as this would increase the pool of available members and facilitate the work flow. The work involved in reviewing a recommendation by Disciplinary Counsel is within the capability of a new member, as it does not require a heightened level of expertise in the disciplinary system.

Further, in the interest of timely facilitation of proceedings, the Board proposes amending Rule 206(d), which currently provides that a special master instead of a hearing committee may be assigned by the Board “[w]here it appears that the hearing or proceeding may be protracted and should be conducted continuously from day to day until conclusion.” The proposed amendment eliminates the criteria that a special master be used only in these circumstances, and enables the Board to assign special masters as necessary to conclude proceedings in a timely manner.

Interested persons are invited to submit written comments regarding the proposed amendments to The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, Facsimile number (717-231-3381), Email address Dboard.comments@pacourts.us on or before December 31, 2018.

By the Disciplinary Board of the Supreme Court of Pennsylvania

JESSE G. HEREDA,
Executive Director

Annex A

Title 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter A. PRELIMINARY PROVISIONS

Rule 102. Definitions.

(a) *General rule.* Subject to additional definitions contained in subsequent provisions of these rules which are applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

* * * * *

Board—The Disciplinary Board of the Supreme Court of Pennsylvania.

“Board Prothonotary.” The Prothonotary of the Disciplinary Board of the Supreme Court of Pennsylvania.

Censure—Public censure by the Supreme Court.

Conservator—A conservator appointed under Enforcement Rule 321 (relating to appointment of conservator to protect interests of clients of absent attorney).

Court—The Supreme Court of Pennsylvania.

[“Disciplinary Counsel.” The Chief Disciplinary Counsel and assistant disciplinary counsel.]

Disciplinary Rules—The provisions of the Code of Professional Responsibility as adopted by the Supreme Court of Pennsylvania May 20, 1970, 438 Pa. XXV, as amended from time to time by special order of the Court and governing lawyer conduct occurring or beginning on or

before March 31, 1988 as well as the provisions of the Rules of Professional Conduct as adopted by the Supreme Court of Pennsylvania on October 16, 1987, Pa., and effective on April 1, 1988, as amended from time to time by special order.

Enforcement Rules—The provisions of these rules.

“Executive Office.” The office of the Board that includes the Executive Director, Attorney Registration Office, Board Prothonotary, Legal Counsel, and such other staff as may be required to perform the functions prescribed by these rules.

Experienced hearing committee member—An attorney who at the time is a member of the panel of hearing committee members in a disciplinary district and who has served as a member of a panel of hearing committee members for at least one year and on a hearing committee that has conducted at least one hearing into formal charges of misconduct by a respondent-attorney.

* * * * *

Informal admonition—Private informal admonition by Disciplinary Counsel.

“Legal Counsel.” Counsel to the Board and Special Counsel.

Military attorney—An attorney holding a limited admission to practice under Pennsylvania Bar Admission Rule 303 (relating to limited admission of military attorneys).

“Office of Disciplinary Counsel.” The Chief Disciplinary Counsel, disciplinary counsel and such other staff as may be required to perform the functions prescribed by these rules.

Petitioner-attorney—Includes any person subject to these rules who has filed a petition for reinstatement to the practice of law.

* * * * *

Special Master—[**A special master assigned**] Assigned under Enforcement Rule 206 (relating to hearing committees and special masters), **includes former Board members, former or retired justices or judges, not on senior status, Special Counsel, and former senior hearing committee members.**

* * * * *

Subchapter B. MISCONDUCT

Rule 205. The Disciplinary Board of the Supreme Court of Pennsylvania.

* * * * *

(c) The Board shall have the power and duty:

* * * * *

(2) To appoint [**a Secretary**] **an Executive Director**, a Chief Disciplinary Counsel, **Special Counsel and Counsel to the Board** and such [**assistant disciplinary counsel and**] staff as may from time to time be required to properly perform the functions prescribed by these rules.

(3) To appoint not less than 18 hearing committee members within each disciplinary district. Each person appointed as a hearing committee member for a district shall be a member of the bar of this Commonwealth who maintains an office for the practice of law within that district.

(4) To assign [**as**] special masters **pursuant to Rule 206(d)** [**three or more former members of the**

Board or former or retired justices or judges who are not in senior judge status. The expenses and compensation of the special masters shall be paid as a cost of disciplinary administration and enforcement. See Enforcement Rule 219(a) (relating to annual registration of attorneys)].

(5) To assign formal charges or the conduct of an investigatory hearing to a hearing committee or special master, and to assign a reinstatement petition to a hearing committee. [**The assignment to a hearing committee of formal charges, the conduct of an investigatory hearing, or a reinstatement petition may be delegated by the Board to its Secretary.**] A hearing committee member who has passed upon Disciplinary Counsel's recommended disposition of the matter shall be ineligible to serve on the hearing committee that considers the matter.

(6) To review the conclusions of hearing committees and special masters with respect to formal charges or petitions for reinstatement, and to prepare and forward its own findings and recommendations, together with the record of the proceeding before the hearing committee or special master, to the Supreme Court.

(7) To assign [**periodically, through its Secretary, senior or experienced hearing committee members within each disciplinary district to**]:

(i) **senior, experienced or new hearing committee members to** review and approve or modify recommendations by Disciplinary Counsel for dismissals, informal admonitions, private reprimands, public reprimands and institution of formal charges;

(ii) **senior or experienced hearing committee members to** hear and determine attacks on the validity of subpoenas issued pursuant to Enforcement Rule 213(a)(2) (relating to subpoena power, depositions and related matters), as provided in Enforcement Rule 213(d)(2); or

(iii) **senior or experienced hearing committee members to** consider a petition for reinstatement to active status from retired or inactive status, or administrative suspension, under Enforcement Rule 218 (relating to reinstatement) of a formerly admitted attorney who has not been suspended or disbarred.

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Rule 206. Hearing committees and special masters.

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(b) Hearing committees shall have the power and duty:

(1) To conduct investigatory hearings and hearings into formal charges of misconduct upon assignment by the Board [**or the Secretary of the Board**] (see Enforcement Rule 205(c)(5)).

(2) To submit their conclusions set forth as prescribed by Board rules, together with the record of the hearing, to the Board.

(c) If a member of a hearing committee becomes disqualified or otherwise unavailable to serve with respect to any particular matter, the [**Secretary**] **Board** shall designate a replacement.

(d) A special master instead of a hearing committee may be assigned by the Board to conduct an investigatory hearing or formal proceeding [**where it appears that**

the hearing or proceeding may be protracted and should be conducted continuously from day to day until conclusion].

* * * * *

Rule 208. Procedure.

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(f) *Emergency temporary suspension orders and related relief.*

* * * * *

(4) The respondent-attorney may at any time petition the Court for dissolution or amendment of an order of temporary suspension. A copy of the petition shall be served upon Disciplinary Counsel and **filed with** the [**Secretary of the**] Board **Prothonotary**. A hearing on the petition before a member of the Board designated by the Chair of the Board shall be held within ten business days after [**service**] **filing** of the petition [**on**] **with** the [**Secretary of the**] Board **Prothonotary**. The designated Board member shall **hear** the petition and submit a transcript of the hearing and a recommendation to the Court within five business days after the conclusion of the hearing. Upon receipt of the recommendation of the designated Board member and the record relating thereto, the Court shall dissolve or modify its order, if appropriate.

(5) The Board on its own motion, or upon the petition of Disciplinary Counsel, may issue a rule to show cause why the respondent-attorney should not be placed on temporary suspension whenever it appears that the respondent-attorney has disregarded an applicable provision of the Enforcement Rules, failed to maintain or produce the records required to be maintained and produced under Pa.R.P.C. 1.15(c) and subdivisions (e) and (g) of Enforcement Rule 221 in response to a request or demand authorized by Enforcement Rule 221(g) or any provision of the Disciplinary Board Rules, failed to comply with a valid subpoena, or engaged in other conduct that in any such instance materially delays or obstructs the conduct of a proceeding under these rules. The rule to show cause shall be returnable within ten days. If the response to the rule to show cause raises issues of fact, the Board Chair may direct that a hearing be held before a member of the Board who shall submit a report to the Board upon the conclusion of the hearing. If the period for response to the rule to show cause has passed without a response having been filed, or after consideration of any response and any report of a Board member following a hearing under this paragraph, the Board may recommend to the Supreme Court that the respondent-attorney be placed on temporary suspension. The recommendation of the Board shall be reviewed by the Supreme Court as provided in subdivision (e) of this rule, although the time for either party to file with the Court a petition for review of the recommendation or determination of the Board shall be fourteen days after the entry of the Board's recommendation or determination, and any answer or responsive pleading shall be filed within ten days after service of the petition for review.

(6) A respondent-attorney who has been temporarily suspended pursuant to this rule for conduct described in paragraph (1), or pursuant to the procedures of paragraph (5) where a formal proceeding has not yet been commenced shall have the right to request an accelerated disposition of the charges which form the basis for the temporary suspension by filing a notice with the [**Secretary of the**] Board **Prothonotary** and Disciplinary

Counsel requesting accelerated disposition. Within 30 days after filing of such a notice, Disciplinary Counsel shall file a petition for discipline under subdivision (b) of this rule and the matter shall be assigned to a hearing committee for accelerated disposition. Thereafter the matter shall proceed and be concluded by the hearing committee, the Board and the Court without appreciable delay. If a petition for discipline is not timely filed under this paragraph, the order of temporary suspension shall be automatically dissolved, but without prejudice to any pending or further proceedings under this rule.

* * * * *

Rule 209. Immunity.

* * * * *

(b) Complaints against members of the Board involving alleged violations of the Disciplinary Rules or these rules shall be handled in the same manner as other complaints, except that if action is required by the Board the [**Secretary**] **Board Prothonotary** shall notify the Supreme Court which shall appoint an Ad Hoc Disciplinary Board comprised of five former members of the Board who shall discharge the functions of the Board and have all the powers of the Board with respect to that one matter only.

* * * * *

Rule 214. Attorneys convicted of crimes.

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(d)(1) Upon the filing with the Supreme Court of a certified copy of an order demonstrating that an attorney has been convicted of a crime, the Court may enter a rule directing the respondent-attorney to show cause why the respondent-attorney should not be placed on temporary suspension, which rule shall be returnable within ten days.

* * * * *

(4) The respondent-attorney may at any time petition the Court for dissolution or amendment of an order of temporary suspension. A copy of the petition shall be served upon Disciplinary Counsel and **filed with** the [**Secretary of the**] Board **Prothonotary**. A hearing on the petition before a member of the Board designated by the Chair of the Board shall be held within ten business days after [**service**] **filing** of the petition [**on**] **with** the [**Secretary of the**] Board **Prothonotary**. The designated Board member shall hear the petition and submit a transcript of the hearing and a recommendation to the Court within five business days after the conclusion of the hearing. Upon receipt of the recommendation of the designated Board member and the record relating thereto, the Court shall dissolve or modify its order, if appropriate.

* * * * *

(f)(1) Upon the filing of a certificate of conviction of an attorney for a crime, Disciplinary Counsel may commence either an informal or formal proceeding under Enforcement Rule 208, except that Disciplinary Counsel may institute a formal proceeding before a hearing committee or special master by filing a petition for discipline with the Board without seeking approval for the prosecution of formal charges under Enforcement Rule 208(a)(3). If a petition for discipline is filed, a hearing on the petition shall be deferred until sentencing and all direct appeals from the conviction have been concluded. The sole issue at the hearing shall be the extent of the discipline or,

where the Court has temporarily suspended the attorney under subdivision (d) of this rule, the final discipline to be imposed.

Official Note: subdivision (f)(1) authorizes Disciplinary Counsel to proceed under Rule 208 concurrently with the Court's exercise of jurisdiction under subdivision (d) of this Rule.

(2) Notwithstanding the provision of paragraph (1) that a hearing shall not be held until sentencing and all appeals from a conviction have been concluded, a respondent-attorney who has been temporarily suspended pursuant to this rule shall have the right to request an accelerated disposition of the charges which form the basis for the temporary suspension by filing a notice with the [**Secretary of the**] Board **Prothonotary** and Disciplinary Counsel requesting accelerated disposition. Within 30 days after filing of such a notice, Disciplinary Counsel shall file a petition for discipline, if such a petition has not already been filed, and the matter shall be assigned to a hearing committee for accelerated disposition. The assignment to a hearing committee shall take place within seven (7) days after the filing of such a notice or the filing of a petition for discipline, whichever occurs later. Thereafter the matter shall proceed and be concluded by the hearing committee, the Board and the Court without appreciable delay. If a petition for discipline is not timely filed or assigned to a hearing committee for accelerated disposition under this paragraph, the order of temporary suspension shall be automatically dissolved, but without prejudice to any pending or further proceedings under this rule.

* * * * *

Rule 215. Discipline on Consent.

a) *Voluntary resignation.*—An attorney who is the subject of an investigation into allegations of misconduct by the attorney may submit a resignation, but only by delivering to Disciplinary Counsel or the [**Secretary of the**] Board **Prothonotary** a verified statement stating that the attorney desires to resign and that:

* * * * *

(6) the attorney is aware that pursuant to subdivision (c) of this Rule, the fact that the attorney has tendered his or her resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the [**Secretary of the**] Board **Prothonotary**;

* * * * *

(b) *Order of disbarment.*—Upon receipt of the required statement, the [**Secretary of the**] Board **Prothonotary** shall file it with the Supreme Court and the Court shall enter an order disbarring the attorney on consent.

(c) *Confidentiality of resignation statement.*—The fact that the attorney has submitted a resignation statement to Disciplinary Counsel or the [**Secretary of the**] Board **Prothonotary** for filing with the Supreme Court shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the [**Secretary of the**] Board **Prothonotary**. The order disbarring the attorney on consent shall be a matter of public record. If the statement required under the provisions of subdivision (a) of this rule is submitted before the filing and service of a petition for discipline and the filing of an answer or the time to file an answer has expired, the statement shall not be

publicly disclosed or made available for use in any proceeding other than a subsequent reinstatement proceeding except:

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Rule 216. Reciprocal discipline and disability.

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(e) An attorney who has been transferred to disability inactive status or disciplined in another court or by any body authorized by law or by rule of court to conduct disciplinary proceedings against attorneys by any state or territory of the United States or of the District of Columbia, a United States court, or by a federal administrative agency or a military tribunal, by suspension, disbarment, or revocation of license or pro hac vice admission, or who has resigned from the bar or otherwise relinquished his or her license to practice while under disciplinary investigation in another jurisdiction, shall report the fact of such transfer, suspension, disbarment, revocation or resignation to the [**Secretary of the**] Board **Prothonotary** within 20 days after the date of the order, judgment or directive imposing or confirming the discipline or transfer to disability inactive status.

Rule 217. Formerly admitted attorneys.

(a) A formerly admitted attorney shall promptly notify, or cause to be promptly notified, all clients being represented in pending matters, other than litigation or administrative proceedings, of the disbarment, suspension, administrative suspension or transfer to inactive status and the consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status and shall advise said clients to seek legal advice elsewhere. The notice required by this subdivision (a) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the [**Secretary of the**] Board **Prothonotary** and shall serve a conforming copy on the Office of Disciplinary Counsel. See D.Bd. Rules § 91.91(b) (relating to filing of copies of notices).

Official Note: Notice may be accomplished, for example, by delivery in person with the lawyer securing a signed receipt, electronic mailing with some form of acknowledgement from the client other than a “read receipt,” and mailing by registered or certified mail, return receipt requested.

(b) A formerly admitted attorney shall promptly notify, or cause to be promptly notified, all clients who are involved in pending litigation or administrative proceedings, and the attorney or attorneys for each adverse party in such matter or proceeding, of the disbarment, suspension, administrative suspension or transfer to inactive status and consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status. The notice to be given to the client shall advise the prompt substitution of another attorney or attorneys in place of the formerly admitted attorney. In the event the client does not obtain substitute counsel before the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status, it shall be the responsibility of the formerly

admitted attorney to move in the court or agency in which the proceeding is pending for leave to withdraw. The notice to be given to the attorney or attorneys for an adverse party shall state the place of residence of the client of the formerly admitted attorney. The notice required by this subdivision (b) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. See Note after subdivision (a), supra. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the [**Secretary of the**] Board **Prothonotary** and shall serve a conforming copy on the Office of Disciplinary Counsel. See D.Bd. Rules § 91.92(b) (relating to filing of copies of notices).

(c) A formerly admitted attorney shall promptly notify, or cause to be promptly notified, of the disbarment, suspension, administrative suspension or transfer to inactive status:

(1) all persons or their agents or guardians, including but not limited to wards, heirs and beneficiaries, to whom a fiduciary duty is or may be owed at any time after the disbarment, suspension, administrative suspension or transfer to inactive status;

(2) all other persons with whom the formerly admitted attorney may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that he or she continues as an attorney in good standing; and

(3) any other tribunal, court, agency or jurisdiction in which the attorney is admitted to practice.

The notice required by this subdivision (c) may be delivered by the most efficient method possible as long as the chosen method is successful and provides proof of receipt. See Note after subdivision (a), supra. At the time of the filing of the verified statement of compliance required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the [**Secretary of the**] Board **Prothonotary** and shall serve a conforming copy on the Office of Disciplinary Counsel. The responsibility of the formerly admitted attorney to provide the notice required by this subdivision shall continue for as long as the formerly admitted attorney is disbarred, suspended, administratively suspended or on inactive status.

* * * * *

(e)(1) Within ten days after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status order, the formerly admitted attorney shall file with the [**Secretary of the**] Board **Prothonotary** a verified statement and serve a copy on Disciplinary Counsel. In the verified statement, the formerly admitted attorney shall:

* * * * *

Rule 218. Reinstatement.

* * * * *

(d) The procedure for petitioning for reinstatement from: retired status for more than three years; inactive status for more than three years; administrative suspension for more than three years; retired status, inactive status or administrative suspension if the formerly admit-

ted attorney has not been on active status at any time within the past three years; or after transfer to inactive status as a result of the sale of a law practice pursuant to Rule 1.17 of the Pennsylvania Rules of Professional Conduct, is as follows:

(1) Petitions for reinstatement shall be filed with the Board.

(2) Within 60 days after the filing of a petition for reinstatement, Disciplinary Counsel shall either:

(i) file a response thereto with the Board and serve a copy on the formerly admitted attorney; or

(ii) file a certification with the Board [**Secretary Prothonotary**] stating that after a review of the petition for reinstatement and reasonably diligent inquiry, Disciplinary Counsel has determined that there is no impediment to reinstatement and that the petitioner-attorney will meet his or her burden of proof under paragraph (d)(3) if the petition were to proceed to hearing under (d)(4).

* * * * *

(6) Upon receipt of a certification filed by Disciplinary Counsel under (d)(2)(ii), the Board Chair shall designate a single member of the Board to review the record and certification and to issue a report and recommendation.

(i) If the Board Member decides that reinstatement should be denied or that a hearing on the petition is warranted, the designated Board Member shall issue a report setting forth the areas of the designated Board Member's concern and direct [**the Board Secretary to schedule**] that the matter **be scheduled** for hearing pursuant to subdivision (d)(4) of this rule.

* * * * *

Rule 219. Annual registration of attorneys.

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(g) The Attorney Registration Office shall provide to the [**Office of the Secretary**] Board **Prothonotary** a copy of any certification filed by the Attorney Registration Office with the Supreme Court pursuant to the provisions of this rule.

(h) An attorney who has been administratively suspended pursuant to subdivision (f) for three years or less is not eligible to file the annual fee form electronically. The procedure for reinstatement is as follows:

* * * * *

(2) Upon receipt of the annual fee form, a verified statement showing compliance with Enforcement Rule 217 (relating to formerly admitted attorneys), and the payments required by paragraph (1), the Attorney Registration Office shall so certify to the [**Office of the Secretary**] Board **Prothonotary** and to the Supreme Court. Unless the formerly admitted attorney is subject to another outstanding order of suspension or disbarment or the order has been in effect for more than three years, the filing of the certification from the Attorney Registration Office with the Prothonotary of the Supreme Court shall operate as an order reinstating the person to active status.

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Subchapter C. DISABILITY AND RELATED MATTERS

Rule 301. Proceedings where an attorney is declared to be incapacitated or severely mentally disabled.

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(e) If, during the course of a disciplinary proceeding, the respondent contends that the respondent is suffering from a disability by reason of mental or physical infirmity or illness, or because of addiction to drugs or intoxicants, which makes it impossible for the respondent to prepare an adequate defense, the respondent shall complete and file with the Court a certificate of admission of disability [**available to the bar through the Office of the Secretary to the Board**]. The respondent shall serve a copy of the certificate on the Board **Prothonotary** and disciplinary counsel. The certificate shall:

* * * * *

Subchapter D. MISCELLANEOUS PROVISIONS

Rule 401. Expenses.

The salaries of the [**Secretary of the Board, Disciplinary Counsel and staff**] **Disciplinary Board employees**, their expenses, administrative costs, and the expenses of the members of the Board [**and of**], hearing committees **and special masters** shall be paid by the Board out of the funds collected under the provisions of Enforcement Rule 219 (relating to annual registration of attorneys) **and Enforcement Rule 208 (relating to costs)**. The Board shall annually obtain an independent audit by a certified public accountant of the funds entrusted to it and their disposition and shall file a copy of such audit with the Court.

Rule 403. Emeritus Status.

* * * * *

(f) *Approval of Eligible Legal Aid Organization.* Prior to the commencement of services described in (d), the emeritus attorney shall submit an Eligible Legal Aid Organization Form to the [**Secretary of the Board**] **Attorney Registration Office** for approval. The emeritus attorney shall submit a separate form for each eligible legal aid organization for which the attorney expects to perform pro bono services. The form shall include the following:

* * * * *

[Pa.B. Doc. No. 18-1852. Filed for public inspection November 30, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ADAMS COUNTY

Rules of Judicial Administration; Administrative Order Number 11 of 2018

Order of Court

And Now, this 29th day of October, 2018, *It Is Hereby Ordered* that Adams County Rules of Judicial Administration 4007, 4008 and 4011 are vacated in their entirety, to be replaced as follows:

4007. Request for Transcripts.

(a) All requests for transcripts shall be set forth on a standardized form approved by the Administrative Office of Pennsylvania Courts and provided by the 51st Judicial District and available at the office of District Court Administrator of Adams County and the Adams County website. The form shall indicate the current rates authorized to be charged for transcripts under these rules. Requestors may also use the standardized form as created by the District Court Administrator of Pennsylvania.

(b) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the appropriate filing office (Clerk of Courts, Prothonotary, Orphans Court, or Domestic Relations Office) in which the litigation is pending. The requesting party shall also serve copies of the formal request to:

- (1) the Judge presiding over the matter,
- (2) the Court Reporter, Recorder, or Transcriptionist assigned to the proceeding,
- (3) the District Court Administrator, and
- (4) opposing counsel or party if the party is unrepresented.

(c) Where daily, expedited, or same day transcripts are requested, request for those transcripts shall be filed in writing in the appropriate filing office at least ten (10) days prior to the proceeding with copies of the request delivered as required by paragraph (b). Where justice requires and ten (10) days prior notice cannot reasonably be provided, requests for daily, expedited, or same day transcripts shall be made by oral motion to the presiding Judge.

(d) Following receipt of a request for transcript, the presiding Judge shall forthwith produce an order:

- (1) setting forth the amount of the deposit which shall be 75 percent of the anticipated total cost of the transcript and directing the transcript to be prepared upon payment of the deposit;
- (2) setting a reduced payment rate and directing the transcript to be prepared upon payment of the reduced rate; or
- (3) approving or denying an economic hardship exemption and, where applicable, directing preparation of the transcript.

(e) Upon receipt of the court order referenced in subparagraph (d) above, the filing office shall make service of the same on the requestor. If deposit or reduced payment is required, the payment shall be paid to the filing office prior to commencement of transcript preparation. Upon receipt of the payment, the filing office shall promptly advise Court Administration of the same who thereafter shall direct the Court Reporter to prepare the transcript.

(f) A request for a copy of any transcript previously ordered, transcribed, and filed of record shall comply with Adams R.J.A. 4007(a). After the Court has set the amount to be paid, and upon satisfaction of any financial obligation related to the request, the Court Reporter shall provide a copy to the requesting party.

4008. Transcript Costs.

(a) Costs payable by a requesting party other than the Commonwealth or subdivision thereof to produce an Original transcript shall be:

- (1) for an ordinary transcript, \$2.50 per page,
- (2) for an expedited transcript, \$3.50 per page,
- (3) for a daily transcript, \$4.50 per page, and
- (4) for same day delivery, \$6.50 per page.

(b) Costs payable by the Commonwealth or subdivision thereof to produce an Original transcript shall be:

- (1) for an ordinary transcript, \$1.55 per page,
- (2) for an expedited transcript, \$1.75 per page,
- (3) for a daily transcript, \$2.00 per page, and
- (4) for same day delivery, \$4.00 per page.

(c) Regardless of whether the request is made by a party or the Commonwealth or subdivision thereof, in order to obtain a copy of the Original transcript, costs payable by the requesting party shall be 50 cents per page for an electronic copy and/or 75 cents per page for a bound, paper copy in addition to any cost incurred for the production of the original.

(d) Economic hardship.

(1) A party seeking consideration of an economic hardship related to obtaining a transcript may petition the Court in utilizing the in forma pauperis self-help packet available at the Adams County Law Library or online at www.adamscounty.us. In order for a party to be considered for economic hardship, the in forma pauperis self-help packet must be fully completed and verified.

(2) A transcript requested by Legal Aid Services must include with the request for transcript a letter of certification verifying that the client meets financial eligibility and the matter is under appeal or the transcript being requested is necessary to advance the current litigation.

(e) Except as otherwise set forth in this rule, no filing fee shall be assessed to a litigant filing a request for transcript.

4011. Delivery of Transcript.

(a) The Court Reporter shall notify the requesting party and the District Court Administrator or designee upon completion of the transcript and shall indicate the balance to be paid at the respective filing office.

(b) The District Court Administrator or designee shall notify the filing office of the balance owed.

(c) Upon completion of the transcript, the Court Reporter shall file it of record and the deposit paid, if any, shall be applied to the cost of production of the original.

(1) No copy of a transcript shall be provided to any party unless an original transcript has been filed of record and the cost of the copy being sought, if any, has been paid.

(2) If a Judge requires a transcript that has not been filed of record, regardless if there are any current requests for the transcript from any party, the requesting Judge shall direct the Court Re-

porter to create and file the transcript of record and, once filed, to produce a copy to the requesting Judge. Thereafter, any further requests by any party shall be charged at the copy rate.

(d) Upon payment of the balance owed to the filing office, the filing office shall notify Court Administration, and thereafter the Court Reporter shall deliver a copy to the requesting party.

It Is Further Directed that:

a. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to adminrules@pacourts.us;

b. Upon notification from the AOPC that the local rule is not inconsistent with the policy, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;

d. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

e. The effective date of the local rule(s) shall be 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

MICHAEL A. GEORGE,
President Judge

[Pa.B. Doc. No. 18-1853. Filed for public inspection November 30, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ERIE COUNTY

**Local Rules of Criminal Procedure 590 and 700;
Doc. No. 32-2018**

Order

And Now, to wit, this 8th day of November, 2018, it is hereby *Ordered, Adjudged, and Decreed* that former Erie County Local Rule of Criminal Procedure 590 has been revised, as set forth as follows. Additionally, Erie County Local Rule of Criminal Procedure 700 has been approved. In accordance with Pennsylvania Rule of Judicial Administration 103(d), Erie County Local Rules of Criminal Procedure 590 and 700 shall be effective 30 days following publication in the *Pennsylvania Bulletin* and on the Erie County website at <https://www.eriecountypa.gov/courts/courts-info/local-rules>.

JOHN J. TRUCILLA,
President Judge

Rule 590. Pleas and Plea Agreements.

A defendant may enter a plea of guilty or, with the consent of the judge, *nolo contendere* pursuant to a plea agreement at any time prior to the verdict.

If a defendant enters a plea of guilty or, with the consent of the judge, *nolo contendere* before the Court no later than ten (10) days after arraignment, the defendant may have the option of assignment to another judge of the trial division, other than the original assigned judge, for purposes of sentencing.

If a defendant applies for ARD/PWOV or Treatment Court programs within ten (10) days after arraignment but the application is denied, the defendant may enter a plea of guilty or, with the consent of the judge, *nolo contendere* before the Court no later than ten (10) days after the denial of the application and may have the option of assignment to another judge of the trial division, other than the original assigned judge, for purposes of sentencing.

Rule 700. Sentencing Judge.

A sentence on a plea of guilty or *nolo contendere* may be imposed by a judge other than the judge who received a plea of guilty or *nolo contendere*. In such event, the defendant must be so notified at the time of making the plea. See Pa.R.Crim.P. 700(B). The defendant shall have the option, with the consent of the judge, to be immediately sentenced by the judge taking the plea; however, if the sentence is deferred, the sentence shall be imposed by the judge who was originally assigned the case.

In the event a defendant enters a plea of guilty or *nolo contendere* within (10) days after arraignment or refusal from the ARD/PWOV or Treatment Court programs, the post-arraignment plea judge shall be responsible for sentencing the defendant.

[Pa.B. Doc. No. 18-1854. Filed for public inspection November 30, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Adoption of Local Rules of Civil Procedure; 1910.12(c)*. Motion to Designate Support Case as Complex; 1910.12(c)(3)*. Scheduling/Discovery of Complex Support Matters Before Hearing Officer in Support; 1910.12(f)*. Exceptions to Recommendations of Hearing Officer in Support; No. 2018-00001-0006

Order

And Now, this 14th day of November, 2018, the Court hereby Adopts Montgomery County Local Rules of Civil Procedure 1910.12(c)*. Motion to Designate Support Case as Complex; 1910.12(c)(3)*. Scheduling/Discovery of Complex Support Matters Before Hearing Officer in Support; 1910.12(f)*. Exceptions to Recommendations of Hearing Officer in Support. These Rules shall become effective on January 1, 2019.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library

of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

THOMAS M. DeRICCI,
President Judge

Rule 1910.12(c)*. Motion to Designate Support Case as Complex.

In accordance with Pa.R.C.P. 1910.12, if a party seeks to designate a support matter as complex, that party shall file a Motion to Designate Case as Complex in substantially the form as set forth on the Court's website.

Comments:

1 The form referenced in this rule is available online at www.montcopa.org/courts;

2 Examples of cases that may be deemed complex include, but are not limited to, the following: self-employment income, earning capacity, complex compensation/tax issues and cases that may require expert witnesses in order to arrive at a determination of income.

Rule 1910.12(c)(3)*. Scheduling/Discovery of Complex Support Matters Before Hearing Officer in Support.

Upon the designation of a support matter as complex, the Hearing Officer in Support shall issue a discovery and scheduling order in substantially the form as set forth on the Court's website.

Comment: The form referenced in this rule is available online at www.montcopa.org/courts

Rule 1910.12(f)*. Exceptions to Recommendations of Hearing Officer in Support.

If a party seeks to except to the Recommendations of the Hearing Officer in Support, that party shall file Exceptions in substantially the form as set forth on the Court's website.

The Court shall process Exceptions to Recommendations of the Hearing Officer in Support in accordance with its Order and Briefing Schedule in substantially the form as set forth on the Court's website.

Comment: The forms referenced in this rule are available online at www.montcopa.org/courts

[Pa.B. Doc. No. 18-1855. Filed for public inspection November 30, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF MASSAGE THERAPY

[49 PA. CODE CH. 20]

Fees

The State Board of Massage Therapy (Board) amends § 20.3 (relating to fees) to read as set forth in Annex A.

Effective Date

The amendments will be effective upon publication of this final-form rulemaking in the *Pennsylvania Bulletin*. The increased application fees will be implemented immediately; the increased biennial renewal fees will be implemented beginning with the January 31, 2019, biennial renewal.

Statutory Authority

Section 11(a) of the Massage Therapy Law (act) (63 P.S. § 627.11(a)) requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties imposed under the act are not sufficient to meet expenditures over a 2-year period.

Background and Need for Amendments

Under section 11(a) of the act, the Board is required by law to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the act provides that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises the majority of its revenue through biennial renewal fees. A small percentage of its revenue comes from application fees, fines and civil penalties.

Under section 49 of the act (63 P.S. § 627.49), initial operating funds were transferred from the Professional Licensure Augmentation Account (PLAA) to the Board to be repaid to the PLAA within 3 years of the beginning of the issuance of licenses. The current fee schedule in § 20.3 was established with the Board's initial rulemaking in 2011 based upon an estimate of the costs of administering the functions of the Board at that time. See 41 Pa.B. 16 (January 1, 2011). However, since the Board began issuing licenses in 2011, it has not produced enough revenue to cover its current operating expenses. In fact, the deficit balance in the Board's account as of the beginning of Fiscal Year (FY) 2018-2019 is projected by the Bureau of Finance and Operations (BFO) to be \$1,592,560.78.

Therefore, the Board determined that it is necessary to raise fees to meet or exceed projected expenditures, in compliance with section 11(a) of the act. Based on recommendations from the BFO, the Board published its proposed rulemaking at 48 Pa.B. 3736 (June 23, 2018), in which the Board proposed three amendments to the Board's fee schedule. As proposed, the Board would have amended § 20.3 to increase the application fee for initial licensure from \$65 to \$100; to increase the application fee for approval of a continuing education program from \$65 to \$100; and to increase the biennial renewal fee from \$75 to \$200. The Board had also proposed to eliminate subsection (d) as outdated because the National Certification Board for Therapeutic Massage and Bodywork no

longer provides an examination. During the 30-day public comment period and thereafter, the Board received 413 comments from the regulated community, including comments from Deborah Dunn, President of the Lancaster School of Cosmetology and Therapeutic Bodywork; Tracy Becker, Executive Director of the Clarion Area Chamber of Commerce; and approximately 410 individual licensed massage therapists. Virtually all of these comments objected to the increase in the biennial renewal fee for licensed massage therapists, and to a lesser degree to the increased application fee and continuing education approval fee. On August 22, 2018, the Board received comments from the Independent Regulatory Review Commission (IRRC).

Summary of Comments and the Board's Response

After summarizing many of the public comments, IRRC asked the Board to address the adverse economic impacts that commenters have asserted will result from the significant biennial renewal fee increase. The Board reviewed all of the public comments and offers the following response.

Of the 413 public commenters, the vast majority objected to the increase in the biennial renewal fee from \$75 to \$200. In fact, only three were supportive, and 17 were neutral. A large number simply said that the proposed fee increase was too large and burdensome, especially for many massage therapists who only practice part-time. Many felt that such an increase would result in existing licensees choosing not to renew their licenses, thus resulting in less revenue, not more. Licensees also commented that with costs associated with continuing education, insurance and equipment, such an increase is excessive. Many complained that unlike other health-related services, massage therapy is generally not covered by insurance and during economic down turns, people will cut out massages as an unnecessary expense. There were a number of commenters who compared the proposed fee with those paid by other professions in this Commonwealth and with the fees paid by massage therapists in other states. The commenters generally asked for no increase, a smaller increase or a graduated increase.

Because the Board is required to support its operations with the revenue it raises from fees, fines and civil penalties, the option to not increase fees at this time is untenable. As noted, the Board's deficit has grown to approximately \$1.5 million at the beginning of this fiscal year. Revenues capable of being produced under the current fee structure each biennium are approximately \$925,000; while expenditures are approximately \$1.3 million, resulting in a biennial operating deficit of approximately \$375,000. The act requires the Board to set its fees at a level high enough to cover its expenditures over a 2-year period. Thus, an increase is necessary.

However, the original proposal put forth by the BFO of a \$200 biennial renewal fee would have eliminated the deficit over two renewal periods. As a result of its review of the regulated community's comments, the Board asked the BFO to consider recouping the deficit over a period of 10 years (in that it has taken 10 years to get into this financial hole, it should take no less than 10 years to dig out of it). In addition, the Board asked the BFO to consider a graduated fee increase so that licensees would have the ability to budget for the increase, rather than be surprised by a large increase when they apply for renewal in 2019.

The BFO returned to the Board at its meeting on September 18, 2018, and provided a revised proposal which would: 1) allow the Board adequate revenue to cover its projected biennial expenditures; 2) eliminate the deficit over a period of 10 years (by FY 2027-2028); and 3) provide for a graduated increase to make it possible for licensees to budget for the necessary increases. The new proposal would increase the biennial renewal fee for licensed massage therapists from \$75 to \$125 for the 2019—2021 biennial renewal period; to \$150 for the 2021—2023 biennial renewal period; and to \$175 for the 2023—2025 renewal period. While the Board recognizes that many of the commenters will still not be happy paying more to renew their licenses, it has endeavored to find a compromise that addresses as many of the licensees' concerns as possible, while still eliminating the deficit and returning the Board to sound financial condition.

Commenters offered a number of suggestions for the Board to balance its budget without an increase in fees. Many suggested that the Board should shift the burden to those who would practice without a license or who violate the licensing laws in the form of increased civil penalties. Some commenters chastised the Board, indicating there remains too much unlicensed practice, or that the Board is somehow not policing the profession adequately. Some suggested that the Board should require licensure for Asian bodyworkers, a profession that is exempt from licensure under section 13 of the act (63 P.S. § 627.13(6)). IRRC asked the Board to explain what steps the Board is taking to increase revenues by shifting the burden from licensees to unlicensed individuals through fines and civil penalties. The revenue produced through civil penalties is unreliable at best and is not intended to be used to balance a board's budget. Instead, the Board imposes civil penalties on unlicensed individuals and on licensees who have violated the act or the Board's regulations as a deterrent—to those who have violated the law and to other similarly situated individuals. Indeed, the courts have ruled that excessive civil penalties are punitive, rather than deterrent, and have set them aside. The enforcement efforts of the Board, like all other boards and commissions under the Bureau of Professional and Occupational Affairs (Bureau), are primarily complaint driven. Based on the most recent figures provided to the Board from the Office of Chief Counsel, since the Board began its operations in FY 2010-2011 through the end of FY 2016-2017, there have been approximately 1,177 complaints filed relating to massage therapy. Each complaint is investigated to determine if a violation of the act or regulations has occurred. Each investigation requires the expenditure of funds—funds which are unlikely to be recouped through the imposition of civil penalties by the Board. Often an investigation does not result in a prosecution. Many activities that one may consider part of "massage therapy" are specifically exempt from licensure under section 13 of the act, including acupressure, Asian bodywork therapy, polarity therapy bodywork, quigon, reiki, shiatsu and tui na. Complaints are routinely filed against practitioners and upon investigation, it is determined that they are exempt from licensure such that no civil penalties may be imposed. Additionally, those who practice massage therapy without a license are unlikely to pay a civil penalty imposed by the Board, which is then turned over to the Office of the Attorney General for collection. Recently, a new law was passed (the act of October 20, 2017 (P.L. 379, No. 40)) (71 P.S. § 307.6a) which amended the Administrative Code of 1929 to permit the Attorney General's office to retain 25% of all funds they collect on behalf of a board. For these reasons,

balancing the Board's budget by imposing greater civil penalties would simply not work.

Other commenters suggest that the Board should cut the salaries of its staff or the Board members themselves should have their salaries cut. The majority of the Board's costs are personnel related, and much of those costs are not within the Board's control. Staff are generally employees of the Commonwealth, most of whom are civil service personnel, and many are union positions. For these employees, the Board is bound by the negotiated contract. Personnel costs associated with investigation and enforcement depend largely on the number of complaints received that need to be investigated, and the number of those matters that result in disciplinary action. The Board has no control over the number of complaints that are filed against licensees and unlicensed individuals, nor may they control which matters are or are not prosecuted. Board members themselves receive \$60 per day when attending to Board business—an amount set forth in section 3 of the act (63 P.S. § 627.3). Board members are also entitled to receive "reasonable traveling, hotel and other necessary expenses incurred in the performance of their duties." The actual "Board member expenses" budgeted for FY 2018-2019 amount to \$15,000, out of the \$667,000 projected budget, or approximately 2.2%. Thus, cutting Board member expenses would have little effect on the bottom line. To those commenters who feel that the Board is out-of-touch, wants a larger paycheck, is fleecing the regulated community, or otherwise does not care about the average licensee, it should be noted that the Board is made up of a majority of professional members—licensed massage therapists—who will also be required to pay the increased biennial renewal fees.

In response to those commenters who objected to the increase because they are only part-time practitioners, the Board cannot distinguish between licensees based on the number of hours they work, as the Board has no control over that number. Nor can the Board distinguish between licensees based on their annual income. However, the Board hopes that the new lower, graduated fee approach will allow licensees to budget for the increases, which now amount to a \$50 increase in 2019, a \$25 increase in 2021 and a \$25 increase in 2023. In addition, the Board has committed to reassessing the fee in 2027 when the accumulated deficit has been eliminated.

Additionally, the Board members recognize that the biennial renewal fee is not the only expense a licensed massage therapist incurs related to licensure, as many commenters pointed out. Section 6 of the act (63 P.S. § 627.6) requires each licensee to maintain current CPR certification and to complete a minimum of 24 hours of continuing education in the field of massage therapy as a condition of license renewal. These are statutory requirements set forth by the General Assembly. Many commenters mentioned the increased costs associated with continuing education courses, 16 of which are required by the Board's regulations to be completed in the physical presence of an instructor or supervisor. Although the Board cannot alter the number of hours of continuing education required by the act, the Board will take this comment under advisement when considering amendments to its continuing education regulations.

Many commenters compared the Board's proposed fees with fees paid by other professions licensed in this Commonwealth, including nurses and physical therapists. Each board is required to be funded by the fees, fines and civil penalties it generates. Comparing one board with another is difficult—like comparing apples to oranges. For example, the State Board of Nursing has been in exist-

ence since the early 1900s and has over 300,000 licensees. The Board was created in 2008 and has only 9,176 licensees. Comparing a relatively new board with an established board, especially one with 33 times as many licensees, is not instructive. More instructive may be a board of comparable size and budget—for example, the State Board of Barber Examiners. The Barber board has approximately 9,235 licensees (compared to 9,176 licensees licensed by the Board) and annual expenditures of approximately \$700,000 (compared to \$667,000 for the Board). Biennial renewal fees range from \$109 to \$174 for barbers, barber managers and barber teachers, which is comparable to the new proposed biennial renewal fee structure for massage therapists.

Other commenters compared the Board's proposed biennial renewal fee with those paid by massage therapists in other states. Again, because the Board is required to set its fees to cover the cost of its operations, comparisons with other states may not be instructive because not all states have similar licensure schemes and funding streams. However, a review of fees in the Northeast region of the United States indicates that the average renewal fee for massage therapists is \$125.25, with a low of \$65 (New York) and a high of \$255 (Connecticut). Thus, the revised fee structure is in line with nearby states.

A few commenters objected to the increase in the initial license fee from \$65 to \$100. They believe that many massage therapists will forego licensure and practice without a license. The new proposed fee is based on the actual cost of processing an application for licensure as a massage therapist. If the fee is not increased, the general licensee population would essentially be underwriting these costs for individual applicants who may or may not ever obtain licensure. A review of nearby states indicates that the average initial licensing fee in the Northeast region is \$174.80, with a low of \$65 (Rhode Island) to a high of \$450 (Maryland). Thus, the Board finds the initial licensure fees to be appropriate and not overly burdensome. The Board would encourage all licensees to report unlicensed practice for investigation.

Finally, a few commenters noted that the increased fee for approval of a continuing education course (from \$65 to \$100) would simply be passed on to massage therapists by the continuing education providers. As previously noted, this fee has been calculated based on the actual cost of processing the application for approval. Additionally, this fee is only charged to those providers of continuing education who are not preapproved by the Board as set forth in § 20.33 (relating to continuing education content and providers). The preapproved providers provide the vast majority of continuing education to the Board's licensees, as the Board only approves a handful of courses each year, out of the hundreds of available courses for massage therapists. At the present time, there are only six courses for continuing education approved by the Board that are not offered by preapproved providers.

In addition to asking the Board to address the economic impacts identified by the commenters, IRRC also asked the Board to address the Board's debt to the PLAA. Specifically, IRRC asked how much the Board initially borrowed and what remaining balance is owed to the PLAA. The following chart shows the initial funds (\$89,628.94) that were advanced by the PLAA during years when the Board had no revenue prior to the issuance of licenses in FY 2010-2011. The Board had received sufficient revenue to cover all start up fees once they began issuing licenses. However, those revenues failed to also cover the Board's other operational expendi-

tures. Thus, while the funds advanced from the PLAA were technically returned to the PLAA, the Board has been depending on the PLAA to subsidize its expenditures that are not covered by the current fee structure since its inception and currently "owes" \$1,571,455.03 to the PLAA. Provided the revised incremental renewal fee increase is approved, the Board's debt to the PLAA should be erased within the next decade.

<i>Fiscal Year</i>	<i>Expenses</i>	<i>Revenue</i>
FY 2008-2009	(\$8,265.15)	\$0.00
FY 2009-2010	(\$81,363.82)	\$0.00
FY 2010-2011	(\$211,749.61)	\$203,105.00
FY 2011-2012	(\$413,876.64)	\$293,876.80
FY 2012-2013	(\$596,442.21)	\$608,164.13
FY 2013-2014	(\$601,282.08)	\$129,889.26
FY 2014-2015	(\$664,644.20)	\$679,902.08
FY 2015-2016	(\$635,539.01)	\$196,667.41
FY 2016-2017	(\$653,584.41)	\$701,421.77
FY 2017-2018	(\$587,017.68)	\$133,840.08
FY 2018-2019 (FYTD)	(\$82,539.97)	\$17,983.22
TOTAL	(\$4,536,304.78)	\$2,964,849.75

IRRC also asked the Board to explain whether the costs, as presented, are strictly Board expenses, or include State Department overhead, and how the Board reconciles its deficit with the Department's budget. The Board is required to pay for charges to various support offices within the agency including the Executive Offices, Office of Policy, Office of Legislative Affairs, Office of Chief Counsel, Office of Communications and Press, Office of Human Resources, the Bureau of Finance and Operations and the Office for Information Technology. All charges are based on work completed for the Board. On average, 5%—8% of the Board's total annual expenses are attributed to the work completed by these support entities. The Board's expenditures are a part of the overall budget of the agency. Furthermore, the Board resides among 25 other Boards and Commissions under the PLAA account. In accordance with section 11(c) of the act, all fees, fines and civil penalties collected by the Board are paid into the PLAA. In accordance with section 301 of the Bureau of Professional and Occupational Affairs Fee Act (63 P.S. § 1401-301), money in the account may only be used "for the support of the operation of the [B]ureau and the various regulatory boards." Each year the General Assembly appropriates from the PLAA for the operation of the various regulatory boards, and for other general costs of Bureau operations, monies available from the PLAA. Thus, although each board is expected to support its operations from revenues it produces from fees, fines and civil penalties, excess funds in the PLAA are used temporarily to cover outstanding expenses unable to be covered by revenue received by the Board.

IRRC pointed out that the "Fee Report Form" related to the biennial renewal fee does not include "Fee-Related Activities and Costs," and asked that the Board explain, without these costs, how the proposed fee was determined. Generally, the Bureau's Revenue Office creates a fee report form when calculating fees for services performed by the Boards to individuals (for example, processing applications, verification of status of licensure/letters of good standing, approval of a continuing education course, and the like) based on the cost associated with that specific activity/service. In that way, the individual pays for the service, rather than the costs being spread

across the licensee population. Other costs, however, such as departmental overhead, board administration, investigation and enforcement, legal office costs (including prosecution, counsel, hearing expenses, and the like) cannot be attributed to a specific individual and are borne by the general licensee population through the biennial renewal fee. In layman's terms, through collaboration with the various offices within the agency, BFO projects expected expenditures over a 2-year period, estimates the amount of "non-renewal" revenue that is produced through other fees, fines and civil penalties, and then determines the amount that is needed to cover the remaining projected expenditures. This amount must be funded through the biennial renewal fee and is divided equally among the current licensee population. Therefore, the "Fee-related Activities and Costs" related to the biennial renewal fee are all costs that are unrelated to a specific service provided to an individual by the Board.

Additionally, IRRC asked the Board to explain why the initial estimate of the costs of administering the functions of the Board resulted in the Board not producing enough revenue to cover its operating expenses since it began issuing licenses in 2011. At the time of drafting its initial regulations, including the fee schedule, the Board looked to other established boards within the Bureau which the Board felt would be comparable. However, the Board failed to discern the large number of applicants who would apply as "existing practitioners," that would result in hearings relating to their qualifications. Once the deadline to obtain licensure passed, the Board experienced an influx of "unlicensed practice" complaints that resulted in investigative and legal expenses. For example, in 2013, there were 96 matters involving unlicensed practice resolved by the Board. Even today this category of case continues to demand a great deal of resources of the Board, as noted by the commenters. During FY 2016-2017, 46 cases involving unlicensed practice concluded. Finally, the Board underestimated the significant costs that would be incurred related to investigating and prosecuting sexual misconduct cases before the Board. During FY 2016-2017, there were 15 matters involving sexual misconduct concluded, seven of which resulted in significant discipline (suspension or revocation of a license). It is unfortunate that the Board did not anticipate these circumstances, which resulted the Board underestimating the necessary expenditures and setting the initial fees too low to support the level of enforcement demanded under the act.

Finally, IRRC asked the Board to remove references to section 11(b) of the act from the statutory authority sections of the Preamble and the Regulatory Analysis Form (RAF), since this citation references the authority of the Bureau, not the Board. The Board has made this amendment to both the Preamble and the RAF. However, the Board believes it is prudent to point out that under section 11(b), should the Board not raise its fees to cover the minimum enforcement efforts required by the act, then the Bureau is required to step in and increase the fees.

Description of Amendments to this Final-Form Rulemaking

This final-form rulemaking amends § 20.3 to increase the application fee for initial licensure from \$65 to \$100 and to increase the fee for approval of a continuing education program from \$65 to \$100, as originally proposed. These fees are designed to cover the costs to process the application and should be borne by the individual applicant. However, in response to the many comments received, the Board has revised the increase to

the biennial renewal fee to provide a graduated fee increase: from \$75 to \$125 for FY 2018-2019; from \$125 to \$150 for FY 2020-2021; and from \$150 to \$175 for FY 2022-2023 and thereafter, unless changed by the Board. The Board is committed to reassessing the fee structure when the deficits have been eliminated and the "debt" to the PLAA is repaid, currently projected to be after the 2027 biennial renewal.

Fiscal Impact

This final-form rulemaking will increase the biennial renewal fees, the initial application fees and the fee for approval of continuing education programs. There are currently approximately 9,176 licensees that will be required to pay \$50 more to renew their licenses in 2019; \$25 more to renew their licenses in 2021; and \$25 more to renew their licenses in 2023, and thereafter. There are currently approximately 1,000 initial applicants annually who will have to pay \$35 more to obtain an initial license. The sponsors of continuing education programs that are not preapproved will have to pay \$35 more for the approval of their continuing education programs. The Board only processes a handful of continuing education program approvals each year. This final-form rulemaking will have no other fiscal impact on the private sector, the general public or political subdivisions of the Commonwealth.

Paperwork Requirements

This final-form rulemaking requires the Board to alter some of its forms to reflect the new fees; however, this final-form rulemaking will not create additional paperwork for the regulated community or for the private sector.

Sunset Date

The act requires the Board to monitor its revenue and costs on a fiscal year and biennial basis. Therefore, no sunset date has been assigned. However, the Board is committed to reviewing the fee structure once the deficits have been eliminated and the moneys owed to the PLAA are repaid.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 13, 2018, the Board submitted a copy of the proposed rulemaking, published at 48 Pa.B. 3736, to IRRC and the chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

In preparing the final-form rulemaking, the Board has considered all comments received from the public and from IRRC. The Board received no comments from the Senate Consumer Protection and Professional Licensure Committee or from the House Professional Licensure Committee.

On October 10, 2018, the Board delivered this final-form rulemaking to IRRC, the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on November 14, 2018, this final-form rulemaking was deemed approved by the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 15, 2018, and approved the final-form rulemaking.

Additional Information

Further information may be obtained by contacting Carol Niner, Board Administrator, State Board of Massage Therapy, P.O. Box 2649, Harrisburg, PA 17105-2649, RA-MASSAGETHERAPY@pa.gov.

Findings

The Board finds that:

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

(2) A public comment period was provided as required by law and all comments were considered.

(3) The amendments to this final-form rulemaking do not enlarge the scope of proposed rulemaking published at 48 Pa.B. 3736.

(4) This final-form rulemaking adopted by this order is necessary and appropriate for the administration of the Massage Therapy Practice Act.

Order

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

(a) The regulations of the Board at 49 Pa. Code § 20.3 are amended to read as set forth in Annex A.

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

(c) The Board shall submit this order and Annex A to IRRC, the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee as required by law.

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

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

BECKY D. CAUFMAN, LMT, Chairperson

(Editor's Note: See 48 Pa.B. 7494 (December 1, 2018) for IRRC's approval order.)

Fiscal Note: 16A-724. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 20. STATE BOARD OF MASSAGE THERAPY

GENERAL PROVISIONS

§ 20.3. Fees.

(a) The following fees are charged for services provided by the Board:

Application for initial licensure	\$100
Application for temporary practice permit	\$65
Verification of licensure or letter of good standing..	\$15

Certification of licensure history	\$25
Reactivation of license	\$65
Restoration after suspension or revocation.....	\$65
Approval of continuing education program.....	\$100

(b) The following fees are charged to sustain the operations of the Board:

Biennial renewal fee for biennial period February 1, 2019—January 31, 2021.....	\$125
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Biennial renewal fee for biennial period February 1, 2021—January 31, 2023.....	\$150
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Biennial renewal fee for biennial period February 1, 2023—January 31, 2025, and each biennial renewal period thereafter	\$175
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(c) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate for the MBLEx shall be responsible for any fees charged by the FSMTB for taking the examination.

[Pa.B. Doc. No. 18-1856. Filed for public inspection November 30, 2018, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF PHARMACY

[49 PA. CODE CH. 27]

Standards of Practice and Prospective Drug Review and Patient Counseling

The State Board of Pharmacy (Board) amends §§ 27.18 and 27.19 (relating to standards of practice; and prospective drug review and patient counseling) to read as set forth in Annex A.

Background and Purpose

Beginning January 10, 2018, Governor Tom Wolf has signed Statewide disaster declarations to address the heroin and opioid abuse crisis. One of his initiatives is to increase access to naloxone and to “allow pharmacists to partner with other organizations, including prisons and treatment programs to make naloxone available to at-risk individuals upon discharge from these facilities.” Naloxone, a noncontrolled prescription drug, is an opioid antagonist used to reverse opioid overdose.

As recently as April 5, 2018, the United States Surgeon General issued an advisory that more Americans should carry the opioid overdose-reversing drug, naloxone, noting that the drug can very quickly restore normal breathing in someone suspected of overdosing on opioids, including heroin and prescription pain medications. The Surgeon General stated that “[r]esearch shows that when naloxone and overdose education are available to community members, overdose deaths decrease in those communities.” See, <https://www.surgeongeneral.gov/priorities/opioid-overdose-prevention/naloxone-advisory.html>.

“The risk of death from overdose is greatly increased in the weeks following release from prison. A pre-release program of overdose prevention education, including naloxone prescription, for inmates with a history of opiate addiction would likely prevent many overdose deaths.” Wakeman, SE, et al., Preventing Death Among the Re-

cently Incarcerated: An Argument for Naloxone Prescription Before Release, *Journal of Addiction Disease*, 2009;28(2): 124.

Correctional facilities, prisons and jails often identify inmates who are pending release, and residential drug treatment facilities identify patients pending discharge, who are at-risk for opioid abuse and overdose. Some of these facilities are large enough to maintain their own medical clinic and pharmacy, while others do not, but instead contract with medical practitioners. For the larger facilities, the in-house pharmacy or physician may dispense directly to the individual. It is the smaller correctional facilities, prisons, jails and residential drug treatment facilities that wish to allow outside pharmacies to deliver naloxone to the facility for the individual pending release.

There are two potential regulatory impediments. The first is § 27.18(e), which limits the pharmacy’s ability to “enter into an arrangement or agreement with a nonlicensed person [facility employee] whereby . . . prescription drugs . . . may be regularly . . . delivered. . . .” The proposed change would provide an exception for naloxone delivered to a facility for an identified individual.

The second potential impediment is § 27.19. This section requires pharmacists to perform a prospective drug review (PDR) prior to dispensing or delivering a new prescription. The purpose of the PDR is to help assure that a drug dispensed is not likely to have an adverse medical result and involves a pharmacist’s review of a patient profile maintained in the pharmacy. It is likely that although the facility requesting delivery of naloxone will provide the individual’s name to the pharmacy, the pharmacy will not have a current profile for that person, and the pharmacist will not have the necessary information, including medical and prescription history, the ability to create a profile.

Section 27.19(c)(3) provides four exceptions to the PDR requirement. This final-omitted rulemaking would provide an additional exception for naloxone delivered to a facility for an identified individual.

Omission of Proposed Rulemaking

Under section 204(3) of the Commonwealth Documents Law (CDL) (45 P.S. § 1204(3)), the Board is authorized to omit the procedures for the proposed rulemaking in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) if the Board finds that the specified procedures are impracticable, unnecessary or contrary to the public interest.

Publication of the proposed rulemaking is contrary to the public interest under the circumstances previously set forth because the final-omitted rulemaking is needed to fulfill an urgent and immediate need to provide this potentially life-saving drug to individuals identified as at risk for overdose and death upon their release from incarceration or their discharge from a residential drug treatment facility, consistent with the Governor’s Proclamation of Disaster Emergency.

Statutory Authority

Section 6(k)(9) of the Pharmacy Act (act) (63 P.S. § 390-6(k)(9)) authorizes the Board to promulgate rules and regulations to effectuate the purposes of the act and to regulate the distribution of drugs and devices and the practice of pharmacy for the protection and promotion of the public health, safety and welfare.

Fiscal Impact and Paperwork Requirements

There is no fiscal impact and no paperwork requirements are associated with this final-omitted rulemaking.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (RRA) (71 P.S. § 745.5a(c)), on October 10, 2018, the Board submitted copies of the final-omitted rulemaking to the Independent Regulatory Review Commission (IRRC), the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. On the same date, the Board submitted a copy of the final-omitted rulemaking to the Office of Attorney General under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under sections 5.1(e) and (j.2) of the RRA (71 P.S. § 745.5a(e) and (j.2)), the amendment was deemed approved by the House Professional Licensure Committee on November 14, 2018, deemed approved by the Senate Consumer Protection and Professional Licensure Committee on November 14, 2018, and approved by IRRC on November 15, 2018.

Additional Information

For additional information about this final-omitted rulemaking, submit inquires to Melanie Zimmerman, RPh, Executive Secretary, State Board of Pharmacy, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-PHARMACY@pa.gov.

Findings

The Board finds that:

(1) Public notice of the Board’s intention to amend its regulations under the procedures in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) has been omitted under section 204 of the CDL (45 P.S. § 1204) because publication of proposed rulemaking is contrary to the public interest under the circumstances previously set forth because the final-omitted rulemaking is needed to fulfill an urgent and immediate need to provide this potentially life-saving drug to individuals identified as at risk for overdose and death upon their release from incarceration or their discharge from a drug treatment facility, consistent with the Governor’s Proclamation of Disaster Emergency.

(2) The amendment of the Board’s regulations in the manner provided in this order is necessary and appropriate to effectuate the purposes of the act and to regulate the distribution of drugs and devices and the practice of pharmacy for the protection and promotion of the public health, safety and welfare.

Order

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

(a) The regulations of the Board hereby are amended by amending §§ 27.18 and 27.19 to read as set forth in Annex A.

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

(c) The Board shall submit this order and Annex A to the IRRC, the Senate Consumer Protection and Professional Licensure Committee, and the House Professional Licensure Committee as required by law.

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

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

JANET GETZEY HART, RPh,
Chair

(*Editor's Note:* See 48 Pa.B. 7494 (December 1, 2018) for IRRC's approval order.)

Fiscal Note: 16-5431. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 27. STATE BOARD OF PHARMACY STANDARDS

§ 27.18. Standards of practice.

* * * * *

(e) No pharmacist may enter into an arrangement or agreement with a nonlicensed person whereby prescription orders or prescription drugs and devices may be regularly left with, picked up from, solicited by, accepted by or delivered to the nonlicensed person or whereby a pharmacist pays or has an arrangement or agreement with the nonlicensed person to perform these functions. Nothing in this section shall prohibit a licensee from picking up a prescription or delivering a prescription drug or device, at the request of the patient, at the office or

home of the prescriber or patient, at an institution in which a patient is confined, at another place as the patient designates for his safety and convenience, or by means of an employe, the mails or common carrier. Nothing in this section shall prohibit a licensee from delivering naloxone to an identified employee of a Pennsylvania correctional facility, prison, jail or residential drug treatment facility under a prescription and for an identified individual who is pending release or discharge from the correctional facility, prison, jail or residential drug treatment facility.

* * * * *

§ 27.19. Prospective drug review and patient counseling.

* * * * *

(c) *Scope.*

* * * * *

(3) The following are examples of situations in which a PDR is not required:

* * * * *

(iv) A pharmacist dispenses a drug to a medical practitioner which the practitioner will administer to a patient.

(v) A pharmacist delivers naloxone to an identified employee of a Pennsylvania correctional facility, prison, jail or residential drug treatment facility under a prescription and for an identified individual who is pending release or discharge from the correctional facility, prison, jail or residential drug treatment facility.

* * * * *

[Pa.B. Doc. No. 18-1857. Filed for public inspection November 30, 2018, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Banking and Securities

The Executive Board approved a reorganization of the Department of Banking and Securities effective November 7, 2018.

The organization chart at 48 Pa.B. 7408 (December 1, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 18-1858. Filed for public inspection November 30, 2018, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Military and Veterans Affairs

The Executive Board approved a reorganization of the Department of Military and Veterans Affairs effective November 14, 2018.

The organization chart at 48 Pa.B. 7409 (December 1, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 18-1859. Filed for public inspection November 30, 2018, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Revenue

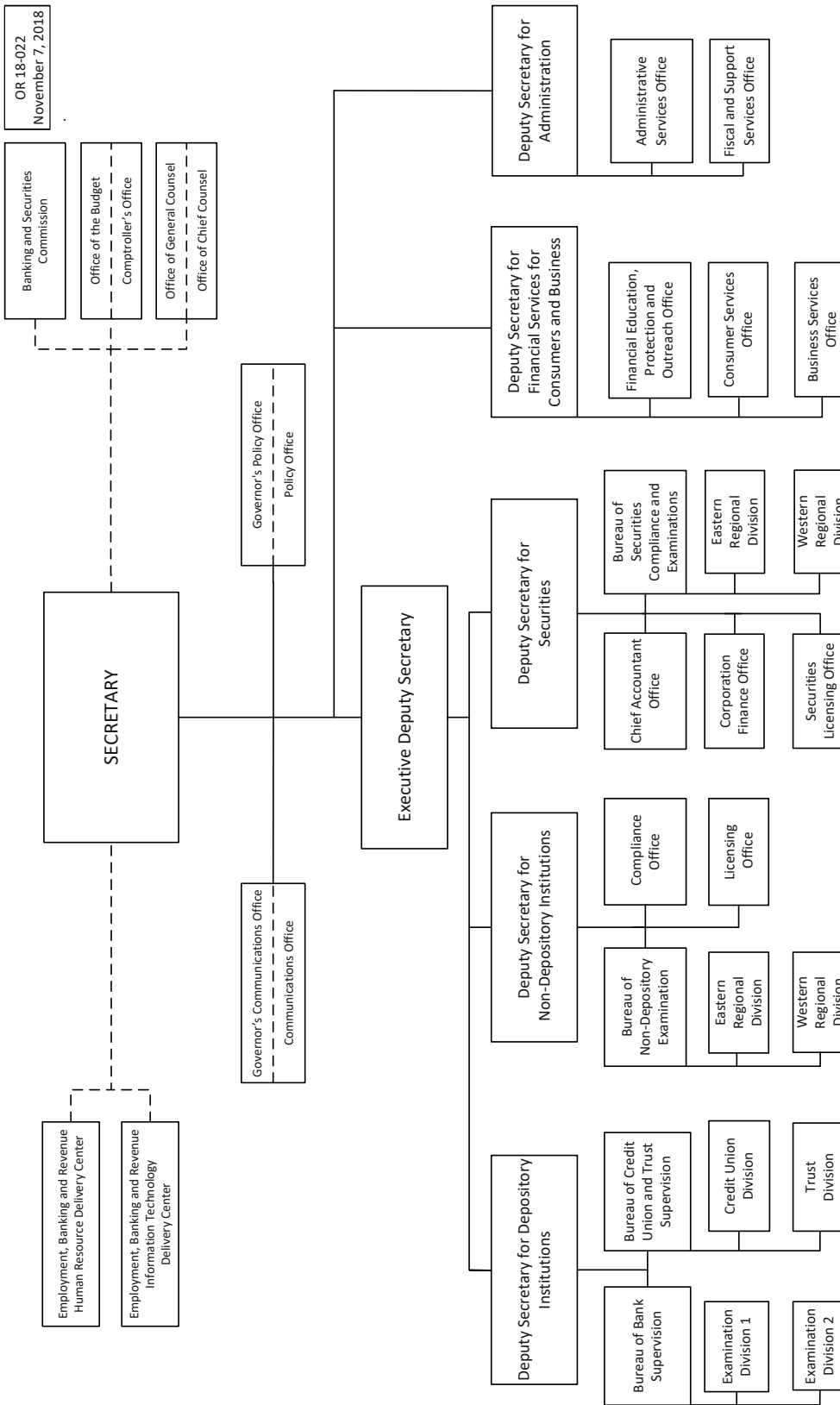
The Executive Board approved a reorganization of the Department of Revenue effective November 7, 2018.

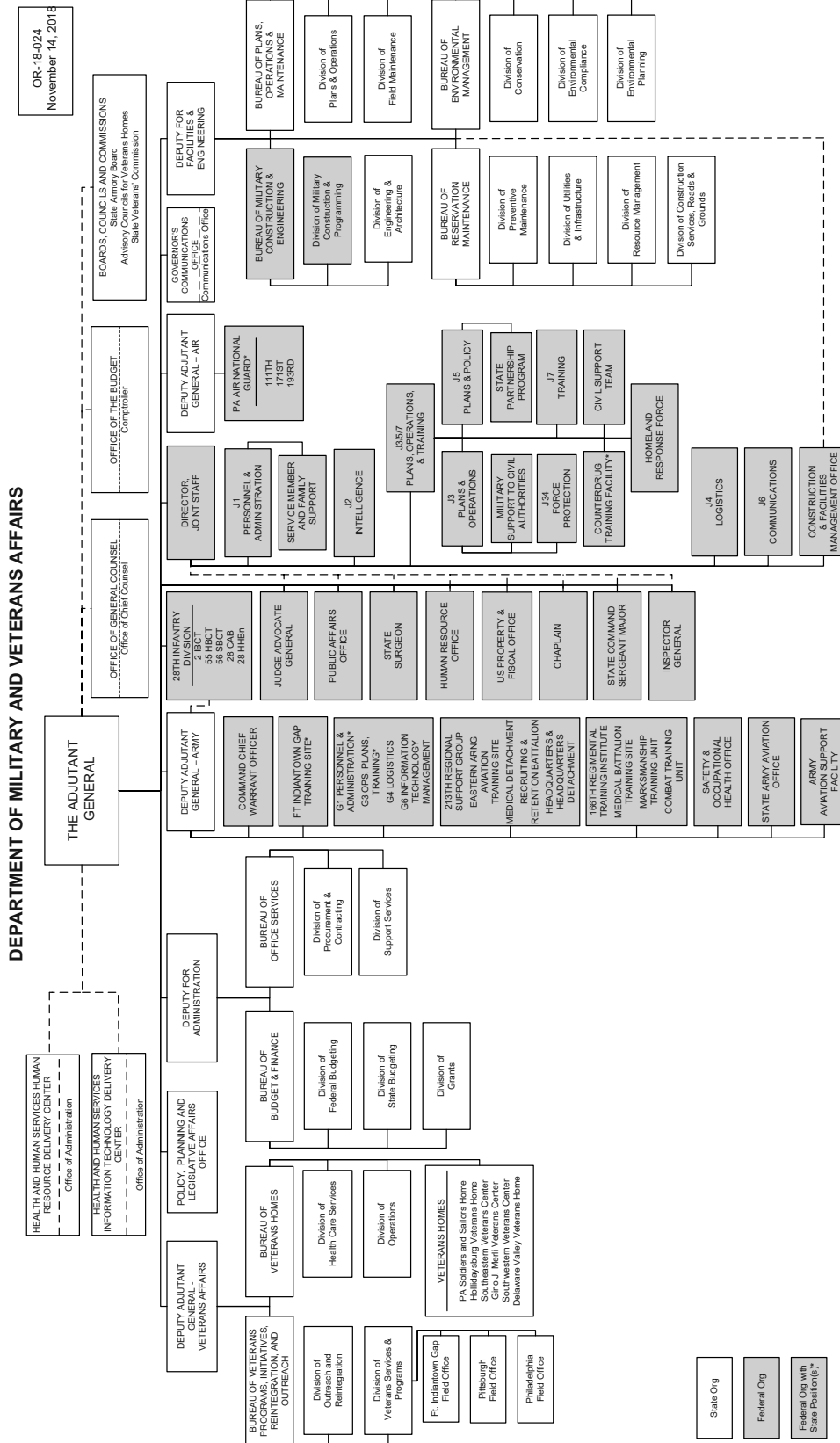
The organization chart at 48 Pa.B. 7410 (December 1, 2018) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 18-1860. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES







NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending November 20, 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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-16-2018	Financial Hybrid Opportunity Fund, LLC FJ Capital Management, LLC McLean, VA Application for approval to acquire up to 9.9% of the common stock of LINKBANCORP, Inc., Camp Hill.	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-1861. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254363 (Sewage)	Sleasman Sines SFTF 1280 Buckstown Road 1300 Buckstown Road Stoystown, PA 15563	Somerset County Stonycreek Township	Unnamed Tributary of Rhoads Creek (18-E)	Yes
PA0095524 (Sewage)	Tri-Community STP P.O. Box 86 Bolivar, PA 15923-0086	Indiana County West Wheatfield Township	Conemaugh River (18-D)	Yes
PA0253375 (Sewage)	Hutchinson STP 312 Sewickley Avenue Herminie, PA 15637-1439	Westmoreland County Sewickley Township	Sewickley Creek (19-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222453 (Sewage)	Scenic Heights Golf Course 7830 Knoyle Road Wattsburg, PA 16442-1002	Erie County Venango Township	Unnamed Tributary of Sixmile Creek (15-A)	Yes
PA0037133 (Industrial)	Fairview State Fish Hatchery 1735 Shiloh Road State College, PA 16801-8495	Erie County Fairview Township	Unnamed Tributary to Trout Run (15-A)	Yes
PA0103217 (Sewage)	Greene Township Office Building 9333 Tate Road Erie, PA 16509	Erie County Greene Township	Unnamed Tributary to the Fourmile Creek (15-A)	Yes

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0240036 (Sewage)	Jack Brinling SFTF 7928 East Lake Road Erie, PA 16511	Erie County Harborcreek Township	Lake Erie	Yes

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

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

PA0244295, Sewage, SIC Code 1623, 4952, **Franconia Sewer Authority**, 671 Allentown Road, Telford, PA 18969-2205. Facility Name: Franconia WWTP. This existing facility is located in Franconia Township, **Montgomery 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), Skippack Creek, is located in State Water Plan watershed 3-E and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.15 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Dissolved Solids	XXX	XXX	XXX	1,000.0 Avg Qrtly	XXX	2,500
Copper, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.15 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily 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	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	12.5	19.0	XXX	10	15	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	12.5	19.0	XXX	10	15	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	7.5	XXX	XXX	6.0	XXX	12
Ammonia-Nitrogen						
Nov 1 - Apr 30	4.0	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	1.9	XXX	XXX	1.5	XXX	3
Total Phosphorus	0.12	XXX	XXX	0.1	XXX	0.2
Ultraviolet light dosage (mWsec/cm ²)	XXX	XXX	Report	XXX	XXX	XXX

Sludge use and disposal description and location(s): Waste sludge is stored in an aerated holding tank from where it is hauled off to DELCORA.

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

1. Optimization of Chlorine dosages
2. Dry stream condition
3. SBR batch discharge condition

4. Notification of designation of responsible operator
5. Development of an O&M plan
6. Seasonal Fecal Coliform condition
7. TDS condition
8. Solids management for non-lagoon system

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

The EPA Waiver is in effect.

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

PA0084484, Sewage, SIC Code 4952, **Salisbury Township Lancaster County**, 5581 Old Philadelphia Pike, Gap, PA 17527-9791. Facility Name: Salisbury Township Rosehill STP. This existing facility is located in Salisbury Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Pequea Creek, is located in State Water Plan watershed 7-K 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 .021 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.076	XXX	0.249
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	3.5	5.2	XXX	20	30	40
May 1 - Oct 31	1.8	2.6	XXX	10	15	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1.8	2.6	XXX	10	15	20
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	Report Daily Max	XXX	Report Daily Max	XXX	XXX
Total Nitrogen	XXX	Report Daily Max	XXX	Report Daily Max	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	1.3	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	0.44	XXX	XXX	2.5	XXX	5.0
Total Kjeldahl Nitrogen	XXX	Report Daily Max	XXX	Report Daily Max	XXX	XXX
Total Phosphorus	Report Total Mo	XXX	XXX	2.0	XXX	4.0
Total Phosphorus (lbs)	XXX	127 Total Annual	XXX	XXX	XXX	XXX

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

The EPA Waiver is in effect.

NPDES Permit No. PA0233579, CAFO, **James W Bagley**, 602 Ellis Road, Forksville, PA 18616-8846.

This existing facility is located in Fox Township, **Sullivan County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish): 660.7 AEU's.

The receiving stream, Porter Creek, is in watershed 10-B and classified for: High Quality—Cold Water and Migratory Fish.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PA0088404 A-1, CAFO, **Kulp Family Dairy LLC**, 1691 Millerstown Road, Martinsburg, PA 16662-8020.

This existing facility is located in North Woodbury Township, **Blair County**.

Description of size and scope of existing operation/activity: Dairy (Cows, Heifers, Calves): 4606.6 AEUs.

The receiving stream, Unnamed Tributary to Clover Creek, Unnamed Tributary of Clover Creek, and Unnamed Tributary of Little Juniata River, is in watershed 11-A and classified for: Migratory Fishes, High Quality—Cold Water, Warm Water Fishes, High Quality Waters—Cold Water Fishes, and Migratory Fish.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PA0266825, Sewage, SIC Code 8811, **Broad Top Township Bedford County**, P.O. Box 57, Defiance, PA 16633. Facility Name: Broad Top Township Miller Residence. This proposed facility is located in Broad Top Township, **Bedford 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), Sandy Run, is located in State Water Plan watershed 11-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 are based on a design flow of .0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

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

PA0271811, Sewage, SIC Code 4952, 8800, **Jeffrey Aiello**, 639 Maxwell Road, Clarion, PA 16214. Facility Name: Jeffrey Aiello SRSTP. This proposed facility is located in Highland Township, **Clarion County**.

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

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sludge use and disposal description and location(s): Septic tank storage with off-site disposal.

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

The EPA Waiver is in effect.

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

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. WQG02091815, Sewage, **PA DCNR**, 3401 State Road, Bensalem, PA 19020.

This proposed facility is located in Bensalem Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a sewage pump station.

WQM Permit No. WQG02151422, Sewage, Amendment, **East Marlborough Township**, 721 Unionville Pike, Kennett Square, PA 19348.

This proposed facility is located in East Marlborough Township, **Chester County**.

Description of Action/Activity: Daily flow to be increased from 17,020 gpd to 31,050 gpd.

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

WQM Permit No. 2218403, Sewerage, **Lower Paxton Township Authority**, 425 Prince Street, Suite 139, Harrisburg, PA 17109.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation to repair and/or replace approximately 38,200 feet of existing ACP (asbestos cement pipe) and CIP (cast iron pipe) with polyvinyl chloride (PVC) along with associated manholes, laterals, and building sewers.

WQM Permit No. 0518402, Sewerage, **Broad Top Township, (Miller Residence)**, P.O. Box 57, Defiance, PA 16633.

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

Description of Proposed Action/Activity: Seeking permit approval for construction/operation of a single residence sewage treatment plant at the Miller Residence on Sandy Run Road.

WQM Permit No. 2118203, Sewerage, **Mike and Rebecca Stamy**, 575 Mountain Road, Boiling Springs, PA 17007.

This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for construction/operation of a single family residence sewage treatment plant.

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

WQM Permit No. 1169401 A-6, Sewage, **Johnstown Redevelopment Authority Cambria County**, 4th Floor Public Safety Bldg, Johnstown, PA 15901.

This existing facility is located in West Taylor Township, **Cambria County**.

Description of Proposed Action/Activity: Installation of a 1/4 inch mechanical bar screen at the head works of the wastewater treatment plant.

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

WQM Permit No. 3796401 A-4, Sewage, **New Castle City Sanitation Authority**, 110 E Washington Street, New Castle, PA 16101-3815.

This existing facility is located in New Castle City, **Lawrence County**.

Description of Proposed Action/Activity: Construction of new headworks and wet weather treatment facility.

WQM Permit No. 2092403 A-3, Sewage, **North & South Shenango Township Joint Municipal Authority Crawford County**, 3104 Water Trail Drive, Jamestown, PA 16134-4403.

This existing facility is located in South Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: Addition of dechlorination system to wastewater treatment plant.

IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

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

PAI136144, MS4, **Dormont Borough**, 1444 Hillsdale Avenue, Suite 10, Pittsburgh, PA 15216-2091. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Dormont Borough, **Allegheny County**. The receiving stream, Unnamed Tributary to Sawmill Run, is located in State Water Plan watershed 20-F and is classified for aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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 in effect for small MS4s, and is not in effect for large MS4s.

PAI136103, MS4, **Edgeworth Borough Allegheny County**, 301 Beaver Road, Edgeworth, PA 15143-1001. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Edgeworth Borough, **Allegheny County**. The receiving streams, Ohio River, Unnamed Tributary to Ohio River and Little Sewickley Creek, is located in State Water Plan watershed 20-G and is classified for Warm Water Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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 in effect for small MS4s, and is not in effect for large MS4s.

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

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

Pike County Conservation District, 556 Route 402, Suite 1, Hawley, PA 18428.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD520016	JLM Real Estate LLC P.O. Box 472 950 E Main St Schuylkill Haven, PA 17972	Pike	Blooming Grove	UNT 05375 to Shohola Creek (EV, MF)

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAD650016	PTV 1063, LLC Building 4 Suite 1000 400 Penn Center Boulevard Pittsburgh, PA 15235	Westmoreland County	Donegal Township	UNT to Loyalhanna Creek (HQ-CWF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received.

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

NPDES Permit No. PAG123880, CAFO, **Wason Farms LLC**, 2823 Farmhouse Lane, Huntingdon, PA 16652.

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

Description of size and scope of proposed operation/activity: Swine (Grow—Finish), Beef (Cows, Finishing, Calves): 340.5 AEU's.

The receiving stream, Unnamed Tributary of Raystown Branch Juniata River, is in watershed 11-D and classified for: Migratory Fishes and Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PAG123879, CAFO, **Zuck Jeffrey H**, 135 Fox Road, Lebanon, PA 17042.

This proposed facility is located in South Lebanon Township, **Lebanon County**.

Description of size and scope of proposed operation/activity: Poultry (Broilers), Dairy (Cows, Heifers, Calves): 580.41 AEU's.

The receiving stream, Unnamed Tributary to Quittapahilla Creek, is in watershed 7-D and classified for: Migratory Fishes and Trout Stocking.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

NPDES Permit No. PAG123725 A-1, CAFO, **Junk Inn Farms LLC**, 14492 Path Valley Road, Willow Hill, PA 17271.

This existing facility is located in Metal Township, **Franklin County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish), Poultry (Turkeys), and Sheep (Rams, Ewes, Lambs): 1,717.15 AEU's.

The receiving stream, West Branch of the Conococheague Creek, is in watershed 13-C and classified for: Cold Water Fisheries.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

MS4 PAG-13 Notices of Intent Received.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133574	Douglass Township Berks County 1068 Douglass Drive Boyertown, PA 19512-7621	Douglass Township Berks County	Y	N
PAG133575	Earl Township Berks County 19 Schoolhouse Road Boyertown, PA 19512-7926	Earl Township Berks County	Y	N

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136254	Upper Tyrone Township 170 Muni Drive Connellsville, PA 15425	Upper Tyrone Township Fayette County	Y	N

**STATE CONSERVATION COMMISSION
PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS
FOR NPDES PERMITS FOR CAFOs**

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOI) 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>
Jairus Musser 95 Ferebees Rd Pine Grove, PA 17963	Schuylkill	92.8	394.95	Poultry (Broilers)	N/A	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 taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Permit No. 0718505,	Public Water Supply.
Applicant	PTV 1023 LLC
Municipality	Allegheny Township
County	Blair
Responsible Official	Austin Weinman Vice President of Construction 400 Penn Center Blvd Suite 1000 Pittsburgh, PA 15235
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: 11/1/2018
 Description of Action Construction of a new Dollar General Store with a water system consisting of a Well, softening, greensand filtration (iron and manganese removal) and sodium hypochlorite chlorination.

Permit No. 6718512, Public Water Supply.

Applicant **The York Water Company**
 Municipality York Township
 County **York**
 Responsible Official Mark S. Snyder, Engineering Manager
 130 East Market Street
 P.O. Box 15089
 York, PA 17405-7089

Type of Facility Public Water Supply
 Consulting Engineer Mark S. Snyder, P.E.
 The York Water Company
 130 East Market Street
 P.O. Box 15089
 York, PA 17405-7089

Application Received: 11/14/2018
 Description of Action An interconnect will be installed which will enable the Dallastown-Yoe Water Authority to purchase up to 250,000 gallons per day from the York Water Company.

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

Application No. 3018514, Public Water Supply.

Applicant **Highridge Water Authority**
 17 Maple Avenue
 Blairsville, PA 15717

[Township or Borough] Burrell Township
 Responsible Official George Sulkosky, Executive Director
 Highridge Water Authority
 17 Maple Avenue
 Blairsville, PA 15717

Type of Facility Water system
 Consulting Engineer Gibson Thomas Engineering Co., Inc.
 1004 Ligonier Street
 Latrobe, PA 15650

Application Received Date October 22, 2018
 Description of Action Installation of the Turner Drive pump station.

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

Application No. 4907502-T1-A3—Construction—
 Public Water Supply.

Applicant **Cherokee Pharmaceuticals, LLC**
 Township/Borough Riverside Borough

County **Northumberland County**
 Responsible Official Ms. Heather Keller
 Cherokee Pharmaceuticals, LLC
 100 Avenue C
 Riverside, PA 17868

Type of Facility Public Water Supply—Construction
 Consulting Engineer Ms. Maureen T. Hoke
 O'Brien & Gere Engineers, Inc.
 300 Drayton Street
 3rd Floor
 Savannah, GA 31401-4448

Application Received 10/01/2018
 Description of Action Authorizes the removal of three-filters that are no longer operational. This modification addresses the removal of the existing equipment only; a separate application will be filed at a later date to address the installation of a new filtration system.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 1118507WMP, Minor Amendment.

Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714

[Township or Borough] Northern Cambria Borough and Barr Township
 Responsible Official Paul Weaver, Chairman
 Northern Cambria Municipal Authority
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714

Type of Facility Water system
 Consulting Engineer Stiffler, McGraw and Associates, Inc.
 1731 North Juniata Street
 Hollidaysburg, PA 16648

Application Received Date October 18, 2018
 Description of Action Installation of two bulk water filing stations, one at the NCMA water treatment plant and one at the Barnesboro Fire Hall.

Application No. 3013501WMP20, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
 1442 Jefferson Road
 P.O. Box 187
 Jefferson, PA 15344

[Township or Borough] Franklin Township

Responsible Official Timothy Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
P.O. Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date November 13, 2018

Description of Action Construction of a meter vault for
bulk-use.

Application No. 3018519MA, Minor Amendment.

Applicant **Southwestern Pennsylvania
Water Authority**
1442 Jefferson Road
P.O. Box 187
Jefferson, PA 15344

[Township or Borough] Franklin Township

Responsible Official Timothy Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
P.O. Box 187
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date November 13, 2018

Description of Action Installation of the Elm Drive
meter vault.

Application No. 6518516MA, Minor Amendment.

Applicant **Municipal Authority of
Westmoreland County**
124 Park & Pool Road
New Stanton, PA 15672

[Township or Borough] Bell Township

Responsible Official Michael Kukura, Resident
Manager
Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Type of Facility Water system

Consulting Engineer Municipal Authority of
Westmoreland County
124 Park & Pool Road
New Stanton, PA 15672

Application Received Date November 7, 2018

Description of Action Addition of a sampling line for
the clearwell.

Application No. 5618510MA, Minor Amendment.

Applicant **Borough of Somerset**
347 West Union Street
Somerset, PA 15501

[Township or Borough] Somerset Township

Responsible Official Michele A. Enos, Borough
Manager
Borough of Somerset
347 West Union Street
Somerset, PA 15501

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Application Received Date November 7, 2018

Description of Action Painting of the State Hospital
water storage tank.

Application No. 0218534MA, Minor Amendment.

Applicant **Pennsylvania American
Water Company**
800 West Hersheypark Drive
Hershey, PA 17033

[Township or Borough] City of Pittsburgh

Responsible Official David Kaufmann, Vice-President
Engineering
Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Water system

Consulting Engineer Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Application Received Date November 5, 2018

Description of Action Painting of the interior and
exterior of the Backwash
Clarifier # 2 (South).

Application No. 0218535MA, Minor Amendment.

Applicant **Pennsylvania American
Water Company**
800 West Hersheypark Drive
Hershey, PA 17033

[Township or Borough] Union Township

Responsible Official David Kaufmann, Vice-President
Engineering
Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Water system

Consulting Engineer Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Application Received November 5, 2018
Date

Description of Action Painting of the interior and
 exterior of the Aldrich
 Purification Unit # 8.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appro-

priate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

Greenlick Compressor Station, 1211 Shephard Road, Cross Fork, Stewardson Township, **Potter County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Dominion Energy Transmission, Inc., 40741 Consolidated Lane, Leesburg, VA 20175, has submitted a Notice of Intent to Remediate site groundwater contaminated with PCBs and Petroleum Distillate. The applicant proposes remediation of the site to meet the Statewide Health Standard.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

General Permit Application No. WMGR029-NE001. Safety-Kleen Systems, Inc., 600 Stewart Road, Wilkes-Barre, PA 18706. A permit renewal application for continued coverage under General Permit WMGR029 for the continued operation of a waste oil processing facility at the Safety-Kleen Wilkes-Barre Service Center located in Hanover Township, **Luzerne County**. The application was received by the Department on June 7, 2018 and supplemental information was received on November 8, 2018. The application was deemed administratively complete by the Regional Office on November 14, 2018.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit Application No. 101243. Northern Tier Solid Waste Authority, P.O. Box 10, Burlington, PA 18814, West Burlington Township, **Bradford County**. Renewal of a municipal landfill permit for the Bradford County Landfill. The application was received by the North Central Region Office on November 13, 2018.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection

Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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

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

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

46-0289A: Scott Contractors, Inc. (2939 Felton Road, Norristown, PA 19401) for installation of a new portable non-metallic processing plant (Source ID 102) located in East Norriton Township, **Montgomery County**. Fugitive particulate matter emissions from the plant are controlled by a wet suppression system. The potential to emit all criteria pollutants, including Volatile Organic Compound (VOC), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Particulate Matter (PM), and Hazardous Air Pollutant (HAP) emissions is less than major source thresholds; the facility is classified as a Natural Minor Facility. The requirements of 40 CFR Part 60 Subpart OOO (NSPS) apply to the new unit. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-0105A: Hanson Aggregate PA LLC—Glen Mills Hot Mix Asphalt Plant (533 Forge Road, Glen Mills, PA 19342) for modification of the particulate matter emission limit on the existing Hot Mix Asphalt Plant (Source ID 100) located in Middletown Township, **Delaware County**. There are no physical changes to sources at the plant. The requirements of 40 CFR Part 60 Subpart I apply to the Hot Mix Asphalt Plant (Source ID 100). The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

54-00041B: Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) to construct a new manufacturing process for waterborne pigments with control devices at their facility in Rush Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Silberline

Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) to construct a new manufacturing process for waterborne pigments with control devices. The facility currently operates under Title V Operating Permit No. 54-00041. Plan approval 54-00041B will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 54-00041B is for installation of a new manufacturing process for waterborne pigments including the following control equipment. One (1) new ammonia wet scrubber and one (1) new Particulate Matter (PM) condenser are to be installed. VOC emission increases from this source are not to exceed 8.91 tons/year. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 54-00041B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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.

01-03007A: PCA Corrugated and Display, LLC (104 Commerce Drive, New Oxford, PA 17350) for an existing corrugated box printing operation, including two flexographic presses and two offset nonheatset lithographic presses, located in New Oxford Borough, **Adams County**. The proposed plan approval would also authorize replacement of one of the lithographic presses. The actual 2017 emissions from this facility were reported to be: VOC 30.78 tons, NO_x 8.22 tons, CO 7.32 tons, SO_x 0.09 ton, 2.08 tons of PM₁₀, and HAPs 3.26 tons. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.67a, Control of VOC emissions from flexible packaging printing presses; 25 Pa. Code § 129.67b, Control of VOC emissions from offset lithographic printing presses and letterpress printing presses; and 40 CFR Part 63, Subpart ZZZZ, National Emission

Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Review by the Department indicates that the air contamination sources will comply with all regulatory requirements including the best available technology requirement (BAT) of 25 Pa. Code § 127.1. Based on these findings, the Department proposes to issue a plan approval for the plant. If, after the project has been inspected after the plan approval is implemented, the Department determines that the sources are operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval may be incorporated into a State Only 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.

24-083X: Mersen USA (1032 Trout Run Road, St. Marys, PA 15857) for the installation of an electric furnace, controlled by an oxidizer, and a jet mill, controlled by a baghouse. This is an existing Title V facility (24-00083) located in the City of St. Marys, **Elk County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 24-083X to Mersen USA for the installation of an electric furnace and a jet mill with associated control devices at their facility located at 1032 Trout Run Road, St. Marys, PA 15857. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval 24-083X is for the installation of an electric furnace (Source 1100A), controlled by means of an oxidizer, and a jet mill (Source 411A), controlled by means of a baghouse. The oxidizer and the baghouse are proposed as Best Available Technology (BAT). Based on the information provided by the applicant and DEP's own analysis, the proposed electric furnace has the potential to emit 10.950 tons per year of sulfur oxides (SO_x) and 0.4 ton per year of volatile organic compounds (VOC); the proposed jet mill has the potential to emit 0.43 tons per year of filterable Particulate Matter (PM). The proposed sources are subject to compliance assurance monitoring (CAM) requirements.

The Plan Approval will contain monitoring, testing, recordkeeping, emissions restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Stack testing of Sources 1100A and 411A will be required within 180 days of the plan approval's issuance. The sources must be retested at a minimum of once each operating permit term.

Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP Office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to

provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [24-083X: Mersen USA] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric A. Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6819.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104.*

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

OP18-00018: The Vanguard Group Kubach Road Facility (2000 Kubach Road, Philadelphia, PA 19116) for the operation of an office building facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four (4) 2,340 horsepower diesel emergency generators. The Permittee previously owned a building at 2101 Hornig Road, which housed a fifth emergency generator. This SMOP is a modification that removes that property, and the fifth emergency generator, from the facility's operating permit. Each emergency generator shall operate for a maximum of 100 hours per calendar year for testing, engine tuning, maintenance checks, and readiness testing. The 100-hour limit language is an updated condition being added as part of this modification that combines previously separated tuning, testing and other use cases with individual hour limits.

AMS IP17-000474: Domestic Linen Supply Co., Inc. (4100 Frankford Ave, Philadelphia, PA 19124) for the installation of an industrial laundry facility processing print and shop towels in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) 2.7 MMBtu/hr natural gas fired dryers with lint filters and cyclones, eight (8) 600 lbs/load or less washers using non-HAP materials for laundering, 12% VOC by weight laundry detergent, two (2) Midwest units, one (1) 20.0 MMBtu/hr natural gas fired boiler, and fugitive sources. The facility will be taking various throughput operating scenario limits and emission limits for print and shop towels. The facility will also be taking various throughput operating scenario limits for the usage of the VOC containing laundry detergent. The potential emissions from the facility will be limited to less than 25 tons per rolling 12-month period of Volatile Organic Compounds (VOCs) and less than 10 tons per rolling 12-month period of combined Hazardous Air Pollutants (HAPs). There will be potential Nitrogen Oxides (NO_x) emissions of 10.91 tpy, Total Particulate Matter (PM) emissions of 0.83 tpy, VOC emissions of 24.91 tpy,

Carbon Monoxide (CO) emissions of 9.16 tpy, and Sulfur Dioxide (SO₂) emissions of 0.06 tpy, and HAP emissions of 0.93 tpy. The plan approval will contain operating, monitoring, recordkeeping, testing, and reporting requirements to ensure operation within all applicable requirements.

OP18-00030: Verizon-Pennsylvania, Sherwood Central Office (5650 Chestnut St, Philadelphia, PA 19103) for the operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 200-kilowatt, one (1) 350 kilowatt and one (1) 750 kilowatt emergency generators firing diesel fuel oil.

The operating permit will be issued under the *Pennsylvania Code* Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

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.

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

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

46-00300: GlaxoSmithKline, LLC—BIOPHARM (709 Swedeland Road, King of Prussia, PA 19406) located in Upper Merion Township, **Montgomery County**, for operation of boilers and generators at the Pharmaceutical Preparation and Manufacturing Plant. This facility was previously permitted under Title V Operating Permit No. 46-00035 and is being split into three (3) separate Title V facilities due to a change in ownership with portions of the existing plant. The facility is a major source for Nitrogen Oxide (NO_x) emissions and an area source for Volatile Organic Compound (VOC) emissions and Hazardous Air Pollutants (HAP). Although the facility is major for NO_x, the facility is below the RACT II threshold. There are no new sources at this facility. The permit contains all applicable requirements including monitoring, recordkeeping and reporting as well as respective RACT I requirements. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 because there are no control devices on sources at this facility. The source is not a major source for Greenhouse Gases (GHG).

46-00299: Merion Innovation I LLC & Merion Innovation III LLC (formerly GlaxoSmith Kline LLC, GSK—West) (707 Swedeland Road, King of Prussia, PA 19406) located in Upper Merion Township, **Montgomery County**, for the operation of boilers and emergency generators at this facility. This facility was

previously permitted under Title V Operating Permit No. 46-00035 and is being split into three (3) separate Title V facilities due to a change in ownership with portions of the existing plant. The facility is a major source for nitrogen oxide (NO_x) emissions and an area source for volatile organic compounds (VOC) and hazardous air pollutants (HAP). There are no new sources at the facility. The permit contains all applicable requirements including monitoring, recordkeeping and reporting as well as respective RACT I requirements and a facility-wide NO_x limit of 99 tons per year to escape RACT II. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 requirements because the pre-control emission of carbon monoxide (CO) from some of the emergency generator engines are less than the major source threshold. The facility is not a major source of Greenhouse Gases (GHG).

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.

22-05013: MI Metals, Inc. (1517 Route 209, Millersburg, PA 17061) to issue a Title V Operating Permit for the aluminum extruded products manufacturing facility located in Upper Paxton Township, **Dauphin County**. The actual emissions from the facility in 2017 are estimated at 6.9 tpy of NO_x, 1.2 tpy of CO, 0.4 tpy of PM₁₀, 0.1 tpy of SO_x, 55.7 tpy of VOC, 8.9 tpy of Xylene and 17.8 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63, Subpart M—National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products.

67-05024: Lehigh White Cement Co.—York (200 Hokes Mill Road, York, PA 17404) for their white cement manufacturing facility in West Manchester Township, **York County**. The facility has the 2017 actual air emissions: 122.9 tons of CO, 124.5 tons of NO_x, 42.5 tons of PM₁₀, 0.20 ton of SO_x, 2.4 tons of VOC, and 0.13 ton of Total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 60, Subpart F—Standards of Performance for Portland Cement Plants, 40 CFR Part 63, Subpart LLL—National Emission Standards for Hazardous Air Pollutants for The Portland Cement Manufacturing Industry.

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

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

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

09-00132: McAdoo & Allen/Quaker Color Division (201 South Hellertown Ave., Quakertown, PA 18951) for operation their pigments dispersions manufacturing facility in Quakertown Borough, **Bucks County**. This action is a renewal of the non-Title V, State Only Operating

Permit. The permit was issued on 11-13-2003 and was subsequently renewed on 11-07-2008 and 11-21-2013. The facility's main sources include: one (1) natural gas-fired boilers, one (1) dual fuel-fired boiler (natural gas and No. 2 fuel oil), and a pigment dispersions manufacturing process consisting of roll mills and paddle blenders. The facility has elected to cap volatile organic compound (VOC) emissions from the facility to less than 25 tons per year, making the facility a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00154: Bucks County Water and Sewer Authority, (1275 Almshouse Road, Warrington, PA 18976) submitted a renewal for a Non-Title V Facility, State-Only, Natural Minor Permit in Doylestown Township, **Bucks County** at their facility located at Pine Run Road and Old Dublin Pike. Bucks County Water and Sewer Authority is a sewage treatment plant. The sources of emissions include an emergency generator and the wet well controlled by a scrubber. Monitoring, record keeping and reporting requirements have been updated to the permit to address applicable Federal Regulation limitations.

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

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

TIV 35-00069: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1800, Chicago, IL 60606) has submitted an application to the Pennsylvania Department of Environmental Protection for the initial Acid Rain Permit, TIV 35-00069, for the Lackawanna Energy Center Project located in Jessup Borough, **Lackawanna County**. This Title V facility is subject to the Acid Rain Requirements of Title IV of the Clean Air Act. The application is subject to the regulatory requirements specified in 40 CFR Part 72. The Acid Rain Permit will cover the three (3) combined cycle combustion turbine units at the facility. The Acid Rain Permit incorporates the applicable requirements to the units, as specified in 25 Pa. Code § 127.531 and 40 CFR Parts 72—80. The SO₂ allowance allocated by the Acid Rain Program pursuant to 40 CFR Part 73 for this facility is zero. The Title IV permit includes special permit conditions for the allowance tracking system. The units are not subject to the NO_x emission limitations of 40 CFR Part 96 since they are only authorized to combust natural gas for operation. Based on the information presented above and included in the application for the initial Acid Rain Permit, TIV 35-00069, the Department intends to issue TIV 35-00069 for Lackawanna Energy Center LLC. The proposed permit will become effective 180 days from the commencement of commercial operation date and expire five years from the issued date. The Acid Rain Permit will be incorporated into the initial Title V operating permit for the facility.

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, 2 Public Square, Wilkes-Barre, PA 18711. Appointments for scheduling a review must be made by calling 570-826-2511.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding

paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify TIV 35-00069) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the 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 of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

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.

36-03101: Wenger Feeds LLC (3579 Hempland Road, Lancaster, PA 17601) to issue a State Only Operating Permit for the feeder mill located in West Hempfield Township, **Lancaster County**. The potential emissions from the facility are estimated at 5.65 tpy of NO_x, 4.74 tpy of CO, 33.09 tpy of PM₁₀, 0.03 tpy of SO_x, 0.31 tpy of VOC and 0.10 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63 Subpart DDDDDDD—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.

36-05096: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105) for their hot mix batch asphalt plant in Paradise Township, **Lancaster County**. Actual emissions from the facility are estimated to be 1 tpy of CO, 1 tpy of NO_x, 2 tpy of PM₁₀, 1 tpy of SO_x, and less than 1 tpy of VOC and combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

38-03020: Tech Cast Holdings, LLC (640 S. Cherry Street, Myerstown, PA 17067-1511) to issue a State-Only Operating Permit for the operation of their investment castings foundry facility in Myerstown Borough, **Lebanon County**. The subject facility has the potential-to-emit 1.42 tpy of CO, 5.66 tpy of NO_x, 5.06 tpy of PM, 0.02 tpy of SO_x, & 0.23 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include

provisions derived from 25 Pa. Code §§ 123.11, 123.13, 123.21, 123.22, 129.63, 40 CFR 63, Subpart ZZZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources, and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

01-03032: Carma Industrial Coatings (45 Enterprise Drive, New Oxford, PA 17350) for the operation of an automotive parts coating facility in Berwick Township, **Adams County**. This is for renewal of the existing State-only permit. Potential air emissions from the facility are estimated at 1.72 tpy PM, 1.51 tpy NO_x, 1.27 tpy CO, 12.08 tpy VOC, and less than 1 tpy SO₂. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

06-03117: Custom Processing Services, Inc. (2 Birchmont Drive, Reading, PA 19608) to issue a State Only Operating Permit for the grinding and blending facility located in Exeter Township, **Berks County**. The potential emissions from the facility are estimated at 3.4 tpy of NO_x, 1.4 tpy of CO, 3.5 tpy of PM and 0.2 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

38-05031: Supreme Mid-Atlantic Corp. (411 Jonestown Road, P.O. Box 779, Jonestown, PA 17038) for operation of their truck and truck parts coating facility in Union Township, **Lebanon County**. This is for the renewal of the existing State-only permit. Actual VOC emissions are estimated to be around 8.0 tons per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

17-00044: Metaltech, Inc. (3547 Watson Highway, DuBois, PA 15801) for their powdered metal parts manufacturing facility located in Sandy Township, **Clearfield County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 20.1 TPY of VOC; 4.0 TPY of PM₁₀; 0.8 TPY of NO_x and 0.4 TPY of CO. All applicable air quality regulatory requirements pertaining to the air contaminant sources located at this facility have been incorporated into the renewal permit including testing, monitoring, recordkeeping, reporting and work practice conditions to verify compliance with the applicable requirements. The applicable requirements were derived from 25 Pa. Code Article III, Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

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. Actual emissions at this facility are expected to be 12.23 tons per year (TPY) PM, 1.47 TPY PM₁₀, 0.27 TPY PM_{2.5}, 1.05 TPY VOC, 3.52 TPY NO_x, 2.95 TPY CO, 0.02 TPY SO_x, 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.

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

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

37-00328: Resco Products Incorporated New Castle Plant (606 McCleary Avenue, New Castle, PA 16101-7502) for renewal of the Natural Minor Operating Permit for the clay refractory manufacturing operations located in New Castle City, **Lawrence County**. The primary sources include the clay mix line, a shuttle kiln, a bell kiln, Ware Dryers 1–4, a mold dryer/ware dryer and a clay graphite mixer, a crushing line and drying room. The facility also has a parts washer and natural gas fired space heaters. The facility-wide potential par-

ticulate emissions are 3.3 TPY. The potential NO_x and CO emissions are 7.2 TPY and 8.8 TPY, respectively. The potential SO_x and VOC emissions are 1.2 TPY and 0.53 TPY, respectively. Potential HAP emissions are 2.1 TPY. The conditions of the previous operating permit are incorporated into the renewal permit.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief—Telephone: 215-685-9426.

OP18-000015: Navy Yard Peaker Station (1901 Kitty Hawk Avenue, Philadelphia, PA 19112) for the operation of an electrical services facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four (4) peak shaving generators firing natural gas each rated 2,118 kilowatts.

The operating permit will be issued under the *Pennsylvania Code* Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the above operating permit must submit the protest, comments, or public hearing request within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

OP18-000024: TierPoint, LLC (4775 League Island Boulevard, Philadelphia, PA 19112) for the operation of a data center facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) 1,736 kilowatt diesel emergency generators.

The operating permit will be issued under the *Pennsylvania Code* Title 25, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the above operating permit must submit the protest, comments, or public hearing request within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

OP18-000040: Wade Technology Inc. (445 N. 11th Street, Philadelphia, PA 19123) for the operation of a Decorative Chrome plating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include one (1) Trivalent Chrome Tank (120

gallons), one (1) Polishing machine and a dust collector. AMS has modified the Natural Minor Operating Permit. The modification includes MACT requirement and applicability to the Decorative Chrome plating activity.

OP17-000016: Eco-Energy Distribution Services (40999 Columbus Blvd., Philadelphia, PA 19148) issued on November 5, 2018 for the operation of a denatured ethanol storage and loading terminal in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include two (2) 2.712 MMgal denatured ethanol tanks, one (1) ethanol truck loading rack, one (1) ethanol barge loading rack, two (2) vapor combustion units firing natural gas and propane each rated 55,080 BTU/hr, fugitive emissions from piping components, and railcar unloading purge line. The ethanol truck and barge loading racks vent to the vapor combustion units.

PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Cantelmi Long Funeral Home (500 Linden Street, Bethlehem, PA 18018) for their facility located in Bethlehem, Northampton County. This Plan Approval No. 48-00113A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00113A is for the installation and operation of a human cremators at the site. This facility is a Non-Title V facility. Before charging the unit, the temperature at the exit of the secondary (or last) chamber shall achieve 1800° F or higher and be maintained throughout the cremation cycle. Particulate matter emissions from each cremation unit shall not exceed 0.08 gr/dscf, corrected to 7% oxygen. The company shall comply with 25 Pa. Code § 123.41 for opacity. The company will operate the sources and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting

the comments, identification of the proposed permit No. 48-00113A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

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 Township, **Greene County** and related NPDES permit for post-mining land use change to residential/recreation and forest land. Surface Acres Proposed -13.3. No additional discharges. The application was considered administratively complete on November 14, 2018. Application received: June 14, 2018.

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

Permit No. 56130110 and NPDES No. PA0269263, Hoffman Mining Inc., c/o Berwind Corp., 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Woodland to Unmanaged Natural Habitat in Shade Township, **Somerset County**, affecting 683.6 acres. Receiving streams: Fallen Timber Run and unnamed tributaries to Stonycreek River classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Borough. Application received: November 9, 2018.

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

Permit No. 54030103R3. JETT Contracting Company, (231 Winfield Drive, Brockton, PA 17925), renewal of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 116.0 acres, receiving stream: Morgans Run to Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: October 16, 2018.

Permit No. 54030103C6. JETT Contracting Company, (231 Winfield Drive, Brockton, PA 17925), correction to update the post-mining land use to unmanaged natural habitat of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 116.0 acres, receiving stream: Morgans Run to Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: October 16, 2018.

Permit No. 40840203R7. Blaschak Coal Corp., (P.O. Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine coal refuse reprocessing operation in Hazle Township, **Luzerne County** affecting 80.0 acres, receiving stream: Little Nescopeck Creek, classified for the following uses: cold water and migratory fishes. Application received: October 23, 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.

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

14060302 and NPDES PA0256447. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803). Modification to the NPDES permit to add a monitoring point for temporary stockpiling of reclaimed asphalt product located in Spring Township, **Centre County** affecting 23.6 acres. Receiving stream(s): Spring Creek classified for the following uses(s): CWF. Application received: November 7, 2018.

4473SM2. Hanson Aggregates Pennsylvania, LLC (7660 Imperial Way, Allentown, PA 18195). Permit revision to add 0.7 acre to an existing large noncoal permit in Potter Township, **Centre County** affecting 18.7 acres. Receiving streams: Unnamed Tributary to Cedar Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 6, 2018.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	

Alkalinity greater than acidity*

*The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0234877 (Mining Permit No. 56980107), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for a bituminous surface mine in Milford Township, **Somerset County**, affecting 222.1 acres. Receiving stream: Casselman River, classified for the following use: warm water fishes. This receiving stream is included in the Casselman River TMDL. Application received: August 1, 2018.

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

The following treated wastewater outfall discharges to Casselman River:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

NPDES No. PA0125015 (Mining Permit No. 56763036), Shade Landfill, Inc., 1176 No. 1 Road, Cairnbrook, PA 15924, renewal of an NPDES permit for bituminous surface mine in Shade Township, **Somerset County**, affecting 84.2 acres. Receiving stream: Miller Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: November 13, 2018.

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

The following treated wastewater outfall discharges to Miller Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Flow (gpm)		Report	
Sulfate (mg/l)		Report	
Specific Conductance (µmhos/cm)		Report	
Temperature (°C)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

NPDES No. PA0089603 (Mining permit no. 17793123), Strishock, LLC, 220 Hillcrest Drive, DuBois, PA 15801, renewal of an NPDES permit on a bituminous surface coal mining with passive treatment only in Union and Brady Townships, **Clearfield County**, affecting 102.8 acres. Receiving stream(s): Sugar Camp Run classified for the following use(s): CWF. Luthersburg and LaBorde Branch TMDL. Application received: September 13, 2018.

The following outfall discharges to Sugar Camp Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
003	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)		Monitor Only		
¹ The parameter is applicable at all times.				50.0

Noncoal NPDES Draft Permits

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

NPDES PA0220248 (Mining permit no. 1474301, Mines 1, 2, 3, & 4), Graymont (PA) Inc., 375 Graymont Road, Bellefonte, PA 16823, revision of 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: June 4, 2018.

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

The following outfalls discharge to Logan Branch:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
014	Yes
015	Yes
016	Yes
017	Yes
018	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 ¹ (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

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

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E40022-815. Gary Swartz, 2375 Lakeside Drive, Harveys Lake, PA 18612, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the expansion of an existing dock and boathouse with work consisting of a 972 sq. ft., pile-supported boathouse and a 362 sq. ft., pile-supported dock within the basin of Harveys Lake (HQ-CWF). The project is located at Pole # 216 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 53"; Longitude: -76° 3' 3") in Harveys Lake Borough, Luzerne County. (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 53"; Longitude: -76° 3' 3").

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

E06-733: PennDOT Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101, in Tilden Township & Hamburg Borough, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

- 1) To remove and rehabilitate the existing structures,
- 2) To place and maintain fill for bridge pier extensions and scour protection in the Schuylkill River (WWF, MF), resulting in 180 linear feet (5,479 square feet) of permanent stream impacts and 13,709 square feet of temporary stream impacts,
- 3) To place and maintain fill for a temporary stream crossing in the Schuylkill River (WWF, MF), resulting in 4,079 square feet of temporary stream impacts,
- 4) To install and maintain a 218-foot long, 36-inch wide, concrete culvert in the Schuylkill Canal (WWF, MF), resulting in 218 linear feet of permanent stream impacts and 356 square feet of temporary stream impacts,
- 5) To place and maintain a riprap rock apron for outlet protection in an Unnamed Tributary (UNT) to the Schuylkill River (WWF, MF), resulting in 5 linear feet (24 square feet) of permanent stream impacts,
- 6) To place and maintain fill in the floodplain, resulting in 3,290 square feet of permanent floodplain impacts, all for the purpose of improving transportation safety and roadway standards.

The project will permanently impact 0.20 acre and temporarily impact 0.102 acre of palustrine emergent wetlands (PEM). To compensate for wetland impacts, the permittee is proposing to construct 0.40 acre of replacement PEM wetlands off site at the Kernsville Dam

Desiltation Basin (PADEP BAMR property) in Tilden Township, Berks County (Latitude: 40.563426, Longitude: -75.993634). The project is located along SR 0078 Section 13B and the SR 0061 Interchange (Exit 29) in Tilden Township and Hamburg Borough, Berks County (Latitude: 40.558031, Longitude: -75.995532).

Southwest Region: Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1798, Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602, Shaler Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to:

Demolish and remove an existing structure, pavement, utilities and appurtenances, and to construct and maintain a new building, parking and pavement areas, underground detention system, utilities, and associated grading and earthwork activities, within the floodway of Pine Creek (TSF), for the purpose of constructing a convenience store, service station, and associated appurtenances. The project is located on the left bank of Pine Creek, on the west side of William Flynn Highway, approximately 240.0 feet southwest from the intersection of William Flynn Highway and East Pennview Street (Glenshaw, PA Quadrangle; N: 2.5 inches; W: 10.6 inches; Latitude: 40°-30'-51.47"; Longitude: -79°-57'-10.21") in Shaler Township, Allegheny County.

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

E61-302, Pennzoil-Quaker State Company, 1160 Rustling Wind Lane, League City, TX 77573. PQS Plant 2 Refinery Outfall X/NTC Pipeyard Bank Restoration, in Cornplanter Twp, **Venango County**, ACOE Pittsburgh District.

To conduct the following activities impacting a total of approximately 177 feet of the right (west) bank of Oil Creek at the former NTC Pipeyard and Pennzoil Quaker State Plant 2 Refinery east of Oil City:

1. NTC Pipeyard approximately 3,100 feet upstream of the Seneca Street Bridge along the right (west) bank of Oil Creek (Oil City, PA Quadrangle N: 41.44887°; W: -79.695248°):

a. To repair and reinforce approximately 40 feet of the existing concrete retaining wall;

b. To install and maintain approximately 72 feet of hydrocarbon absorption material and rock riprap bank protection;

c. To install and maintain a concrete diffuser apron at the existing outfall.

2. Pennzoil Quaker State Plant 2 Refinery approximately 4,800 feet upstream of the Seneca Street Bridge along the right (west) bank of Oil Creek (Oil City, PA Quadrangle N: 41.447337°; W: -79.690622°):

a. Perform repairs to the existing concrete retaining wall;

b. To install and maintain hydrocarbon absorption material and rock riprap bank protection along approximately 105 feet of the right (west) bank of Oil creek extending approximately 16 feet stream ward from the existing retaining.

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

E24-08-012, NFG Midstream Clermont, LLC, 1100 State Street, Erie, PA 16501. Keyhole F09-Q Extension, in Jones Township, **Elk County**, ACOE Pittsburgh District, Glen Hazel, PA Quadrangle N: 41°, 32', 58.10"; W: 78°, 33', 26.06."

The project consists of the installation of approximately 1.1 mile of two steel pipelines that will be used for transporting natural gas from Seneca Resources Company, LLC's F-09-Q well site to NFG Midstream Clermont, LLC's Keyhole Pipeline. The proposed project impacts in Elk County include a total of 6 linear feet of permanent and 6 linear feet of temporary impacts to a UNT to Maple Run (EV). The project also has 0.03 acre of temporary impact, and 0.04 acre of permanent impact to Palustrine Emergent (PEM) wetland(s). One floodway will be impacted having 0.23 acre of permanent impacts and 0.1 acre of temporary impacts.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.

E5829-136: Bridgewater Township, Williams Field Services Company, LLC; 310 State Route 92 North, Tunkhannock, PA 18657; Bridgewater Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 700 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 36", Longitude: -75° 51' 30"),

2) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 51 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 34", Longitude: -75° 51' 30"),

3) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,706 square feet (0.02 acre) of a palustrine emergent wetland (PEM) and 453 square feet (0.01 acre) of a palustrine scrub-shrub wetland (Montrose East, PA Quadrangle; Latitude: 41° 48' 29", Longitude: -75° 51' 21"),

4) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 40 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 26", Longitude: -75° 51' 19"),

5) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 867 square feet (0.02 acre) of a palustrine emergent wetland (PEM), 2,524 square feet (0.06 acre) of a palustrine scrub-shrub wetland, and 1,860 square feet (0.04 acre) of palustrine forested wetland (Montrose East, PA Quadrangle; Latitude: 41° 48' 26", Longitude: -75° 51' 18"),

6) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,644 square feet (0.06 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 21", Longitude: -75° 50' 57"),

7) a temporary timber mat crossing impacting 1,140 square feet (0.03 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 24", Longitude: -75° 50' 51"),

8) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 50 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 34", Longitude: -75° 50' 40"),

9) a temporary timber mat crossing impacting 423 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 41", Longitude: -75° 50' 19"),

10) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 50 lineal feet of Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 42", Longitude: -75° 50' 19"),

11) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,306 square feet (0.10 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 41", Longitude: -75° 50' 17"),

12) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,385 square feet (0.06 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 42", Longitude: -75° 50' 10"),

13) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 50 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 43", Longitude: -75° 50' 08"),

14) a temporary timber mat crossing impacting 997 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 44", Longitude: -75° 49' 38"),

15) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,309 square feet (0.05 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 42", Longitude: -75° 49' 39"),

16) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 50 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 40", Longitude: -75° 49' 38"),

17) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,820 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 18", Longitude: -75° 49' 33"),

18) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 54 lineal feet of a tributary to Meshoppen Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 48' 16", Longitude: -75° 49' 33"),

19) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 9,370 square feet (0.22 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 48' 14", Longitude: -75° 49' 33"),

20) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,687 square feet (0.08 acre) of a palustrine emergent wetland (PEM) and 425 square feet (0.01 acre) of palustrine open water wetland (Montrose East, PA Quadrangle; Latitude: 41° 48' 09", Longitude: -75° 49' 32").

The natural gas gathering pipeline project consists of constructing approximately 3.3 miles 12-inch steel natural gas pipeline located in Bridgewater Township, Susquehanna County. The project will result in 345 lineal feet of stream impacts, 32,354 square feet (0.74 acre) of palustrine emergent wetland impacts, 2,977 square feet (0.07 acre) of palustrine scrub-shrub wetland impacts, 1,820 square feet (0.04 acre) of palustrine forested wetland, and 425 square feet (0.01 acre) of palustrine open water wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

E5829-135: Forest Lake and Jessup Townships, Williams Field Services Company, LLC; 310 State Route 92 North, Tunkhannock, PA 18657; Forest Lake and Jessup Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,027 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 41", Longitude: -76° 01' 42"),

2) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 53 lineal feet of Stonestreet Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 43", Longitude: -76° 01' 38"),

3) a temporary timber mat crossing impacting 233 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 52' 42", Longitude: -76° 01' 06"),

4) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 50 lineal feet of Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 41", Longitude: -76° 01' 04"),

5) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 791 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 42", Longitude: -76° 00' 55"),

6) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 223 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 50' 30", Longitude: -76° 00' 51"),

7) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 59 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 21", Longitude: -76° 01' 54"),

8) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 51 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 20", Longitude: -76° 01' 55"),

9) a temporary timber mat bridge crossing impacting 31 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 19", Longitude: -76° 00' 57"),

10) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 57 lineal feet of an unnamed tributary to Middle Branch Wyalusing Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 50' 18", Longitude: -76° 00' 58"),

11) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 601 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 51", Longitude: -76° 00' 47"),

12) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,009 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 51", Longitude: -76° 00' 47"),

13) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 174 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 50", Longitude: -76° 00' 46"),

14) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,420 square feet (0.08 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 50", Longitude: -76° 00' 45"),

15) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,819 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 50", Longitude: -76° 00' 40"),

16) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,022 square feet (0.05 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 49", Longitude: -76° 00' 32"),

17) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 67 lineal feet of Snell Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 49' 49", Longitude: -76° 00' 32"),

18) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 52 lineal feet of an unnamed tributary to Roe Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 49' 25", Longitude: -75° 59' 48"),

19) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,331 square feet (0.03 acre) of a palustrine forested wetland (PFO) (Lawton, PA Quadrangle; Latitude: 41° 49' 24", Longitude: -75° 59' 48"),

20) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting

2,109 square feet (0.05 acre) of a palustrine forested wetland (PFO) (Lawton, PA Quadrangle; Latitude: 41° 49' 24", Longitude: -75° 59' 47"),

21) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,927 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 14", Longitude: -75° 59' 42"),

22) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,515 square feet (0.06 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 49' 14", Longitude: -75° 59' 39"),

23) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 53 lineal feet of Roe Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 49' 13", Longitude: -75° 59' 38"),

24) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 139 lineal feet of floodway to an unnamed tributary to Roe Creek (CWF, MF) (Lawton, PA Quadrangle; Latitude: 41° 49' 26", Longitude: -75° 59' 48").

The natural gas gathering pipeline project consists of constructing approximately 19,758 lineal feet of 16-inch steel natural gas pipeline located in Forest Lake and Jessup Townships, Susquehanna County. The project will result in 457 lineal feet of stream impacts, 15,761 square feet (0.36 acre) of palustrine emergent wetland impacts, 0.0 square feet (0.0 acre) of palustrine scrub-shrub wetland impacts, and 3,440 square feet (0.08 acre) of palustrine forested wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

DAM SAFETY

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

D45-294. Twin Lake Estates POA (507 Seven Bridges Road, East Stroudsburg, PA 18301). To modify, operate, and maintain Sweetwater Dam across Sambo Creek (CWF-MF), for the purpose of rehabilitating an existing recreational dam to comply with the Commonwealth's regulations (East Stroudsburg, PA Quadrangle Latitude: 41.0284° N; Longitude: -75.1608° W) in Smithfield Township, **Monroe County**.

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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0051713 (Industrial)	Evonik Chester PA Facility 1200 West Front Street Chester, PA 19013-3438	Delaware County Chester City	Delaware River 3-G	Y
PA0245038 (Industrial)	GMA Garnet (USA) Corp 1800 Hughes Boulevard Suite 350 The Woodlands, TX 77380-1684	Bucks County Falls Township	Delaware River 2-E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0266001 SWI	Brenntag Northeast Inc. 81 W Huller Lane Reading, PA 19605-9728	Ontelaunee Township, Berks County	Schuylkill River in Watershed(s) 3-C	Y
PA0084450 IW	Raven Rock Mountain Complex 1155 Defense Pentagon Washington, DC 20301-1155	Liberty Township, Adams County	Unnamed Tributary to Miney Branch and Miney Branch in Watershed(s) 13-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS804801 (Storm Water)	University Park Airport 139j Physical Plant Bldg University Park, PA 16802	Centre County Benner Township	Unnamed Tributary to Spring Creek, Unnamed Tributary of Buffalo Run, and Unnamed Tributary of Spring Creek (9-C)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS144813 (Storm Water)	Centre Concrete, Inc. 629 E Rolling Ridge Drive Bellefonte, PA 16823-8135	Centre County College Township	Spring Creek (9-C)	Yes
<i>Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217689 (Industrial)	Joseph A Berkley WTP 210 Perry Highway Pittsburgh, PA 15229-1862	Allegheny County Neville Township	Ohio River (20-G)	Yes
<i>Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0025470 (Sewage)	Fredericksburg STP 16678 McMath Avenue Meadville, PA 16335-6568	Crawford County Vernon Township	Cussewago Creek (16-D)	Yes
PA0238741 (Sewage)	Don W. Neff SRSTP 111 Beach Road Chicora, PA 16025	Butler County Concord Township	Unnamed Tributary to the Connoquenessing Creek (20-C)	Yes

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

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

NPDES Permit No. PA0012637, Industrial, **Monroe Energy LLC**, Trainer Refinery, 4101 Post Road, Trainer, PA 19061-5052.

This proposed facility is located in Trainer Borough, **Delaware County**.

Description of Action/Activity: Issuance of NPDES Permit for an existing discharge of treated Industrial Waste.

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

NPDES Permit No. PA0265781, Industrial, SIC Code 4941, **Slippery Rock Municipal Authority**, 116 Crestview Drive, Slippery Rock, PA 16057-0157.

This proposed facility is located in Slippery Rock Township, **Butler County**.

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

NPDES Permit No. PA0271683, Sewage, SIC Code 4952, 8800, **USA Homeownership Foundation Inc.**, 462 Corona Mall, Suite 102, Corona, CA 92879-1456.

This proposed facility is located in Cussewago Township, **Crawford County**.

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

NPDES Permit No. PA0271641, Sewage, SIC Code 4952, 8800, **Kenneth Larsen**, 9 Carroll Street, Frewsburg, NY 14738.

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

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

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

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

WQM Permit No. 2018403, Sewage, **USA Homeownership Foundation Inc.**, 462 Corona Mall, Suite 102, Corona, CA 92879-1456.

This proposed facility is located in Cussewago Township, **Crawford County**.

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

WQM Permit No. 6218405, Sewage, **Kenneth Larsen**, 9 Carroll Street, Frewsburg, NY 14738.

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

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

WQM Permit No. 1687402 A-1, Sewage, **PA American Water Co.**, 425 Waterworks Road, Clarion, PA 16214.

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

Description of Proposed Action/Activity: Amend permit to remove decommissioned wastewater treatment plant.

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI136146	Whitehall Borough 100 Borough Park Drive Pittsburgh, PA 15236-2013	Whitehall Borough, Allegheny	Sawmill Run Streets Run/ WWF	Y	Y
PAI136136	Derry Township 5321 State Route 982 Derry, PA 15627-2726	Derry Township, Westmoreland	Loyalhanna Creek, McGee Run, Miller Run, Trout Run, and Saxman Run/ TSF, WWF, CWF, and HQ-CWF	N	Y
PAI136134	Peters Township 610 East McMurray Road McMurray, PA 15317-3420	Peters Township, Washington	Unnamed Tributaries to Chartiers Creek, Unnamed Tributary to Peters Creek, Chartiers Creek and Piney Fork/ WWF, TSF, and HQ-WWF	Y	Y
PAI136135	Unity Township 154 Beatty County Road Latrobe, PA 15650-5464	Unity Township, Westmoreland	Loyalhanna Creek, Ninemile Run, Sewickley Creek, Monatsery Run, Fourmile Run, and Unnamed Tributary to Loyalhanna Creek/ WWF and HQ-CWF	N	Y

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450013	DEPG Mosier Assoc LP 580 W Germantown Pike Ste 103 Plymouth Meeting, PA 19462	Monroe	Smithfield Twp	Marshalls Creek (HQ-CWF, MF) Brodhead Creek (CWF, MF) UNT to Brodhead Creek (CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360029 Issued	James Weaver 135 Herr Drive Peach Bottom, PA 17563	Lancaster	Fulton Township	UNTs Peters Creek (HQ-WWF) EV Wetlands
PAD360036 Issued	John and Anne Parson 110 Bethesda Church Road West Holtwood, PA 17532	Lancaster	Martic Township	UNT Pequea Creek (HQ-CWF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140037	S&A Homes Inc. 2121 Old Gatesburg Rd Suite 200 State College, PA 16801	Centre	Walker Township	UNT-Little Fishing Creek HQ-CWF, Nittany Creek CWF

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD020004	Redevelopment Authority of Allegheny County 112 Washington Place Suite 900 Pittsburgh, PA 15219	Allegheny County	Coraopolis Borough; Moon Township; Robinson Township	Montour Run (TSF)

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC390061	Lehigh Northampton Airport Authority 3311 Airport Rd Allentown, PA 18109	Lehigh	Hanover Twp	UNT to Lehigh River (CWF, MF)

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Pike County Conservation District, 556 Route 402, Suite 1, Hawley, PA 18428.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC520002	Riverview Inn Inc 400 Shay Ln Matamoras, PA 18336	Pike	Westfall Twp	Delaware River (WWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC540048	Kevin Fanelli Fanelli Group Properties LLC 1 Field of Dreams Dr Pottsville, PA 17901	Schuylkill	West Brunswick Twp	Pine Creek (CWF, MF)

Wyoming County Conservation District, 31 Hollow Crest Road, Tunkhannock, PA 18657.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC660014	Schuylkill County Conservation District 1206 Ag Center Dr Pottsville, PA 17901-9733	Schuylkill	Tremont Twp	Swatara Creek (CWF, MF)

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Maidencreek Township Berks County Issued	PAC060138	Berkshire Property Management Company, LLC 1501 Frush Valley Road Building 900 Reading, PA 19605	Willow Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Allegheny Township Blair County Issued	PAC070039	BKP-7 LP 2860 Route 764 Duncansville, PA 16602	UNT Juniata River (WWF, MF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
Silver Spring Township Cumberland County Issued	PAC210100	Traditions of America at Silver Spring 201 King of Prussia Road Suite 370 Wayne, PA 19087	Trindle Spring Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Lower Paxton Township Dauphin County Issued	PAC220014	Triple Crown Corporation 5351 Jaycee Ave Harrisburg, PA 17112	Paxton Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAC220116	Brett Russell Inc 31110 Telegraph Rd Bingham Farms, MI 48025	Paxton Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County Issued	PAC220132	The Hershey Company 19 E Chocolate Ave Hershey, PA 17033	Spring Creek East (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Manchester Township York County Issued	PAC670044	Kinsley Equities II, LP 6259 Reynolds Mill Road Seven Valleys, PA 17360	Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Fairview Township York County Issued	PAC670184	Defense Logistics Agency Installation Operations Susquehanna 5750 3rd Street Building 750 New Cumberland, PA 17070	Marsh Run (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Paradise Township York County Issued	PAC670197	Martin P & S Forry Jr Eisenhart 210 East Walnut Street Hanover, PA 17331	Beaver Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Kittanning Township	PAC030015	Glenn O. Hawbaker, Inc. 1952 Waddle Road Suite 203 State College, PA 16803	UNT to Mill Run (WWF)	Armstrong County Conservation District 120 South Grant Avenue Suite 2 Kittanning, PA 16201 (724) 548-3425
Smith Township; Hanover Township	PAC630107	PennDOT District 12-0 825 North Gallatin Avenue Extension Uniontown, PA 15401	UNT to Raccoon Creek (WWF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
East Finley Township	PAC630109	East Finley Township 1394 East Finley Road Claysville, PA 15323	Templeton Fork (TSF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
Rostraver Township	PAC650062	Westmoreland County Airport Authority 148 Aviation Lane Suite 103 Latrobe, PA 15650	UNT to Gillespie Run (WWF); UNT to Beckets Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township	PAC650064	Rivendell Development, LP 4149 Kellington Court Murrysville, PA 15668	UNT to Bushy Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650075	Trammell Crow Company 2800 Post Oak Boulevard Suite 2300 Houston, TX 77004	Brush Creek (TSF); Little Sewickley Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Sewickley Township	PAC650078	Westmoreland County Industrial Development Corporation 40 North Pennsylvania Avenue Greensburg, PA 15601	UNT to Sewickley Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township	PAC650079	Laura Land Company 60 Bowstone Road Pittsburgh, PA 15235	UNT to Bushy Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Salem Township	PAC650093	IUOE Local Number 66 111 Zeta Drive Pittsburgh, PA 15238	UNT to Loyalhanna Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township	PAC650094	Roto-Rooter Services Company, c/o Dinsmore and Shohl, LLP 1900 First Financial Center 225 East Fifth Street Cincinnati, OH 45202	UNT to Brush Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650084	Greensburg Hospitality, LLC 95 West Beau Street Suite 660 Pittsburgh, PA 15301	UNT to Brush Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
South Huntingdon Township	PAC650097	Tenaska Pennsylvania Partners, LLC 14302 FNB Parkway Omaha, NE 68154	UNT to Youghioghney River (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Rostraver Township	PAC650098	Black and Veatch 11401 Lamar Avenue Overland Park, KS 66211	UNT to Speers Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township	PAC650099	BV Plaza, LP 4041 Liberty Avenue Suite 201 Pittsburgh, PA 15224	Brush Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Donegal Township	PAC650100	Rocco and Linda Marie D-Ascenzo 311 Mount Manor Road Manor, PA 15665	UNT to Minnow Run (CWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
South Huntingdon Township	PAC650101	Robert King 114 North Maple Avenue Greensburg, PA 15601	UNT to Painter Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650102	Chevron Appalachia, LLC 700 Cherrington Parkway Coraopolis, PA 15108	Jacks Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
		Westmoreland County Housing Authority 167 South Greengate Road Greensburg, PA 15601		

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
South Huntingdon Township; East Huntingdon Township	PAC650103	Golden Triangle Construction Company 8555 Old Steubenville Pike Imperial, PA 15126	Buffalo Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township	PAC650104	North Huntingdon Township Municipal Authority 11265 Center Highway North Huntingdon, PA 15642	Youghiogheny River (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Derry Township	PAC650106	SML Limited Partnership 153 Swan Lake Lane New Alexandria, PA 15670	Loyalhanna Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650107	Best Choice Trailers, Inc. 1512 Spring Road Carlisle, PA 17013	UNT to Little Sewickley Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Unity Township	PAC650108	Classic Industries, Inc. D/B/A Technimark 149 Devereaux Drive Latrobe, PA 15650	Monastery Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township	PAC650109	R. A. Snoznik Construction 4455 Old William Penn Highway Murrysville, PA 15668	UNT to Brush Creek (TSF); UNT to Bushy Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650110	Giant Eagle, Inc. 261 Kappa Drive Pittsburgh, PA 15238	UNT to Brush Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
East Huntingdon Township	PAC650113	Ligonier Property Development 1350 Route 30 P.O. Box 277 Laughlintown, PA 15655	UNT to Jacobs Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Derry Township	PAC650116	Amanda Ackerman 5767 C Street Latrobe, PA 15650	Saxman Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township	PAC650117	Colony Realty Associates, LP 8954 Hill Drive North Huntingdon, PA 15642	UNT to Tinkers Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Rostraver Township	PAC650118	EG Properties of Rostraver, LLC 203 East Pitt Street Suite 105 Bedford, PA 15522-1362	Cedar Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Penn Township	PAC650119	W.A. Petrakis Contracting 5034 Sequoia Court Export, PA 15632	UNT to Bushy Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Penn Township	PAC650121	PBM, Inc. 1070 Sandy Hill Road Irwin, PA 15642	UNT to Brush Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Ligonier Township	PAC650123	Justin Herrholtz 416 East Church Street Ligonier, PA 15658	Loyalhanna Creek (CWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650127	Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672	UNT to Jack Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650128	Dura-Metals Products Corporation 1552 Arona Road P.O. Box 680 Irwin, PA 15642-0680	UNT to Little Sewickley Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township	PAC650129	North Huntingdon Township 11279 Center Highway North Huntingdon, PA 15642	UNT to Brush Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
North Huntingdon Township	PAC650131	Scalise Homes 8340 Pennsylvania Avenue North Huntingdon, PA 15642	Andrews Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Fairfield Township	PAC650132	Edith Shapira 6550 Beacon Street Pittsburgh, PA 15217	Snyders Run (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Murrysville Municipality; Penn Township	PAC650133	Peoples Natural Gas, LLC 195 Donohoe Road Greensburg, PA 15601	UNT to Turtle Creek (TSF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Hempfield Township	PAC650142	Bullskin Stone and Lime, LLC P.O. Box 528 Latrobe, PA 15650	Lower Sewickley Creek (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
City of Corry, Erie County	PAC250050	Corry Memorial Hospital 965 Shamrock Lane Corry, PA 16407	UNT Hare Creek CWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
West Fallowfield Township, Crawford County	PAC200047	Hartstown DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	UNT to Crooked Creek TSF	Crawford County Conservation District 21742 German Road Meadville, PA 16335

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Middlesex Township, Butler County	PAC100115	Mill Creek Partners 2, LP Mr. Brett Shultz P.O. Box 449 Mars, PA 16046	UNT to South Branch Glade Run WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
New Beaver Borough, Lawrence County	PAC370027	B & R Repair Randall May 9903 Jeans Road Lemont, IL 60439	UNT to Beaver River	Lawrence County Conservation District 430 Court Street New Castle, PA 16101
Cranberry Township, Butler County	PAC100111	PA Dot District 10-0 James R. Andrews 2550 Oakland Avenue P.O. Box 429 Indiana, PA 15701	UNT to Coal Run WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Cranberry Township, Butler County	PAC100122	North Boundary Partners LP 11279 Perry Highway Suite 509 Wexford, PA 15090	Brush Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Knox Township, Clarion County	PAC160018	Knox Township Municipal Authority P.O. Box 64 Lucinda, PA 16235	UNT to Step Creek CWF	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
Summit Township, Erie County	PAC250049	Future One, Inc 7588 Tyler Boulevard Mentor, OH 44060	LeBoeuf Creek TSF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

*General Permit Type—PAG-3**Facility Location &
Municipality*

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Manheim Borough, Lancaster County	PAG033595	Fenner Drives Inc. 311 West Stiegel Street Manheim, PA 17545	Chiques Creek in Watershed(s) 7-G	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Conewago Township, Adams County	PAG033593	Precision Cut Industries 115 Ram Drive Hanover, PA 17331	Unnamed Tributary to Plum Creek in Watershed(s) 7-F	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Green Tree Borough Allegheny County	PAG036226	Wheeling & Lake Erie Railway Co. 100 E First Street Brewster, OH 44613-0000	Whiskey Run—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Neville Township Allegheny County	PAR806116	New Penn Motor Express 625 S 5th Avenue Lebanon, PA 17042-7728	Ohio River—20-G WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-8

<i>Facility Location & County/ Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
South Woodbury Township Wastewater Treatment Plant 125 North Road New Enterprise, PA 16664	PAG083604	South Woodbury Township 1401 Woodbury Pike Loysburg, PA 16659	Same As Facility	DEP—SCRO—CW 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-9

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Madison Township Lackawanna County	PAG 092214	Avalanche Services LLC 239 Callapoose Road Moscow, PA 18444	Hartpence Farm 2001 Madisonville Road	North East Regional 570-826-2511

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lurgan Township, Franklin County	PAG123831	Franklin Family Farms Inc. 14627 Lurgan Road Orrstown, PA 17244	Watershed(s) 7-B	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-13

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
South Park Township Allegheny County	PAG136291	South Park Township 2675 Brownsville Road South Park, PA 15129-8525	Lick Run, Sleepy Hollow Run, Unnamed Tributary to Catfish Run, Peters Creek, and Piney Fork 19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Elizabeth Township Allegheny County	PAG136207	Elizabeth Township Allegheny County 522 Rock Run Road Elizabeth, PA 15037-2430	Wylie Run, Fallen Timber Run, Gillespie Run, Monongahela River 19-D and 19-C	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>
Dennis Zimmerman 55 Zimmerman Lane Beaver Springs, PA 17812	Snyder	0 for manure application	19.32	Liquid Duck	NA	Approval
Stahl Family Farms 4089 Produce Road Selinsgrove, PA 17870	Snyder	118 for manure application	1,389	Swine/Dairy	NA	Approval

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).

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

Permit No. 3390085, PWS Major Amendment.

Applicant	Lehigh County Authority P.O. Box 3348 Allentown, PA 18106-3348
[Township or Borough]	Lynn 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. 3518505MA , Public Water Supply.
Applicant	Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661
[Township or Borough]	Jefferson Township, Lackawanna County
Responsible Official	Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Type of Facility	PWS
Consulting Engineer	Dan Hopkins, PE Entech Engineering Inc. P.O. Box 32 Reading, PA 19603
Permit Issued Date	10/22/2018
	Permit No. 2400114 , Public Water Supply.
Applicant	Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661
[Township or Borough]	Butler Township, Luzerne County
Responsible Official	Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Type of Facility	PWS
Consulting Engineer	Jonathan Morris, PE GHD 1240 North Mountain Road Harrisburg, PA 17112
Permit Issued	10/29/2018

Permit No. 2451431, Operations Permit, Public Water Supply.

Applicant **Exeter Blakeslee Lot 100 Land, LLC**
101 West Elm Street
Suite 600
Conshohocken, PA 19428

[Borough or Township] Tobyhanna Township

County **Monroe**

Type of Facility PWS

Consulting Engineer Mr. Christopher McDermott, P.E.
Project Manager
Reilly Associates
P.O. Box 667
411 Main Street
Suite 102D
Stroudsburg, PA 18360

Permit to Operate Issued 11/01/2018

Permit No. 2350053, Operations Permit, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
1775 North Main St.
Honesdale, PA 18431

[Borough or Township] Thornhurst Township

County **Lackawanna**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate Issued 10/03/2018

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

Permit No. 2118506 MA, Minor Amendment, Public Water Supply.

Applicant **Pennsylvania American Water Company**

Municipality Lemoyne Borough

County **Cumberland**

Responsible Official

Type of Facility The Lemoyne finished water storage tank will be blasted and repainted on the interior and exterior, and other minor safety, sanitary and structural modifications will be made.

Consulting Engineer Bruce A. Brubaker, P.E.
Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Permit to Construct Issued 11/14/2018

Operation Permit No. 0616515 issued to: **Reading Area Water Authority (PWS ID No. 3060059)**, Reading, **Berks County** on 11/14/2018 for facilities approved under Construction Permit No. 0616515.

Transferred Comprehensive Operation Permit No. 7210068 issued to: **Redland DDD, LLC (PWS ID No. 7210068)**, Silver Spring Township, **Cumberland County**

on 11/13/2018. Action is for a Change in Ownership for Silver Spring Country Estates, Cumberland County for the operation of facilities previously issued to Jeremy S. Hunter (Hodges Mobile Home Park).

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

Permit No. 0218515, Public Water Supply.

Applicant **Plum Borough Municipal Authority**
4555 New Texas Road
Plum, PA 15239

[Borough or Township] Plum Borough

County **Allegheny**

Type of Facility Mariah tank painting and mixer

Consulting Engineer R.F. Mitall & Associates, Inc.
117 Sagamore Hill Road
Pittsburgh, PA 15239

Permit to Construct Issued November 13, 2018

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

Operation Permit issued to **PA American Water Company Punxsutawney, PWSID No. 6330010**, Punxsutawney Borough, **Jefferson County**. Permit Number 3317601 issued November 8, 2018 for the operation of the new North Main Pump Station. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on October 25, 2018.

Operation Permit issued to **Bradford City Water Authority, PWSID No. 6420014**, Bradford Township, **McKean County**. Permit Number 4285301-MA4 issued November 9, 2018 for the operation of the liquid sodium hypochlorite feed system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on October 22, 2018.

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

Permit No. 1416505—Operation—Public Water Supply.

Applicant **Spring Township Water Authority**

Township/Borough Spring Township

County **Centre County**

Responsible Official Mr. Doug Weikel
Spring Township Water Authority
1309 Blanchard Street
Bellefonte, PA 16823-8625

Type of Facility Public Water Supply—Operation

Consulting Engineer Mr. Andrew Johnson, P.E.
Gwin Dobson & Foreman
3121 Fairway Drive
Altoona, PA 16602

Permit Issued	November 14, 2018
Description of Action	Authorizes operation of PW-2 (formerly Cerro Well) as an additional source of supply, including gas chlorine disinfection and 4-log inactivation of viruses.
Permit No. 5318501—Construction—Public Water Supply.	
Applicant	Genessee Township Water Authority
Township/Borough	Genessee Township
County	Potter County
Responsible Official	Mr. Donald Reed, Jr., Chairman Genessee Township Water Authority P.O. Box 3 Genessee, PA 16923
Type of Facility	Public Water Supply— Construction
Consulting Engineer	Mr. Timothy K. Steed Hunt Engineers, Architects, and Land Surveyors 1 Elizabeth Street Suite 12 Towanda, PA 18848
Permit Issued	November 13, 2018
Description of Action	Authorizes development of an additional source of supply, known as Hickox Well # 3, installation of new piping from Hickox Well # 2 and Hickox Well # 3 to the control building and new piping inside the control building that includes flow meter, sample taps and chemical injection ports, to connect to 4-inch inlet pipe to previously-approved, 138,000-gallon, water storage tank.

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.

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

WA-12-373C, Water Allocations. **Emporium Water Company**, 174 Nickler Road, Emporium, PA 15834, Emporium Borough, **Cameron County**. This Water Allocation Permit Modification Order orders that Emporium Water Company's Water Allocation Permit be modified to correct conversion errors that were noted in Conditions 3 and 4 of the Permit. When converting cubic feet per second (cfs) to million gallons per day (MDG), the Department used an online calculator. In the process, the Department erroneously selected MGD [UK], instead of MGD [USA], which resulted in slightly lower passby flows (in MGD) than required. The Modification Order reflects the change from MGD [UK] to the correct MGD [USA] in Conditions 3 and 4.

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

WA 43-61E, Water Allocations. **Aqua Pennsylvania, Inc.—Shenango Division**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, City of Sharon, **Mercer County**. Grants the right to withdraw 16,300,000 gallons per day as a peak daily flow rate from the Shenango River.

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, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Heidelberg Township	720 Brownsville Road Sinking Spring, PA 19608	Berks

Plan Description: Approval is granted for an update to the Official Plan of Lower Heidelberg Township, Berks County. The project is known as the Lower Heidelberg Township Act 537 Plan Revision, Knollwood Drive/Faust Road and Valley View MHP Needs Areas (DEP Code No. B1-06940-ACT). The plan provides for the removal of the Knollwood Drive, Faust Road and Valley View MHP areas of the Township from the proposed public sewer service area delineated in the Township's 2011 Act 537 Plan. These areas will continue to follow the requirements of the previously adopted on-lot sewage management (OLDS) ordinance for Lower Heidelberg 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.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Letterkenny Township	4924 Orrstown Road Orrstown, PA 17244	Franklin

Plan Description: Approval of a revision to the official plan of Letterkenny Township, Franklin County. The project is known as Clifton Newell. The plan provides for a Small Flow Treatment Facility to serve a single family dwelling. The proposed development is located on Sandy Mount Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-28910-130-3S and the APS Id is 976269. Any required NPDES Permits or WQM permits must be obtained in the name of the property owner.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Greenlick Compressor Station, 1211 Shephard Road, Cross Fork, Stewardson Township, **Potter County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Dominion Energy Transmission, Inc., 40741 Consolidated Lane, Leesburg, VA 20175, has submitted a Final Report concerning remediation of site groundwater contaminated with PCBs and Petroleum Distillate. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document

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

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

T. Flower Pad 1, 23 Brooks Road, Springville Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of a release of brine to the soil. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on November 14, 2018.

Holbrook Well Pad, Holbrook Road, Bridgewater Township, **Susquehanna County**. Woodward & Curran, 12 Frear Hill Road, Tunkhannock, PA 18657 on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, has resubmitted a Final Report concerning remediation of site soils contaminated with brine. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on November 14, 2018.

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

Penelec—Former Sayre District Office, Sayre Borough, **Bradford County**. SE Technologies, LLC, 98 Vanadium Road, Bridgeville, PA 15017, on behalf of Penelec/First Energy Corp., 1900 Centre Avenue, Reading, PA 19601, has submitted a Final Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead and pentachlorophenol. The Final Report and Cleanup Plan demonstrated attainment of the Background and Site-Specific Standards and was approved by the Department on November 14, 2018.

Evans Network of Companies, US Route 15 South at MM 138, Old Lycoming Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Evans Network of Companies, 100-110 Columbia Street, Schuylkill Haven, PA 17972, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on October 15, 2018.

Schneider National Carriers Project, State Route 220S near Huffman Road, Piatt Township, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Schneider National Carriers, Inc., 3101 South Packerland Drive, Green Bay, WI 54313, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on November 15, 2018.

Reinhart Food Service, LLC, Diesel Fuel Clean Up, 100 Industrial Park Road, Coal Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17754, on behalf of Reinhart Food Service, LLC, 100 Industrial Park Road, Coal Township, PA 17866, has submitted a Final Report concerning remediation of the site soils contaminated with diesel fuel. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 10, 2018.

D. Pierce Transportation, Diesel Fuel Clean up, I-80 E at MM 192 off ramp, Greene Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of D. Pierce Transportation, P.O. Box 453, Murrysville, PA 15668, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the Non-Residential Statewide Health Standard and was approved by the Department on November 13, 2018.

Hite Trucking Project, 8445 Buffalo Road, West Buffalo Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Hite Trucking, 1613 Dutch Road, Loretto, PA 15940, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil and antifreeze. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 12, 2018.

PennDOT Union County Maintenance Facility, 612 Fairground Road, Lewisburg, East Buffalo Township, **Union County**. Dewberry Engineers, Inc., 600 Parsippany Road, Suite 301, Parsippany, NJ 07054, on behalf of PennDOT District 3-0, 715 Jordan Ave, Montoursville, PA

17754, has submitted a Final Report concerning remediation of site soil and ground water contaminated with hydraulic oil. The report demonstrated attainment of the Nonresidential Statewide Health Standard and was approved by the Department on October 22, 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.

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.

GP1-07-03066A: Team Ten, LLC (1600 Pennsylvania Avenue, Tyrone, PA 16686) on October 24, 2018, for an existing natural gas-fired boiler, 28.9 MMBtu, under GP1, at the paper mill located in Tyrone Borough, **Blair County**.

GP1-36-03131A: UPMC Pinnacle (218 South 2nd Street, Harrisburg, PA 17104) on November 6, 2018, for two existing boilers under GP1, at the Lancaster Regional Medical Center located in the City of Lancaster, **Lancaster County**. The GP was re-authorized for use at this site to reflect a change of ownership.

GP19-67-03081B: Finishing Systems, Inc. (70 Willow Springs Circle, York, PA 17406) on October 30, 2018, for seven existing shotblast machines and 3 dust collectors, under GP19, at the facility located in Manchester Township, **York County**. The general permit authorization was renewed, and also authorized replacement of one of the dust collectors.

GP3-31-7-03002: New Enterprise Stone & Lime Co., Inc. (3912 Brumbaugh Road, P.O. Box 77, New Enterprise, PA 16664) on November 14, 2018, for portable nonmetallic mineral processing equipment under GP3 at the Union Furnace Quarry located in Spruce Creek Township, **Huntingdon County**.

GP9-31-7-03002: New Enterprise Stone & Lime Co., Inc. (3912 Brumbaugh Road, P.O. Box 77, New Enterprise, PA 16664) on November 14, 2018, for two diesel or No. 2 oil-fired internal combustion engines under GP9, to power portable nonmetallic mineral processing equipment, at the Union Furnace Quarry located in Spruce Creek Township, **Huntingdon County**.

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

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

GP3-08-312F: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 1, 2018, to construct and operate one (1) PremierTrak model 600 crusher rated at 550 tons per hour (tph) throughput, one (1) Powerscreen Trakpactor model 550 crusher rated at 550 tph, one (1) Terex model C1545 crusher rated at 550 tph, one (1) Terex Pegson XA400S crusher rated at 400 tph, one (1) Finlay C-1550P crusher rated 370 tph, one (1) Powerscreen Chieftain 2100 triple deck screener, one (1)

Powerscreen Warrior 1800 double deck screener, one (1) Terex Finlay 694+ double deck screener, one (1) Powerscreen Warrior 2400 double deck screener, one (1) Powerscreen model H6203 screener rated at 600 tph, one (1) Three (3) Telestacker TC421 conveyor-stackers, one (1) Maximus TFC-80 conveyor-stacker rated at 600 tph, one (1) McCloskey SDX100 conveyor-stacker, one (1) McCloskey SDX130 conveyor-stacker rated at 600 tph with associated water spray dust suppression system pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at DeCristo's LeRoy Quarry # 1 located in LeRoy Township, **Bradford County**. This new authorization supersedes all previous GP-3 authorizations for these portable sources.

GP9-08-312F: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 1, 2018, to construct and operate the following diesel-fired engines: one (1) Caterpillar model C-9 DITA rated at 300 bhp, one (1) Caterpillar model C-15 rated at 540 bhp, one (1) Caterpillar model C4.4 rated at 129.4 bhp, one (1) Caterpillar model 3054C DIT rated at 99.9 bhp, one (1) Caterpillar model C4.4 rated at 131.4 bhp, three (3) Deutz model D2011 rated at 40 bhp, one (1) Caterpillar model C3.4B rated at 100.5 bhp, one (1) Caterpillar model C4.4 rated at 129.4 bhp, one (1) Caterpillar model C4.4 rated at 131 bhp, one (1) Caterpillar model C6.6 rated at 202.5 bhp, one (1) Caterpillar model C7.1 rated at 202.5 bhp, one (1) Scania model DC13 084A rated at 444 bhp, one (1) Scania model DC13 085A rated at 493 bhp, one (1) Scania model DC13 84A rated at 444 bhp pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at DeCristo's LeRoy Quarry # 1 located in LeRoy Township, **Bradford County**. This authorization supersedes all previous GP-9 authorizations for these sources.

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.

GP1-63-00971B: Equitrans, LP (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) on November 14, 2018, to authorize continued operation of one (1) natural gas-fired boiler, rated at 15 MMBtu/hr, at the Ginger Hill Site in Fallowfield Township, **Washington County**.

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

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

GP1-10-238C: Seneca Valley School District (124 Seneca School Rd., Harmony, PA 16037) on October 29, 2018, for the authority to operate two (2) existing 14.5 MMBtu/hr. natural gas-fired boilers. (BAQ-GPS/GP1) located at their facility in Jackson Township, **Butler County**.

GP5-16-147C: Pine City Extractions, LLC, Exotic Compressor Station (P.O. Box 8049, Erie, PA 16505) on November 2, 2018, for the authority to operate a 145 bhp & 195 bhp 4-stroke rich burn natural gas-fired compressor engine, condensate and methanol storage tank(s), truck loading operations and associated fugitive emissions (BAQ-GPS/GP5) located at their facility in Elk Township, **Clarion County**.

GP9-20-145A: Vitro Flat Glass, LLC (400 Guys Run Rd., Cheswick, PA 15024) on November 7, 2018, for the authority to diesel fuel-fired internal combustion engine (BAQ-GPS/GP9) located at their facility in Greenwood Township, **Crawford 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.

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

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

35-00070A: Archbald Energy Partners, LLC (72 Glenmaura National Blvd., Suite 104A, Moosic, PA 18507) on October 24, 2018 extension granted for the construction and operation of a natural gas fired combined cycle power plant to produce approximately 485 MW of electricity at the facility to be located in Archbald Borough, **Lackawanna County**.

48-00044A: Just Born, Inc. (1300 Stefkow Blvd, Bethlehem, PA 18017) on November 14, 2018 for the installation and operation of two new baghouses for existing sugar bin and gelatin handling system for their facility located in Bethlehem City, **Northampton County**.

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

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

43-270L: CCL Container Hermitage Inc. (1 Llodio Dr., Hermitage, PA 16148), on November 7, 2018 issued a Plan Approval to install and initially operate a replacement regenerative thermal oxidizer in Hermitage Township, **Mercer 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.

46-0026H: Global Packaging Inc.: (209 Brower Avenue, Oaks, PA 19456) On November 6, 2018 an extension for the addition of a new heat set flexographic printing press with emissions controlled by an existing regenerative thermal oxidizer and existing backup catalytic oxidizer in Upper Providence Township, **Montgomery County**.

09-0174G: Liberty Coating Company, LLC: (21 Steel Rd. S, Morrisville, PA 19067-3614) On November 6, 2018 an extension for the installation of an interior abrasive blasting and exterior abrasive blasting operation with dust collector in Falls Township, **Bucks County**.

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.

06-05002O: Lehigh Cement Company, LLC: (537 Evansville Road, Fleetwood, PA 19522-8541) On November 8, 2018, for the replacement of the existing fuel burner pipes at their facility in Maidencreek Township, **Berks County**. Plan Approval No. 06-05002O is for the replacement of the existing fuel burner pipes in each of the two (2) long, dry Portland cement kilns (Source IDs 121 & 122) with a consolidated multi-fuel burner pipe system. The plan approval was extended, with a compliance schedule.

28-05002Q: Letterkenny Army Depot—US Department of Defense: (One Overcash Avenue, Chambersburg, PA 17201) On November 8, 2013, for the construction of two replacement paint stripping tanks in Building 377 at the Letterkenny Army Depot in Greene/ Letterkenny Townships, **Franklin County**. The two paint stripping tanks to be constructed in Building 377 will replace two existing paint stripping tanks in Building 370. The plan approval was extended.

06-03089C: H & K Group, Inc.: (1 Quarry Road, Douglassville, PA 19518) On November 2, 2018, for the construction of a diabase stone crushing plant to replace the current stone crushing plant at the Douglassville Quarry located in Douglass Township, **Berks County**. The plan approval was extended.

67-05004S: Pixelle Specialty Solutions, LLC: (228 South Main Street, Spring Grove, PA 17362) On November 14, 2018, for the construction of two (2) Babcock & Wilcox (B&W), (372.6 and 358.3 MMBtu per hour each), natural gas fired boilers and the installation of a hydrated lime injection system to reduce HCl emissions from Power Boiler No. 5, with associated equipment including, but not limited to, a storage silo and pneumatic conveying system at the paper mill facility located in Spring Grove Borough, **York County**. The plan approval was extended and was also administratively amended to reflect a change of ownership.

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

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

08-00009A: Tennessee Gas Pipeline Company LLC (1001 Louisiana Street, Houston, TX 77002) revised on October 30, 2018, to amend the Responsible Official and add the Duly Authorized Representative with Responsible Official signatory on the Plan Approval. This Plan Approval was issued for the construction and operation of the Solar Mars compressor turbine (Source ID P201) at their Station 317 facility in Troy Township, **Bradford County**.

47-309-001: United States Gypsum Company (86 PPL Road, Danville, PA 17821) extended the authorization an additional 180 days from October 18, 2018 to April 16, 2019, to permit continued operation of the board kiln dryer (Source ID P114) located at their facility in Derry Township, **Montour County** pending issuance of an operating permit for the source. The plan approval has been extended.

47-00014B: United States Gypsum Company (86 PPL Road, Danville, PA 17821) extended the authoriza-

tion an additional 180 days from November 10, 2018 to May 9, 2019, to permit continued operation of the board kiln dryer (Source ID P114) located at their facility in Derry Township, **Montour County** pending issuance of an operating permit for the source. The plan approval has been extended.

47-00014C: United States Gypsum Company (86 PPL Road, Danville, PA 17821) extended the authorization an additional 180 days from November 3, 2018 to May 2, 2019, to permit continued operation of the board kiln dryer (Source ID P114) located at their facility in Derry Township, **Montour County** pending issuance of an operating permit for the source. The plan approval has been extended.

17-00071A: Continental Carbonic Products, Inc. (40 Technology Drive, Clearfield, PA 17802) was issued an extension of the temporary authorization to operate under plan approval pending issuance of an operating permit for an additional 180 days from November 5, 2018 to May 4, 2019. The source is located in the Borough of Clearfield, **Clearfield County**. The plan approval has been extended.

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.

65-00629A: CBC Latrobe Acquisition, LLC (100 33rd Street, Latrobe, PA 15650-1474) on November 13, 2018, to extend the temporary operation period for the wastewater pretreatment system at the Latrobe Brewery located in in Latrobe Borough, **Westmoreland County**. The new expiration date is May 28, 2019.

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

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

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

54-00074: UGI Development Co (1 Meridian Blvd, Wyomissing, PA 19610-3325) The Department issued, on 11/15/18, a Title V Operating Permit renewal for operation of a landfill gas-to-energy facility in Foster Township, **Schuylkill County**. The Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

58-00001: Tennessee Gas Pipeline Company/ Compressor Station 321 (1001 Louisiana Street, Houston, Texas, 77002). On November 6, 2018, the Department issued a renewal Title V Operating Permit for the natural gas transmission station in Clifford Township, **Susquehanna County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The primary sources at this facility consist of natural gas solar turbines, a natural gas fired boiler, heating furnaces, space heaters, and an emergency generator. The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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.

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

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

46-00236: Highway Materials, Inc. (1126 Crusher Road, Perkiomenville, PA 18074) On November 6, 2018 for renewal of a State Only, Synthetic Minor Operating Permit for a 360-tons per hour batch asphalt plant in Marlborough Township, **Montgomery County**.

15-00031: Henry Company (336 Coldstream Road, Kimberton, PA 19442) On November 6, 2018 for renewal of a State Only, Synthetic Minor Operating Permit for their asphalt roofing and paving products manufacturing facility located in East Pikeland Township, **Chester County**.

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.

31-03032: Glenn O Hawbaker, Inc. (711 East College Avenue, Pleasant Gap, PA 16823-6854) on October 31, 2018, for the stone crushing operations at the Canoe Valley Quarry located in Morris Township, **Huntingdon County**. The State-only permit was renewed.

67-03110: Protech Powder Coating, Inc. (939 Monocacy Road, York, PA 17404-1615) on November 2, 2018, for the powder coating manufacturing facility located in York City, **York County**. The State-only permit was renewed.

28-03012: Hartman Snack Group, Inc. (6647 Molly Pitcher Highway, Chambersburg, PA 17202-7713) on October 30, 2018, for the snack food manufacturing facility located in Antrim Township, **Franklin County**. The State-only permit was renewed.

21-03048: Carlisle Small Animal Veterinary Clinic PC (25 Shady Lane, Carlisle, PA 17013-1634) on November 6, 2018, for the animal crematory at the facility located in Middlesex Township, **Cumberland County**. The State-only permit was renewed.

36-03139: Ross Technology Corp. (104 North Maple Avenue, Leola, PA 17540-9799) on November 6, 2018, for the street grate and electrical box manufacturing facility located in Upper Leacock Township, **Lancaster County**. The State-only permit was renewed.

36-05100: Pennsy Supply, Inc. (1001 Paxton Street, P.O. Box 3331, Harrisburg, PA 17105-3331) on November 13, 2018, for the batch asphalt plant located in Manheim Township, **Lancaster 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.

19-00019: Dillon Floral Corporation (933 Columbia Boulevard, Bloomsburg, PA 17815), on November 9, 2018, for their Bloomsburg Greenhouse located in Bloomsburg Borough, **Columbia 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 renewal NMOP 19-00019.

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

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

63-00901: Allegheny Millwork & Lumber Co. (104 Commerce Boulevard, Lawrence, PA 15055-0493) on November 6, 2018, the Department of Environmental Protection (DEP) authorized a renewed State-Only Operating Permit for the above-mentioned facility that manufactures laminated cabinets, wood cabinets, doors, and running trim, among other products. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

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

Contact: Matt Williams, Facilities Permitting Chief, Telephone: 814-332-6940.

25-00360: The Electric Materials Company, (P.O. Box 390, North East, PA 16428-0390), on November 1, 2018, the Department issued the renewal of the Synthetic Minor State-Only Operating Permit to a facility which manufactures high quality electrical components, copper extrusions, forgings and castings for the electrical power, mining, transportation, military and architectural industries. This facility is located at 50 South Washington Street, North East, PA (16428-0300), which is in North East Borough, **Erie County**. The primary sources at the facility are miscellaneous natural gas combustion, miscellaneous natural gas process use, an emergency generator, tumble cleaning, shot cleaning, a brite annealing furnace, copper grinding, tin melting, a cold batch degreaser, an endogas generator, electric ovens, a solvent still, brazing units, an EDM machine, a natural gas furnace, core machines, pickle and rinse tanks, electric induction furnaces and casting, paint booths, a burn off oven, parts washers, a bead blast unit, sanders, mixers and a core oven. Potential emissions for the site are below Title V permitting thresholds for all criteria pollutants, after taking limits. Facility potential emissions are as follows: particulate matter, 93.1 tons per year (tpy); PM₁₀, 1.18 tpy; PM_{2.5}, 0.4 tpy; sulfur oxides, 0.1716 tpy; nitrogen oxides, 45.81 tpy; carbon monoxide, 17.48 tpy; and volatile organic compounds, less than 50 tpy. The permit contains emission and operating hours restrictions, along with monitoring, recordkeeping, reporting, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Minor State Only Operating Permit for the following facility:

OP-18-000020: U.S. GSA—U.S. Customs House (200 Chestnut Street, Philadelphia, PA 19106) for the operation of a commercial building in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include: two (2) 6.8 MMBtu/hour boilers that can burn natural gas or # 2 fuel oil; one (1) 4.0 MMBtu/hour boiler firing natural gas, two (2) 0.399 MMBtu/hour hot water heaters firing natural gas, and one (1) 450 kW emergency generator firing diesel.

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.

40-00127: Acton Technologies, Inc.: (100 Thompson Street, Pittston, PA 18640-1437) on October 25, 2018, in Jenkins Township, **Luzerne County** for an amendment to incorporate process modification at the facility. The conditions from Plan Approval 40-00127B 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.

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.

67-05012: Transcontinental Gas Pipeline Co., LLC (P.O. Box 1396, Houston, TX 77251-1396) on November 5, 2018, for the natural gas transmission station located in Peach Bottom Township, **York County**. The Title V permit was administratively amended in order to update contact information.

67-05139: Hanover Foods Corp. (1550 York Street, P.O. Box 334, Hanover, PA 17331-7958) on October 25, 2018, for the food processing facility located in Penn Township, **York County**. The State-only permit underwent a minor modification in order to address the addition of Source 600, chemical usage and associated conditions.

21-05067: Carlisle Construction Materials, LLC (P.O. Box 7000, Carlisle, PA 17013-0925) on November 7, 2018, for the rubber sheet roofing manufacturing facility located in Carlisle Borough, **Cumberland County**. The State-only permit was administratively amended in order to correct an administrative error regarding the fuel type for three boilers at their facility.

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

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

08-00006: UTC Railcar Repair Services, LLC (403 N. Thomas Ave., Sayre, PA 18840) on October 16, 2018,

for a facility name change from GE Railcar Repair and for a change in Responsible Official for the State Only operating permit for their Sayre facility located in the Borough of Sayre, **Bradford County**. The amended operating permit includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

43-00354: Reclaimed Rubber & Plastics Inc. (15921 S. Mosiertown Road, Meadville, PA 16335). On November 13, 2018, the Department issued an administrative amendment to the State Operating Permit to incorporate the change of ownership, responsible official change, and permit contact change in the permit for the facility located in Jackson Township, **Mercer County**.

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

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.

63-538: Bullskin Stone and Lime, LLC (986 Pleasant Valley Road, Mount Pleasant, PA 15666) Per 25 Pa. Code § 127.449(i), this notice is for the de minimis emission increases at the Bullskin Stone and Lime No. 1 Mine located in Bullskin Township, **Fayette County**, authorized on November 7, 2018. The list of de minimis increases for this facility includes only this project.

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

Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.

25-00688: UPMC Hamot (201 State Street, Erie, PA 16550) for its facility located in Erie City, **Erie County**. The de minimis emission increase is for the proposed construction of a 2,347 bhp Caterpillar model C32 emergency generator for the new building at 380 Bayfront Parkway. This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449.

The Department hereby approves the de minimis emission increase. The following table is a list of the de minimis emission increases as required by 25 Pa. Code § 127.449(i). This is the second de minimis emission increase since the facility current Operating Permit issuance on April 11, 2017.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
11-7-18	# 2 Fuel Oil Emergency Generator	0.01	0.11	0.76	0.02	0.07
1-4-18	# 2 Fuel Oil Emergency Generator	0.02	0.13	0.57	0.04	0.31

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
Total Reported Increases		0.03	0.24	1.33	0.06	0.38
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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.

30841312 and NPDES No. PA0013790. The Monongalia County Coal Company, (46226 National Road, St. Clairsville, OH 43950). To renew the NPDES permit for the Monongalia County Mine in Gilmore, Wayne and Jackson Townships, **Greene County**. No additional discharges. The application was considered administratively complete on March 29, 2016. Application received: August 27, 2015. Permit issued: October 25, 2018.

32841321 and NPDES No. PA0006874. Consol Mining Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the O'Donnell No. 3 Mine in Washington Township, **Indiana County** and Plumcreek Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on June 9, 2016. Application received: January 26, 2016. Permit issued: November 7, 2018.

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

65110101 and NPDES Permit No. PA0252140. Gary Gioia Coal Company (319 Karen Drive, Elizabeth, PA 15037). Permit renewal issued for continued mining to an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 188.2 acres. Receiving streams: Unnamed Tributary to Youghiogheny River. Application received: November 27, 2017. Renewal permit issued: November 14, 2018.

Noncoal Permits Issued

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

41180801. Daniel L. Stoltzfus, Jr. (790 Lehman Road, Allenwood, PA 17810). Commencement, operation, and

restoration of a small noncoal (shale) surface mine in Washington Township, **Lycoming County**, affecting 1.0 acre. Receiving stream: Unnamed Tributary to White Deer Hole Creek classified to the following use(s): HQ-CWF, MF. Application received: May 17, 2018. Permit issued: November 7, 2018.

59120302 and NPDES PA0269522. Glenn O. Hawbaker, Inc. (1952 Waddle Road, State College, PA 16803). Renewal for an existing NPDES on a large noncoal surface mining site located in Hamilton and Blossburg Townships, **Tioga County** affecting 89.6 acres. Receiving stream(s): Unnamed Tributary No. 1 to Johnson Creek classified for the following use(s): CWF. Application received: September 12, 2018. Permit issued: November 7, 2018.

PAM218014. Clinton Crawford (139 Douglas Road, Sugar Run, PA 18846). Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with Small Noncoal Permit No. 08060807 to the following surface water(s) in Wilmot Township, **Bradford County**. Receiving streams(s): Unnamed Tributary to Panther Lick Creek. Application received: May 10, 2018. Permit issued: November 5, 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

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

53184004. Precision Geophysical, Inc. (2695 State Route 83 South, Millersburg, OH 44654). Blasting for seismic exploration located in Sweden, Ulysses, and Allegany Townships, **Potter County** with an expiration date of November 12, 2019. Permit issued: November 14, 2018.

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

Permit No. 09184107. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Park 309 in Richland Township, **Bucks County** with an expiration date of October 29, 2019. Permit issued: November 14, 2018.

Permit No. 36184139. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Kreider Farms in East Donegal Township, **Lancaster County** with an expiration date of November 7, 2019. Permit issued: November 14, 2018.

Permit No. 36184140. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction

blasting for Carol Drive in Manor Township, **Lancaster County** with an expiration date of November 7, 2019. Permit issued: November 14, 2018.

Permit No. 46184115. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Whitehall Farms in Worcester Township, **Montgomery County** with an expiration date of October 29, 2014. Permit issued: November 14, 2018.

Permit No. 46184116. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Spring Valley Farms Phase 2 in Lower Pottsgrove Township, **Montgomery County** with an expiration date of October 20, 2019. Permit issued: November 14, 2018.

Permit No. 40184109. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Clayco Warehouse in Nanticoke Borough, **Luzerne County** with an expiration date of October 31, 2019. Permit issued: November 15, 2018.

Permit No. 40184110. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Pittston Warehouse in Pittston City and Jenkins Township, **Luzerne County** with an expiration date of November 5, 2019. Permit issued: November 15, 2018.

Permit No. 58184118. DW Drilling & Blasting, (2042-B S. Brentwood Boulevard, Suite 115, Springfield, MO 65804) construction blasting for Burke Gas Pad 1 in Auburn Township, **Susquehanna County** with an expiration date of November 12, 2019. Permit issued: November 15, 2018.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E35-469. Keystone Sanitary Landfill, 249 Dunham Drive, Dunmore, PA 18512. Dunmore Borough & Throop Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To fill a de minimus area of wetlands equal to 0.01 acre for the purpose of developing the Phase 3 Expansion of the Keystone Sanitary Landfill. The project is located at 249 Dunham Drive (Olyphant, PA Quadrangle Latitude: 41°25'59"; Longitude: -75°34'52") in Dunmore and Throop Boroughs, Lackawanna County. Subbasin 5A.

E39-561. Smart Living Barber St. LLC, 260 Christopher Lane, Staten Island, NY 10314. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain two outfall structures in the floodway of two separate watercourses. The first outfall structure is in the floodway of Trout Creek (HQ-CWF, MF) and consists of a 15-inch HDPE pipe with a concrete headwall and rip rap apron. The second outfall structure is in the floodway of the Little Lehigh Creek (HQ-CWF, MF) and consists of a 15-inch HDPE pipe with a concrete headwall and rip rap apron. The project is located at 324 Barber Street (Allentown East, PA Quadrangle Latitude: 40° 35' 52.63"; Longitude: -75° 27' 36.04"). Subbasin 2C.

E48-449. UGI Energy Services, LLC, One Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610. City of Bethlehem, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Bethlehem LNG project.

1. A roadway crossing of East Branch Saucon Creek (CWF, MF) consisting of a concrete conspan arch bridge having a 36-foot span and a 8.92-foot underclearance with concrete wingwalls. Included in this activity is approximately 0.14 acre of fill in the floodway for construction of the roadway/bridge and articulating concrete revetment matting buried 2 feet below streambed elevation for support and stabilization.

2. The placement of approximately 0.02 acre of fill within the floodway of a UNT to East Branch Saucon Creek (CWF, MF) for the construction of an access road for a commercial facility.

3. The placement of an outfall structure within the floodway of the East Branch Saucon Creek (CWF, MF) consisting of a 24-inch HDPE pipe, headwall, and rip rap apron.

4. A 12-inch water line crossing of the East Branch Saucon Creek (CWF, MF).

The project is located at the intersection of Easton Road and Ringhoffer Road (Hellertown, PA Quadrangle Latitude: 40° 36' 43.22"; Longitude: -75° 18' 22.44") in the City of Bethlehem, Northampton County. Subbasin 2C.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

E02-1696-A1, Redevelopment Authority of Allegheny County, One Chatham Center, Suite 900, 112 Washington Place, Pittsburgh, PA 15219, Moon Township and Robinson Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

Grade approximately 7,500 lineal feet or approximately 70,000 square feet of area within the floodway and the FEMA defined floodplain along Montour Run (TSF). Fill is not proposed to be placed in these areas. In addition the project proposed to construct and maintain one (1) stormwater outfall structure along Montour Run. Mitigation will be restoration of the areas graded. The project purpose is for the purpose of creating an extension of the Montour Run Trail, in a 78 acre brownfield site along a former rail right-of-way. The project is located along Route 51, approximately 3/4 mile west of the interchange with Interstate 79 (USGS Quadrangle: Ambridge, PA; Lat: 40° 30' 27.94"; Long: -80° 8' 48.62"), in Moon and Robinson Townships and Coraopolis Borough, Allegheny County.

E32-524, PennDOT District 10-0, 2550 Oakland Avenue, Indiana, PA 15701, Plumville Borough, **Indiana County**, Pittsburgh ACOE District.

Has been given consent to:

Remove the existing 20' wide by 35.5' long single span bridge carrying SR 4035 over North Branch Plum Creek (CWF) with a drainage area of 4.2 square miles; construct and maintain a replacement 44.1' long, 18' wide, 1' depressed box culvert having a 7.5' underclearance on the same alignment. Place and maintain fill in 226' of an unnamed tributary to North Branch Plum Creek (CWF) with a drainage area of 224 acres and construct and maintain 210' of relocated replacement channel. Place and maintain fill in 31' of a second unnamed tributary to North Branch Plum Creek (CWF) with a drainage area less than 100 acres and construct and maintain 31' of relocated replacement channel. Place and maintain fill in a de minimis 0.046 acre of PEM wetland. In addition, construct and maintain associated stormwater facilities

and temporarily impact 120' of stream and 0.033 acre of PEM wetland for the purpose of constructing these encroachments. Impacts will be mitigated on site. The project site is located near the intersection of SR 4035 (Indiana Street) and SR 0954 (Main Street) (Plumville, PA USGS topographic quadrangle; N: 40°, 47', 35.45"; W: -79°, 10', 49.21"; Sub-basin 17E; USACE Pittsburgh District), in Plumville Borough, Indiana County.

District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA.

E6629-028: UGI Energy Services, Inc. One Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610, Northmoreland Township, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain the Auburn Line Extension Stream Project, which consists of streambank restoration, with the following impacts:

1. 367.0 linear feet of a UNT to Marsh Creek (HQ, CWF) and 48 square feet of permanent impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via streambank restoration (Center Moreland, PA Quadrangle, Latitude: N41°27'11.52", Longitude: W75°56'20.04").

The project will result in 367.0 linear feet of stream impacts, and 48 square feet (0.01 acre) of permanent EV PEM wetland impacts all for the purpose streambank restoration.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, Waterways and Wetlands Program Manager, 412-442-4000.

ESCGP-2 No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
ESG0012918001	Dominion Energy Transmission, Inc. 5000 Dominion Boulevard Glen Allen, VA 23060	Westmoreland County	Murrysville Municipality	UNT to Haymakers Run (HQ); Humms Run (CWF); UNT to Puckets Creek (TSF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESX29-115-17-0041(01)
Applicant Name Susquehanna Gathering Company 1, LLC
Contact Person Paul Corrigan
Address 1000 Noble Energy Drive, 5th Floor
City, State, Zip Canonsburg, PA 15317
County Susquehanna
Township(s) Harford Twp.
Receiving Stream(s) and Classification(s) East Branch Martins Creek (CWF-MF)

ESCGP-2 # ESX29-117-18-0033
Applicant Name Eclipse Resources—PA, L.P.
Contact Person Steven Lyncha
Address 2121 Old Gatesburg Road, Suite 110
City, State, Zip State College, PA 16803
County Tioga
Township(s) Westfield Twp.
Receiving Stream(s) and Classification(s) Crance Brook (WWF)

ESCGP-2 # ESG29-105-18-0007
Applicant Name JKLM Energy, LLC
Contact Person Scott Blauvelt
Address 2200 Georgetown Drive, Suite 500
City, State, Zip Sewickley, PA 15143-8753
County Potter
Township(s) Homer Twp.
Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) UNT to Big Moores Run (EV) and (2) Big Moores Run (EV).
Secondary Watershed(s): (1) Big Moores Run (EV) and (2) First Fork Sinnemahoning Creek (EV).

ESCGP-2 # ESX29-117-18-0038
Applicant Name Eclipse Resources—PA, L.P.
Contact Person Steven Lyncha
Address 2121 Old Gatesburg Road, Suite 110
City, State, Zip State College, PA 16803
County Tioga
Township(s) Westfield Twp.
Receiving Stream(s) and Classification(s) Crance Brook (CWF)

ESCGP-2 # ESG29-081-18-0040
Applicant Name Range Resources—Appalachia, LLC
Contact Person Karl Matz
Address 300 Town Center Boulevard
City, State, Zip Canonsburg, PA 15317
County Lycoming
Township(s) Jackson & Cogan House Twps.
Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) Packhorse Creek (EV), and (2) Steam Valley Run (EV).
Secondary Watershed(s): (1) Steam Valley Run (EV), and (2) Blockhouse Creek (EV).

SPECIAL NOTICES

AIR QUALITY

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

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

TIV 35-00069: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1800, Chicago, IL 60606) has submitted an application to the Department of Environmental Protection (Department) for the initial Acid Rain Permit, TIV 35-00069, for the Lackawanna Energy Center Project located in Jessup Borough, **Lackawanna County**. This Title V facility is subject to the Acid Rain Requirements of Title IV of the Clean Air Act. The application is subject to the regulatory requirements specified in 40 CFR Part 72. The Acid Rain Permit will cover the three combined cycle combustion turbine units at the facility. The Acid Rain Permit incorporates the applicable requirements to the units, as specified in 25 Pa. Code § 127.531 and 40 CFR Parts 72—80. The SO₂ allowance allocated by the Acid Rain Program pursuant to 40 CFR Part 73 for this facility is zero. The Title IV permit includes special permit conditions for the allowance tracking system. The units are not subject to the NO_x emission limitations of 40 CFR Part 96 since they are only authorized to combust natural gas for operation. Based on the information previously presented and included in the application for the initial Acid Rain Permit, TIV 35-00069, the Department intends to issue TIV 35-00069 for Lackawanna Energy Center LLC. The proposed permit will become effective 180 days from the commencement of commercial operation date and expire five years from the issued date. The Acid Rain Permit will be incorporated into the initial Title V operating permit for the facility.

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, 2 Public Square, Wilkes-Barre, PA 18711. Appointments for scheduling a review must be made by calling (570) 826-2511.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify TIV 35-00069) and concise statements regarding the relevancy of the information or objections to issuance of the 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 is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, Chief,

New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, (570) 826-2511 within 30 days after publication date.

[Pa.B. Doc. No. 18-1862. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program; Actions

The Department of Environmental Protection (Department) has approved the following request for certification of pollutant reduction activities to generate nitrogen (N) and phosphorus (P) credits under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed). Pollutant reduction activities include the following best management practice: poultry litter export. This certification request approval authorizes the generation of N and P credits for use by facilities with National Pollutant Discharge Elimination System permits in the compliance year in which the credits are generated. This approval is valid until September 30, 2019, provided the pollution reduction activities are implemented, maintained and verified in accordance with the plan contained in the approved certification request.

<i>Applicant / Consultant</i>	<i>Generator / Source</i>	<i>Pollutant Reduction Activity</i>	<i>N Credits</i>	<i>P Credits</i>	<i>Public Comment Notice Date</i>	<i>Certification Date</i>
Chesapeake Nutrient Management, LLC	Esbenshade Farms	Poultry Litter Export	179,667	22,460	9/29/18	10/30/18

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake, 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 to the Board at (717) 787-3483 for more information.

For further information about this action or the Nutrient Credit Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-6744, RA-EPPANutrientTrad@pa.gov, or visit the Department's web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1863. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Hospital Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2018-2019 disproportionate share hospital (DSH) payments to qualifying acute care general hospitals that serve the indigent population of cities in this Commonwealth with an average per capita income significantly below the Statewide average. These payments are intended to provide additional financial support to hospitals that serve an inordinate amount of low-income individuals and Medical Assistance beneficiaries in impoverished areas of this Commonwealth. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$14.636 million (\$6.989 million in State general funds and \$7.647 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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 in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1278. (1) General Fund; (2) Implementing Year 2018-19 is \$6,989,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$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. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1864. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Burn Centers

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2018-2019 disproportionate share hospital (DSH) payments to qualifying Medical Assistance (MA) enrolled acute care general hospital burn centers.

Qualifying Criteria

For a burn center to qualify for this DSH payment, it must meet one of the following criteria. Unless otherwise stated, the source of the information is the most recent data available from the Pennsylvania Trauma Systems Foundation (PTSF) at the time of calculation.

(1) Is recognized by the American Burn Association and participates in the American Burn Association's, "Burn Center Verification Program."

(2) Is certified and accredited as a Level I or Level II Trauma Center by PTSF and has a minimum of 70 annual patient admissions of individuals requiring burn care.

Payment Determination

Payments to qualified burn centers will be allocated according to the following:

(1) 50% of the total amount available for qualifying burn centers will be allocated equally among qualified burn centers.

(2) 50% of the total amount available for qualified burn centers will be allocated on the basis of each qualified burn center's percentage of MA and uninsured burn cases and patient days compared to the Statewide total number of MA and uninsured burn cases and patient days for all qualified burn centers. Each qualified burn center will use both in-State and out-of-State cases and patient days. The percentage is calculated as follows:

a) Determine each burn center's percentage of MA and uninsured burn cases by dividing the burn center's total

MA and uninsured burn cases by the total number of MA and uninsured burn cases for all qualified burn centers.

b) Multiply the result of (a) by the percentage of MA and uninsured burn cases for all qualified burn centers divided by the total of MA and uninsured burn cases and burn patient days for all qualified burn centers.

c) Determine each burn center's percentage of burn patient days by dividing the burn center's total burn patient days by the total number of burn patient days for all qualified burn centers.

d) Multiply the result of (c) by the percentage of burn patient days for all qualified burn centers divided by the total of MA and uninsured burn cases and burn patient days for all qualified burn centers.

e) Add the results of (b) and (d) for each burn center and multiply by the available funding.

(3) Any eligible burn center that has reached its DSH limit as under Title XIX of the Social Security Act (act) (42 U.S.C.A. §§ 1396—1396w-5) shall receive its share of the State fund available under this act.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit. The Department will not redistribute DSH payments made under this additional class of DSH payments to qualifying hospitals as a result of a qualifying hospital exceeding its hospital-specific DSH limit.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$7.921 million (\$3.782 million in State general funds and \$4.139 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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 in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1287. (1) General Fund; (2) Implementing Year 2018-19 is \$3,782,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$3,782,000; 2016-17 Program—\$3,782,000; 2015-16 Program—\$3,782,000; (7) Hospital-Based Burn Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1865. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Certain Academic Medical Centers

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2018-2019 disproportionate share hospital (DSH) payments to Medical Assistance enrolled acute care general hospitals that qualify as academic medical centers. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$23.730 million (\$11.331 million in State general funds and \$12.399 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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 in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1281. (1) General Fund; (2) Implementing Year 2018-19 is \$11,331,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$24,681,000; 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; (7) Medical Assistance—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1866. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2018-2019 disproportionate share hospital (DSH) payments to certain Medical Assistance (MA) acute care general hospitals which, in partnership with an indepen-

dent facility listed as a Cleft and Craniofacial Team by the American Cleft Palate-Craniofacial Association, provide surgical services to patients with cleft palate and craniofacial abnormalities. These payments are intended to promote access to inpatient hospital services for MA eligible and uninsured persons in this Commonwealth with cleft palate and craniofacial abnormalities.

Qualifying Criteria

The Department will determine a hospital eligible for this additional class of disproportionate share payments if the hospital meets all of the following criteria. Unless otherwise stated, the source of the information is the State FY 2010-2011 MA hospital cost report (MA-336).

a) The hospital is enrolled in the MA Program as a general acute care hospital and is licensed to provide obstetrical and neonatal services as reported by the Department of Health for the period July 1, 2010, through June 30, 2011.

b) The hospital has a partnership with a facility listed as of January 2013 as a cleft palate team and a craniofacial team by the American Cleft Palate-Craniofacial Association and Cleft Palate Foundation.

c) As of March 2013, the hospital is accredited as a Level I Adult Trauma Center and a Level I Pediatric Trauma Center by the Pennsylvania Trauma System Foundation.

d) The hospital provided more than 135,000 total acute inpatient days of care.

e) The hospital ranked at or above the 90th percentile for all enrolled acute care hospitals based on the total number of MA inpatient days of care.

f) The hospital's ratio of uncompensated care to net patient revenue is at least 3.30%, based on the Pennsylvania Health Care Cost Containment Council's Financial Analysis 2012, Volume One.

Payment Determination

Payments will be divided proportionally among qualified hospitals based on each hospital's total MA inpatient days to total MA inpatient days for all qualified hospitals. All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit. Any funds available due to the application of the hospital-specific DSH upper payment limit will be redistributed to other hospitals qualifying under this class of disproportionate share payments on a proportionate basis.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$0.524 million (\$0.250 million in State general funds and \$0.274 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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 in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1285. (1) General Fund; (2) Implementing Year 2018-19 is \$250,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1867. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funding for Fiscal Year (FY) 2018-2019 disproportionate share hospital (DSH) payments made to qualifying Medical Assistance (MA) enrolled acute care general hospitals that provide a high volume of services to MA and low-income populations. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are still applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$1.659 million (\$0.792 million in State general funds and \$0.867 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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 all comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1288. (1) General Fund; (2) Implementing Year 2018-19 is \$792,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24

are \$0; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1868. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments for Trauma Services

The Department of Human Services (Department) is announcing its intent to allocate funds for Fiscal Year (FY) 2018-2019 disproportionate share hospital (DSH) payments to Medical Assistance enrolled acute care general hospitals qualifying as trauma centers. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$18.128 million (\$8.656 million in State general funds and \$9.472 million in Federal funds) upon approval by the Centers for Medicare & Medicaid Services.

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 in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1286. (1) General Fund; (2) Implementing Year 2018-19 is \$8,656,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$8,656,000; 2016-17 Program—\$8,656,000; 2015-16 Program—\$8,656,000; (7) Trauma Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1869. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Payments to Nonpublic and County Nursing Facilities; Final Rates for State Fiscal Year 2018-2019

This notice announces the Department of Human Services (Department) final annual case-mix per diem payment rates for State Fiscal Year (FY) 2018-2019 for nonpublic and county nursing facilities that participate in the Medical Assistance (MA) Program.

Nonpublic Nursing Facility Per Diem Rates

As required by the case-mix payment methodology in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting), the Department sets an annual MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate is comprised of four components: resident care; other resident related; administrative; and capital. For each quarter of FY 2018-2019, the Department will adjust the resident care component of each facility's rate by multiplying the resident care component by the facility's MA case-mix index for the appropriate picture date.

The Centers for Medicare & Medicaid Services (CMS) approved State Plan Amendment (SPA) 17-0011 on September 15, 2017, which includes the budget adjustment factor (BAF) formula the Department will use for nonpublic nursing facilities in FY 2018-2019. SPA 17-0011 provides that the BAF will limit the estimated Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the average payment rate in effect for the fiscal year is limited to the amount permitted by the funds appropriated by the General Appropriations Act for the fiscal year. The act of June 22, 2018 (P.L. 281, No. 42) (Act 42), among other things, provided a 1% rate increase beginning January 1, 2019. For FY 2018-2019, the Department will calculate a BAF for nonpublic nursing facilities for each rate quarter. The formula the Department uses to determine the quarterly BAF equals the annual target rate divided by the weighted average quarterly rate at 100%. If the quarterly BAF as calculated is greater than 1.0, the quarterly BAF will equal 1.0. Consistent with Act 42, the annual target rate will be adjusted when calculating the quarterly BAF for the January and April rate quarters. The quarterly BAF for each calendar quarter will be in the rate file that will be posted on the Department's web site.

County Nursing Facility Per Diem Rates

As required by the rate methodology in 55 Pa. Code Chapter 1189, Subchapter D (relating to rate setting), the Department sets an annual MA per diem rate for each county nursing facility provider. As stated in 55 Pa. Code § 1189.91(b) (relating to per diem rates for county nursing facilities), for each rate year beginning on or after July 1, 2007, the per diem rate paid to a county nursing facility for a rate year will be the facility's prior rate year per diem multiplied by a BAF.

In addition, as required by 55 Pa. Code § 1189.91(d), the Department used the formula set forth in the Commonwealth's approved State Plan to determine the BAF for county nursing facilities. CMS approved SPA 16-0033 on November 8, 2016, which includes the BAF formula the Department will use for county nursing facilities in FY 2018-2019.

SPA 16-0033 provides that for rate setting year 2018-2019, the BAF shall limit the estimated Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the average payment rate is limited to the amount permitted by the funds appropriated by the General Appropriations Act. Act 42, among other things, provided a 1% rate increase beginning January 1, 2019. The BAF as it applies to county nursing facilities is 1.0 for the period July 1 through December 31 and 1.01 for the period January 1 through June 30.

The final annual per diem rates for FY 2018-2019 rate year are available on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/index.htm> and at local county assistance offices (CAO) throughout this Commonwealth or by contacting Marilyn Yocum, Department of Human Services, Office of Long-Term Living at (717) 772-2549. As they become available, the adjusted quarterly rates will be accessible on the Department's web site, at CAOs or by contacting Marilyn Yocum.

Public Process

The Department published notice of the proposed payment rates and BAFs for FY 2018-2019 for both nonpublic and county nursing facilities at 48 Pa.B. 3825 (June 23, 2018). The notice invited public comments.

Two commentators, a nursing facility trade association and a nonpublic nursing facility provider, submitted comments related to the reduction in rates for nonpublic nursing facilities in Peer Group 1. The commentators assert that Peer Group 1's rates were reduced due to the addition of two former county nursing facilities to the group and those facilities' low resident care costs.

The Department disagrees with this premise. The regulations were followed and the rates were not artificially depressed. The most significant impact on Peer Group 1 was a decrease in audited allowable costs not attributable to the two former county nursing facilities. For rate setting purposes, the Department used the peer groups, peer group medians and peer group prices to determine case-mix rates for nonpublic nursing facilities in accordance with 55 Pa. Code Chapter 1187 (relating to nursing facility services). More information can also be found in the notice "Peer Groups, Peer Group Medians and Peer Group Prices for Nonpublic Nursing Facilities Including Hospital-Based Nursing Facilities and Special Rehabilitation Facilities for Fiscal Year 2018-2019" published in conjunction with this notice at 48 Pa.B. 7466 (December 1, 2018).

The two commentators also submitted comments related to the effect of these fee-for-service payment rates on rates for nursing facility services paid by the Community HealthChoices managed care organizations. Since this notice is related to the Fee-for-Service Program, the comments are outside the scope of the notice.

Appeals

Following publication of this notice, the Department will send rate letters to each MA nursing facility to notify the facilities of their final rates for FY 2018-2019. The rate letter will also advise each facility that it may file an administrative appeal if the facility believes that the Department made any errors or otherwise disagrees with its final rates for FY 2018-2019. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, 2nd Floor, Harrisburg, PA 17110-9721, within 33 days of the date of

the Department's letter notifying the facility of its final rates. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals), and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures), for more detail regarding their appeal rights and the requirements related to written appeals.

Fiscal Impact

For FY 2018-2019, the change in payment rates will result in an estimated increased cost of \$11.193 million (\$5.345 million in State funds) for per diem rate payments to nonpublic nursing facilities and an estimated increased cost of \$1.464 million (\$0.699 million in State funds) for per diem rate payments for county nursing facilities.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1284. (1) General Fund; (2) Implementing Year 2018-19 is \$6,044,000; (3) 1st Succeeding Year 2019-20 is \$8,462,000; 2nd Succeeding Year 2020-21 through 5th Succeeding Year 2023-24 are \$1,495,000; (4) 2017-18 Program—\$1,099,000,000; 2016-17 Program—\$1,082,000,000; 2015-16 Program—\$968,083,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1870. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Peer Groups, Peer Group Medians and Peer Group Prices for Nonpublic Nursing Facilities Including Hospital-Based Nursing Facilities and Special Rehabilitation Facilities for Fiscal Year 2018-2019

The purpose of this notice is to announce the Department of Human Services' (Department) peer groups, peer group medians and peer group prices for nonpublic nursing facilities including hospital-based nursing facilities and special rehabilitation facilities (SRF) codified in 55 Pa. Code Chapter 1187, Appendix B (relating to medians and prices) under 55 Pa. Code § 1187.95(a)(4) (relating to general principles for rate and price setting). The Department used the peer groups, peer group medians and peer group prices to determine case-mix rates for nonpublic nursing facilities for State Fiscal Year (FY) July 1, 2018, through June 30, 2019. The Department calculated the peer groups, peer group medians and peer group prices announced in this notice in accordance with 55 Pa. Code Chapter 1187 (relating to nursing facility services). The data that the Department used to determine the peer group medians and prices is available on the Department's web site at <http://www.dhs.pa.gov/provider/longtermcarecasemixinformation/index.htm>.

To establish the database for the calculation of peer group medians and prices, the Department used each nursing facility's three most recent audited cost reports that were issued by the Department on or before March 31, 2018, and indexed the costs for each report forward to the common date of December 31, 2018, using the Centers for Medicare & Medicaid Services' Nursing Home Without Capital Market Basket Index. The following is a listing, by group, of the number of nursing facilities with a particular year-end and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 2018.

Nonpublic Nursing Facilities (other than hospital-based and special rehabilitation facilities)

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2011	2	1.1660
December 31, 2011	2	1.1623
June 30, 2012	4	1.1504
December 31, 2012	12	1.1433
June 30, 2013	26	1.1306
December 31, 2013	328	1.1283
June 30, 2014	207	1.1137
December 31, 2014	347	1.1048
June 30, 2015	191	1.0930
December 31, 2015	353	1.0845
June 30, 2016	214	1.0699
December 31, 2016	16	1.0568

Hospital-Based Nursing Facilities

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
June 30, 2014	12	1.1137
December 31, 2014	1	1.1048
June 30, 2015	12	1.0930
December 31, 2015	1	1.0845
June 30, 2016	12	1.0699
December 31, 2016	1	1.0568

Special Rehabilitation Facilities

<i>Facility Year End</i>	<i>Number of Facilities*</i>	<i>Inflation Factor</i>
December 31, 2013	2	1.1283
June 30, 2014	6	1.1137
December 31, 2014	2	1.1048
June 30, 2015	6	1.0930
December 31, 2015	2	1.0845
June 30, 2016	6	1.0699

* As a result of using the three most recent audited cost reports, the "Number of Facilities" column reflects a number in excess of actual enrolled nursing facilities.

After the database was inflated using the inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. In accordance with 55 Pa. Code § 1187.94 (relating to peer grouping for price setting), to establish peer groups, the Department used the Metropolitan Statistical Areas (MSA) group

classification published in the Federal Office of Management and Budget Bulletin No. 99-04, regarding revised statistical definitions of Metropolitan Areas and guidance on uses of Metropolitan Area definitions, to classify each nursing facility into one of three MSA groups or one non-MSA group. The Department then used the bed complement of the nursing facility on the final day of the reporting period of the most recent audited MA-11 used in the Nursing Information System database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds, 120—269 beds, and 270 beds and over. Peer groups 7 and 10 have been collapsed in accordance with 55 Pa. Code § 1187.94(1)(iv). Peer group 13 is designated for SRFs only and peer group 14 is designated for hospital-based nursing facilities only, regardless of geographic location or bed-size.

After the database was established and the peer groups determined, the Department calculated the medians and prices for each peer group. For peer group 13, the Department arrayed the SRFs classified on or before July 1, 2000, to set the peer group median and prices for those facilities. The Department arrayed any SRFs classified after July 1, 2000, with all other SRFs to set their peer group medians and prices.

To calculate the resident care cost medians, the Department divided the inflated audited allowable resident care costs for each cost report by the total facility case-mix index from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the case-mix neutral resident care cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the case-mix neutral resident care cost per diem for each nursing facility to obtain the average case-mix neutral resident care cost per diem of each facility. The Department arrayed the average case-mix neutral resident care cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the other resident related cost medians, the Department first divided the inflated audited allowable other resident related costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the other resident related cost for each nursing facility to obtain the average other resident related cost per diem of each facility. The Department arrayed the average other resident related cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with 55 Pa. Code § 1187.23 (relating to nursing facility incentives and adjustments). The Department then divided the inflated audited allowable administrative cost for each cost report by the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department calculated the

3-year arithmetic mean of the administrative cost for each nursing facility to obtain the average administrative cost per diem of each facility. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine a median for each peer group.

After the medians were determined for each peer group, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care cost median of each peer group by 1.17 to obtain the resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices for nonpublic nursing facilities including hospital-based and SRFs for Year 24 are in the list of Medians and Prices for 2018-2019.

A Medical Assistance nursing facility provider may file an administrative appeal if the facility believes that the Department made any errors or the provider otherwise disagrees with the Year 24 peer group prices that the Department established for its peer group. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, Second Floor, Harrisburg, PA 17110-9721, within 30 days of the date of this notice. If a provider chooses to appeal, the provider will be afforded the opportunity for a de novo hearing before the Bureau of Hearings and Appeals. The peer group prices applied in setting the facility's rates may be changed as a result of the final adjudication of the facility's peer group price appeal. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals), and to the Department's regulations in 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures), for more detail regarding their appeal rights and the requirements related to their written appeals.

Fiscal Impact

There is no fiscal impact associated with this change in FY 2018-2019.

Public Comment

Interested persons are invited to submit written comments regarding these peer groups, peer group medians and peer group prices to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1283. No fiscal impact; (8) recommends adoption.

Appendix B

MEDIAN AND PRICES FOR 2018-2019

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1	ABRAMSON RESIDENCE	6/30/2016	6/30/2015	6/30/2014
1	BRIGHTON REHABILITATION & WELLNESS CTR	12/31/2015		
1	BROOMALL REHAB AND NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
1	CARE PAVILION NURSING AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
1	IMMACULATE MARY CTR FOR REHAB & HLTHCARE	6/30/2016	6/30/2014	6/30/2013
1	PARKHOUSE REHABILITATION AND NURSING CTR	12/31/2015		
1	ST FRANCIS CENTER FOR REHAB & HEALTHCARE	6/30/2016	6/30/2014	6/30/2013
1	ST JOHN SPECIALTY CARE CENTER	6/30/2016	6/30/2015	6/30/2014
1	ST JOSEPH'S MANOR (DBA ENTITY OF HRHS)	6/30/2016	6/30/2015	6/30/2014

<i>PG1 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$139.07	\$52.26	\$26.74

<i>PG1 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$162.71	\$58.53	\$27.81

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	ASBURY HEALTH CENTER	12/31/2015	12/31/2014	12/31/2013
2	ATTLEBORO NURSING AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
2	BALA NURSING AND RETIREMENT CENTER	6/30/2016	6/30/2015	6/30/2014
2	BALDWIN HEALTH CENTER	6/30/2016	6/30/2015	6/30/2014
2	BAPTIST HOMES OF WESTERN PENNSYLVANIA	6/30/2016	6/30/2015	6/30/2014
2	BEAVER VALLEY HEALTHCARE & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	BRANDYWINE HALL	6/30/2016	6/30/2015	6/30/2014
2	BRIARLEAF NURSING AND CONVAL CENTER	6/30/2016	6/30/2015	6/30/2014
2	BRIDGEVILLE REHAB AND CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	BROOKSIDE HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
2	BROOMALL MANOR	12/31/2015	12/31/2014	12/31/2013
2	BROOMALL PRESBYTERIAN VILLAGE	12/31/2015	12/31/2014	12/31/2013
2	BRYN MAWR EXTENDED CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	BUCKINGHAM VALLEY NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	CARING HEART REHAB AND NURSING CENTER	6/30/2016	6/30/2015	6/30/2014
2	CARING HEIGHTS COMMUNITY CARE & REHAB	12/31/2015	12/31/2014	12/31/2013
2	CATHEDRAL VILLAGE	6/30/2016	6/30/2015	6/30/2014
2	CENTENNIAL HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
2	CHAPEL MANOR	6/30/2016	6/30/2015	6/30/2014
2	CHARLES M. MORRIS NURSING AND REHAB CTR	6/30/2016	6/30/2015	6/30/2014
2	CHELTENHAM NURSING AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	CHERRY TREE NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
2	CHESTNUT HILL LODGE HEALTH AND REHAB CTR	12/31/2015	12/31/2014	12/31/2013
2	CHESWICK REHAB & WELLNESS CTR LLC	12/31/2015	12/31/2014	12/31/2013
2	CLIVEDEN NSG & REHAB CTR	12/31/2015	12/31/2014	12/31/2013

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	CONCORDIA AT VILLA ST. JOSEPH	6/30/2016	6/30/2015	6/30/2014
2	CONCORDIA LUTHERAN HEALTH AND HUMAN CARE	6/30/2016	6/30/2015	6/30/2014
2	CRANBERRY PLACE	6/30/2016	6/30/2015	6/30/2014
2	CRESTVIEW CENTER	6/30/2016	6/30/2015	6/30/2014
2	DEER MEADOWS REHABILITATION CENTER	6/30/2016	6/30/2014	6/30/2013
2	ELKINS CREST HEALTH & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	FAIRVIEW CARE CENTER OF BETHLEHEM PIKE	6/30/2016	6/30/2015	6/30/2014
2	FORBES CENTER FOR REHAB & HEALTHCARE LLC	12/31/2015	12/31/2014	12/31/2013
2	GARDEN SPRING NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	GERMANTOWN HOME	6/30/2016	6/30/2015	6/30/2014
2	GLENDALE UPTOWN HOME	12/31/2015	12/31/2014	12/31/2013
2	GREEN MEADOWS NURSING & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
2	GREENERY CENTER FOR REHAB & NURSING	12/31/2015	12/31/2014	12/31/2013
2	GREENLEAF NURSING HOME AND CONVAL CENTER	6/30/2016	6/30/2015	6/30/2014
2	GREENSBURG CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	GWYNEDD HEALTHCARE & REHABILITATION CTR	6/30/2016	6/30/2015	6/30/2014
2	HARBORVIEW REHAB & C C AT DOYLESTOWN	12/31/2015	12/31/2014	12/31/2013
2	HARBORVIEW REHAB & CARE CTR AT LANSDALE	12/31/2015	12/31/2014	12/31/2013
2	HARMAR VILLAGE CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	HARSTON HALL	6/30/2016	6/30/2015	6/30/2014
2	HEMPFIELD MANOR	12/31/2015	12/31/2014	12/31/2013
2	HIGHLAND PARK CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	HILLCREST CENTER	6/30/2016	6/30/2015	6/30/2014
2	IVY HILL REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	LAFAYETTE-REDEEMER (DBA ENTITY OF HRHS)	6/30/2016	6/30/2015	6/30/2014
2	LANGHORNE GARDENS HEALTH & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	LGAR HEALTH AND REHABILITATION CENTER	12/31/2015	12/31/2014	12/31/2013
2	LIFEQUEST NURSING CENTER	6/30/2016	6/30/2015	6/30/2014
2	LITTLE FLOWER MANOR	6/30/2016	6/30/2015	6/30/2014
2	LOYALHANNA CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	LUTHER WOODS NURSING & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
2	MAJESTIC OAKS REHAB & NURSING CENTER	12/31/2015	6/30/2013	6/30/2012
2	MANATAWNY MANOR INC	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SERVICES-MONTGOMERY	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SERVICES-WALLINGFORD	6/30/2016	6/30/2015	6/30/2014
2	MANORCARE HEALTH SVCS-BETHEL PARK	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-GREEN TREE	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-HUNTINGDON VALLEY	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-KING OF PRUSSIA	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-MONROEVILLE	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-NORTH HILLS	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-OXFORD VALLEY	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-PETERS TOWNSHIP	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-PITTSBURGH	6/30/2016	6/30/2015	6/30/2014
2	MANORCARE HEALTH SVCS-POTTSTOWN	12/31/2016	12/31/2015	12/31/2014

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	MANORCARE HEALTH SVCS-SHADYSIDE	6/30/2016	6/30/2015	6/30/2014
2	MANORCARE HEALTH SVCS-WHITEHALL BOROUGH	12/31/2015	12/31/2014	12/31/2013
2	MANORCARE HEALTH SVCS-YEADON	12/31/2015	12/31/2014	12/31/2013
2	MAPLEWOOD NURSING AND REHABILITATION CTR	12/31/2015	12/31/2014	12/31/2013
2	MARIAN MANOR CORPORATION	6/30/2016	6/30/2015	6/30/2014
2	MASONIC VILLAGE AT SEWICKLEY	12/31/2015	12/31/2014	12/31/2013
2	MEADOWVIEW REHAB & NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
2	MONROEVILLE REHAB & WELLNESS CENTER	12/31/2015	12/31/2014	12/31/2013
2	MOUNT MACRINA MANOR NURSING HOME	6/30/2016	6/30/2015	6/30/2014
2	MOUNTAINVIEW SPECIALTY CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	MT. LEBANON REHAB AND WELLNESS CENTER	12/31/2015	12/31/2014	12/31/2013
2	MURRYSVILLE REHAB & WELLNESS CENTER	12/31/2015	12/31/2014	12/31/2013
2	OAKWOOD HEALTHCARE & REHABILITATION CTR	6/30/2016	6/30/2015	6/30/2014
2	OXFORD HEALTH CENTER	12/31/2015	12/31/2014	12/31/2013
2	PAPERMILL ROAD NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	PAUL'S RUN	12/31/2015	12/31/2014	12/31/2013
2	PEMBROOKE HEALTH AND REHAB CENTER	12/31/2015	12/31/2014	6/30/2013
2	PENN CENTER FOR REHABILITATION AND CARE	6/30/2016	6/30/2015	6/30/2014
2	PENNSBURG MANOR	6/30/2016	6/30/2015	6/30/2014
2	PHILADELPHIA PROTESTANT HOME	12/31/2015	12/31/2014	12/31/2013
2	PHOEBE RICHLAND HCC	6/30/2016	6/30/2015	6/30/2014
2	POWERBACK REHABILITATION 1526	6/30/2016	6/30/2015	6/30/2014
2	PROSPECT PARK HEALTH AND REHAB CENTER	12/31/2015	12/31/2014	6/30/2013
2	PROVIDENCE CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	PROVIDENCE REHAB & HCC MERCY FITZGERALD	6/30/2016	6/30/2015	6/30/2014
2	QUAKERTOWN CENTER	6/30/2016	6/30/2015	6/30/2014
2	QUALITY LIFE SERVICES-APOLLO	6/30/2016	6/30/2015	6/30/2014
2	REGINA COMMUNITY NURSING CENTER	6/30/2016	6/30/2015	6/30/2014
2	REHAB & NURSING CTR GREATER PITTSBURGH	12/31/2015	12/31/2014	12/31/2013
2	RENAISSANCE HEALTHCARE & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	RIVER'S EDGE NURSING AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
2	RIVERSIDE CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	ROCHESTER MANOR	12/31/2015	12/31/2014	12/31/2013
2	SAINT ANNE HOME	6/30/2016	6/30/2015	6/30/2014
2	SANATOGA CENTER	6/30/2016	6/30/2015	6/30/2014
2	SAUNDERS HOUSE	6/30/2016	6/30/2015	6/30/2014
2	SENECA PLACE	6/30/2016	6/30/2015	6/30/2014
2	SILVER LAKE CENTER	6/30/2016	6/30/2015	6/30/2014
2	SILVER STREAM NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	SIMPSON HOUSE, INC	12/31/2015	12/31/2014	12/31/2013
2	SOMERTON NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	SOUTHMONT OF PRESBYTERIAN SENIORCARE	12/31/2016	12/31/2015	12/31/2014
2	SQUIRREL HILL CTR FOR REHAB AND HEALING	12/31/2015	12/31/2013	12/31/2012
2	ST JOHN NEUMANN CTR FOR REHAB & HLTHCARE	6/30/2016	6/30/2014	6/30/2013
2	ST MARTHA CENTER FOR REHAB & HEALTHCARE	6/30/2016	6/30/2014	6/30/2013

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	ST MARY CENTER FOR REHAB & HEALTHCARE	6/30/2016	6/30/2014	6/30/2013
2	ST MONICA CENTER FOR REHAB & HEALTHCARE	6/30/2016	6/30/2014	6/30/2013
2	ST. BARNABAS NURSING HOME	12/31/2015	12/31/2014	12/31/2013
2	ST. IGNATIUS NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	STERLING HEALTH CARE AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	SUBURBAN WOODS HEALTH AND REHAB CENTER	6/30/2016	12/31/2014	12/31/2013
2	SUNNYVIEW NURSING AND REHABILITATION CTR	12/31/2015		
2	TEL HAI RETIREMENT COMMUNITY	6/30/2016	6/30/2015	6/30/2014
2	THE BELVEDERE CENTER, GENESIS HEALTHCARE	6/30/2016	6/30/2015	6/30/2014
2	THE GROVE AT IRWIN	12/31/2015	12/31/2014	12/31/2013
2	THE PHOENIX CENTER FOR REHAB AND NURSING	12/31/2015	12/31/2014	12/31/2013
2	TOWNE MANOR EAST	12/31/2015	12/31/2014	12/31/2013
2	TRANSITIONS HEALTHCARE NORTH HUNTINGDON	12/31/2015	6/30/2014	6/30/2013
2	TRANSITIONS HEALTHCARE WASHINGTON PA	12/31/2015	6/30/2014	6/30/2013
2	TUCKER HOUSE NSG & REHAB CTR	12/31/2015	12/31/2014	12/31/2013
2	TWIN PINES HEALTH CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	UNIONTOWN HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
2	UPMC HERITAGE PLACE	6/30/2016	6/30/2015	6/30/2014
2	VALLEY MANOR REHAB AND HEALTHCARE CTR	6/30/2016	6/30/2015	6/30/2014
2	VILLAGE AT PENNWOOD	6/30/2016	6/30/2015	6/30/2014
2	VINCENTIAN HOME	6/30/2016	6/30/2015	6/30/2014
2	WESLEY ENHANCED LIVING AT STAPELEY	6/30/2016	6/30/2015	6/30/2014
2	WESLEY ENHANCED LIVING PENNYPACK PARK	12/31/2015	12/31/2014	12/31/2013
2	WEST HILLS HEALTH AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
2	WEXFORD HEALTHCARE CENTER	6/30/2016	6/30/2015	6/30/2014
2	WILLIAM PENN CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	WILLOW TERRACE	12/31/2015	12/31/2014	12/31/2013
2	WILLOWS OF PRESBYTERIAN SENIORCARE, THE	12/31/2016	12/31/2015	12/31/2014
2	WOODHAVEN CARE CENTER	12/31/2015	12/31/2014	12/31/2013
2	YORK NURSING AND REHABILITATION CENTER	12/31/2015	12/31/2014	12/31/2013

<i>PG2 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$139.92	\$46.84	\$26.29

<i>PG2 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$163.71	\$52.46	\$27.34

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	AMBLER EXTENDED CARE CENTER	12/31/2015	12/31/2014	12/31/2013
3	ANN'S CHOICE	12/31/2015		
3	ARTMAN LUTHERAN HOME	6/30/2016	6/30/2015	6/30/2014
3	BARCLAY FRIENDS	12/31/2015	12/31/2014	12/31/2013
3	BEAVER HEALTHCARE AND REHABILITATION CTR	12/31/2015	12/31/2014	12/31/2013

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	BELAIR HEALTHCARE AND REHABILITATION CTR	6/30/2016	6/30/2014	6/30/2013
3	BELLE HAVEN HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
3	BETHLEN HM OF THE HUNGARIAN RFRMD FED	12/31/2015	12/31/2014	12/31/2013
3	BRINTON MANOR NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
3	CANTERBURY PLACE	12/31/2015	12/31/2014	12/31/2013
3	CHANDLER HALL HEALTH SERVICES INC	12/31/2015	12/31/2014	12/31/2013
3	CHRIST'S HOME RETIREMENT COMMUNITY	6/30/2016	6/30/2015	6/30/2014
3	CONCORDIA AT THE CEDARS	12/31/2015	12/31/2014	12/31/2013
3	CONNER-WILLIAMS NURSING HOME	6/30/2016	6/30/2015	6/30/2014
3	DOCK TERRACE	6/30/2016	6/30/2015	6/30/2014
3	DRESHER HILL HEALTH & REHAB CENTER	6/30/2016	6/30/2014	6/30/2013
3	EDGEHILL NURSING AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
3	ELDERCREST HEALTHCARE & REHAB CENTER	6/30/2016	6/30/2014	6/30/2013
3	ELM TERRACE GARDENS	6/30/2016	6/30/2015	6/30/2014
3	FREDERICK LIVING-CEDARWOOD	12/31/2015	12/31/2014	12/31/2013
3	FRIENDSHIP VILLAGE OF SOUTH HILLS	12/31/2015	12/31/2014	12/31/2013
3	HARMON HOUSE CARE CENTER	12/31/2015	12/31/2014	12/31/2013
3	HAVENCREST HEALTHCARE & REHAB CENTER	6/30/2016	6/30/2014	6/30/2013
3	HICKORY HOUSE NURSING HOME	12/31/2015	12/31/2014	12/31/2013
3	HOLY FAMILY HOME	12/31/2015	12/31/2014	12/31/2013
3	HOPKINS CENTER	6/30/2016	6/30/2015	6/30/2014
3	JEFFERSON HILLS HEALTHCARE & REHAB CTR	12/31/2015	12/31/2014	12/31/2013
3	KEARSLEY REHAB AND NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
3	LAFAYETTE MANOR, INC	12/31/2015	12/31/2014	12/31/2013
3	LAUREL RIDGE CENTER	6/30/2016	6/30/2015	6/30/2014
3	LAUREL SQUARE HEALTHCARE & REHAB CTR	6/30/2016	6/30/2015	6/30/2014
3	LAWSON NURSING HOME, INC.	12/31/2015	12/31/2014	12/31/2013
3	LIBERTY CENTER FOR REHAB AND NURSING	12/31/2015	12/31/2014	12/31/2013
3	LITTLE SISTERS OF THE POOR	12/31/2015	12/31/2014	12/31/2013
3	LUTHERAN COMMUNITY AT TELFORD	6/30/2016	6/30/2015	6/30/2014
3	MANORCARE HEALTH SERVICES-NORTHSIDE	6/30/2016	6/30/2015	6/30/2014
3	MASONIC VILLAGE AT LAFAYETTE HILL	12/31/2015	12/31/2014	12/31/2013
3	MASONIC VILLAGE AT WARMINSTER	12/31/2015	12/31/2014	12/31/2013
3	MCMURRAY HILLS MANOR	6/30/2016	6/30/2015	6/30/2014
3	MEADOWCREST HEALTHCARE AND REHAB CENTER	6/30/2016	6/30/2014	6/30/2013
3	MON VALLEY CARE CENTER	12/31/2015	12/31/2014	12/31/2013
3	NAAMANS CREEK COUNTRY MANOR	6/30/2016	6/30/2015	6/30/2014
3	NORRITON SQUARE NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
3	NORTH HILLS HEALTH AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
3	NORTH STRABANE REHAB & WELLNESS CTR LLC	12/31/2015	12/31/2014	12/31/2013
3	OAK HILL HEALTHCARE & REHAB CENTER	6/30/2016	6/30/2014	6/30/2013
3	OAKMONT CENTER FOR NURSING AND REHAB	12/31/2015	12/31/2013	12/31/2012
3	PASSAVANT RETIREMENT AND HEALTH CENTER	6/30/2016	6/30/2015	6/30/2014
3	PENNYPACK NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
3	PETER BECKER COMMUNITY	6/30/2016	6/30/2015	6/30/2014

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	PHOEBE WYNCOTE	6/30/2016	6/30/2015	6/30/2014
3	PICKERING MANOR HOME	6/30/2016	6/30/2015	6/30/2014
3	PINE RUN HEALTH CENTER	6/30/2016	6/30/2015	6/30/2014
3	PLATINUM RIDGE CTR FOR REHAB & HEALING	12/31/2015	12/31/2014	6/30/2013
3	POWERBACK REHABILITATION 3485	6/30/2016	6/30/2015	6/30/2014
3	QUALITY LIFE SERVICES-CHICORA	6/30/2016	6/30/2015	6/30/2014
3	QUALITY LIFE SERVICES-HENRY CLAY	6/30/2016	6/30/2015	6/30/2014
3	QUALITY LIFE SERVICES-MARKLEYSBURG	6/30/2016	6/30/2015	6/30/2014
3	QUALITY LIFE SERVICES-SARVER	6/30/2016	6/30/2015	6/30/2014
3	REDSTONE HIGHLANDS HEALTH CARE CENTER	6/30/2016	6/30/2015	6/30/2014
3	REFORMED PRESBYTERIAN HOME	12/31/2015	12/31/2014	12/31/2013
3	RICHBORO REHABILITATION & NURSING CENTER	6/30/2016	6/30/2015	6/30/2014
3	ROSEMONT CARE AND REHABILITATION CENTER	12/31/2015	12/31/2014	12/31/2013
3	RYDAL PARK OF PHILADELPHIA PRSBYTR HOMES	12/31/2015	12/31/2014	12/31/2013
3	SAINT JOSEPH VILLA	6/30/2016	6/30/2015	6/30/2014
3	SAXONY HEALTH CENTER	12/31/2015	12/31/2014	12/31/2013
3	SCOTTDALE HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
3	SHERWOOD OAKS	6/30/2016	6/30/2015	6/30/2014
3	SOUDERTON MENNONITE HOMES	6/30/2016	6/30/2015	6/30/2014
3	SOUTH HILLS REHAB & WELLNESS CENTER	12/31/2015	12/31/2014	12/31/2013
3	SOUTHWESTERN NURSING CARE CENTER	12/31/2016	12/31/2015	6/30/2013
3	SPRINGS AT THE WATERMARK, THE	12/31/2015	12/31/2014	12/31/2013
3	STATESMAN HEALTH & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
3	THE COMMUNITY AT ROCKHILL	6/30/2016	6/30/2015	6/30/2014
3	THE GARDENS AT POTTSTOWN	12/31/2015	12/31/2014	12/31/2013
3	THE GROVE AT HARMONY	12/31/2015	12/31/2014	12/31/2013
3	THE GROVE AT LATROBE	12/31/2015	12/31/2014	12/31/2012
3	THE GROVE AT WASHINGTON	12/31/2015	12/31/2014	12/31/2013
3	TOWNE MANOR WEST	12/31/2015	12/31/2014	12/31/2013
3	TOWNVIEW HEALTH AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
3	TRANSITIONS HEALTHCARE AUTUMN GROVE C C	6/30/2016	6/30/2015	6/30/2014
3	VALENCIA WOODS AT ST BARNABAS	12/31/2015	12/31/2014	12/31/2013
3	VINCENTIAN DE MARILLAC	6/30/2016	6/30/2015	6/30/2014
3	WAYNE CENTER	6/30/2016	6/30/2015	6/30/2014
3	WESLEY ENHANCED LIVING MAIN LINE REHAB	12/31/2015	12/31/2014	12/31/2013
3	WESLEY ENHANCED LIVING-DOYLESTOWN	12/31/2015	12/31/2014	12/31/2013
3	WESTGATE HILLS REHAB AND NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
3	WILLOWBROOKE CT SCC AT BRITTANY POINTE	12/31/2015	12/31/2014	12/31/2013

<i>PG3 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$150.69	\$50.72	\$28.69

<i>PG3 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$176.31	\$56.81	\$29.84

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	ALLIED SERVICES SKILLED NURSING CENTER	6/30/2016	6/30/2015	6/30/2014
4	CAMBRIA CARE CENTER	12/31/2015	12/31/2014	12/31/2013
4	CEDAR HAVEN HEALTHCARE CENTER	12/31/2015		
4	COLONIAL MANOR NURSING HOME	12/31/2015	12/31/2014	12/31/2013
4	CONESTOGA VIEW	12/31/2015	12/31/2014	12/31/2013
4	CROSS KEYS VILLAGE-BRETHREN HM COMM, THE	6/30/2016	6/30/2015	6/30/2014
4	LACKAWANNA HEALTH AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
4	MASONIC VILLAGE AT ELIZABETHTOWN	12/31/2015	12/31/2014	12/31/2013
4	MOUNTAIN CITY NURSING AND REHAB CENTER	6/30/2016	12/31/2014	12/31/2013
4	MOUNTAIN VIEW, A NURSING AND REHAB CTR	12/31/2015	12/31/2014	12/31/2013
4	PHOEBE ALLENTOWN HEALTH CARE	6/30/2016	6/30/2015	6/30/2014
4	SPRING CREEK REHAB AND NURSING CENTER	12/31/2014	12/31/2013	12/31/2012
4	THE GARDENS AT WEST SHORE	12/31/2015	12/31/2014	12/31/2013

<i>PG4 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$157.04	\$52.07	\$26.48

<i>PG4 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$183.74	\$58.32	\$27.54

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	BERKSHIRE CENTER	6/30/2016	6/30/2015	6/30/2014
5	BERWICK RETIREMENT VILLAGE NRSNG HOME II	6/30/2016	6/30/2015	6/30/2014
5	BIRCHWOOD NURSING AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
5	BLOOMSBURG CARE AND REHABILITATION CTR	6/30/2016	6/30/2015	6/30/2014
5	BRETHREN VILLAGE	6/30/2016	6/30/2015	6/30/2014
5	COLONIAL PARK CARE CENTER	12/31/2015	12/31/2014	12/31/2013
5	CORRY MANOR	12/31/2015	12/31/2014	12/31/2013
5	EDINBORO MANOR	12/31/2015	12/31/2014	12/31/2013
5	EPHRATA MANOR	12/31/2015	12/31/2014	12/31/2013
5	FAIRLANE GARDENS NSG & REHAB AT READING	12/31/2015	12/31/2014	12/31/2013
5	FAIRVIEW MANOR	12/31/2015	12/31/2014	12/31/2013
5	FELLOWSHIP MANOR	6/30/2016	6/30/2015	6/30/2014
5	FREY VILLAGE	12/31/2015	12/31/2014	12/31/2013
5	HANOVER HALL	12/31/2015	12/31/2014	12/31/2013
5	HARRISON SENIOR LIVING OF CHRISTIANA	12/31/2015	12/31/2014	12/31/2013
5	HIGHLAND MANOR REHAB & NURSING CENTER	12/31/2015	6/30/2013	6/30/2012
5	HOLY FAMILY MANOR	12/31/2015	12/31/2014	12/31/2013
5	HOMWOOD AT PLUM CREEK	12/31/2015	12/31/2014	12/31/2013
5	JEWISH HOME OF EASTERN PENNSYLVANIA	12/31/2015	12/31/2014	12/31/2013
5	JEWISH HOME OF GREATER HARRISBURG	6/30/2016	6/30/2015	6/30/2014
5	KUTZTOWN MANOR	6/30/2016	6/30/2015	6/30/2014
5	LANCASHIRE HALL	12/31/2015	12/31/2014	12/31/2013
5	LAUREL CENTER	6/30/2016	6/30/2015	6/30/2014

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	LECOM AT PRESQUE ISLE, INC.	12/31/2015	12/31/2014	12/31/2013
5	LEHIGH CENTER	6/30/2016	6/30/2015	6/30/2014
5	LITTLE FLOWER MANOR OF DIOCESE SCRANTON	12/31/2015	12/31/2014	12/31/2013
5	LUTHERAN HOME AT TOPTON	12/31/2015	12/31/2014	12/31/2013
5	MAHONING VALLEY NURSING AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-ALLENTOWN	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-BETHLEHEM (2021)	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-BETHLEHEM (2029)	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-CAMP HILL	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-CARLISLE	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-DALLASTOWN	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-EASTON	12/31/2016	12/31/2015	12/31/2014
5	MANORCARE HEALTH SVCS-KINGSTON	12/31/2016	12/31/2015	12/31/2014
5	MANORCARE HEALTH SVCS-KINGSTON COURT	6/30/2016	6/30/2015	6/30/2014
5	MANORCARE HEALTH SVCS-LANCASTER	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-LAURELDALE	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-LEBANON	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-SINKING SPRING	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-WEST READING NORTH	12/31/2015	12/31/2014	12/31/2013
5	MANORCARE HEALTH SVCS-YORK NORTH	6/30/2016	6/30/2015	6/30/2014
5	MANORCARE HEALTH SVCS-YORK SOUTH	6/30/2016	6/30/2015	6/30/2014
5	MANORCARE HLTH SVCS & REHAB-WEST ALLEN	6/30/2016	6/30/2015	6/30/2014
5	MEADOWS NURSING AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
5	MENNONITE HOME, THE	6/30/2016	6/30/2015	6/30/2014
5	MESSIAH LIFEWAYS AT MESSIAH VILLAGE	6/30/2016	6/30/2015	6/30/2014
5	MIFFLIN CENTER	6/30/2016	6/30/2015	6/30/2014
5	MILLCREEK MANOR	6/30/2016	6/30/2015	6/30/2014
5	MORAVIAN MANOR	12/31/2015	12/31/2014	12/31/2013
5	MOUNTAIN VIEW CARE AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
5	OLD ORCHARD HEALTH CARE CENTER	12/31/2016	12/31/2015	12/31/2014
5	PHOEBE BERKS HEALTH CARE CENTER, INC	6/30/2016	6/30/2015	6/30/2014
5	PLEASANT VIEW RETIREMENT COMMUNITY	12/31/2015	12/31/2014	12/31/2013
5	PREMIER AT PERRY VLG FOR NURSE AND REHAB	12/31/2015	12/31/2014	12/31/2013
5	PREMIER AT SUSQUEHANNA FOR NURSE & REHAB	12/31/2015	12/31/2014	12/31/2013
5	QUARRYVILLE PRESBYTERIAN RETIREMENT COMM	6/30/2016	6/30/2015	6/30/2014
5	REST HAVEN-YORK	6/30/2016	6/30/2015	6/30/2014
5	RIVER RUN REHAB AND NURSING CENTER	12/31/2015	12/31/2014	12/31/2012
5	RIVERSIDE REHABILITATION AND NURSING CTR	12/31/2015	12/31/2014	12/31/2013
5	RIVERSTREET MANOR	6/30/2016	6/30/2015	6/30/2014
5	ROSE CITY NURSING AND REHAB AT LANCASTER	12/31/2015	12/31/2014	12/31/2013
5	SAINT MARY'S EAST	12/31/2015	12/31/2014	12/31/2013
5	SHIPPENSBURG HEALTH CARE CENTER	12/31/2015	12/31/2014	12/31/2013
5	SLATE BELT HEALTH AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
5	SPRUCE MANOR NURSING AND REHAB CENTER	6/30/2016	6/30/2014	6/30/2013
5	STONERIDGE TOWNE CENTRE	12/31/2015	12/31/2014	12/31/2013

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	SUSQUEHANNA VALLEY NURSING AND REHAB CTR	6/30/2016	12/31/2014	12/31/2013
5	THE GARDENS AT EAST MOUNTAIN	12/31/2015	12/31/2014	12/31/2013
5	THE GARDENS AT EASTON	12/31/2015	12/31/2014	12/31/2013
5	THE GARDENS AT ORANGEVILLE	12/31/2015	12/31/2014	12/31/2013
5	THE GARDENS AT SCRANTON	12/31/2015	12/31/2014	12/31/2013
5	THE GARDENS AT TUNKHANNOCK	12/31/2015	12/31/2014	12/31/2013
5	THE GARDENS AT WYOMING VALLEY	12/31/2015	12/31/2014	12/31/2013
5	THE PAVILION AT ST LUKE VILLAGE	12/31/2015	12/31/2014	12/31/2013
5	TIMBER RIDGE HEALTH CENTER	12/31/2015	12/31/2014	12/31/2013
5	TWINBROOK HEALTHCARE & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
5	WEATHERWOOD HEALTHCARE AND REHAB CTR	12/31/2015	12/31/2014	12/31/2013
5	WESLEY VILLAGE	12/31/2015	12/31/2014	12/31/2013
5	WESTERN RESERVE HEALTHCARE & REHAB CTR	12/31/2015	12/31/2014	12/31/2013

<i>PG5 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$132.67	\$44.04	\$24.64

<i>PG5 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$155.22	\$49.32	\$25.63

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	ABINGTON CREST HEALTHCARE & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
6	ABINGTON MANOR	6/30/2016	6/30/2015	6/30/2014
6	BALL PAVILION, THE	6/30/2016	6/30/2015	6/30/2014
6	BELLE REVE HEALTH CARE CENTER	12/31/2015	12/31/2013	12/31/2012
6	BETHANY VILLAGE RETIREMENT CENTER	12/31/2015	12/31/2014	12/31/2013
6	BONHAM NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
6	CALVARY FELLOWSHIP HOMES, INC	6/30/2016	6/30/2015	6/30/2014
6	CARBONDALE NURSING AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
6	CHAPEL POINTE AT CARLISLE	12/31/2015	12/31/2014	12/31/2013
6	CHURCH OF GOD HOME, INC	12/31/2015	12/31/2014	12/31/2013
6	CORNWALL MANOR	12/31/2015	12/31/2014	12/31/2013
6	COUNTRY MEADOWS NURSING CENTER-BETHLEHEM	12/31/2015	12/31/2014	12/31/2013
6	COUNTRYSIDE CHRISTIAN COMMUNITY	12/31/2015	12/31/2014	12/31/2013
6	COURTYARD GARDENS NURSING AND REHAB CTR	12/31/2015	12/31/2014	12/31/2013
6	CREEKSIDE HEALTH AND REHABILITATION CTR	12/31/2015	12/31/2014	12/31/2013
6	CUMBERLAND CROSSINGS RETIREMENT COMM	12/31/2015	12/31/2014	12/31/2013
6	DUNMORE HEALTH CARE CENTER	12/31/2015	12/31/2014	12/31/2013
6	ELIZABETH MANOR HEALTHCARE & REHAB CTR	12/31/2015	12/31/2014	12/31/2013
6	ELIZABETHTOWN HEALTHCARE & REHAB CENTER	6/30/2016	12/31/2014	12/31/2013
6	ELMWOOD GARDENS OF PRESBY SENIOR CARE	12/31/2015	12/31/2014	12/31/2013
6	FAIRMOUNT HOMES	6/30/2016	6/30/2015	6/30/2014
6	FOREST PARK HEALTH CENTER	12/31/2015	12/31/2014	12/31/2013

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	FORESTVIEW	12/31/2015	12/31/2014	12/31/2013
6	GARDEN SPOT VILLAGE	6/30/2016	6/30/2015	6/30/2014
6	GREEN RIDGE CARE CENTER	12/31/2015	12/31/2014	12/31/2013
6	GUARDIAN HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
6	HAMILTON ARMS CENTER	6/30/2016	6/30/2015	6/30/2014
6	HAMPTON HOUSE	6/30/2016	6/30/2015	6/30/2014
6	HOLY FAMILY RESIDENCE	12/31/2015	12/31/2014	12/31/2013
6	HOMELAND CENTER	6/30/2016	6/30/2015	6/30/2014
6	HOMESTEAD VILLAGE, INC	6/30/2016	6/30/2015	6/30/2014
6	KINGSTON HEALTH CARE CENTER	12/31/2015	12/31/2012	12/31/2011
6	KINKORA PYTHIAN HOME CORPORATION	6/30/2016	6/30/2015	6/30/2014
6	LANDIS HOMES	6/30/2016	6/30/2015	6/30/2014
6	LEBANON VALLEY BRETHREN HOME	12/31/2015	12/31/2014	12/31/2013
6	LEBANON VALLEY HOME THE	12/31/2015	12/31/2014	12/31/2013
6	LINWOOD NURSING AND REHABILITATION CTR	6/30/2016	6/30/2015	6/30/2014
6	LUTHER ACRES MANOR	12/31/2015	12/31/2014	12/31/2013
6	LUTHER CREST NURSING FACILITY	12/31/2015	12/31/2014	12/31/2013
6	MANCHESTER COMMONS OF PRESBY SR. CARE	12/31/2015	12/31/2014	12/31/2013
6	MAPLE FARM	6/30/2016	6/30/2015	6/30/2014
6	MERCY CENTER NURSING UNIT, INC	12/31/2015	12/31/2014	12/31/2013
6	MID VALLEY HEALTH CARE CENTER	12/31/2015	12/31/2012	12/31/2011
6	MILFORD HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
6	MISERICORDIA NURSING & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
6	MORAVIAN HALL SQ. HLTH AND WELLNESS CTR	6/30/2016	6/30/2015	6/30/2014
6	MOSSER NURSING HOME	6/30/2016	6/30/2015	6/30/2014
6	MOUNT HOPE NAZARENE RETIREMENT COMMUNITY	6/30/2016	6/30/2015	6/30/2014
6	MOUNTAIN TOP HEALTHCARE AND REHAB CTR	12/31/2015	12/31/2014	12/31/2013
6	NEW EASTWOOD HEALTHCARE AND REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
6	NORMANDIE RIDGE	12/31/2015	12/31/2014	12/31/2013
6	SAINT ANNE'S RETIREMENT COMMUNITY	6/30/2016	6/30/2015	6/30/2014
6	SAINT MARY'S AT ASBURY RIDGE	12/31/2015	12/31/2014	12/31/2013
6	SAINT MARY'S VILLA NURSING HOME, INC	12/31/2015	12/31/2014	12/31/2013
6	SARAH A TODD MEMORIAL HOME	12/31/2015	12/31/2014	12/31/2013
6	SARAH REED SENIOR LIVING	6/30/2016	6/30/2015	6/30/2014
6	SCRANTON HEALTH CARE CENTER	12/31/2015	12/31/2014	12/31/2013
6	SMITH HEALTH CARE, LTD	6/30/2016	6/30/2015	6/30/2014
6	SPANG CREST MANOR	12/31/2015	12/31/2014	12/31/2013
6	SPIRITRUST LUTHERAN VLG AT SHREWSBURY	12/31/2015	12/31/2014	12/31/2013
6	SPIRITRUST LUTHERAN VLG AT SPRENKLE DRIVE	12/31/2015	12/31/2014	12/31/2013
6	SPIRITRUST LUTHERAN VLG AT UTZ TERRACE	12/31/2015	12/31/2014	12/31/2013
6	ST. LUKE'S VILLA	6/30/2016	6/30/2015	6/30/2014
6	STONEBRIDGE HEALTH & REHAB CENTER, LLC	6/30/2016	12/31/2014	12/31/2013
6	STONERIDGE POPLAR RUN	12/31/2015	12/31/2014	12/31/2013
6	SUNSET RIDGE HEALTHCARE & REHAB CENTER	12/31/2014	12/31/2013	12/31/2012
6	SWAIM HEALTH CENTER	12/31/2015	12/31/2014	12/31/2013

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	THE GARDENS AT BLUE RIDGE	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT BUTLER	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT CAMP HILL	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT CAMPBELLTOWN	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT LAKESIDE	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT LITITZ	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT MILLVILLE	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT PALMYRA	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS AT STEVENS	12/31/2015	12/31/2014	12/31/2013
6	THE GARDENS FOR MEMORY CARE AT EASTON	12/31/2015	12/31/2014	12/31/2013
6	THE MANOR AT ST LUKE VILLAGE	12/31/2015	12/31/2014	12/31/2013
6	THORNWALD HOME	12/31/2015	12/31/2014	12/31/2013
6	UNITED ZION RETIREMENT COMMUNITY	12/31/2015	12/31/2014	12/31/2013
6	VILLAGE AT LUTHER SQUARE	12/31/2015	12/31/2014	12/31/2013
6	WALNUT CREEK HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
6	WESTMINSTER VILLAGE	12/31/2015	12/31/2014	12/31/2013
6	WESTON REHABILITATION AND NURSING CENTER	12/31/2015	12/31/2014	6/30/2012
6	WYOMISSING HEALTH AND REHABILITATION CTR	6/30/2015	12/31/2013	12/31/2012
6	ZERBE SISTERS NURSING CENTER, INC.	6/30/2016	6/30/2015	6/30/2014

<i>PG6 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$150.61	\$50.74	\$29.13

<i>PG6 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$176.21	\$56.83	\$30.30

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	ALTOONA CENTER FOR NURSING CARE	12/31/2015	12/31/2014	12/31/2013
8	ARBUTUS PARK MANOR	6/30/2016	6/30/2015	6/30/2014
8	CENTRE CREST	12/31/2016	12/31/2015	12/31/2014
8	GARVEY MANOR	12/31/2015	12/31/2014	12/31/2013
8	HEARTHSIDE REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
8	HILLVIEW HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
8	HOMEWOOD AT MARTINSBURG PA INC	12/31/2015	12/31/2014	12/31/2013
8	LAUREL WOOD CARE CENTER	12/31/2015	12/31/2014	12/31/2013
8	LOYALSOCK REHAB CENTER	6/30/2016	12/31/2013	12/31/2012
8	MANORCARE HEALTH SVCS-JERSEY SHORE	12/31/2015	12/31/2014	12/31/2013
8	MANORCARE HEALTH SVCS-WILLIAMSPORT NORTH	12/31/2015	12/31/2014	12/31/2013
8	MAYBROOK HILLS REHAB & HEALTHCARE CENTER	12/31/2015	12/31/2014	
8	MEADOW VIEW NURSING CENTER	6/30/2016	6/30/2015	6/30/2014
8	MORRISONS COVE HOME	12/31/2015	12/31/2014	12/31/2013
8	ORCHARD MANOR, INC	6/30/2016	6/30/2015	6/30/2014
8	ROSE VIEW NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	SAINT PAUL HOMES	12/31/2015	12/31/2014	12/31/2013
8	SIEMONS' LAKEVIEW MANOR NSG AND REHAB	12/31/2015	12/31/2014	12/31/2013
8	THE GROVE AT GREENVILLE	12/31/2015	12/31/2014	12/31/2013
8	VALLEY VIEW NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
8	WILLIAMSPORT HOME, THE	12/31/2015	12/31/2014	12/31/2013
8	WINDBER WOODS SENIOR LIVING & REHAB CTR	6/30/2016	6/30/2015	6/30/2014
8	WINDY HILL VILLAGE OF PRESBYTERIAN HOMES	12/31/2015	12/31/2014	12/31/2013

<i>PG8 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$126.40	\$49.36	\$23.58

<i>PG8 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$147.89	\$55.28	\$24.52

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9	AVALON SPRINGS NURSING CENTER	12/31/2015	12/31/2014	12/31/2013
9	CLEPPER MANOR	12/31/2015	12/31/2014	12/31/2013
9	EPWORTH HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
9	GROVE MANOR	6/30/2016	6/30/2015	6/30/2014
9	HAIDA HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
9	HOSPITALITY CARE CENTER OF HERMITAGE INC	12/31/2015	12/31/2014	12/31/2013
9	LAUREL VIEW VILLAGE	6/30/2016	6/30/2015	6/30/2014
9	LUTHERAN HOME AT HOLLIDAYSBURG, THE	12/31/2015	12/31/2014	12/31/2013
9	LUTHERAN HOME AT JOHNSTOWN, THE	12/31/2015	12/31/2014	12/31/2013
9	MANORCARE HEALTH SVCS-WILLIAMSPORT SOUTH	12/31/2015	12/31/2014	12/31/2013
9	MAPLE WINDS HEALTHCARE & REHAB CTR, LLC	12/31/2015	12/31/2014	12/31/2013
9	MEYERSDALE HEALTHCARE AND REHAB CTR	12/31/2015	12/31/2014	12/31/2013
9	NUGENT CONVALESCENT HOME	12/31/2015	12/31/2014	12/31/2013
9	PRESBYTERIAN HOMES-PRESBYTERY-HUNTINGDON	12/31/2015	12/31/2014	12/31/2013
9	QUALITY LIFE SERVICES-GROVE CITY	6/30/2016	6/30/2015	6/30/2014
9	QUALITY LIFE SERVICES-MERCER	6/30/2016	6/30/2015	6/30/2014
9	QUALITY LIFE SERVICES-WESTMONT	12/31/2014	12/31/2013	12/31/2012
9	RICHLAND HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
9	SAINT JOHN XXIII HOME	12/31/2015	12/31/2014	12/31/2013
9	THE PATRIOT, A CHOICE COMMUNITY	12/31/2015	12/31/2014	12/31/2013

<i>PG9 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$118.86	\$44.95	\$23.12

<i>PG9 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$139.07	\$50.34	\$24.04

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	BROAD ACRES HEALTH AND REHAB CENTER	12/31/2016	12/31/2015	12/31/2014
11	BROAD MOUNTAIN HEALTH & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
11	BROOKVIEW HEALTH CARE CENTER	12/31/2015	12/31/2014	12/31/2013
11	CHRIST THE KING MANOR	6/30/2016	6/30/2015	6/30/2014
11	CLARVIEW NURSING AND REHAB CENTER	12/31/2016	12/31/2015	12/31/2014
11	DUBOIS NURSING HOME	6/30/2016	6/30/2015	6/30/2014
11	ELK HAVEN NURSING HOME	6/30/2016	6/30/2015	6/30/2014
11	ELLEN MEMORIAL HEALTH CARE CENTER	6/30/2016	6/30/2015	6/30/2014
11	FALLING SPRING NURSING AND REHAB CENTER	6/30/2016	6/30/2015	
11	FOREST CITY NURSING AND REHAB CENTER	12/31/2016	12/31/2015	12/31/2014
11	GRANDVIEW NURSING AND REHABILITATION	6/30/2016	6/30/2015	6/30/2014
11	GREEN HOME, INC, THE	6/30/2016	6/30/2015	6/30/2014
11	HIGHLANDS HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
11	HOMETOWN NURSING AND REHAB CENTER	12/31/2016	12/31/2015	12/31/2014
11	JEFFERSON MANOR HEALTH CENTER	6/30/2016	6/30/2015	6/30/2014
11	JULIA POUND CARE CENTER	12/31/2015	12/31/2014	12/31/2013
11	JULIA RIBAUDO EXTENDED CARE CENTER	12/31/2015	12/31/2014	12/31/2013
11	KITTANNING CARE CENTER	12/31/2015	12/31/2014	12/31/2013
11	MANORCARE HEALTH SVCS-CHAMBERSBURG	12/31/2015	12/31/2014	12/31/2013
11	MANORCARE HEALTH SVCS-POTTSVILLE	12/31/2016	12/31/2015	12/31/2014
11	MANORCARE HEALTH SVCS-SUNBURY	12/31/2016	12/31/2015	12/31/2014
11	MILTON REHABILITATION AND NURSING CENTER	12/31/2015	12/31/2014	6/30/2011
11	MOUNT CARMEL NURSING AND REHAB CENTER	12/31/2016	12/31/2015	12/31/2014
11	MOUNTAIN LAUREL HEALTHCARE & REHAB CTR	6/30/2016	6/30/2014	6/30/2013
11	NOTTINGHAM VILLAGE	12/31/2015	12/31/2014	12/31/2013
11	OHESSON MANOR	12/31/2015	12/31/2014	12/31/2013
11	ORWIGSBURG NURSING & REHAB CENTER	6/30/2016	6/30/2015	6/30/2014
11	PARK AVENUE REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
11	PENNKNOOLL VILLAGE	12/31/2015	12/31/2014	12/31/2013
11	QUALITY LIFE SERVICES-NEW CASTLE	6/30/2016	6/30/2015	6/30/2013
11	QUINCY RETIREMENT COMMUNITY	12/31/2015	12/31/2014	12/31/2013
11	RIDGEVIEW HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
11	RIVERWOODS	12/31/2015	12/31/2014	12/31/2013
11	ROLLING FIELDS, INC	12/31/2015	12/31/2014	12/31/2013
11	ROLLING MEADOWS	6/30/2016	6/30/2015	6/30/2014
11	SCHUYLKILL CENTER	6/30/2016	6/30/2015	6/30/2014
11	SENA-KEAN MANOR	12/31/2015	12/31/2014	12/31/2013
11	SETON MANOR NURSING & REHABILITATION CTR	6/30/2016	6/30/2015	6/30/2014
11	SHENANDOAH MANOR NURSING CENTER	12/31/2016	12/31/2015	12/31/2014
11	SHIPPENVILLE HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
11	SUGAR CREEK STATION SKILLED NSG & REHAB	12/31/2015	12/31/2014	12/31/2013
11	SWEDEN VALLEY MANOR	12/31/2015	12/31/2014	12/31/2013
11	THE GARDENS AT STROUD	12/31/2015	12/31/2014	12/31/2013
11	THE MANOR AT PENN VILLAGE	12/31/2015	12/31/2014	12/31/2013
11	TRANSITIONS HEALTHCARE GETTYSBURG	12/31/2015	12/31/2014	12/31/2013
11	TREMONT HEALTH & REHABILITATION CENTER	6/30/2016	6/30/2015	6/30/2014

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	VALLEY VIEW HAVEN, INC	12/31/2015	12/31/2014	12/31/2013
11	WARREN MANOR	12/31/2015	12/31/2014	12/31/2013
11	WATSONTOWN REHABILITATION AND NRSG CTR	12/31/2015	12/31/2014	6/30/2011
11	WAYNE WOODLANDS MANOR	6/30/2016	6/30/2015	6/30/2014
11	WESBURY UNITED METHODIST COMMUNITY	12/31/2015	12/31/2014	12/31/2013
11	WILLIAM PENN HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
11	WOODLAND PARK REHAB CENTER	6/30/2016	12/31/2014	12/31/2013

<i>PG11 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$123.48	\$43.04	\$22.28

<i>PG11 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$144.47	\$48.20	\$23.17

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	ATHENS HEALTH AND REHABILITATION CENTER	6/30/2016		
12	AVALON NURSING CENTER	6/30/2016	6/30/2015	6/30/2014
12	BEACON RIDGE, A CHOICE COMMUNITY	12/31/2015	12/31/2014	12/31/2013
12	BRADFORD ECUMENICAL HOME, INC	12/31/2015	12/31/2014	12/31/2013
12	BRADFORD MANOR	12/31/2015	12/31/2014	12/31/2013
12	BROOKLINE MANOR AND REHABILITATIVE SRVCS	12/31/2015	12/31/2014	12/31/2013
12	BROOKMONT HEALTHCARE CENTER LLC	12/31/2015	12/31/2014	12/31/2013
12	BUFFALO VALLEY LUTHERAN VILLAGE	12/31/2015	12/31/2014	12/31/2013
12	CARING PLACE, THE	6/30/2016	6/30/2015	6/30/2014
12	CARLETON HEALTHCARE & REHABILITATION CTR	12/31/2015	12/31/2014	12/31/2013
12	CHAMBERS POINTE HEALTH CARE CENTER	12/31/2015	12/31/2014	12/31/2013
12	CLARION HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	DARWAY HEALTHCARE & REHABILITATION CTR	12/31/2015	12/31/2014	12/31/2013
12	DONAHOE MANOR	6/30/2016	6/30/2015	6/30/2014
12	DR ARTHUR CLIFTON MCKINLEY HEALTH CENTER	6/30/2016	6/30/2015	6/30/2014
12	EDISON MANOR NURSING AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	EMMANUEL CENTER FOR NURSING AND REHAB	12/31/2015	12/31/2014	12/31/2013
12	GETTYSBURG CENTER	6/30/2016	6/30/2015	6/30/2014
12	GREEN VALLEY SKILLED NSG & REHAB CENTER	6/30/2014	6/30/2013	6/30/2012
12	GUY AND MARY FELT MANOR, INC	6/30/2016	6/30/2015	6/30/2014
12	HAVEN CONVALESCENT HOME, INC	12/31/2015	12/31/2014	12/31/2013
12	HIGHLAND VIEW HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	HILLSDALE PARK REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	HUNTINGDON PARK REHAB CENTER	6/30/2016	6/30/2014	6/30/2013
12	JAMESON CARE CENTER	12/31/2015	12/31/2014	12/31/2013
12	KINZUA HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	LAKEVIEW HEALTHCARE & REHABILITATION CTR	12/31/2015	12/31/2014	12/31/2013
12	LOCUST GROVE RETIREMENT VILLAGE	12/31/2015	12/31/2014	12/31/2013

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	LUTHERAN HOME AT KANE, THE	12/31/2015	12/31/2014	12/31/2013
12	MEADOW VIEW HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	MULBERRY HEALTHCARE & REHAB CTR	12/31/2015	12/31/2014	12/31/2013
12	NURSING & REHABILITATION AT THE MANSION	12/31/2015	12/31/2014	12/31/2013
12	OAKWOOD HEIGHTS OF PRESBY SENIOR CARE	12/31/2015	12/31/2014	12/31/2013
12	OIL CITY HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	PARAMOUNT NURSING & REHAB AT FAYETTEVILLE	12/31/2015	12/31/2014	12/31/2013
12	QUALITY LIFE SERVICES-SUGAR CREEK	6/30/2016	6/30/2015	6/30/2014
12	RICHFIELD HEALTHCARE AND REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	RIDGEVIEW HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	ROLLING HILLS HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	SAYRE HEALTH CARE CENTER, LLC	6/30/2016	6/30/2015	6/30/2014
12	SCENERY HILL HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	SHENANGO PRESBYTERIAN SENIORCARE	12/31/2015	12/31/2014	12/31/2013
12	SHOOK HOME, THE	12/31/2015	12/31/2014	12/31/2013
12	SNYDER MEMORIAL HEALTH CARE CENTER	12/31/2015	12/31/2014	12/31/2013
12	SPIRITRUST LUTHERAN VLG AT GETTYSBURG	12/31/2015	12/31/2014	12/31/2013
12	THE GARDENS AT GETTYSBURG	12/31/2015	12/31/2014	12/31/2013
12	THE GARDENS AT YORK TERRACE	12/31/2015	12/31/2014	12/31/2013
12	THE GROVE AT NEW CASTLE	12/31/2015	12/31/2014	12/31/2013
12	THE GROVE AT NEW WILMINGTON	12/31/2015	12/31/2014	12/31/2013
12	THE PAVILION AT BRMC	6/30/2016	6/30/2015	6/30/2014
12	TITUSVILLE HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	WAYNESBURG HEALTHCARE & REHAB CENTER	12/31/2015	12/31/2014	12/31/2013
12	WESTMINSTER WOODS AT HUNTINGDON	12/31/2015	12/31/2014	12/31/2013
12	WHITESTONE CARE CENTER	12/31/2015	12/31/2014	12/31/2013

<i>PG12 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$119.20	\$42.33	\$22.66

<i>PG12 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$139.46	\$47.41	\$23.57

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	ARISTACARE AT MEADOW SPRINGS	6/30/2016	6/30/2015	6/30/2014
13	FOX SUBACUTE AT CLARA BURKE	12/31/2015	12/31/2014	12/31/2013
13	FOX SUBACUTE AT MECHANICSBURG	6/30/2016	6/30/2015	6/30/2014
13	FOX SUBACUTE CENTER	12/31/2015	12/31/2014	12/31/2013
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2016	6/30/2015	6/30/2014
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2016	6/30/2015	6/30/2014
13	INGLIS HOUSE	6/30/2016	6/30/2015	6/30/2014
13	MARGARET E. MOUL HOME	6/30/2016	6/30/2015	6/30/2014

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<i>PG13 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$235.36	\$70.99	\$48.74

<i>PG13 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$275.37	\$79.51	\$50.69

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	GOOD SHEPHERD HOME RAKER CENTER	6/30/2016	6/30/2015	6/30/2014
13	GOOD SHEPHERD HOME-BETHLEHEM	6/30/2016	6/30/2015	6/30/2014
13	INGLIS HOUSE	6/30/2016	6/30/2015	6/30/2014
13	MARGARET E. MOUL HOME	6/30/2016	6/30/2015	6/30/2014

<i>PG13 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$239.86	\$103.97	\$48.05

<i>PG13 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$280.64	\$116.45	\$49.97

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
14	BARNES-KASSON COUNTY HOSPITAL SNF	6/30/2016	6/30/2015	6/30/2014
14	BERWICK RETIREMENT VILLAGE NRSNG HOME I	6/30/2016	6/30/2015	6/30/2014
14	BUCKTAIL MEDICAL CENTER	6/30/2016	6/30/2015	6/30/2014
14	FULTON COUNTY MEDICAL CENTER LTCU	6/30/2016	6/30/2015	6/30/2014
14	GUTHRIE TOWANDA MEMORIAL HOSPITAL SNU	6/30/2016	6/30/2015	6/30/2014
14	HAVEN SKILLED REHABILITATION AND NURSING	6/30/2016	6/30/2015	6/30/2014
14	PINECREST MANOR	6/30/2016	6/30/2015	6/30/2014
14	ST LUKE'S REHABILITATION AND NURSING CTR	6/30/2016	6/30/2015	6/30/2014
14	SUMMIT AT BLUE MOUNTAIN NURSING & REHAB	6/30/2016	6/30/2015	6/30/2014
14	SUNBURY COMMUNITY HEALTH & REHAB CENTER	12/31/2016	12/31/2015	12/31/2014
14	SUSQUEHANNA HLTH SKILLED NSG & REHAB CTR	6/30/2016	6/30/2015	6/30/2014
14	UPMC COLE SKILLED NURSING & REHAB UNIT	6/30/2016	6/30/2015	6/30/2014
14	WILLOWCREST	6/30/2016	6/30/2015	6/30/2014

<i>PG14 Median</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$165.68	\$64.18	\$29.49

<i>PG14 Price</i>	<i>Resident Care 5.12</i>	<i>Other Resident Rltd</i>	<i>Administrative</i>
	\$193.85	\$71.88	\$30.67

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DEPARTMENT OF REVENUE

Pennsylvania Candy Cane Cash Fast Play Game 5046

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Candy Cane Cash (hereinafter “Candy Cane Cash”). The game number is PA-5046.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *PRIZE:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WINNING SYMBOLS:* The symbols found in the “WINNING SYMBOLS” area and generated via quick pick that, when matched against the symbols found in the “YOUR SYMBOLS” play area, determine whether a player wins a prize.

(k) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(l) *YOUR SYMBOLS:* The symbols found in the “YOUR SYMBOLS” area and generated via quick pick that, when matched against the “WINNING SYMBOLS” area, determine whether a player wins a prize.

3. *Price:* The price of a Candy Cane Cash ticket is \$1.

4. *Description of the Candy Cane Cash lottery game:*

(a) The Candy Cane Cash lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Candy Cane Cash tickets may be purchased from an authorized retailer or

at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Candy Cane Cash is played by matching the play symbols in the “YOUR SYMBOLS” area to the play symbols located in the “WINNING SYMBOLS” area. A player matching a play symbol in the “WINNING SYMBOLS” area with the same play symbol in the “YOUR SYMBOLS” area will win the prize shown under the matching “YOUR SYMBOLS” play symbol. If the matching play symbol is a “Candy Cane” (CNDYCN) play symbol, win double the prize shown under the matching “Candy Cane” (CNDYCN) play symbol. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A Candy Cane Cash game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Candy Cane Cash game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Candy Cane Cash game ticket and select the Candy Cane Cash option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Candy Cane Cash ticket characteristics:*

(a) A Candy Cane Cash ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code.

(b) *Play Symbols:* Each Candy Cane Cash ticket play area will contain a “WINNING SYMBOLS” area and a “YOUR SYMBOLS” area. The play symbols located in the “WINNING SYMBOLS” area and the “YOUR SYMBOLS” area are: Tree (TREE) symbol, Fireplace (FIREPLACE) symbol, Hat (HAT) symbol, Gingerbread Man (GNGBREAD) symbol, Present (PRESENT) symbol, Snowflake (SNWFLK) symbol, Poinsettia (POINSETTIA) symbol, Penguin (PENGUIN) symbol, Star (STAR) symbol, Trumpet (TRUMPET) symbol, Scarf (SCARF) symbol, Snow Globe (SNOW GLOBE) symbol, Owl (OWL) symbol, Brownie (BROWNIE) symbol, Skate (SKATE) symbol, Gingerbread House (GBREAD HOUSE) symbol, Ornament (ORNAMENT) symbol, Bow (BOW) symbol, Firewood (FIREWOOD) symbol and a Candy Cane (CNDYCN) symbol.

(c) *Prize Symbols:* The prize symbols and their captions located in the “YOUR SYMBOLS” area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$2,500 (TWYFIVHUN).

(d) *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$5, \$10, \$15, \$20, \$50, \$100, \$500, \$2,500. A player can win up to 6 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 2,400,000 tickets will be available for sale for the Candy Cane Cash lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Jingle All the Way Second-Chance Drawing for which non-winning Candy Cane Cash Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Candy Cane Cash prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which a "Candy Cane" (CNDYCN) play symbol appears in the "YOUR SYMBOLS" area and matches a "Candy Cane" (CNDYCN) play symbol in the "WINNING SYMBOLS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area under the matching "Candy Cane" (CNDYCN) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which a "Candy Cane" (CNDYCN) play symbol appears in the "YOUR SYMBOLS" area and matches a "Candy Cane" (CNDYCN) play symbol in the "WINNING SYMBOLS" area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area under the matching "Candy Cane" (CNDYCN) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which a "Candy Cane" (CNDYCN) play symbol appears in the "YOUR SYMBOLS" area and matches a "Candy Cane" (CNDYCN) play symbol in the "WINNING SYMBOLS" area, and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "PRIZE" area under the matching "Candy Cane" (CNDYCN) play symbol, on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which a "Candy Cane" (CNDYCN) play symbol appears in the "YOUR SYMBOLS" area and matches a "Candy Cane" (CNDYCN) play symbol in the "WINNING SYMBOLS" area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area

under the matching "Candy Cane" (CNDYCN) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(l) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which a "Candy Cane" (CNDYCN) play symbol appears in the "YOUR SYMBOLS" area and matches a "Candy Cane" (CNDYCN) play symbol in the "WINNING SYMBOLS" area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE" area under the matching "Candy Cane" (CNDYCN) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which a "Candy Cane" (CNDYCN) play symbol appears in the "YOUR SYMBOLS" area and matches a "Candy Cane" (CNDYCN) play symbol in the "WINNING SYMBOLS" area, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "PRIZE" area under the matching "Candy Cane" (CNDYCN) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets upon which a "Candy Cane" (CNDYCN) play symbol appears in the "YOUR SYMBOLS" area and matches a "Candy Cane" (CNDYCN) play symbol in the "WINNING SYMBOLS" area, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "PRIZE" area under the matching "Candy Cane" (CNDYCN) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING SYMBOLS" play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches any of the "WINNING NUMBER" play symbols and a prize symbol of FREE (TICKET) appears in the "PRIZE" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of one Candy Cane Cash game ticket.

8. *Number and Description of Prizes and Approximate Chances of Winning*: The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Symbols Match Any Winning Symbol, Win Prize Shown Under The Matching Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
FREE	FREE \$1 TICKET	10	240,000
\$1	\$1	200	12,000
\$1 × 2	\$2	200	12,000
\$1 w/ CANDY CANE MATCH	\$2	11.63	206,400
\$2	\$2	200	12,000
(\$2 × 2) + \$1	\$5	166.67	14,400
(\$2 w/ CANDY CANE MATCH) + \$1	\$5	54.35	44,160
\$5	\$5	166.67	14,400
\$5 × 2	\$10	1,000	2,400
(\$2 w/ CANDY CANE MATCH) + (\$2 × 3)	\$10	1,000	2,400
\$5 w/ CANDY CANE MATCH	\$10	500	4,800
\$10	\$10	1,000	2,400
\$5 × 3	\$15	2,500	960
(\$5 × 2) + (\$2 × 2) + \$1	\$15	2,500	960
(\$5 w/ CANDY CANE MATCH) + \$5	\$15	1,000	2,400
\$15	\$15	2,500	960
\$10 × 2	\$20	5,000	480
(\$5 × 3) + (\$2 × 2) + \$1	\$20	5,000	480
(\$5 w/ CANDY CANE MATCH) + (\$2 × 2) + \$5 + \$1	\$20	2,500	960
\$10 w/ CANDY CANE MATCH	\$20	2,500	960
\$20	\$20	5,000	480
(\$10 × 3) + \$20	\$50	6,000	400
(\$20 × 2) + (\$5 × 2)	\$50	6,000	400
(\$15 w/ CANDY CANE MATCH) + (\$10 × 2)	\$50	4,000	600
(\$20 w/ CANDY CANE MATCH) + (\$5 × 2)	\$50	3,000	800
\$50	\$50	12,000	200
\$50 × 2	\$100	120,000	20
(\$20 w/ CANDY CANE MATCH) + (\$15 × 2) + (\$10 × 3)	\$100	12,000	200
\$50 w/ CANDY CANE MATCH	\$100	24,000	100
\$100	\$100	120,000	20
(\$100 w/ CANDY CANE MATCH) + (\$100 × 3)	\$500	240,000	10
\$500	\$500	240,000	10
\$2,500	\$2,500	240,000	10

When the matching symbol is a "Candy Cane" (CNDYCN), win DOUBLE the prize shown under that symbol.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing*: Pennsylvania Lottery's Jingle All the Way Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-5045 Holiday Cheer (\$5) and PA-5046 Candy Cane Cash (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing.

To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-

delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Jingle All the Way Second-Chance Drawing for qualifying Fast Play lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. December 3, 2018, through 11:59:59 p.m. January 3, 2019, will be entered into the Drawing to be held between January 4, 2019 and January 14, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5045 Holiday Cheer (\$5) = 5 entries; and PA-5046 Candy Cane Cash (\$1) = 1 entry.

(5) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by twenty (20), fifty (50) or one hundred (100). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Multiplier Prizes and the approximate odds of winning a Multiplier Prize:

<i>Qualifying Ticket</i>	<i>Approximate Odds of 20X Multiplier Are 1 in:</i>	<i>Approximate Odds of 50X Multiplier Are 1 in:</i>	<i>Approximate Odds of 100X Multiplier Are 1 in:</i>
Holiday Cheer	2	5	10
Candy Cane Cash	2	5	10

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(4) All prizes will be paid as lump-sum cash payments.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the winning Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the winning Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Candy Cane Cash lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Candy Cane Cash lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *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 Candy Cane Cash or through normal communications methods.

21. *Applicability:* This notice applies only to the Candy Cane Cash lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1872. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Holiday Cheer Fast Play Game 5045

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Holiday Cheer (hereinafter "Holiday Cheer"). The game number is PA-5045.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *GAME:* A specific, pre-defined area of a game ticket located in the play area that contains play symbols and prize symbols that, when played according to the instructions, determine whether a player wins a prize. Each "GAME" is played separately, but winning combinations in more than one "GAME" can be combined to win larger prizes as described in section 7 (relating to prizes available to be won and determination of prize winners).

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports, and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *PRIZE:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the "YOUR NUMBERS" play symbols for that "GAME," determine whether a player wins a prize.

(l) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the Your Numbers Area that,

when matched against the "WINNING NUMBERS," determine whether a player wins the prize shown under the "YOUR NUMBERS" play symbol.

3. *Price:* The price of a Holiday Cheer ticket is \$5.

4. *Description of the Holiday Cheer lottery game:*

(a) The Holiday Cheer lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Holiday Cheer tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Holiday Cheer is played by matching the play symbols located in the "YOUR NUMBERS" area to the play symbol located in the "WINNING NUMBER" area for each "GAME." A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A Holiday Cheer game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Holiday Cheer game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Holiday Cheer game ticket and select the Holiday Cheer option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Holiday Cheer ticket characteristics:*

(a) A Holiday Cheer ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code. Each ticket consists of five "GAMES" and each "GAME" is played separately.

(b) *Play Symbols:* Each Holiday Cheer ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area for each "GAME." The play symbols located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY).

(c) *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$500, \$1,000, \$5,000 and \$50,000. A player can win up to 10 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 2,400,000 tickets will be available for sale for the Holiday Cheer lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Jingle All the Way Second-Chance Drawing for which non-winning Holiday Cheer Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Holiday Cheer prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol for that "GAME," and a prize symbol of \$50,000 (FTY THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol for that "GAME," on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol for that "GAME," and a prize symbol of \$5,000 (FIV THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol for that "GAME," on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol for that "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol for that "GAME," and a prize symbol of \$500 (FIV HUN) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol for that "GAME," on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol for that "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol for that "GAME," and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol for that "GAME," on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol for that "GAME," and a prize symbol of \$40⁰⁰ (FORTY) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol for that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol for that “GAME,” and a prize symbol of \$25.⁰⁰ (TWY FIV) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol for that “GAME,” on a single ticket, shall be entitled to a prize of \$25.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol for that “GAME,” and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol for that “GAME,” on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match the “WINNING

NUMBER” play symbol for that “GAME,” and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol for that “GAME,” on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol for that “GAME,” and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “PRIZE” area under the matching “YOUR NUMBERS” play symbol for that “GAME,” on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER For That GAME, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
\$5	\$5	7.69	312,000
\$5 × 2	\$10	28.57	84,000
\$10	\$10	33.33	72,000
\$10 × 2	\$20	76.92	31,200
(\$5 × 2) + \$10	\$20	71.43	33,600
\$20	\$20	76.92	31,200
(\$5 × 3) + \$10	\$25	125	19,200
\$25	\$25	142.86	16,800
\$20 × 2	\$40	1,000	2,400
(\$5 × 2) + \$20 + \$10	\$40	1,000	2,400
(\$10 × 3) + (\$5 × 2)	\$40	1,000	2,400
\$40	\$40	1,000	2,400
\$25 × 2	\$50	500	4,800
(\$10 × 3) + \$20	\$50	500	4,800
(\$20 × 2) + (\$5 × 2)	\$50	1,000	2,400
\$50	\$50	1,000	2,400
\$50 × 2	\$100	2,400	1,000
(\$10 × 3) + \$50 + \$20	\$100	2,400	1,000
(\$20 × 3) + (\$10 × 3) + (\$5 × 2)	\$100	2,182	1,100
(\$25 × 2) + \$50	\$100	2,400	1,000
\$100	\$100	2,400	1,000
\$100 × 5	\$500	24,000	100
(\$100 × 3) + (\$50 × 2) + (\$25 × 4)	\$500	24,000	100
(\$100 × 3) + (\$50 × 3) + (\$20 × 2) + \$10	\$500	24,000	100
\$500	\$500	24,000	100
\$500 × 2	\$1,000	60,000	40
(\$100 × 3) + (\$50 × 3) + (\$20 × 2) + \$500 + \$10	\$1,000	60,000	40
\$1,000	\$1,000	60,000	40
\$1,000 × 5	\$5,000	240,000	10
\$5,000	\$5,000	240,000	10
\$50,000	\$50,000	240,000	10

Each GAME is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing*: Pennsylvania Lottery's Jingle All the Way Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-5045 Holiday Cheer (\$5) and PA-5046 Candy Cane Cash (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description*.

(1) The Lottery will conduct one Jingle All the Way Second-Chance Drawing for qualifying Fast Play lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. December 3, 2018, through 11:59:59 p.m. January 3, 2019, will be entered into the Drawing to be held between January 4, 2019 and January 14, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5045 Holiday Cheer (\$5) = 5 entries; and PA-5046 Candy Cane Cash (\$1) = 1 entry.

(5) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by twenty (20), fifty (50) or one hundred (100). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning*.

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Multiplier Prizes and the approximate odds of winning a Multiplier Prize:

<i>Qualifying Ticket</i>	<i>Approximate Odds of 20X Multiplier Are 1 in:</i>	<i>Approximate Odds of 50X Multiplier Are 1 in:</i>	<i>Approximate Odds of 100X Multiplier Are 1 in:</i>
Holiday Cheer	2	5	10
Candy Cane Cash	2	5	10

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(4) All prizes will be paid as lump-sum cash payments.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing Restrictions*.

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the winning Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the winning Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Holiday Cheer lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Holiday Cheer lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *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 Holiday Cheer or through normal communications methods.

21. *Applicability:* This notice applies only to the Holiday Cheer lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 18-1873. Filed for public inspection November 30, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Thursday, December 6, 2018, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact the Office of the State Transportation Commission, (717) 783-2262, RA-PennDOTSTC@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-1874. Filed for public inspection November 30, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, November 15, 2018, and announced the following:

Action Taken—Regulation Approved:

State Board of Pharmacy # 16A-5431: Naloxone Exceptions (amends 49 Pa. Code §§ 27.18 and 27.19)

State Board of Massage Therapy # 16A-724: Fees (amends 49 Pa. Code Section 20.3)

Pennsylvania Public Utility Commission # 57-317: Motor Carrier Age Requirement (amends 52 Pa. Code Section 29.503)

Approval Order

Public Meeting Held
November 15, 2018

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Pharmacy
Naloxone Exceptions
Regulation No. 16A-5431 (# 3218)*

On October 10, 2018, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Pharmacy (Board). This rulemaking amends 49 Pa. Code §§ 27.18 and 27.19. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking allows pharmacists to partner with prisons and drug treatment facilities to make naloxone available to at-risk individuals upon discharge from these facilities.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 390-6(k)(9) and 45 P.S. § 1204) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 15, 2018

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Massage Therapy
Fees
Regulation No. 16A-724 (# 3203)*

On June 13, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Massage Therapy (Board). This rulemaking amends 49 Pa. Code Section 20.3. The proposed regulation was published in the June 23, 2018 *Pennsylvania Bulletin* with a public comment period ending July 23, 2018. The final-form regulation was submitted to the Commission on October 10, 2018.

This regulation increases the application fee for initial massage therapy licensure from \$65 to \$100; increases the fee for approval of a continuing education program from \$65 to \$100; and gradually increases the biennial license renewal fee from \$75 to \$175 over the next five years.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 627.11(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 15, 2018

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission
Motor Carrier Age Requirement
Regulation No. 57-317 (# 3185)*

On November 8, 2017, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Section 29.503. The proposed regulation was published in the November 25, 2017 *Pennsylvania Bulletin* with a public comment period ending on December 26, 2017. The final-form regulation was submitted to the Commission on September 26, 2018.

This final-form rulemaking reduces the minimum age requirement for paratransit drivers from 21 to 18 in limited circumstances.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S.A. §§ 501, 1501 and 2502) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1875. Filed for public inspection November 30, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT**Application for Designation as a Certified Reinsurer**

XL Bermuda Ltd. has applied for designation as a certified reinsurer in this Commonwealth. The application was received on November 19, 2018, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licens-

ing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1876. Filed for public inspection November 30, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Hannover Rück SE of Hannover, Germany has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on November 14, 2018, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1877. Filed for public inspection November 30, 2018, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Thursday, December 13, 2018.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director

[Pa.B. Doc. No. 18-1878. Filed for public inspection November 30, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Ownership Transaction

A-2018-3006061, A-2018-3006062 and A-2018-3006063. Aqua America, Inc. Joint application of Aqua America, Inc. for approval to acquire ownership of Peoples Natural Gas Company, LLC, Peoples Natural Gas Company, LLC—Equitable Division and Peoples Gas Company, LLC, through the purchase of LDC Funding, LLC. LDC Funding, LLC is the indirect parent of Peoples Natural Gas Company, LLC, Peoples Natural Gas Company, LLC—Equitable Division and Peoples Gas Company, LLC. Under the proposed transaction, LDC Funding, LLC will become a direct subsidiary of Aqua America, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 31, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicants: Aqua America, Inc.; Peoples Natural Gas Company, LLC; Peoples Natural Gas Company, LLC—Equitable Division; Peoples Gas Company, LLC

Through and By Counsel: Michael W. Gang, Esquire, Michael W. Hassell, Esquire, Garrett P. Lent, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1879. Filed for public inspection November 30, 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 17, 2018. Documents filed in support of the

applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2018-3002357 (Amended). Bernard Annarino (118 1/2 Clark Street, Punxsutawney, Jefferson County, PA 15767) in paratransit service, from points in the Counties of Indiana and Jefferson, to points in Pennsylvania, and return.

A-2018-3005776. Joseph L. Sanders, III (P.O. Box 447, 196 West Hillside Drive, Lock Haven, Clinton County, PA 17745) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Clinton County, to points in Pennsylvania, and return.

A-2018-3005915. Faffy Staffing, LLC (2004 Berryhill Street, Harrisburg, Dauphin County, PA 17104) in paratransit service between points in the Counties of Cumberland and Dauphin.

A-2018-3005930. Blue Ribbon Transit, Inc. (350 East Main Street, New Holland, Lancaster County, PA 17557) in paratransit service and limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2018-3005931. Harvey Van Service, LLC (26 Main Street, Denver, Lancaster County, PA 17517) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2018-3005937. LMC Limousine & Transportation Services, Inc. (1020 Industrial Boulevard, Suite 400, Southampton, Bucks County, PA 18966) in limousine service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, to points in Pennsylvania, and return. *Attorney:* Paul S. Bilker, 538 Durham Road, Newtown, PA 18940.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public conveyance as described under the application.

A-2018-3005920. Eli Stoltzfus (102 Leisure Lane, P.O. Box 19, Madisonburg, Centre County, PA 16852) as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Centre County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1880. Filed for public inspection November 30, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service

A-2018-3006085. Pennsylvania American Water Company—Wastewater. Application of Pennsylvania American Water Company—Wastewater for approval of the right to offer, render, furnish and supply wastewater service to the public in an additional portion of Elk Township, Clarion County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 17, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Pennsylvania American Water Company—Wastewater

Through and By Counsel: Brian A. Ardire, Esquire, Pennsylvania American Water Company, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1881. Filed for public inspection November 30, 2018, 9:00 a.m.]

STATE ATHLETIC COMMISSION

Public Meetings for 2019

The State Athletic Commission (Commission) of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2019 under 5 Pa.C.S. § 103 (relating to duties of commission). All meetings will be held at 11 a.m. in Room 303, North Office Building, Harrisburg, PA 17120. These meetings are open to the public and are scheduled as follows:

February 27, 2019

April 24, 2019

June 26, 2019

August 28, 2019

October 30, 2019

December 18, 2019

Individuals with questions regarding these meetings should contact the Commission at (717) 787-5720.

GREGORY P. SIRB,
Executive Director

[Pa.B. Doc. No. 18-1882. Filed for public inspection November 30, 2018, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. Damion C. Rivers; Case No. 14-60-11651

On March 30, 2018, Damion C. Rivers, license No. MV197157, of Philadelphia, Philadelphia County, had his license revoked and was assessed a civil penalty of \$1,000 based on his guilty plea to three felonies.

Individuals may obtain a copy of the order by writing to Juan A. Ruiz, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P.O. Box 69523, Harrisburg, PA 17105-2649.

DAN G. MURPHY, III,
Chairperson

[Pa.B. Doc. No. 18-1883. Filed for public inspection November 30, 2018, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following lists of projects from October 1, 2018, through October 31, 2018.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water

under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals by Rule Issued Under 18 CFR 806.22(f):

1. Inflection Energy (PA), LLC; Pad ID: Hillegas Well Pad, ABR-201308017.R1; Upper Fairfield Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 11, 2018.

2. Inflection Energy (PA), LLC; Pad ID: Bennett Well Pad, ABR-201308015.R1; Eldred Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 19, 2018.

3. Cabot Oil & Gas Corporation; Pad ID: PavelskiJ Pad 1, ABR-201810001; Gibson Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 19, 2018.

4. Repsol Oil & Gas USA, LLC; Pad ID: DCNR 594 (02 200), ABR-201810002; Liberty Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 22, 2018.

5. Chief Oil & Gas LLC; Pad ID: HEMLOCK RIDGE ESTATES UNIT PAD; ABR-201810003; McNett Township, Lycoming County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: October 24, 2018.

6. ARD Operating, LLC; Pad ID: Lycoming H&FC Pad F; ABR-201309015.R1; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 26, 2018.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: November 14, 2018

ANDREW D. DEHOFF,
Executive Director

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