

PENNSYLVANIA BULLETIN

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Agencies in this issue

The General Assembly

The Courts

Capitol Preservation Committee

Department of Agriculture

Department of Banking and Securities

Department of Environmental Protection

Department of General Services

Department of Health

Department of Human Services

Department of Labor and Industry

Department of Revenue

Independent Regulatory Review Commission

Insurance Department

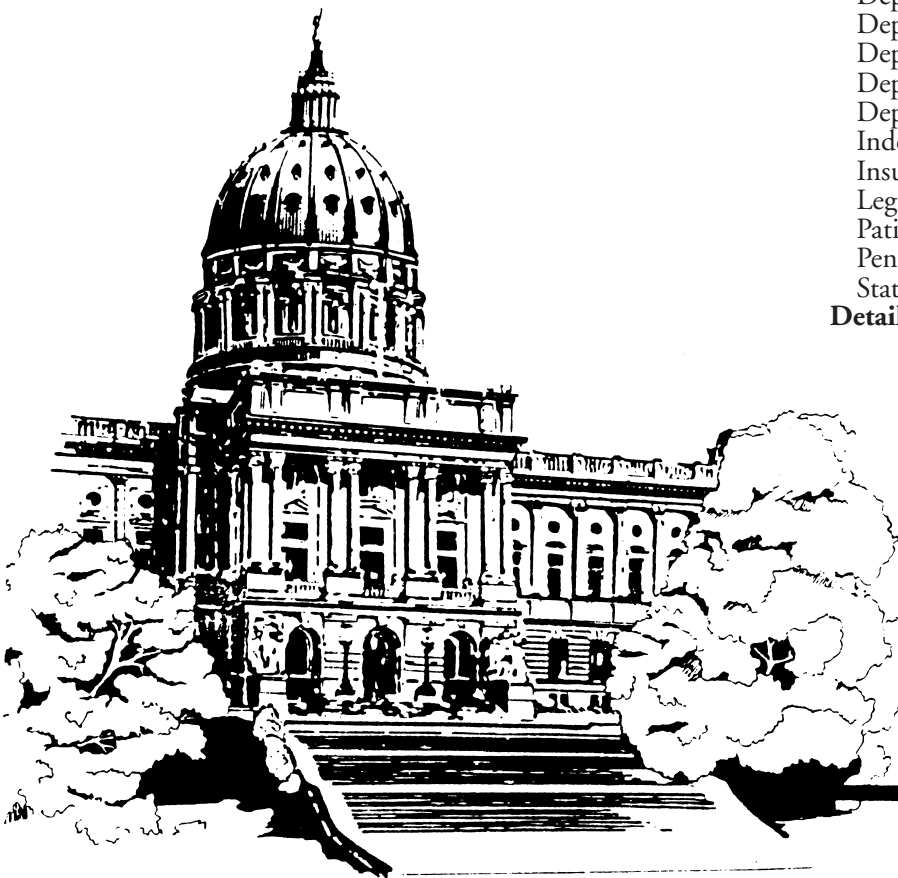
Legislative Reference Bureau

Patient Safety Authority

Pennsylvania Public Utility Commission

State Board of Nursing

Detailed list of contents appears inside.



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

No. 535, June 2019

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CONTENTS

THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY

Recent actions during the 2019 regular session of the General Assembly 3055

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

List of financial institutions 3074

RULES OF CIVIL PROCEDURE

Order amending Rules 1915.7 and 1915.10 of the Pennsylvania Rules of Civil Procedure; No. 697 civil procedural rules doc. 3058

Order amending Rules 1920.14, 1920.42, 1920.45, 1920.46, 1920.51, 1920.53, 1920.72, 1920.73 and 1920.74 of the Pennsylvania Rules of Civil Procedure; No. 698 civil procedural rules doc. 3059

SUPREME COURT

Financial institutions approved as depositories for fiduciary accounts; No. 179 disciplinary rules doc. 3056

EXECUTIVE AND INDEPENDENT AGENCIES

CAPITOL PRESERVATION COMMITTEE

Notices

Request for proposals 3088

DEPARTMENT OF AGRICULTURE

Notices

General quarantine order; certified poultry technicians 3088

General quarantine order; poultry exhibition requirements 3093

Pennsylvania Malt and Brewed Beverage Industry Promotion Board; grant solicitation and application procedures 3095

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 3099

Maximum lawful rate of interest for residential mortgages for the month of July 2019 3099

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 3100

Availability of grants through Driving PA Forward Ocean-Going Vessel Shorepower Grant Program 3157

Bid opportunity 3158

Pennsylvania's 2019 Annual Ambient Air Monitoring Network Plan 3158

DEPARTMENT OF GENERAL SERVICES

Notices

Exemption from requirements 3159

DEPARTMENT OF HEALTH

Notices

Long-term care nursing facilities; requests for exception 3159

Preventative Health and Health Services Block Grant application for Federal fiscal year 2019; public hearing 3159

Public Health Council meeting regarding the Preventative Health and Health Services Block Grant 3160

DEPARTMENT OF HUMAN SERVICES

Notices

Availability of the Low-Income Home Energy Assistance Program; proposed State Plan and public hearing schedule 3160

Income limits and co-payments for the Subsidized Child Care Program 3160

DEPARTMENT OF LABOR AND INDUSTRY

Rules and Regulations

Uniform Construction Code 3077

DEPARTMENT OF REVENUE

Notices

Notice of taxable and exempt property 3169

Pennsylvania \$1 Million Spectacular instant lottery game 1407 3179

Pennsylvania 7-11-21[®] instant lottery game 1411 3183

Pennsylvania 9s In A Line instant lottery game 1410 3185

Pennsylvania Gold Fish[®] instant lottery game 1409 3188

Pennsylvania The Wizard of Oz[™] instant lottery game 1408 3189

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of filing of final rulemakings 3196

INSURANCE DEPARTMENT

Notices

AF&L Insurance Company (AFLI-131945013); rate increase filing for several individual home health LTC forms 3196

Application for approval to merge with Windsor-Mount Joy Mutual Insurance Company 3196

John Hancock Life Insurance Company (USA) (MULF-131962004); rate increase filing for several individual LTC forms 3197

Use of opioid overdose reversal agents in underwriting and rating; notice 2019-03 3197

LEGISLATIVE REFERENCE BUREAU

Notices

Documents filed but not published 3198

PATIENT SAFETY AUTHORITY

Notices

Public meeting 3198

Available Online at <http://www.pabulletin.com>

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Statements of Policy

Electric distribution company default service plans—customer assistance program shopping 3083

Notices

Service of notice of motor carrier applications 3198
Service of notice of motor carrier formal complaints . 3198

STATE BOARD OF NURSING

Notices

Automatic suspension of the license to practice practical nursing of Amy Klinger Lehman, LPN; case No. 17-51-07939 3200
Bureau of Professional and Occupational Affairs v. Lillie K. Massingill, RN; case No. 18-51-00656 3200
Bureau of Professional and Occupational Affairs v. Mary Rudick Paolucci, LPN; case No. 17-51-03562 3200
Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Ronald S. Russo, RN, respondent; file No. 14-51-04021; doc. No. 0343-51-16 3201

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

The *Pennsylvania Bulletin* is available at www.pabulletin.com.

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; and (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years. In item (8) the recommendation, if any, made by the Secretary of the Budget is published with the fiscal note. "No fiscal impact" means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended. See 4 Pa. Code Chapter 7, Subchapter R (relating to fiscal notes).

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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 2019.

4 Pa. Code (Administration)

Adopted Rules

1	438
5	438
6	593
7a	1993
601	1297
602	1297
603	1297
604	1297
605	1297
606	1297
607	1297

Statements of Policy

9	381, 844, 927, 2349, 2719
58	1792

22 Pa. Code (Education)

Proposed Rules

235	1905
-----	------

25 Pa. Code (Environmental Protection)

Adopted Rules

77	2491
----	------

Proposed Rules

91	1518, 1665
92a	1518, 1665
93	1367
121	1146, 1777
127	1146, 1777

28 Pa. Code (Health and Safety)

Proposed Rules

27	2605
----	------

34 Pa. Code (Labor and Industry)

Adopted Rules

401	3077
403	3077
405	3077

Proposed Rules

91	1657, 1791
93	1657, 1791
95	1657, 1791
111	1661

40 Pa. Code (Liquor)

Proposed Rules

5	1029
---	------

49 Pa. Code (Professional and Vocational Standards)

Proposed Rules

21	458
23	922
33	1396

52 Pa. Code (Public Utilities)

Adopted Rules

29	455
56	2815

Statements of Policy

69	466, 929, 3083
----	----------------

58 Pa. Code (Recreation)

Adopted Rules

75	1323
133	1362
135	1363
139	2500
141	2506, 2507
147	1364
682a	2227
683a	2227
830	1024

Proposed Rules

111	1152
139	1390
141	1386, 1388, 2611, 2612, 2614
147	2616

61 Pa. Code (Revenue)

Proposed Rules

876	2242
-----	------

67 Pa. Code (Transportation)

Adopted Rules

171a	2001
------	------

101 Pa. Code (General Assembly)

Statements of Policy

701	1154
-----	------

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

7	2911
---	------

Proposed Rules

51	1645
----	------

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29	1997
71	705, 824
81	824, 2209
83	824, 915, 1020, 1772, 2209
89	443, 2217
93	443, 2215, 2216

Proposed Rules

303	2103
307	2103

210 Pa. Code (Appellate Procedure)

Adopted Rules

1	1335
5	1510
17	832
65	2218

Proposed Rules

1	825
3	10
9	2712
19	825

21 825
 35 602

225 Pa. Code (Rules of Evidence)

Proposed Rules

Article IV 2218
 Article IX165, 1336

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 169
 1000 608
 1900 1342
 1910 170
 1915 3058
 1920 3059
 2000 608
 2250 608

Proposed Rules

5 444
 200 274
 1915 2714
 1930 2714

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

4190, 1118

Proposed Rules

2 1357, 1510
 4833, 1122
 5197, 833, 1357
 10 197

237 Pa. Code (Juvenile Rules)

Adopted Rules

1 208, 610, 1142, 1512
 3 916
 5 208, 610, 916
 11208, 610

Proposed Rules

1 1897
 2 1898
 5 2474
 6 2474

246 Pa. Code (Minor Court Civil Rules)

Proposed Rules

200 1900
 300 1900
 400 1900
 500 1900
 1200 1772

249 Pa. Code (Philadelphia Rules)

Unclassified 1514, 1648, 1998, 2477

252 Pa. Code (Allegheny County Rules)

Unclassified 2220, 2221

255 Pa. Code (Local Court Rules)

Unclassified 12, 13, 14, 214, 215, 216, 274, 380, 445, 446,
 453, 616, 619, 706, 707, 838, 917, 918, 919, 920, 1020,
 1021, 1022, 1360, 1515, 1517, 1653, 1774, 2221, 2226,
 2342, 2346, 2347, 2348, 2488, 2489, 2603, 2604, 2716,
 2717, 2718, 2912

THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY

Recent Actions during the 2019 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2019 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2019 General Acts of Regular Session Enacted—Act 004 through 005					
004	May 1	HB0264	PN0361	90 days*	Municipalities (53 Pa.C.S.)—money of authority
005	May 15	HB0279	PN1330	60 days	Judicial Code (42 Pa.C.S.)—rescue from motor vehicle

* denotes an effective date with exceptions

Effective Dates of Statutes

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

Advance Copies of Statutes

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

One-time purchases of the advance copies of statutes can be purchased through the State Bookstore's web site at www.shoppaheritage.com.

VINCENT C. DeLIBERATO, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 19-886. Filed for public inspection June 14, 2019, 9:00 a.m.]

THE COURTS

SUPREME COURT

Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 179 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 30th day of May, 2019, it is hereby Ordered that the financial institutions named on the following list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

595	Abacus Federal Savings Bank
2	ACNB Bank
613	Allegent Community Federal Credit Union
375	Altoona First Savings Bank
376	Ambler Savings Bank
532	AMERICAN BANK (PA)
615	Americhoice Federal Credit Union
116	AMERISERV FINANCIAL
648	Andover Bank (The)
377	Apollo Trust Company

Bank Code B.

558	Bancorp Bank (The)
485	Bank of America, NA
662	Bank of Bird in Hand
415	Bank of Landisburg (The)
642	BB & T Company
519	Beaver Valley Federal Credit Union
501	BELCO Community Credit Union
397	Beneficial Bank
652	Berkshire Bank
663	BHCU
5	BNY Mellon, NA
392	BRENTWOOD BANK
495	Brown Brothers Harriman Trust Co., NA
161	Bryn Mawr Trust Company (The)

Bank Code C.

654	CACL Federal Credit Union
618	Capital Bank, NA
16	CBT Bank, a division of Riverview Bank
136	Centric Bank
394	CFS BANK
623	Chemung Canal Trust Company
599	Citibank, NA
238	Citizens & Northern Bank
561	Citizens Bank, NA
206	Citizens Savings Bank
602	City National Bank of New Jersey
576	Clarion County Community Bank
660	Clarion FCU
591	Clearview Federal Credit Union
23	CNB Bank

354	Coatesville Savings Bank
223	Commercial Bank & Trust of PA
21	Community Bank (PA)
371	Community Bank, NA (NY)
132	Community State Bank of Orbisonia
647	CONGRESSIONAL BANK
380	County Savings Bank
617	Covenant Bank
536	Customers Bank

Bank Code D.

339	Dime Bank (The)
239	DNB First, NA
27	Dollar Bank, FSB

Bank Code E.

500	Elderton State Bank
567	Embassy Bank for the Lehigh Valley
541	ENTERPRISE BANK
28	Ephrata National Bank
601	Esquire Bank, NA
340	ESSA Bank & Trust

Bank Code F.

629	1st Colonial Community Bank
158	1st Summit Bank
31	F & M Trust Company—Chambersburg
658	Farmers National Bank of Canfield
205	Farmers National Bank of Emlenton (The)
34	Fidelity Deposit & Discount Bank (The)
343	FIDELITY SAVINGS & LOAN ASSOCIATION OF BUCKS COUNTY
583	Fifth Third Bank
661	First American Trust, FSB
643	First Bank
174	First Citizens Community Bank
191	First Columbia Bank & Trust Company
539	First Commonwealth Bank
504	First Federal S & L Association of Greene County
525	First Heritage Federal Credit Union
42	First Keystone Community Bank
51	First National Bank & Trust Company of Newtown (The)
48	First National Bank of Pennsylvania
426	First Northern Bank & Trust Company
604	First Priority Bank, a division of Mid Penn Bank
592	FIRST RESOURCE BANK
657	First United Bank & Trust
408	First United National Bank
151	Firstrust Savings Bank
416	Fleetwood Bank
175	FNCB Bank
291	Fox Chase Bank
241	Franklin Mint Federal Credit Union
639	Freedom Credit Union
58	FULTON BANK, NA

Bank Code G.

499	Gratz Bank (The)
498	Greenville Savings Bank

Bank Code H.

402 Halifax Branch, of Riverview Bank
 244 Hamlin Bank & Trust Company
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 655 Home Savings Bank
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
 350 HSBC Bank USA, NA
364 HUNTINGDON VALLEY BANK
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

365 InFirst Bank
 557 Investment Savings Bank
 526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe Neighborhood Bank
 488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

74 LAFAYETTE AMBASSADOR BANK
 554 Landmark Community Bank
 78 Luzerne Bank

Bank Code M.

361 M & T Bank
 386 Malvern Federal Savings Bank
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars Bank
 43 Marysville Branch, of Riverview Bank
 367 Mauch Chunk Trust Company
 619 MB Financial Bank, NA
 511 MCS (Mifflin County Savings) Bank
 641 Members 1st Federal Credit Union
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 610 Meridian Bank
 420 Meyersdale Branch, of Riverview Bank
294 MID PENN BANK
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank
 614 Monument Bank, a division of Citizens &
 Northern Bank
**596 MOREBANK, A DIVISION OF BANK OF
 PRINCETON (THE)**
484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433 National Bank of Malvern
 168 NBT Bank, NA
 347 Neffs National Bank (The)
434 NEW TRIPOLI BANK

15 NexTier Bank, NA
 636 Noah Bank
 638 Norristown Bell Credit Union
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 PARKE BANK
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 79 PNC Bank, NA
 449 Port Richmond Savings
 451 Progressive-Home Federal Savings & Loan
 Association
 637 Provident Bank
 456 Prudential Savings Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
 220 Republic First Bank d/b/a Republic Bank
 628 Riverview Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of
 Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of
 Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
 633 SSB Bank
518 STANDARD BANK, PASB
 542 Stonebridge Bank
 440 SunTrust Bank
122 SUSQUEHANNA COMMUNITY BANK

Bank Code T.

143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
182 TOMPKINS VIST BANK
 609 Tristate Capital Bank
 640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
 481 Union Building and Loan Savings Bank

634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Univest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119 WASHINGTON FINANCIAL BANK
 121 Wayne Bank
 631 Wells Fargo Bank, NA
 553 Wesbanco Bank, Inc.
 494 West View Savings Bank
 473 Westmoreland Federal S & L Association
 476 William Penn Bank
 272 Woodlands Bank
573 WOORI AMERICA BANK
 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.**

577 York Traditions Bank

Bank Code Z.**PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

IOLTA EXEMPTION

Exemptions are not automatic. If you believe you qualify, you must apply by sending a written request to the IOLTA Board's executive director: 601 Commonwealth Avenue, Suite 2400, P.O. Box 62445, Harrisburg, PA 17106-2445. If you have questions concerning IOLTA or exemptions from IOLTA, please visit their website at www.paiolta.org or call the IOLTA Board at (717) 238-2001 or (888) PAIOLTA.

**FINANCIAL INSTITUTIONS WHO HAVE FILED
 AGREEMENTS TO BE APPROVED AS A
 DEPOSITORY OF TRUST ACCOUNTS AND TO
 PROVIDE DISHONORED CHECK REPORTS IN
 ACCORDANCE WITH RULE 221, Pa.R.D.E.**

New

660 Clarion FCU
 661 First American Trust, FSB
 662 Bank of Bird in Hand
 663 BHCU

Name Change

561 Citizens Bank of PA—Change to Citizens Bank,
 NA
 46 First Community Bank of Mercersburg—
 Change to 94 Orrstown Bank
 614 Monument Bank—Change to Monument Bank,
 a division of Citizens & Northern Bank
 133 Union Community Bank—Change to 93
 Northwest Bank

Platinum Leader Change

2 ACNB Bank—Remove
 136 Centric Bank—Remove

*Correction**Removal*

[Pa.B. Doc. No. 19-887. Filed for public inspection June 14, 2019, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL**[231 PA. CODE CH. 1915]**

Order Amending Rules 1915.7 and 1915.10 of the Pennsylvania Rules of Civil Procedure; No. 697 Civil Procedural Rules Doc.

Order*Per Curiam*

And Now, this 3rd day of June, 2019, upon the recommendation of the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment in the *Pennsylvania Bulletin*, 48 Pa.B. 1813 (March 31, 2018) and republished in the *Pennsylvania Bulletin*, 48 Pa.B. 5843 (September 22, 2018):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1915.7 and 1915.10 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on October 1, 2019.

Annex A**TITLE 231. RULES OF CIVIL PROCEDURE****PART I. GENERAL****CHAPTER 1915. ACTIONS FOR CUSTODY OF
 MINOR CHILDREN****Rule 1915.7. Consent Order.**

[If an agreement for custody is reached and the parties desire a consent order to be entered, they shall note their agreement upon the record or shall submit to the court a proposed order bearing the written consent of the parties or their counsel.] If the parties have an agreement regarding custody and request that the court enter a consent order incorporating the agreement's terms:

(a) the parties shall submit to the court a proposed custody order bearing the parties' written consent; or

(b) the parties may state the agreement on the record, provided that:

(1) within ten days of placing the agreement on the record, the parties comply with subdivision (a); or

(2) the court memorializes the oral agreement from the record into a written custody order.

Official Note: See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

See Pa.R.C.P. No. 1915.10(b) regarding written custody order requirements.

Explanatory Comment—2019

The rule has been amended to ensure that when a custody agreement is orally placed on the record that a written custody order prepared by the parties memorializing the parties' agreement is timely submitted to the court or the court memorializes the oral agreement into a written custody order. The amendment avoids the untenable circumstance that the only written record of the parties' oral agreement is a transcription of what had been placed on the record. Transcription agreements are often cumbersome and difficult to discern as to the custody terms and provisions, which makes enforcement difficult. This amendment is consistent with the holding in *R.L.P. v. R.F.M.*, 110 A.3d 201 (Pa. Super. 2015).

Rule 1915.10. Decision. Order.

(a) The court may make the decision before the testimony has been transcribed. The court shall state the reasons for its decision [either] on the record in open court [,] or in a written opinion [, or in the] or order.

Official Note: See 23 Pa.C.S. § 5323(d).

(b) [The terms of the order shall be sufficiently specific to enforce the order. The court's decision shall include safety provisions designed to protect an endangered party or a child in any case in which the court has found that either is at risk of harm.] The court shall enter a custody order as a separate written order or in a separate section of a written opinion.

(1) The court's order shall state sufficiently specific terms to enforce the order.

(2) If the court has made a finding that a party or child is at risk of harm, the court's order shall include safety provisions for the endangered party's or child's protection.

(c) [Any custody order shall include notice of a party's obligations pursuant to 23 Pa.C.S. § 5337 dealing with a party's intention to relocate with a minor child.] A custody order shall include a notice outlining the parties' obligations under 23 Pa.C.S. § 5337, regarding a party's intention to relocate with a minor child.

Official Note: See 23 Pa.C.S. § 5323(c) and Pa.R.C.P. No. 1915.17.

(d) [No] A party may not file a motion for post-trial relief [may be filed] to an order of legal or physical custody.

[Explanatory Comment—2013

The custody statute, at 23 Pa.C.S. § 5323(d), requires the court to delineate the reasons for its decision on the record in open court or in a written opinion or order. Subdivision (b) further defines and reinforces the requirements found in 23 Pa.C.S.

§ 5323(e). Examples of safety provisions include, but are not limited to: supervised physical custody, supervised or neutral custody exchange location, neutral party presence at custody exchange, telephone or computer-facilitated contact with the child, no direct contact between the parties, third-party contact for cancellations, third-party transportation and designating secure, neutral location for a child's passport. The statute, at 23 Pa.C.S. § 5323, requires that any custody order must include notice of a party's obligations when there is a proposed relocation under 23 Pa.C.S. § 5337. Rule 1915.17 also addresses relocation.]

Explanatory Comment—2019

Subdivision (b) further defines and reinforces the requirements in 23 Pa.C.S. § 5323(e). Examples of safety provisions include, but are not limited to, supervised physical custody, a supervised or neutral custody exchange location, a neutral third-party present at custody exchanges, telephone or computer-facilitated contact with the child, no direct contact between the parties, third-party contact for cancellations, third-party transportation, and designating a secure, neutral location as repository for a child's passport.

Additionally, subdivision (b) requires a court to enter a custody order as a separate written order or in a separate section of a written opinion. The subdivision also addresses the practice of orally entering a custody order on the record without formalizing the custody order in writing. In such circumstances, the parties' only documentation of the custody order is a transcription of the oral record. In *R.L.P. v. R.F.M.*, 110 A.3d 201 (Pa. Super. 2015), the Superior Court held that "in order to be sufficiently specific to be enforced, an order of custody must be entered as a separate written order, or as a separate section of a written opinion." Id. at 206. Despite the Superior Court's decision, the practice of placing custody orders on the record without subsequently entering a written order has continued, which has been problematic for enforcement and understanding of the agreement's or order's terms.

[Pa.B. Doc. No. 19-888. Filed for public inspection June 14, 2019, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1920]

Order Amending Rules 1920.14, 1920.42, 1920.45, 1920.46, 1920.51, 1920.53, 1920.72, 1920.73 and 1920.74 of the Pennsylvania Rules of Civil Procedure; No. 698 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 3rd day of June, 2019, upon the recommendation of the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment in the *Pennsylvania Bulletin*, 46 Pa.B.

6113 (October 1, 2016), republished 47 Pa.B. 7424 (December 9, 2017), and republished 48 Pa.B. 1814 (March 31, 2018):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1920.14, 1920.42, 1920.45, 1920.46, 1920.51, 1920.53, 1920.72, 1920.73, and 1920.74 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on October 1, 2019.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

Rule 1920.14. Answer. Denial. Affidavit under Section 3301(d) of the Divorce Code.

(a) The averments in the complaint as to the divorce or annulment, [**all other claims which**] **ancillary claims that** may be joined under the Divorce Code, and [**any petition**] **petitions** for special relief under these rules shall be deemed denied unless admitted by an answer. Notwithstanding the foregoing, the court may require a response to a petition for special relief.

(b) The averments of the [**affidavit**] **Affidavit** under Section 3301(d) of the Divorce Code **and the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code** shall be deemed admitted unless denied by [**counteraffidavit**] **counter-affidavit**.

Official Note: See [**Rule 1920.72(d)**] **Pa.R.C.P. No. 1920.72(e)(2) and (3)** for the [**form of counteraffidavit**] **counter-affidavits**.

[Explanatory Comment—1994

Subdivision (b) requires that the averments of the plaintiff's affidavit under Section 3301(d) of the Divorce Code be denied by counteraffidavit. If the defendant fails to file a counteraffidavit, all allegations are deemed admitted.

Explanatory Comment—2007

Subdivision (a) has been amended to clarify that the averments in a petition for special relief in a divorce or annulment action are deemed to be denied unless admitted by an answer.]

Explanatory Comment

Subdivision (a) has been amended to clarify that the averments in a petition for special relief in a divorce or annulment action are deemed to be denied unless admitted by an answer.

Subdivision (b) has been amended to include divorces under Section 3301(c)(2) of the Divorce Code. The process for obtaining a divorce under Sections 3301(c)(2) and (d) are similar. Subdivision (b) requires that the averments in the affidavit be denied by counter-affidavit and, as such, if the non-moving party fails to file a counter-affidavit denying the averments in the Affidavit to Establish Presumption of Consent or the Affidavit under Section 3301(d) of the Divorce Code, the affidavit's averments are deemed admitted.

Rule 1920.42. [**Affidavit and Decree under § 3301(c) or § 3301(d)(1) of the Divorce Code. Notice of Intention to Request Entry of Divorce Decree in § 3301(c) and § 3301(d)(1)(i) Divorces. Counter-affidavit**] **Obtaining Divorce Decrees under Section 3301(c) or Section 3301(d) of the Divorce Code. Affidavits and Counter-Affidavits. Requirements of the Affidavit of Consent. Ancillary Claims. Orders Approving Grounds for Divorce. Notice of Intention to File the Praecepto to Transmit Record. Praecepto to Transmit Record.**

[(a) If a complaint has been filed requesting a divorce on the ground of irretrievable breakdown and

(1) both parties have filed an affidavit under § 3301(c) of the Divorce Code substantially in the form prescribed by Rule 1920.72(b), or

(2) either party has filed a § 3301(d) affidavit under § 3301(d) of the Divorce Code substantially in the form prescribed by Rule 1920.72(d) and has served it upon the other party along with a form counter-affidavit and the other party has admitted or failed to deny the averments of the § 3301(d) affidavit, the prothonotary on praecipe in the form prescribed by Rule 1920.73(b) shall transmit the record to the court, which shall review the record and enter the appropriate decree. No master shall be appointed.

(b) The affidavit required by § 3301(c) of the Divorce Code must have been executed

(1) ninety days or more after both filing and service of the complaint and

(2) within thirty days of the date the affidavit was filed.

(c) An affidavit of consent may be withdrawn only with leave of court.

(d)(1) Except as provided in (e), no decree shall be entered by the court under § 3301(c) or § 3301(d)(1)(i) of the Divorce Code unless a notice of intention to request entry of divorce decree, substantially in the form prescribed by Rule 1920.73(a), was mailed or delivered to the attorney of record of the party against whom the decree is to be entered or, if there is no attorney of record, to the party, along with a form counter-affidavit if none has been filed, at least twenty days prior to the date of the filing of the praecipe to transmit the record. A copy of the praecipe, which shall state the date and manner of service of the notice, shall be attached.

(2) The affidavit required under § 3301(d) of the Divorce Code shall be filed with the prothonotary and served upon the other party, along with a form counter-affidavit. The moving party must wait a minimum of 20 days after service of the § 3301(d) affidavit before serving the Notice of Intention to File Praecepto to Transmit the Record and another form counter-affidavit or filing the waiver of notice pursuant to Rule 1920.72(c).

(e) Notice of intention to request entry of divorce decree shall not be required prior to entry of a divorce decree

(1) where the parties have executed and filed with the prothonotary a waiver of notice substantially in the form set forth in Rule 1920.72(c); or

(2) under § 3301(d) where the court finds that no appearance has been entered on defendant's behalf and that defendant cannot be located after diligent search.

Official Note: This counter-affidavit will be filed only if the party against whom the decree is to be entered has not previously denied the allegations of the other party's affidavit or has not previously claimed economic relief by counterclaim or petition.]

(a) Obtaining a divorce decree under Section 3301(c)(1) of the Divorce Code.

(1) If a party has filed a complaint requesting a divorce on the ground of irretrievable breakdown, the court shall enter a decree in divorce after:

(i) proof of service of the complaint has been filed;

(ii) the parties have signed Affidavits of Consent 90 days or more after service of the complaint and have filed the affidavits within 30 days of signing, which may only be withdrawn by an order of court;

(iii) the ancillary claims under Pa.R.C.P. Nos. 1920.31 and 1920.33 have been withdrawn by the party raising the claims, have been resolved by agreement of the parties or order of court, have not been raised in the pleadings, or in the case of a bifurcated divorce, the court has retained jurisdiction of the ancillary claims;

(iv) the parties have signed and filed Waivers of Notice of Intention to File the Praecepte to Transmit Record or, alternatively, the party requesting the divorce decree has served on the other party a Notice of Intention to File the Praecepte to Transmit Record, which included a blank Counter-Affidavit under Section 3301(c)(1) and a copy of the proposed Praecepte to Transmit Record that indicated the date and manner of service of the Notice of Intention to File the Praecepte to Transmit Record; and

(v) the party requesting the divorce decree has completed and filed a Praecepte to Transmit Record. If the parties have not waived the Notice of Intention to File the Praecepte to Transmit Record, the moving party shall wait a minimum of 20 days after service of the Notice of Intention to File the Praecepte to Transmit Record before filing the Praecepte to Transmit Record.

Official Note: See Pa.R.C.P. No. 1920.72(b) for the Affidavit of Consent.

See Pa.R.C.P. No. 1920.73(a) for the Notice of Intention to File the Praecepte to Transmit Record.

See Pa.R.C.P. No. 1920.72(e)(1) for the Counter-Affidavit under Section 3301(c)(1) of the Divorce Code.

See Pa.R.C.P. No. 1920.73(b) for the Waiver of Notice of Intention to File the Praecepte to Transmit Record.

See Pa.R.C.P. No. 1920.73(c) for the Praecepte to Transmit Record.

(2) To the extent that grounds for divorce have been established under Section 3301(c)(1) of the Divorce Code as outlined in subdivision (a)(1)(ii) and the parties have been unable to resolve the ancillary claims, the court shall enter an order approving grounds for divorce after:

(i) the parties have signed and filed Waivers of Notice of Intention to File the Praecepte to Transmit Record or, alternatively, the party requesting the order approving grounds has served on the other party a Notice of Intention to File the Praecepte to Transmit Record, which included a blank Counter-Affidavit under Section 3301(c)(1) and a copy of the proposed Praecepte to Transmit Record that indicated the date and manner of service of the Notice of Intention to File the Praecepte to Transmit Record; and

(ii) the party requesting the order approving grounds has completed and filed a Praecepte to Transmit Record requesting the court enter an order approving grounds for divorce. If the parties have not waived the Notice of Intention to File the Praecepte to Transmit Record, the moving party shall wait a minimum of 20 days after service of the Notice of Intention to File the Praecepte to Transmit Record before filing the Praecepte to Transmit Record. If the court enters an order approving grounds for divorce, entry of the divorce decree shall be deferred until the ancillary claims have been resolved.

Official Note: See Pa.R.C.P. No. 1920.73(a) for the Notice of Intention to File the Praecepte to Transmit Record.

See Pa.R.C.P. No. 1920.73(b) for the Waiver of Notice of Intention to File the Praecepte to Transmit Record.

See Pa.R.C.P. No. 1920.73(c) for the Praecepte to Transmit Record.

(3) After the court enters an order approving grounds for divorce, a party may request, consistent with the judicial district's local rules and procedures, that the court either hears the ancillary claims or appoints a master to hear the ancillary claims as outlined in Pa.R.C.P. No. 1920.51.

Official Note: See Pa.R.C.P. No. 1920.74 for the Motion for Appointment of Master.

(4) If the parties resolve the ancillary claims by agreement after the court approves the grounds for the divorce but before the court enters an order disposing of the ancillary claims, the parties shall file a Praecepte to Transmit Record requesting the court enter the appropriate divorce decree. To the extent the agreement does not address all of the parties' claims raised in the pleadings, the party raising the outstanding claims shall withdraw the claims before the court enters a divorce decree.

(b) Obtaining a divorce decree under Section 3301(c)(2) of the Divorce Code.

(1) If a party has filed a complaint requesting a divorce on the ground of irretrievable breakdown and a party has been convicted of a personal injury crime against his or her spouse, the court shall enter a decree in divorce after:

(i) proof of service of the complaint has been filed;

(ii) the party who is the victim of the personal injury crime:

(A) has signed and filed an Affidavit of Consent consistent with subdivision (a)(1)(ii); and

(B) has signed and filed an Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of

the Divorce Code alleging his or her status as a victim of a personal injury crime and that his or her spouse has been convicted of that crime;

(iii) the filed affidavits and a blank Counter-Affidavit under Section 3301(c)(2) of the Divorce Code have been served on the other party consistent with Pa.R.C.P. No. 1930.4, and the other party has admitted or failed to deny the averments in the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code;

(A) If a party files a Counter-Affidavit under Section 3301(c)(2) of the Divorce Code denying an averment in the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code, either party may present a motion requesting the court resolve the issue.

(B) After presentation of the motion in subdivision (A), the court may hear the testimony or, consistent with Pa.R.C.P. No. 1920.51(a)(1)(ii)(D), appoint a master to hear the testimony and to issue a report and recommendation.

Official Note: This subdivision requires service of the counter-affidavit on the non-moving party consistent with original process since the averments in the moving party's Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code are deemed admitted unless denied. See Pa.R.C.P. No. 1930.4 for service of original process and Pa.R.C.P. No. 1920.14(b) regarding failure to deny averments in the affidavit.

(iv) the ancillary claims under Pa.R.C.P. Nos. 1920.31 and 1920.33 have been withdrawn by the party raising the claims, have been resolved by agreement of the parties or order of court, have not been raised in the pleadings, or in the case of a bifurcated divorce, the court has retained jurisdiction of the ancillary claims;

(v) a minimum of 20 days from the date of service of the affidavits and blank Counter-Affidavit under Section 3301(c)(2) as set forth in (b)(1)(iii), the party requesting the divorce decree has served on the other party a Notice of Intention to File the Praeceptum to Transmit Record, which included a copy of the proposed Praeceptum to Transmit Record that indicated the date and manner of service of the Notice of Intention to File the Praeceptum to Transmit Record, except that service of such Notice of Intention is not required if:

(A) the parties have signed and filed Waivers of Notice of Intention to File the Praeceptum to Transmit Record; or

(B) the court finds that an attorney has not entered an appearance on the defendant's behalf and that the defendant cannot be located after a diligent search; and

(vi) the party requesting the divorce decree has completed and filed a Praeceptum to Transmit Record. If the parties have not waived the Notice of Intention to File the Praeceptum to Transmit Record, the moving party shall wait a minimum of 20 days after service of the Notice of Intention to File the Praeceptum to Transmit Record before filing the Praeceptum to Transmit Record.

Official Note: See Pa.R.C.P. No. 1920.72(b) for the Affidavit of Consent.

See Pa.R.C.P. No. 1920.72(c) for the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code.

See Pa.R.C.P. No. 1920.72(e)(2) for the Counter-Affidavit under Section 3301(c)(2) of the Divorce Code.

See Pa.R.C.P. No. 1920.73(a) for the Notice of Intention to File the Praeceptum to Transmit Record.

See Pa.R.C.P. No. 1920.73(b) for the Waiver of Notice of Intention to File the Praeceptum to Transmit Record.

See Pa.R.C.P. No. 1920.73(c) for the Praeceptum to Transmit Record.

(2) To the extent that grounds for divorce have been established under Section 3301(c)(2) of the Divorce Code as outlined in subdivision (b)(1)(ii)-(iii) and the parties have been unable to resolve the ancillary claims, the court shall enter an order approving grounds for divorce after:

(i) a minimum of 20 days from the date of service of the affidavits and blank Counter-Affidavit under Section 3301(c)(2) of the Divorce Code as set forth in (b)(1)(iii), the party requesting the order approving grounds has served on the other party a Notice of Intention to File the Praeceptum to Transmit Record, which included a copy of the proposed Praeceptum to Transmit Record that indicated the date and manner of service of the Notice of Intention to File the Praeceptum to Transmit Record, except that service of such Notice of Intention is not required if:

(A) the parties have signed and filed Waivers of Notice of Intention to File the Praeceptum to Transmit Record; or

(B) the court finds that an attorney has not entered an appearance on the defendant's behalf and that the defendant cannot be located after a diligent search; and

(ii) the party requesting the order approving grounds has completed and filed a Praeceptum to Transmit Record requesting the court enter an order approving grounds for divorce. If the parties have not waived the Notice of Intention to File the Praeceptum to Transmit Record, the moving party shall wait a minimum of 20 days after service of the Notice of Intention to File the Praeceptum to Transmit Record before filing the Praeceptum to Transmit Record. If the court enters an order approving grounds for divorce, entry of the divorce decree shall be deferred until the ancillary claims have been resolved.

Official Note: See Pa.R.C.P. No. 1920.73(a) for the Notice of Intention to File the Praeceptum to Transmit Record.

See Pa.R.C.P. No. 1920.73(b) for the Waiver of Notice of Intention to File the Praeceptum to Transmit Record.

See Pa.R.C.P. No. 1920.73(c) for the Praeceptum to Transmit Record.

(3) After the court enters an order approving grounds for divorce, a party may request, consistent with the judicial district's local rules and procedures, that the court either hears the ancillary claims or appoints a master to hear the ancillary claims as outlined in Pa.R.C.P. No. 1920.51.

Official Note: See Pa.R.C.P. No. 1920.74 for the Motion for Appointment of Master.

(4) If the parties resolve the ancillary claims by agreement after the court approves the grounds for the divorce but before the court enters an order disposing of the ancillary claims, the parties shall file a Praeceptum to Transmit Record requesting the court enter the appropriate divorce decree. To the extent the agreement does not address all of the parties' claims raised in the pleadings, the party raising the outstanding claims shall withdraw the claims before the court enters a divorce decree.

(c) Obtaining a divorce decree under Section 3301(d) of the Divorce Code.

(1) If a party has filed a complaint requesting a divorce on the ground of irretrievable breakdown and the requisite separation period has elapsed, the court shall enter a decree in divorce after:

(i) proof of service of the complaint has been filed;

(ii) a party has signed and filed an Affidavit under Section 3301(d) of the Divorce Code averring that the marriage is irretrievably broken and that the parties have been separate and apart for the required separation period;

(iii) the filed affidavit and a blank Counter-Affidavit under Section 3301(d) of the Divorce Code have been served on the other party consistent with Pa.R.C.P. No. 1930.4, and the other party has admitted or failed to deny the averments in the Affidavit under Section 3301(d) of the Divorce Code;

(A) If a party files a Counter-Affidavit under Section 3301(d) of the Divorce Code denying an averment in the Affidavit under Section 3301(d) of the Divorce Code, including the date of separation, either party may present a motion requesting the court resolve the issue.

(B) After presentation of the motion in subdivision (A), the court may hear the testimony or, consistent with Pa.R.C.P. No. 1920.51(a)(1)(ii)(D), appoint a master to hear the testimony and to issue a report and recommendation.

Official Note: This subdivision requires service of the counter-affidavit on the non-moving party consistent with original process since the averments in the moving party's Affidavit under § 3301(d) of the Divorce Code are deemed admitted unless denied. See Pa.R.C.P. No. 1930.4 for service of original process and Pa.R.C.P. No. 1920.14(b) regarding failure to deny averments in the affidavit.

(iv) the ancillary claims under Pa.R.C.P. Nos. 1920.31 and 1920.33 have been withdrawn by the party raising the claims, have been resolved by agreement of the parties or order of court, have not been raised in the pleadings, or in the case of a bifurcated divorce, the court has retained jurisdiction of the ancillary claims;

(v) a minimum of 20 days from the date of service of the affidavit and blank Counter-Affidavit under Section 3301(d) of the Divorce Code as set forth in (c)(1)(iii), the party requesting the divorce decree has served on the other party a Notice of Intention to File the Praeceptum to Transmit Record, which included a copy of the proposed Praeceptum to Trans-

mit Record that indicated the date and manner of service of the Notice of Intention to File the Praeceptum to Transmit Record, except that service of such Notice of Intention is not required if:

(A) the parties have signed and filed Waivers of Notice of Intention to File the Praeceptum to Transmit Record; or

(B) the court finds that an attorney has not entered an appearance on the defendant's behalf and that the defendant cannot be located after a diligent search; and

(vi) the party requesting the divorce decree has completed and filed a Praeceptum to Transmit Record. If the parties have not waived the Notice of Intention to File the Praeceptum to Transmit Record, the moving party shall wait a minimum of 20 days after service of the Notice of Intention to File the Praeceptum to Transmit Record before filing the Praeceptum to Transmit Record.

Official Note: See Pa.R.C.P. No. 1920.72(d) for the Affidavit under Section 3301(d) of the Divorce Code.

See Pa.R.C.P. No. 1920.72(e)(3) for the Counter-Affidavit under Section 3301(d) of the Divorce Code.

See Pa.R.C.P. No. 1920.73(a) for the Notice of Intention to File the Praeceptum to Transmit Record.

See Pa.R.C.P. No. 1920.73(b) for the Waiver of Notice of Intention to File the Praeceptum to Transmit Record.

See Pa.R.C.P. No. 1920.73(c) for the Praeceptum to Transmit Record.

(2) To the extent that grounds for divorce have been established under Section 3301(d) of the Divorce Code as outlined in subdivision (c)(1)(ii)-(iii) and the parties have been unable to resolve the ancillary claims, the court shall enter an order approving grounds for divorce after:

(i) a minimum of 20 days from the date of service of the affidavit and blank Counter-Affidavit under Section 3301(d) of the Divorce Code as set forth in (c)(1)(iii), the party requesting the order approving grounds has served on the other party a Notice of Intention to File the Praeceptum to Transmit Record, which included a copy of the proposed Praeceptum to Transmit Record that indicated the date and manner of service of the Notice of Intention to File the Praeceptum to Transmit Record, except that service of such Notice of Intention is not required if:

(A) the parties have signed and filed Waivers of Notice of Intention to File the Praeceptum to Transmit Record; or

(B) the court finds that an attorney has not entered an appearance on the defendant's behalf and that the defendant cannot be located after a diligent search; and

(ii) the party requesting the order approving grounds has completed and filed a Praeceptum to Transmit Record requesting the court enter an order approving grounds for divorce. If the parties have not waived the Notice of Intention to File the Praeceptum to Transmit Record, the moving party shall wait a minimum of 20 days after service of the Notice of Intention to File the Praeceptum to Transmit Record before filing the Praeceptum to Transmit Re-

cord. If the court enters an order approving grounds for divorce, entry of the divorce decree shall be deferred until the ancillary claims have been resolved.

Official Note: See Pa.R.C.P. No. 1920.73(a) for the Notice of Intention to File the Praecepto to Transmit Record.

See Pa.R.C.P. No. 1920.73(b) for the Waiver of Notice of Intention to File the Praecepto to Transmit Record.

See Pa.R.C.P. No. 1920.73(c) for the Praecepto to Transmit Record.

(3) After the court enters an order approving grounds for divorce, a party may request, consistent with the judicial district's local rules and procedures, that the court either hears the ancillary claims or appoints a master to hear the ancillary claims as outlined in Pa.R.C.P. No. 1920.51.

Official Note: See Pa.R.C.P. No. 1920.74 for the Motion for Appointment of Master.

(4) If the parties resolve the ancillary claims by agreement after the court approves the grounds for the divorce but before the court enters an order disposing of the ancillary claims, the parties shall file a Praecepto to Transmit Record requesting the court enter the appropriate divorce decree. To the extent the agreement does not address all of the parties' claims raised in the pleadings, the party raising the outstanding claims shall withdraw the claims before the court enters a divorce decree.

Explanatory Comment—2019

On April 21, 2016, Act 24 of 2016 (Act of Apr. 21, 2016, P.L. 166, No. 24) amended the Divorce Code by adding 23 Pa.C.S. § 3301(c)(2). Section 3301(c)(2) creates a presumption of consent to a divorce if a party is the victim of a personal injury crime committed by his or her spouse, as outlined in 23 Pa.C.S. § 3103. The Act amended other correlative statutes in the Divorce Code, as well. To effectively incorporate procedures for the newly enacted Section 3301(c)(2) into the Rules of Civil Procedure, Pa.R.C.P. No. 1920.42 was rescinded and replaced.

In implementing Section 3301(c)(2), the rule utilizes an affidavit/counter-affidavit procedure similar to a Section 3301(d) divorce, which served as a template for the new procedure. The process for establishing the presumption of consent in Section 3301(c)(2) requires the party to aver in an affidavit that he or she had been the victim of a personal injury crime and that his or her spouse had been convicted of that personal injury crime. In response, the allegedly convicted spouse may oppose the establishment of the presumption by completing and filing a counter-affidavit. If the allegedly convicted spouse opposes the establishment of the presumption, the court may either schedule a hearing on the establishment of the presumption or appoint a master to do so. As part of the revised divorce procedures, amended Pa.R.C.P. No. 1920.51(a)(1) permits the appointment of a master for a determination of the presumption under Section 3301(c)(2). To effectuate the new procedures for Section 3301(c)(2) divorces, several additional forms, including an Affidavit to Establish Presumption of Consent and a Counter-Affidavit under Sec-

tion 3301(c)(2), have been added to the rules. See Pa.R.C.P. No. 1920.72(c) and (e)(2).

In addition to the changes to the rule related to 23 Pa.C.S. § 3301(c)(2), the rule has been further revised to provide a uniform practice across the Commonwealth for establishing a definitive point when the parties can move the court for resolution of any ancillary claims. As the court cannot resolve the ancillary claims until grounds for divorce have been established, Pa.R.C.P. No. 1920.42 includes procedures for obtaining approval of grounds for divorce in cases in which the parties have unresolved ancillary claims. This process requires that the parties obtain a court order approving grounds for divorce before seeking the appointment of a divorce master or requesting the court hear the ancillary claims raised in the pleadings. Forms have been correlatively amended or retitled to reflect this new procedure. The Waiver of Notice of Intention has been moved from Pa.R.C.P. No. 1920.72 to Pa.R.C.P. No. 1920.73.

As a result of these changes, Pa.R.C.P. No. 1920.42 specifically outlines the process for obtaining a decree for Section 3301(c)(1), Section 3301(c)(2), and Section 3301(d) divorces. Although the rule's length has expanded extensively, the detailed procedure alleviates confusion on when and how to obtain a divorce decree and further assists unrepresented parties to maneuver through a complicated procedure.

Rule 1920.45. Counseling.

(a) [When counseling is provided for in the Divorce Code] If the Divorce Code provides for counseling, the parties shall be notified of the availability of counseling as prescribed [by Rules] in Pa.R.C.P. Nos. 1920.12(a)(8) and 1920.71.

Official Note: See Section 3302 of the Divorce Code for the divorce actions in which the parties may request counseling, but note the counseling exceptions in Section 3302(g).

(b) [The court shall maintain and make available to all parties in the prothonotary's office a list of qualified professionals who provide counseling services.] The court shall maintain in the prothonotary's office a list of qualified professionals that provide counseling services, which shall be available to the parties upon request.

Official Note: Section 3103 of the Divorce Code defines the term "qualified professionals."

[(c)(1) When the ground for divorce is under Section 3301(c) of the Divorce Code and counseling is requested by either party, the counseling must be completed within ninety days after filing the complaint.

Official Note: See Section 3302(b) of the Divorce Code providing for the ninety-day period.

(2) When the ground for divorce is under Section 3301(d) of the Divorce Code and the court orders counseling, it must be completed within one hundred twenty days unless the parties agree to a longer period.]

(c) If the ground for divorce is under:

(1) Section 3301(c) of the Divorce Code and the court orders counseling as requested by a party, the parties must complete counseling within 90 days of the divorce complaint's filing; or

(2) Section 3301(d) of the Divorce Code and a court orders counseling, the parties must complete counseling within 120 days, unless the parties agree to a longer period.

Official Note: See Section 3301(d)(2) of the Divorce Code providing for a period "not less than 90 days nor more than 120 days. . ."

(d) If the **court has referred a divorce** action [**for divorce has been referred**] to a master and [**there is a request for**] a party requests counseling pursuant to the Divorce Code, [**the master,**] without leave of court, **the master** may require counseling and continue the hearing pending the counselor's report.

[**Official Note:** See Section 3302 of the Divorce Code for the instances in which counseling may be requested or required.]

Rule 1920.46. Affidavit of Non-Military Service.

If the defendant fails to appear in the action, the plaintiff shall file an affidavit regarding military service with the motion for appointment of a master, prior to a trial by the court, or with the plaintiff's affidavit required by [**Rule 1920.42(a)(2)**] **Pa.R.C.P. No. 1920.42(b)(1)(ii) and (c)(1)(ii).**

Official Note: The Servicemembers Civil Relief Act, [**50 App. U.S.C.A. § 521**] **50 U.S.C. §§ 3901—4043**, requires that in cases in which the defendant does not make an appearance, the plaintiff must file an affidavit of [**nonmilitary**] **non-military** service before the court may enter judgment. If the defendant is in the military service and an attorney has not entered an appearance on behalf of the defendant, [**no**] a judgment [**may**] **shall not** be entered until the court appoints an attorney to represent the defendant and protect his or her interest.

[**Rule 1920.42(a)(2) governs an action**] **Actions** for divorce under [**section 3301(d)(1)(i)**] **Section 3301(c)(2) and (d)(1)(i)** of the Divorce Code **are governed by Pa.R.C.P. No. 1920.42(b) and (c), respectively.**

* * * * *

Rule 1920.51. Hearing by the Court. Appointment of Master. Notice of Hearing.

[(a)(1)nThe court may hear the testimony or, upon motion of a party or of the court, the court may appoint a master to hear the actions and ancillary claims specified in subdivision (a)(2)(i) and issue a report and recommendation. The order of appointment shall specify the actions and ancillary claims that are referred to the master.

(2)(i) The court may appoint a master in an action of divorce under Section 3301(a), (b), and (d)(1)(ii) of the Divorce Code, an action for annulment, and the ancillary claims for alimony, equitable division of marital property, partial custody, counsel fees, and costs and expenses, or any aspect of those actions or claims.

(ii) If there are no claims other than divorce, no master may be appointed to determine grounds for divorce if either party has asserted grounds for divorce pursuant to § 3301(c) or § 3301(d)(1)(i) of the Divorce Code. A master may be appointed to hear ancillary economic claims in a divorce action pursuant to § 3301(c) or § 3301(d) of the Divorce Code. The master may be appointed to hear ancillary economic claims prior to the entry of a divorce decree if grounds for divorce have been established.

(iii) No master may be appointed in a claim for legal, physical or shared custody or paternity.

Official Note: Section 3321 of the Divorce Code, 23 Pa.C.S. § 3321, prohibits the appointment of a master as to the claims of custody and paternity.

(3) The motion for the appointment of a master and the order shall be substantially in the form prescribed by Rule 1920.74.

(4) A permanent or standing master employed by, or under contract with, a judicial district or appointed by the court shall not practice family law before a conference officer, hearing officer, permanent or standing master, or judge of the same judicial district.

Official Note: Hearing conference officers preside at office conferences under Rule 1910.11. Hearing officers preside at hearings under Rule 1910.12. The appointment of masters to hear actions in divorce or for annulment of marriage is authorized by Rule 1920.51.]

(a) In an action of divorce or annulment:

(1) the court may:

(i) hear the testimony; or

(ii) upon motion of a party or of the court, appoint a master:

(A) before entry of the divorce decree to hear the testimony for the ancillary claims of alimony, equitable division of marital property, partial physical custody, supervised physical custody, counsel fees, and costs and expenses, which are raised in the pleadings, and to issue a report and recommendation, provided that grounds for divorce under Sections 3301(c) or 3301(d) of the Divorce Code have been established and approved by the court as outlined in Pa.R.C.P. No. 1920.42;

(B) before approving grounds for divorce under Sections 3301(c) or 3301(d) of the Divorce Code for the limited purpose of assisting the parties and the court on issues of discovery or settlement;

(C) to hear the testimony for establishing grounds for divorce under Sections 3301(a) or 3301(b) of the Divorce Code or annulment and the ancillary claims, which are raised in the pleadings, and to issue a report and recommendation; or

(D) after a party files a counter-affidavit denying the averments in the affidavit in an action under Section 3301(c)(2) or 3301(d) of the Divorce Code, including the date of separation, to hear the testimony and to issue a report and recommendation.

(2) the court shall not appoint a master:

(i) to approve grounds for divorce under Sections 3301(c) or 3301(d) of the Divorce Code; or

Official Note: See Pa.R.C.P. No. 1920.42 for approving grounds for divorce under Sections 3301(c) and 3301(d) of the Divorce Code.

(ii) for the claims of legal custody, sole physical custody, primary physical custody, shared physical custody, or paternity.

Official Note: Section 3321 of the Divorce Code prohibits the appointment of a master as to the claims of custody and paternity. However, as set forth in Pa.R.C.P. No. 1920.91(3), the Supreme Court of Pennsylvania suspended Section 3321 insofar as that section prohibits the appointment of masters in partial physical custody cases.

(3) The Motion for the Appointment of a Master and the order shall be substantially in the form prescribed by Pa.R.C.P. No. 1920.74. The order appointing the master shall specify the issues or ancillary claims that are referred to the master.

(4) A permanent or standing master employed by or under contract with a judicial district or appointed by the court shall not practice family law before a conference officer, hearing officer, permanent or standing master, or judge of the same judicial district.

Official Note: Conference officers preside at office conferences under Pa.R.C.P. No. 1910.11. Hearing officers preside at hearings under Pa.R.C.P. No. 1910.12. The appointment of master to hear actions in divorce or annulment is authorized by Section 3321 of the Divorce Code.

* * * * *

Explanatory Comment—2010

The rule is amended to clarify the role of the master in a divorce case when either party has asserted grounds for divorce pursuant to § 3301(c) or § 3301(d) of the Divorce Code. The rule had been interpreted in some jurisdictions as requiring the entry of a bifurcated decree before a master could be appointed to hear economic claims.

Explanatory Comment—2019

Subdivision (a)(1)(ii)(A) provides for the appointment of a master to hear, *inter alia*, partial physical custody cases. The authority for a master to hear partial physical custody cases is 23 Pa.C.S. § 3321, which the Supreme Court of Pennsylvania suspended in part to allow masters to hear partial physical custody cases. However, this rule should not be construed to require a court to appoint masters in partial physical custody or supervised physical custody cases. Nor should the rule be construed as inconsistent with Pa.R.C.P. Nos. 1915.4-1, 1915.4-2, or 1915.4-3 that provide for conference officers and hearing officers in custody cases.

Rule 1920.53. Hearing by Master. Report.

In an action for divorce or annulment [which] that has been referred to a master, the master's report and recommendation shall include findings of fact, conclusions of law, and a recommended disposition of the case or issue.

(a) The findings of fact shall include, **as appropriate for the circumstances and issues before the master:**

(1) the method and date of service of process[.];

(2) the manner and date of service of the notice of the master's hearing or the master's efforts to notify the [defendant.] parties;

(3) the date and place of marriage[.];

(4) information relating to any prior marriage of [either party] the parties and proof of dissolution of such prior marriage[.];

(5) the residences of the parties at the time of the marriage and subsequent thereto, the actual length of time the parties have resided in the Commonwealth, and whether the residence requirement of Section 3104(b) of the Divorce Code has been met[.];

(6) the age and occupation of [each party.] the parties;

(7) the [name] initials and age of [each child] the children of the parties, if any, and with whom [each resides.] the children reside;

(8) the grounds upon which the action is based[.];

(9) defenses to the action, if any[, and];

(10) whether the court should grant or deny the divorce [should be granted], annulment, or other relief on the basis of the complaint [or], the counterclaim, if filed[.], or a motion requesting relief; and

(11) other relevant facts related to the appointment.

(b) The conclusions of law shall include a discussion of the law as it relates to the facts, as well as the legal conclusions reached by the master.

(c) [The report shall include the master's recommendation that the divorce or annulment be granted or denied.] If a divorce or an annulment is recommended, the master shall attach a proposed decree to the report and recommendation.

Rule 1920.72. Form of Complaint. [Affidavit] Affidavits under [§] Section 3301(c) or [§] Section 3301(d) of the Divorce Code. [Counter-affidavit] Counter-Affidavits. [Waiver of Notice of Intention to Request Decree under § 3301(c) and § 3301(d).]

(a) The complaint in an action of divorce under [§] Section 3301(c) or [§] Section 3301(d) shall begin with the Notice to Defend and Claim Rights required by [Rule] Pa.R.C.P. No. 1920.71 and shall be substantially in the following form:

* * * * *

(b) The [affidavit of consent] Affidavit of Consent required by [§] Section 3301(c) of the Divorce Code and [Rule 1920.42(a)(1)] Pa.R.C.P. No. 1920.42(a)(1)(ii) or (b)(1)(ii) shall be substantially in the following form:

(Caption)

AFFIDAVIT OF CONSENT

1. A Complaint in divorce under [§] **Section** 3301(c) of the Divorce Code was filed on _____ (Date)
and served on the defendant on _____
 (Date)

2. The marriage of plaintiff and defendant is irretrievably broken and [**ninety**] **90** days have elapsed from the date of filing and service of the Complaint.

3. I consent to the entry of a final decree of divorce after service of [**notice of intention to request entry of the decree**] **the Notice of Intention to File Praecipe to Transmit Record.**

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
 [(Plaintiff)/(Defendant)] **(PLAINTIFF) (DEFENDANT)**

[(c) **The waiver permitted by Rule 1920.42(e) shall be in substantially the following form:**

(Caption)

**Waiver of Notice of Intention to Request
 Entry of a Divorce Decree under
 § 3301(c) and § 3301(d) of the Divorce Code**

1. I consent to the entry of a final decree of divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer’s fees or expenses if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed with the prothonotary.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
 (PLAINTIFF) (DEFENDANT)]

(c) The Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code and required by Pa.R.C.P. No. 1920.42(b)(1)(ii)(B) shall be substantially in the following form:

(Editor’s Note: The following is an entirely new form and is printed in regular text to enhance readability.)

(Caption)

NOTICE

If you wish to deny any of the statements set forth in this affidavit, you must file a counter-affidavit within 20 days after this affidavit has been served on you or the statements will be admitted.

**AFFIDAVIT TO ESTABLISH PRESUMPTION OF CONSENT
 UNDER SECTION 3301(c)(2) OF THE DIVORCE CODE**

1. I am the victim of a personal injury crime as defined in 23 Pa.C.S. § 3103.
2. My spouse was convicted of the crime averred in Paragraph 1 on insert date in the Court of Common Pleas of insert county name County. The docket number(s) is/are insert docket number.

3. The personal injury crime(s) for which my spouse was convicted:

Check all that apply:

- 18 Pa.C.S. Ch. 25 (relating to criminal homicide)
- 18 Pa.C.S. Ch. 27 (relating to assault)
- 18 Pa.C.S. Ch. 29 (relating to kidnapping)
- 18 Pa.C.S. Ch. 30 (relating to human trafficking)
- 18 Pa.C.S. Ch. 31 (relating to sexual offenses)
- 18 Pa.C.S. § 3301 (relating to arson and related offenses)
- 18 Pa.C.S. Ch. 37 (relating to robbery)
- 18 Pa.C.S. Ch. 49 Subch. B (relating to victim and witness intimidation)
- 75 Pa.C.S. § 3732 (relating to homicide by vehicle)
- 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury)

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date _____ (PLAINTIFF) (DEFENDANT)

(d) The [**affidavit required by §**] **Affidavit under Section 3301(d)** of the Divorce Code [**and**] **required by Pa.R.C.P. No. [1920.42(a)(2)] 1920.42(c)(1)(ii)** shall be substantially in the following form:

(Caption)

NOTICE

If you wish to deny any of the statements [**set forth**] **outlined** in this affidavit, you must file a counter-affidavit within 20 days after this affidavit has been served on you or the statements will be admitted.

**AFFIDAVIT UNDER SECTION 3301(d)
OF THE DIVORCE CODE**

1. The parties to this action separated on _____ insert date _____.

2. Check (a) or (b):

(a) The date of separation was prior to December 5, 2016, and the parties have continued to live separate and apart for a period of at least two years.

(b) The date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least one year.

3. The marriage is irretrievably broken.

4. I understand that I may lose rights concerning alimony, division of property, lawyer's fees [**or**], **costs and expenses, or other important rights** if I do not claim them before a divorce is granted.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____ (PLAINTIFF) (DEFENDANT)

(e) **Counter-Affidavits.**

(1) The [**counter-affidavit prescribed**] **Counter-Affidavit under Section 3301(c)(1) of the Divorce Code required** by Pa.R.C.P. No. [**1920.42(d)(2) for a divorce under § 3301(c)] 1920.42(a)(1)(iv) and (a)(2)(i)** shall be substantially in the following form:

(Caption)

COUNTER-AFFIDAVIT UNDER [§ 3301(c)] SECTION 3301(c)(1) OF THE DIVORCE CODE

I wish to claim economic relief, which may include alimony, division of property, lawyer's fees [**or**], **costs and expenses, or other important rights.**

[**I understand that I must file my economic claims with the prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.]**

I UNDERSTAND THAT I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I MAY BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: _____ (PLAINTIFF) (DEFENDANT)

NOTICE: IF YOU DO NOT WISH TO CLAIM ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

(2) The Counter-Affidavit under Section 3301(c)(2) of the Divorce Code required by Pa.R.C.P. No. 1920.42(b)(1)(iii) and (b)(2)(i) shall be substantially in the following form:

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

(Caption)

**COUNTER-AFFIDAVIT
UNDER SECTION 3301(c)(2) OF THE DIVORCE CODE**

1. Check either (a) or (b):

- (a) I do not oppose the entry of a divorce decree.
 (b) I oppose the entry of a divorce decree because:

(Check (i), (ii), or both)

- (i) I have not been convicted of a personal injury crime as defined in 23 Pa.C.S. § 3103.
 (ii) My spouse was not the victim of a personal injury crime for which I have been convicted.

2. Check (a), (b), or (c):

(a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.

(b) I wish to claim economic relief, which may include alimony, division of property, lawyer's fees, costs and expenses, or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING 2(b), I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I MAY BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

- (c) Economic claims have been raised and are not resolved.

I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: _____

(PLAINTIFF) (DEFENDANT)

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

[(2)] (3) The [counter-affidavit prescribed by §] Counter-Affidavit under Section 3301(d) of the Divorce Code [and] required by Pa.R.C.P. No. [1920.42(d)(2)] 1920.42(c)(1)(iii) and (c)(2)(i) shall be substantially in the following form:

(Caption)

COUNTER-AFFIDAVIT UNDER [§] SECTION 3301(d) OF THE DIVORCE CODE

1. Check either (a) or (b):

- (a) I do not oppose the entry of a divorce decree.
 (b) I oppose the entry of a divorce decree because:

Check (i), (ii), (iii) or all:

- (i) The parties to this action have not lived separate and apart for the required separation period: two years for parties that separated prior to December 5, 2016, and one year for parties that separated on or after December 5, 2016.
 (ii) The marriage is not irretrievably broken.
 (iii) There are economic claims pending.

(2) Check (a), (b) or (c):

(a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees [or], **costs and expenses, or other important rights** if I do not claim them before a divorce is granted.

(b) I wish to claim economic relief, which may include alimony, division of property, lawyer's fees [or], **costs and expenses, or other important rights**.

I UNDERSTAND THAT IN ADDITION TO CHECKING [(b) ABOVE] (2)(b), I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS [WITH THE PROTHONOTARY] IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO [REQUEST DIVORCE DECREE] **FILE THE PRAECIPE TO TRANSMIT RECORD, THE DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE** MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I [SHALL] **MAY** BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

(c) Economic claims have been raised and are not resolved.

I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

(PLAINTIFF) (DEFENDANT)

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE OR ORDER APPROVING GROUNDS FOR DIVORCE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

Rule 1920.73. Notice of Intention to [**Request Entry of Divorce Decree**] **File Praecipe to Transmit Record. Waiver of Notice of Intention to File Praecipe to Transmit Record.** Praecipe to Transmit Record. [**Forms.**]

(a) Notice of Intention to File the Praecipe to Transmit Record.

(1) [**The notice of the intention to request entry of divorce decree prescribed by Rule 1920.42(d)**] **if there is an attorney of record, the Notice of Intention to File the Praecipe to Transmit Record required by Pa.R.C.P. No. 1920.42(a)(1)(iv), (a)(2)(i), (b)(1)(v), (b)(2)(i), (c)(1)(v), and (c)(2)(i), shall be substantially in the following form [if there is an attorney of record]:**

(Caption)
[**NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE**]
NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD

TO: _____
(PLAINTIFF/DEFENDANT)

_____ (PLAINTIFF/DEFENDANT) intends to file with the court the attached Praecipe to Transmit Record on or after _____, 20_____ requesting that [**a final decree in divorce be entered**] **the court enter a final decree in divorce or an order approving grounds for divorce as indicated on the proposed Praecipe to Transmit Record.**

Attorney for (PLAINTIFF/DEFENDANT)

(2) **If there is no attorney of record:**

(i) The [**notice of the intention to request entry of a § 3301(c) divorce decree prescribed by Rule 1920.42(d)**] **Notice of Intention to File the Praecipe to Transmit Record required by Pa.R.C.P. No. 1920.42(a)(1)(iv) and (a)(2)(i)** shall be substantially in the following form [**if there is no attorney of record**]:

(Caption)
[**NOTICE OF INTENTION TO REQUEST ENTRY OF § 3301(c) DIVORCE DECREE**]
NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD UNDER SECTION 3301(c)(1) OF THE DIVORCE CODE

TO: _____
(PLAINTIFF/DEFENDANT)

You have signed [**a § 3301(c) affidavit**] **an Affidavit of Consent under Section 3301(c) of the Divorce Code** consenting to the entry of a divorce decree. Therefore, on or after _____, 20_____, the other party can request the court to enter a final decree in divorce **or, if there are unresolved ancillary claims, an order approving grounds for divorce as indicated on the proposed Praecipe to Transmit Record, which is attached.**

Unless you have already filed with the court a written claim for economic relief, you must do so by the date in the paragraph above, or the court may grant the divorce **or, if there are unresolved ancillary claims, an order approving grounds for divorce** and you [**will**] **may** lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

(Name)

(Address)

(Telephone Number)

Official Note: The above lines are to be completed with the name, address, and telephone number of the officer, organization, agency, or person designated by the court in accordance with [Rule] Pa.R.C.P. No. 1018.1(c).

The date to be inserted in the first paragraph of the notice must be at least [twenty] 20 days after the date on which the notice was mailed or delivered.

(ii) The [notice of the intention to request entry of § 3301(d) divorce decree prescribed by Rule 1920.42(d)] **Notice of Intention to File the Praeceptum to Transmit Record required by Pa.R.C.P. No. 1920.42(b)(1)(v), (b)(2)(i), (c)(1)(v), and (c)(2)(i)** shall be substantially in the following form [if there is no attorney of record]:

(Caption)

**[NOTICE OF INTENTION TO REQUEST ENTRY
OF § 3301(d) DIVORCE DECREE]
NOTICE OF INTENTION TO FILE
THE PRAECEPTUM TO TRANSMIT RECORD
UNDER SECTION 3301(c)(2) OR SECTION 3301(d) OF THE DIVORCE CODE**

TO: _____
(PLAINTIFF/DEFENDANT)

You have been sued in an action for divorce. You have failed to answer the complaint or file a counter-affidavit to the [§ 3301(d) affidavit] **Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code or the Affidavit under Section 3301(d) of the Divorce Code**. Therefore, on or after _____, 20 ____, the other party can request the court to enter a final decree in divorce **or, if there are unresolved ancillary claims, an order approving grounds for divorce as indicated on the proposed Praeceptum to Transmit Record, which is attached.**

If you do not file [with the prothonotary of the court] an answer with your signature notarized or verified [or a counter-affidavit] by the above date, the court can enter a final decree in divorce **or, if there are unresolved ancillary claims, an order approving grounds for divorce.** [A counter-affidavit which you may file with the prothonotary of the court is attached to this notice.]

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date, or the court may grant the divorce **or an order approving grounds for divorce** and you [will] **may** lose forever the right to ask for economic relief. The filing of the form counter-affidavit alone does not protect your economic claims.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

(Name)

(Address)

(Telephone Number)

Official Note: The above lines are to be completed with the name, address, and telephone number of the officer, organization, agency, or person designated by the court in accordance with [Rule] Pa.R.C.P. No. 1018.1(c).

The date to be inserted in the first paragraph of the notice must be at least [twenty] 20 days after the date on which the notice was mailed or delivered.

(b) The Waiver of Notice of Intention to File the Praeceptum to Transmit Record permitted by Pa.R.C.P. No. 1920.42(a)(1)(iv), (a)(2)(i), (b)(1)(v), (b)(2)(i), (c)(1)(v), and (c)(2)(i) shall be substantially in the following form:

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

(Caption)

**WAIVER OF NOTICE OF INTENTION TO FILE
THE PRAECEPTUM TO TRANSMIT RECORD**

1. Without further notice, I consent to the entry of:
 - a final decree of divorce; or
 - an order approving grounds for divorce.
2. I understand that I may lose rights concerning alimony, equitable division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a divorce decree is entered by the Court and that a copy of the decree will be sent to me immediately after it is filed.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
(PLAINTIFF) (DEFENDANT)

[(b)] (c) The [praecipe to transmit the record prescribed by Rule 1940.42] **Praecipe to Transmit Record required by Pa.R.C.P. No. 1920.42(a)(1)(v), (a)(2)(ii), (b)(1)(vi), (b)(2)(ii), (c)(1)(vi), and (c)(2)(ii)** shall be [in] substantially in the following form:

[(Caption)

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the court for entry of a divorce decree:

1. **Grounds for divorce: irretrievable breakdown under § (3301(c)) § (3301(d)(1)) of the Divorce Code. (Strike out inapplicable section).**

2. **Date and manner of service of the complaint:** _____

3. **Complete either paragraph (a) or (b).**

(a) **Date of execution of the affidavit of consent required by § 3301(c) of the Divorce Code: by plaintiff ; by defendant** _____ .

(b)(1) **Date of execution of the affidavit required by § 3301(d) of the Divorce Code:** _____ ;

(2) **Date of filing and service of the § 3301(d) affidavit upon the opposing party:** _____ .

4. **Related claims pending:** _____

5. **Complete either (a) or (b).**

(a) **Date and manner of service of the notice of intention to file praecipe a copy of which is attached:** _____ .

(b) **Date plaintiff's Waiver of Notice was filed with the Prothonotary:** _____ .

Date defendant's Waiver of Notice was filed with the Prothonotary: _____

Attorney for (Plaintiff)(Defendant)]

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

(Caption)

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the court for entry of (check one of the following):

a divorce decree;

a divorce decree with marital settlement agreement attached;

a bifurcated divorce decree with the Court retaining jurisdiction over unresolved ancillary claims; or

an order approving grounds for divorce with the Court retaining jurisdiction over unresolved ancillary claims.

1. Check the applicable section of the Divorce Code.

Grounds for divorce: irretrievable breakdown under:

Section 3301(c)(1)

Section 3301(c)(2)

Section 3301(d)

2. Service of the Complaint:

(a) Date served: _____ .

(b) Manner of service: _____ .

3. Complete either paragraph (a) or (b).

(a) *Section 3301(c)(1) or (2) of the Divorce Code*—Insert the date each party signed the Affidavit of Consent, and if the ground for divorce is under Section 3301(c)(2) of the Divorce Code, insert the date the spouse was convicted of the personal injury crime identified in 23 Pa.C.S. § 3103 next to the appropriate party and complete (1) and (2).

Plaintiff: _____ ;

Defendant: _____ .

(1) The date the party signed the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code: _____;

(2) The date of filing and manner of service of the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code and a blank Counter-Affidavit under Section 3301(c)(2) upon the other party:

(b) Section 3301(d) of the Divorce Code:

(1) The date the Affidavit under Section 3301(d) of the Divorce Code was signed: _____;

(2) Date of filing and manner of service of the Affidavit under Section 3301(d) of the Divorce Code and blank Counter-Affidavit under Section 3301(d) of the Divorce Code upon the the other party:

4. Related ancillary claims pending: _____.

5. Complete either (a) or (b).

(a) Notice of Intention to File the Praecipe to Transmit Record:

(1) Date served: _____.

(2) Manner of service: _____.

(b) The date of filing of the party's Waiver of Notice of Intention to File the Praecipe to Transmit Record:

(1) Plaintiff's Waiver: _____.

(2) Defendant's Waiver: _____.

(Attorney for)(Plaintiff)(Defendant)

Rule 1920.74. Form of Motion for Appointment of Master. Order.

(a) The motion for appointment of a master shall be substantially in the following form:

(Caption)

MOTION FOR APPOINTMENT OF MASTER

(Plaintiff) (Defendant)[,] moves the court to appoint a master with respect to the following claims:

() Divorce

() Annulment

() Alimony

() **Equitable** Division of Marital Property

() Counsel Fees

() Costs and Expenses

() **Other:** _____

and in support of the motion states:

(1) Discovery (is) (is not) complete as to the claim(s) for which the appointment of a master is requested.

(2) The non-moving party (has) (has not) appeared in the action (personally) (by his or her attorney, _____, Esquire).

(3) The statutory ground(s) for divorce (is) (are) _____.

(4) [**Delete the inapplicable paragraph(s):**] **If the master's appointment is for resolution of a divorce, an annulment, or ancillary claims, the parties have complied with Pa.R.C.P. Nos. 1920.31, 1920.33, and 1920.46, as applicable.**

(5) Check and complete the applicable paragraph(s):

(a) The action is not contested.

(b) An agreement has been reached with respect to the following claims: _____

(c) The action is contested with respect to the following claims: _____

[(5)] (6) The action (involves) (does not involve) complex issues of law or fact.

[(6)] (7) The hearing is expected to take _____ (hours) (days).

[(7)] (8) Additional information, if any, relevant to the motion:

Date: _____

Attorney for (PLAINTIFF) (DEFENDANT)

* * * * *

Official Note: See Pa.R.C.P. No. 1920.51(a)(1)(ii) for the issues and claims for which the court may appoint a master. It is within the discretion of the court to determine the point at which a master should be appointed in a case. **[The court may appoint a master to deal with discovery issues.]**

[Pa.B. Doc. No. 19-889. Filed for public inspection June 14, 2019, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E., which provides for trust account overdraft notification.

SUZANNE E. PRICE,
Attorney Registrar

Financial Institutions Approved as Depositories of Trust Accounts of Attorneys

Bank Code A.

595 Abacus Federal Savings Bank
2 ACNB Bank
613 Allegent Community Federal Credit Union
375 Altoona First Savings Bank
376 Ambler Savings Bank
532 **AMERICAN BANK (PA)**
615 Americhoice Federal Credit Union
116 **AMERISERV FINANCIAL**
648 Andover Bank (The)
377 Apollo Trust Company

Bank Code B.

558 Bancorp Bank (The)
485 Bank of America, NA
662 Bank of Bird in Hand
415 Bank of Landisburg (The)
642 BB & T Company
519 Beaver Valley Federal Credit Union
501 BELCO Community Credit Union
397 Beneficial Bank
652 Berkshire Bank
663 BHC
5 BNY Mellon, NA
392 **BRENTWOOD BANK**
495 Brown Brothers Harriman Trust Co., NA
161 Bryn Mawr Trust Company (The)

Bank Code C.

654 CACL Federal Credit Union
618 Capital Bank, NA
16 CBT Bank, a division of Riverview Bank
136 Centric Bank
394 **CFS BANK**
623 Chemung Canal Trust Company
599 Citibank, NA
238 Citizens & Northern Bank
561 Citizens Bank, NA
206 Citizens Savings Bank
602 City National Bank of New Jersey
576 Clarion County Community Bank

660 Clarion FCU
591 Clearview Federal Credit Union
23 CNB Bank
354 Coatesville Savings Bank
223 Commercial Bank & Trust of PA
21 Community Bank (PA)
371 Community Bank, NA (NY)
132 Community State Bank of Orbisonia
647 **CONGRESSIONAL BANK**
380 County Savings Bank
617 Covenant Bank
536 Customers Bank

Bank Code D.

339 Dime Bank (The)
239 DNB First, NA
27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
567 Embassy Bank for the Lehigh Valley
541 **ENTERPRISE BANK**
28 Ephrata National Bank
601 Esquire Bank, NA
340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
158 1st Summit Bank
31 F & M Trust Company—Chambersburg
658 Farmers National Bank of Canfield
205 Farmers National Bank of Emlenton (The)
34 Fidelity Deposit & Discount Bank (The)
343 **FIDELITY SAVINGS & LOAN ASSOCIATION
OF BUCKS COUNTY**
583 Fifth Third Bank
661 First American Trust, FSB
643 First Bank
174 First Citizens Community Bank
191 First Columbia Bank & Trust Company
539 First Commonwealth Bank
504 First Federal S & L Association of Greene
County
525 First Heritage Federal Credit Union
42 First Keystone Community Bank
51 First National Bank & Trust Company of
Newtown (The)
48 First National Bank of Pennsylvania
426 First Northern Bank & Trust Company
604 First Priority Bank, a division of Mid Penn
Bank
592 **FIRST RESOURCE BANK**
657 First United Bank & Trust
408 First United National Bank
151 Firstrust Savings Bank
416 Fleetwood Bank
175 FNCB Bank
291 Fox Chase Bank
241 Franklin Mint Federal Credit Union
639 Freedom Credit Union
58 **FULTON BANK, NA**

Bank Code G.

499 Gratz Bank (The)
498 Greenville Savings Bank

Bank Code H.

402 Halifax Branch, of Riverview Bank
244 Hamlin Bank & Trust Company
362 Harleysville Savings Bank
363 Hatboro Federal Savings
463 Haverford Trust Company (The)
655 Home Savings Bank
606 Hometown Bank of Pennsylvania
68 Honesdale National Bank (The)
350 HSBC Bank USA, NA
364 HUNTINGDON VALLEY BANK
605 Huntington National Bank (The)
608 Hyperion Bank

Bank Code I.

365 InFirst Bank
557 Investment Savings Bank
526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
127 Jim Thorpe Neighborhood Bank
488 Jonestown Bank & Trust Company
659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
414 Kish Bank

Bank Code L.

74 LAFAYETTE AMBASSADOR BANK
554 Landmark Community Bank
78 Luzerne Bank

Bank Code M.

361 M & T Bank
386 Malvern Federal Savings Bank
510 Marion Center Bank
387 Marquette Savings Bank
81 Mars Bank
43 Marysville Branch, of Riverview Bank
367 Mauch Chunk Trust Company
619 MB Financial Bank, NA
511 MCS (Mifflin County Savings) Bank
641 Members 1st Federal Credit Union
555 Mercer County State Bank
192 Merchants Bank of Bangor
610 Meridian Bank
420 Meyersdale Branch, of Riverview Bank
294 MID PENN BANK
276 MIFFLINBURG BANK & TRUST COMPANY
457 Milton Savings Bank
614 Monument Bank, a division of Citizens &
Northern Bank
**596 MOREBANK, A DIVISION OF BANK OF
PRINCETON (THE)**
484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433 National Bank of Malvern
168 NBT Bank, NA
347 Neffs National Bank (The)
434 NEW TRIPOLI BANK
15 NextTier Bank, NA

636 Noah Bank
638 Norristown Bell Credit Union
439 Northumberland National Bank (The)
93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
489 OMEGA Federal Credit Union
94 Orrstown Bank

Bank Code P.

598 PARKE BANK
584 Parkview Community Federal Credit Union
40 Penn Community Bank
540 PennCrest Bank
419 Pennian Bank
447 Peoples Security Bank & Trust Company
99 PeoplesBank, a Codorus Valley Company
556 Philadelphia Federal Credit Union
448 Phoenixville Federal Bank & Trust
79 PNC Bank, NA
449 Port Richmond Savings
451 Progressive-Home Federal Savings & Loan
Association
637 Provident Bank
456 Prudential Savings Bank
491 PS Bank

Bank Code Q.

107 QNB Bank
560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
220 Republic First Bank d/b/a Republic Bank
628 Riverview Bank

Bank Code S.

153 S & T Bank
316 Santander Bank, NA
460 Second Federal S & L Association of
Philadelphia
646 Service 1st Federal Credit Union
458 Sharon Bank
462 Slovenian Savings & Loan Association of
Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
633 SSB Bank
518 STANDARD BANK, PASB
542 Stonebridge Bank
440 SunTrust Bank
122 SUSQUEHANNA COMMUNITY BANK

Bank Code T.

143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
182 TOMPKINS VIST BANK
609 Tristate Capital Bank
640 TruMark Financial Credit Union
467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
481 Union Building and Loan Savings Bank
634 United Bank, Inc.
472 United Bank of Philadelphia
475 United Savings Bank
600 Unity Bank
232 Univest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

- 119 WASHINGTON FINANCIAL BANK**
- 121 Wayne Bank
- 631 Wells Fargo Bank, NA
- 553 WesBanco Bank, Inc.
- 494 West View Savings Bank
- 473 Westmoreland Federal S & L Association
- 476 William Penn Bank
- 272 Woodlands Bank
- 573 WOORI AMERICA BANK**
- 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.

Bank Code Y.

577 York Traditions Bank

Bank Code Z.

Platinum Leader Banks

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

FINANCIAL INSTITUTIONS WHO HAVE FILED AGREEMENTS TO BE APPROVED AS A DEPOSITORY OF TRUST ACCOUNTS AND TO PROVIDE DISHONORED CHECK REPORTS IN ACCORDANCE WITH RULE 221, Pa.R.D.E.

New

- 660 Clarion FCU
- 661 First American Trust, FSB
- 662 Bank of Bird in Hand
- 663 BHCU

Name Change

- 561 Citizens Bank of PA—Change to Citizens Bank, NA
- 46 First Community Bank of Mercersburg—Change to 94 Orrstown Bank
- 614 Monument Bank—Change to Monument Bank, a division of Citizens & Northern Bank
- 133 Union Community Bank—Change to 93 Northwest Bank

Platinum Leader Change

- 2 ACNB Bank—Remove
- 136 Centric Bank—Remove

Correction

Removal

[Pa.B. Doc. No. 19-890. Filed for public inspection June 14, 2019, 9:00 a.m.]

RULES AND REGULATIONS

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CHS. 401, 403 AND 405]

Uniform Construction Code

In accordance with sections 302 and 304 of the Pennsylvania Construction Code Act (act) (35 P.S. §§ 7210.302 and 7210.304), the Department of Labor and Industry (Department) amends Chapters 401, 403 and 405 (relating to Uniform Construction Code training and certification of code administrators; administration; and elevators and other lifting devices) to read as set forth in Annex A.

Statutory Authority

This final-omitted rulemaking is issued under the authority provided in sections 302(a)(2) and 304(a)(3) of the act. Section 304(a)(3) provides that, by December 31 of the year of issuance, the Department shall adopt regulations updating the accessibility provisions of the most recently published edition of the International Code Council (ICC) codes and any other accessibility requirements which shall be specified in the regulations, or contained in or referenced by the Uniform Construction Code (UCC) relating to persons with disabilities. In addition, section 302(a)(2) of the act requires the latest standards for the operation of ski lifts prescribed by the American National Standards Institute (ANSI) be included in Chapter 35 of the UCC.

Background

The act mandates a process for the adoption of updated building codes issued by the ICC. Although most building code provisions are reviewed by the Pennsylvania Uniform Construction Code Review and Advisory Council under the procedure outlined in section 108 of the act (35 P.S. § 7210.108), the act specifically excludes the accessibility provisions of the ICC codes from this review under section 107(b)(3) (35 P.S. § 7210.107(b)(3)). Instead, section 304(a)(3) of the act requires the Department to adopt, by December 31 of the year of issuance by the ICC, the ICC's updated accessibility standards for the construction, repair or alteration of buildings in this Commonwealth. In 2018, the ICC issued codes containing updated accessibility standards. Adoption of the current accessibility standards will ensure that commercial buildings meet current standards for accessible and usable facilities. This final-omitted rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

The purpose of this final-omitted rulemaking is to adopt recognized international standards for accessible and usable buildings and structures, as directed by the act. The current accessibility regulations implemented the accessibility standards found in the 2015 ICC codes. This regulation implements current state-of-the-art accessibility standards and conforms to standards issued by the United States Department of Justice under the Americans with Disabilities Act (42 U.S.C.A. §§ 12101—12213). Adopting Chapter 11 and Appendix E of the 2018 International Building Code (IBC) for new construction along with the accessibility provisions contained in the 2018 International Existing Building Code (IEBC), the 2018 International Plumbing Code (IPC) and the 2018 International Swimming Pool and Spa Code (ISPSA) will allow

the Department to comply with the directive of the act to update accessibility requirements in the UCC with successor codes.

In addition, section 304(a)(2) of the act requires the Department to include the latest ANSI standards applicable to the operation of ski lifts prescribed in the American National Standards for Passenger Tramways, Aerial Tramways, Aerial Lifts, Surface Lifts and Tows, ANSI B77.1. The current regulation recognizes ANSI B77.1-2011 and supplement ANSI B77.1a-2012. However, the latest ANSI B77.1 standards are contained in ANSI B77.1-2017. Accordingly, the Department must adopt ANSI B77.1-2017 to bring the Commonwealth's standards for the operation of ski lifts into compliance with the current state-of-the-art and recognized standards, as mandated by the act.

Compliance with Executive Order 1996-1, Regulatory Review and Promulgation

On September 20, 2018, the Accessibility Advisory Board (Board) held a public hearing to review and consider the updates to the accessibility provisions of the ICC codes. This is required by section 106(b) of the act (35 P.S. § 7210.106(b)). The Board voted to endorse the accessibility updates found in the ICC codes. The Department has discussed the adoption of accessibility provisions for buildings with the Pennsylvania Builders Association and the Pennsylvania Association of Building Code Officials and both entities have expressed support for adoption of the accessibility provisions contained in the 2018 IBC for new construction and the accessibility provisions contained in the 2018 IEBC for existing buildings.

On April 25 and June 13, 2018, the Department held discussions with members of the Pennsylvania Ski Area Association at their annual seminars where they expressed their support of the adoption of the ANSI B77.1-2017 edition.

Purpose

The purpose of this final-omitted rulemaking is to amend 34 Pa. Code §§ 401.1, 403.21, 403.26, 403.28 and 405.2 to adopt the ICC accessibility updates and the ANSI updates for ski lifts.

Summary of Final-Omitted Rulemaking

§ 401.1. Definitions.

This section changes the definitions for the IBC and the IEBC to state that they include the accessibility provisions of the 2018 IBC and the 2018 IEBC. This was done because the ICC updated the accessibility provisions of the IBC and IEBC.

§ 403.21. Uniform Construction Code.

The Department is amending subparagraph (a)(2) to replace the accessibility provisions found in Chapter 11 of the 2015 IBC with the updated accessibility provisions of Chapter 11 of the 2018 IBC. This is being done to implement the latest accessibility standards.

The Department is amending subparagraph (a)(6)(i) to make it more readable. In addition, the Department is adding new subparagraph (a)(6)(iii) to add accessibility provisions specifically designated by the ICC in the 2018 IPC. This is being done to implement the latest accessibility standards.

The Department is adding new subparagraph (a)(10)(i) to add accessibility provisions specifically designated by the ICC in the 2018 IEBC. This is being done to implement the latest accessibility standards.

The Department is amending subparagraph (a)(12) to replace the accessibility provisions found in Appendix E of the 2015 IBC with the updated accessibility provisions of Appendix E of the 2018 IBC. This is being done to implement the latest accessibility standards.

§ 403.26. *Swimming pools.*

The Department is amending paragraph (b) to add accessibility provisions specifically designated by the ICC in the 2018 ISPSC. This is being done to implement the latest accessibility standards.

§ 403.28. *Uncertified buildings.*

The Department is amending subparagraphs (b)(3)(ii) and (b)(3)(iii) to replace the accessibility provisions found in the 2015 IBC with the updated accessibility provisions of the 2018 IBC. This is being done to implement the latest accessibility standards.

§ 405.2. *Standards.*

The Department is amending subparagraph (a)(4) to replace the ski lift standards found in ANSI B77.1-2011 and supplement ANSI B77.1a-2012 with the updated standards found in ANSI B77.1-2017. This is being done to implement the latest standards for ski lifts.

Affected Persons

This final-omitted rulemaking will affect all builders and contractors in the construction industry and all building code officials who enforce the regulations. It will also affect all ski lift operators, ski lift designers and ski lift manufacturers.

Fiscal Impact

To enforce this final-omitted rulemaking, the Department and building code officials will need to purchase the 2018 IBC, IEBC and IPC. Ski lift operators, designers and manufacturers will have to purchase ANSI B77.1-2017.

Builders and contractors will have to absorb some costs to comply with the updated standards. The Department does not possess specific data on any increase of costs to builders or contractors.

Ski lift operators, ski lift designers and ski lift manufacturers will also absorb some costs to comply with the updated standards. The Department does not possess specific data on any increase of costs to builders or contractors.

Reporting, Recordkeeping and Paperwork Requirements

The Department will have to update the following forms: Accessibility Advisory Board Petition; Application for Building Permit; and Special Inspections and Observation Statement. There are no additional reporting, recordkeeping or paperwork requirements.

Sunset Date

There is no sunset date for these regulations. The act requires accessibility standards to be updated every 3 years following publication of the triennial revisions to the ICC codes. In addition, the Department is required to have the latest standards for ski lifts as part of their elevator regulations.

Effective Date

This final-omitted rulemaking will take effect upon publication in the *Pennsylvania Bulletin*.

Contact Person

The contact person is Matthew W. Kegg, Director, Bureau of Occupational and Industrial Safety, Department of Labor and Industry, 651 Boas Street, Room 1613, Harrisburg, PA 17121, (717) 783-6304; mkegg@pa.gov.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on April 3, 2019, the Department submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on May 15, 2019, the final-omitted rulemaking was approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on May 16, 2019, and approved the final-omitted rulemaking.

Findings

The Department finds that:

(a) Final-omitted rulemaking is allowed when procedures specified in sections 201 and 202 of the Commonwealth Documents Law (45 P.S. §§ 1201 and 1202), are impracticable, unnecessary or contrary to the public interest. 45 P.S. § 1204(3).

(b) Following the procedures outlined in sections 201 and 202 of the Commonwealth Documents Law, are impracticable and unnecessary since the Department is required to adopt the updated ICC accessibility codes and the updated standards for ski lifts without change.

Order

The Department, acting under authorizing statute, orders that:

(a) The regulations of the Department, 34 Pa. Code, Chapters 401, 403 and 405, are amended by amending §§ 401.1, 403.21, 403.26, 403.28 and 405.2 to read as set forth in Annex A.

(b) The Department submitted these regulations to IRRC and the Senate and House Labor and Industry Committees.

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

(d) This order shall become on the date of publication in the *Pennsylvania Bulletin*.

W. GERARD OLEKSIK,
Secretary

(*Editor's Note:* See 49 Pa.B. 2799 (June 1, 2019) for IRRC's approval order.)

Fiscal Note: 12-108. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 34. LABOR AND INDUSTRY

PART XIV. UNIFORM CONSTRUCTION CODE

CHAPTER 401. UNIFORM CONSTRUCTION CODE TRAINING AND CERTIFICATION OF CODE ADMINISTRATORS

§ 401.1. Definitions.

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

* * * * *

International Accreditation Service, Inc.—The International Accreditation Service, Inc., 5360 Workman Mill Road, Whittier, California 90601.

International Building Code—An International Building Code issued by the ICC. Chapter 11 and Appendix E of the “International Building Code 2018” issued by the ICC. The term includes all errata issued by the ICC.

International Energy Conservation Code—An International Energy Conservation Code issued by the ICC. The term includes all errata issued by the ICC.

International Existing Building Code—An International Existing Building Code for Buildings and Facilities issued by the ICC. The accessibility provisions in the “International Existing Building Code for Buildings 2018” issued by the ICC. The term includes all errata issued by the ICC.

International Fire Code—An International Fire Code issued by the ICC. The term includes all errata issued by the ICC.

* * * * *

CHAPTER 403. ADMINISTRATION

STANDARDS

§ 403.21. Uniform Construction Code.

(a) The Department adopts and incorporates by reference the following codes as the Uniform Construction Code:

(1) The provisions of Chapters 2—10, 12—29 and 31—35 and Section 3006 (relating to elevator lobbies and hoistway opening protection) of the “International Building Code of 2015,” except:

(i) In occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2 the maximum riser height shall be 8 1/4 inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A 1-inch (25 mm) nosing shall be provided on stairways with solid risers.

(ii) That Section 913.2.2 (relating to circuits supplying fire pumps) is excluded.

(iii) That in Section 2609.4 (relating to area limitations and greenhouses), exception three is modified to include “or maintaining plants.”

(2) Chapter 11 of the “International Building Code of 2018.”

(3) The “International Mechanical Code of 2015.”

(4) The “International Fuel Gas Code of 2015” except that Section 310.3 of the “International Fuel Gas Code of 2018” (relating to arc-resistant CSST) is also adopted.

(5) The “International Performance Code of 2009.”

(6) The “International Plumbing Code of 2015” except:

(i) A municipality within a county of the second class may not administer and enforce the “International Plumbing Code” adopted under this chapter.

(ii) A municipality within a county of the second class that has adopted a plumbing code and accompanying rules and regulations under the Local Health Administration Law (16 P.S. §§ 12001—12028), shall retain the authority to promulgate and enforce this plumbing code and to make any changes it deems necessary if the changes meet the Uniform Construction Code’s minimum requirements.

(iii) The accessibility provisions contained in the following sections of the “International Plumbing Code of 2018” are adopted:

(A) Section 403.4 (relating to signage).

(B) Section 403.5 (relating to drinking fountain location).

(C) Section 404 (relating to accessible plumbing facilities).

(D) Section 405.3.1 (relating to water closets, urinals, lavatories and bidets).

(7) The “International Residential Code of 2015,” except that:

(i) The provisions of R314.4 requiring interconnected smoke alarms do not apply to one-family and two-family dwellings undergoing alterations, repairs or additions. Noninterconnected battery operated smoke alarms shall be installed in these dwellings.

(ii) The following specifications apply to residential stairway treads and risers.

(A) The maximum riser height is 8 1/4 inches. There may be no more than a 3/8 inch variation in riser height within a flight of stairs. The riser height is to be measured vertically between leading edges of the adjacent treads.

(B) The minimum tread depth is 9 inches measured from tread nosing to tread nosing.

(C) The greatest tread depth within any flight of stairs may not exceed the smallest by more than 3/8 inch.

(D) Treads may have a uniform projection of not more than 1 1/2 inches when solid risers are used.

(E) Stairways may not be less than 3 feet in clear width and clear headroom of 6 feet 8 inches shall be maintained for the entire run of the stair.

(F) Handrails may project from each side of a stairway a distance of 3 1/2 inches into the required width of the stair.

(iii) The following provisions are excluded:

(A) Section R302.5.1 (relating to opening protection).

(B) Section R322.2.1 (relating to elevation requirements for flood hazard areas).

(C) Section R322.3.2 (relating to elevation requirements for coastal high hazard areas).

(D) Section R325.5 (relating to openness).

(E) Table R507.6 (relating to deck beam span lengths).

(F) Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls).

(G) Section N1101.4 (relating to above code programs).

- (H) Section N1103.3.5 (relating to building cavities).
- (I) Section N1103.5.2 (relating to demand recirculation systems).
- (J) Table N1106.4 (relating to maximum energy rating index).
- (K) Section P2503.5.1 (relating to rough plumbing).
- (L) Section E3901.7 (relating to outdoor outlets).
- (iv) The following provisions are modified:
- (A) Section N1101.6 (relating to defined terms) is amended by adding the definition of “framing factor” as the fraction of the total building component area that is structural framing.
- (B) Table 1102.1.2 (relating to insulation and fenestration criteria) is amended by adding “or 18 + 6.5^H” to climate zone 6 wood frame wall R-value.
- (C) Table N1102.1.2 (relating to insulation and fenestration requirements by components) is amended by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24” o.c. nominal vertical stud spacing.
- (D) Section N1102.4.1.2 (relating to testing) is amended as having an air leakage rate not exceeding five air changes per hour for all climate zones.
- (E) Section N1105.2 (relating to mandatory requirements) is amended to require compliance with the mandatory provisions of section N1102.4.1.2.
- (F) Section M1601.4.1, exception 3 (relating to joints, seams, and connections) is amended by excluding this exception for snap-lock and button-lock type joints and seams located outside of conditioned spaces.
- (G) Section M1602.2 item 2 (relating to return air openings) is amended to add the word perimeter before the first use of the word room.
- (H) Section E3901.11 (relating to foyers) is amended by replacing 3 feet (914 mm) with 6 feet (1829 mm) and a minimum of one receptacle.
- (v) The following provisions of the International Residential Code of 2009 are adopted:
- (A) Section R302.5.1 (relating to opening protection).
- (B) Section R322.2.1 (relating to elevation requirements for flood hazard areas).
- (C) Section R322.3.2 (relating to elevation requirements for coastal high hazard areas).
- (D) Section N1101.8 (relating to above code programs).
- (E) Section N1103.2.3 (relating to building cavities).
- (F) Section P2503.5.1 (relating to rough plumbing).
- (G) Section E3901.7 (relating to outdoor outlets).
- (vi) The following provisions of the “International Residential Code of 2018” are adopted:
- (A) Section R325.5 (relating to openness) is adopted except for exception 2.
- (B) Table R507.5 (relating to deck beam span lengths).
- (C) Section R602.3.1 (relating to stud size, height, and spacing) exception 3.
- (D) Table R602.3(6) (relating to alternate wood bearing wall stud size, height, and spacing).
- (E) Table R602.7.5 (relating to minimum number of full height studs at each end of headers in exterior walls).
- (F) Section N1103.3.6 (relating to ducts buried within ceiling insulation).
- (G) Section N1103.3.7 (relating to ducts located in conditioned space).
- (H) Table N1106.4 including footnote “a” (relating to maximum energy rating index).
- (8) The “International Fire Code of 2015” except that Section 806.1.1 (relating to natural cut trees) is not adopted under this chapter. A municipality that elects to adopt an ordinance for the administration and enforcement of the Uniform Construction Code may, by ordinance, restrict the placement of natural cut trees in an occupancy group. The ordinance restricting the placement of natural cut trees is not subject to section 503(b)—(k) of the act (35 P.S. § 7210.503(b)—(k)) and § 403.102(i)—(k) (relating to municipalities electing to enforce the Uniform Construction Code).
- (9) The “International Energy Conservation Code of 2015” except that:
- (i) The following provisions are excluded:
- (A) Section R102.1.1 (relating to above code programs).
- (B) Section C104.2.6 (relating to final inspection).
- (C) Section R403.3.5 (relating to building cavities (mandatory)).
- (D) Section R403.5.2 (relating to demand recirculation systems).
- (E) Table R406.4 (relating to maximum energy rating index).
- (F) Section C408.2.4 (relating to preliminary commissioning report).
- (ii) The following provisions are modified:
- (A) Chapter RE 2 is amended by adding the definition of “framing factor” as the fraction of the total building component area that is structural framing.
- (B) Table R402.1.2 (relating to insulation and fenestration requirements by component) is amended by adding “or 18 + 6.5^H” to climate zone 6 wood frame wall R-value.
- (C) Table R402.1.2 (relating to insulation and fenestration requirements by components) is amended by adding footnote j which permits R-18 insulation to be permitted in place of R-20 requirement provided the wall framing factor is 20% or less or exterior walls with 24” o.c. nominal vertical stud spacing.
- (D) Section R402.4.1.2 (relating to testing) is amended as having an air leakage rate not exceeding five air changes per hour for all climate zones.
- (E) Section R405.2 (relating to mandatory requirements) is amended to require compliance with the mandatory provisions of section R402.4.1.2.
- (iii) The following provisions of the International Energy Conservation Code of 2009 are adopted:
- (A) Section 102.1.1 (relating to above code programs).
- (B) Section 104.3 (relating to final inspection).
- (C) Section 403.2.3 (relating to building cavities).
- (iv) The following provisions of the International Energy Conservation Code of 2018 are adopted:
- (A) Section R403.3.6 (relating to ducts buried within ceiling insulation).
- (B) Section R403.3.7 (relating to ducts located in conditioned space).

(C) Table R406.4 including footnote "a" (relating to maximum energy rating index).

(10) The "International Existing Building Code of 2015" except that Section 101.2 (relating to scope) is modified to add an exception for detached residential buildings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures to comply with either the International Existing Building Code of 2015 or the International Residential Code of 2015.

(i) The accessibility provisions contained in the following sections of the "International Existing Building Code of 2018" are adopted:

(A) Section 301.5 (relating to compliance with accessibility).

(B) Section 305 (relating to accessibility for existing buildings).

(C) Section 1101.2 (relating to creation or extension of nonconformity).

(D) Section 1508 (relating to construction sites).

(E) Appendix "B" (relating to supplementary accessibility requirements for existing buildings and facilities).

(11) The "International Wildland-Urban Interface Code of 2015."

(12) Appendix E of the "International Building Code of 2018."

(13) Appendix H of the "International Building Code of 2009."

* * * * *

§ 403.26. Swimming pools.

(a) A swimming pool, hot tub and spa which is accessory to a one- or two-family dwelling must comply with the "International Residential Code of 2015" which adopts, by reference, the "International Swimming Pool and Spa Code of 2015."

(b) A swimming pool, hot tub or spa that is not accessory to a one- or two-family dwelling must comply with the Public Bathing Law (35 P.S. §§ 672—680d) and the "International Building Code of 2015" which adopts, by reference, the "International Swimming Pool and Spa Code of 2015." The accessibility provisions contained in Section 307.1.4 (relating to general design requirements) of the "International Swimming Pool and Spa Code of 2018" are adopted.

§ 403.28. Uncertified buildings.

(a) Under section 902(b)(6) of the act (35 P.S. § 7210.902(b)(6)), an uncertified building that was built before April 27, 1927, is deemed to be legally occupied until the owner proposes to renovate, add an addition, alter or change the occupancy of the building. The renovation, addition, alteration or change in occupancy must comply with the Uniform Construction Code.

(b) Under section 902(b) of the act, uncertified buildings within the Department's jurisdiction must meet the following requirements which do not apply to uncertified buildings under subsection (a):

(1) Maximum story height, minimum allowable construction type based on floor area, vertical opening and shaft protection requirements, means of egress requirements pertaining to minimum number of exits, maximum travel distances to exits, means of egress illumination, minimum egress widths and heights for exit doors, exit

stairs, exit ramps and exit corridors requirements under the "International Building Code of 2015."

(2) Fire safety requirements in the "International Building Code of 2015" for fire alarms, fire extinguishers, heat and smoke detectors, automatic sprinkler systems and occupancy and incidental use separations. The following also apply:

(i) If construction began on a building before May 19, 1984, the installation of automatic sprinkler systems is not required.

(ii) If construction began on a building after May 19, 1984, automatic sprinklers are only required if the building is classified in use groups E (educational), H (high-hazard), I (institutional), or R-1 or R-2 (residential) or if the building has occupied floors more than 75 feet above lowest level of fire department access. Buildings in use groups R-1 and R-2 which do not have occupied floors more than 75 feet above lowest level of fire department access may, instead of installing automatic sprinkler systems, install hard-wired interconnected heat and smoke detectors in all rooms or spaces, whether they are occupied or unoccupied.

(iii) If construction of a building began after May 18, 1984, automatic sprinkler installation shall be completed by December 22, 2010, or any certificate of occupancy issued shall be invalid.

(3) Accessibility requirements are applicable as follows:

(i) If construction of an uncertified building began before September 1, 1965, accessibility requirements will not be imposed by the Department.

(ii) If construction of a building began after August 31, 1965, and before February 18, 1989, and if the building is a State-owned building, a restaurant or a retail commercial establishment, the building must have at least one accessible main entrance, an accessible route from the accessible entrance to any public spaces on the same level as the accessible entrance and, if toilet rooms are provided, the building must have at least one toilet room for each sex or a unisex toilet room complying with the accessibility requirements of the "International Building Code of 2018."

(iii) If construction of the building began after February 17, 1989, all accessibility requirements of the "International Building Code of 2018" shall be met.

(4) Structural requirements will not be imposed unless the Department determines that the building or a portion of the building has defects that are defined as dangerous in section 202 of the "International Existing Building Code of 2015." If the building is dangerous, the Department may impose only those requirements minimally necessary to remove danger to the building's occupants.

* * * * *

CHAPTER 405. ELEVATORS AND OTHER LIFTING DEVICES

GENERALLY

§ 405.2. Standards

(a) The following standards are adopted as part of the Uniform Construction Code and apply to the listed type of elevator or other lifting device. Other authorities referenced in the standards are adopted if the authority is not excluded in subsection (b):

* * * * *

(3) "ASME A90.1-1997" including "A90.1a-1999" and "A90.1b-2001" addenda for belt man-lifts.

(4) "ANSI B77.1-2017" for passenger ropeways, aerial tramways, aerial lifts, surface lifts, tows and conveyors.

(5) "ASME A18.1-1999" including "A.18.1a-2001" addenda for vertical and inclined wheelchair lifts and

stairway lifts. Testing under sections 10.3.2 and 10.3.3 shall comply with § 405.8 (relating to periodic test results).

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STATEMENTS OF POLICY

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 69]

[M-2018-3006578]

Electric Distribution Company Default Service Plans—Customer Assistance Program Shopping

Public Meeting held
February 28, 2019

Commissioners Present: Gladys M. Brown, Chairperson;
David W. Sweet, Vice Chairperson; Norman J. Kennard;
Andrew G. Place; John F. Coleman, Jr.

*Electric Distribution Company Default Service
Plans—Customer Assistance Program Shopping;
M-2018-3006578*

Proposed Policy Statement Order

By the Commission:

On December 20, 2018, the Pennsylvania Public Utility Commission (Commission) directed the Commission's Law Bureau to prepare for consideration at a Public Meeting no later than February 28, 2019, an Order to amend an existing policy statement, or to create a new policy statement addressing the issue of electric distribution company (EDC) Customer Assistance Program (CAP) participant shopping with electric generation suppliers (EGS).¹ With this Order the Commission issues, for comment, a proposed Policy Statement on Electric Customer Assistance Program Participant Shopping that sets guidelines for EDCs that limit harm to CAP participants while still providing CAP participants the benefits of the retail electric market.

Background

The Public Utility Code (Code), 66 Pa.C.S. §§ 101 et. seq., requires that EDCs offer universal service and energy conservation programs that are developed, maintained, and appropriately funded to ensure affordability and cost-effectiveness.² The portfolio of universal services includes, among other things, CAP, that provides lower monthly payments and arrearage forgiveness for eligible low-income customers.³

The Code also provides for competition in the retail electric market.⁴ As part of the current competitive market, EDCs provide default service for those customers who have chosen not to switch to an EGS.⁵ EDCs are required to submit default service plans outlining the procurement process and associated programs tied to their provision of default service.⁶ Over the years, many of these plans have expanded to include a variety of

issues, including the manner in which customers participating in EDC CAPs participate in the competitive electric market.⁷

In PPL Electric Utility Corporation's (PPL) most recent default service plan proceeding, PPL provided data showing that, over the 34-month period ranging from January 2013 through October 2015, an average of 49 percent of PPL's CAP participants were shopping and, of the CAP participants who were shopping, 55 percent were paying above PPL's Price to Compare (PTC). PPL compared that information with information regarding those CAP participants who shopped during the same time period and paid at or below the PTC and found that the net financial impact was approximately \$2,743,872 over 12-months. PPL concluded, and this Commission agreed, that two forms of harm resulted from CAP shopping: (1) those CAP participants paying a rate greater than PPL's PTC were exceeding their CAP credits at a faster rate, which put those CAP participants at risk of being removed from CAP; and (2) that non-CAP participant ratepayers who subsidize CAP participants were bearing increased costs related to CAP. As such, certain limits were placed on PPL's CAP shopping program, including an initial limit on the EGS's prices provided to CAP participants and a limit on early termination fees. Additionally, at the end of the contract term a requirement was added that limited an EGS to only re-enroll the CAP participant at the new CAP shopping rate or returning the CAP participant to default service.⁸ The Commonwealth Court upheld the Commission's decision, finding that the Commission had the authority to place conditions under which CAP participants could receive CAP benefits.⁹

Similarly, in the FirstEnergy Companies' most recent default service proceeding, evidence showed that over a 58-month period ranging from June 2013 through March 2018, nearly 65 percent of FirstEnergy's CAP participants who were shopping with EGSs paid rates higher than FirstEnergy's applicable PTCs, resulting in a net impact of \$18.3 million in increased costs associated with CAP. This Commission agreed with the ALJ that the record evidence demonstrated that, over a long period of time, most of FirstEnergy's CAP participants paid rates higher than the PTC. FirstEnergy's CAP participants' monthly maximum CAP credits are based on their average annual electric bill less a percentage of their annual income. Therefore, paying rates higher than the PTC increases the likelihood that CAP participants will exceed their monthly maximum CAP credits and incur chargers they may not be able to pay. If CAP participants are unable to pay their bills, utility uncollectibles are increased, which

¹ See Electric Distribution Company Default Service Plans—Customer Assistance Program (CAP) Shopping, Motion of Commissioner David W. Sweet, Public Meeting, December 20, 2018, Docket No. M-2018-3006578.

² 66 Pa.C.S. § 2804(9) (relating to standards for restructuring of electric industry).

³ For the purposes of this policy statement, low-income customers are households that are at or below 150% of the Federal Poverty Income Guidelines (FPIG). See U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs—<https://aspe.hhs.gov/poverty-guidelines>.

⁴ Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. §§ 2801—2815 (relating to restructuring of electric utility industry) (Competition Act).

⁵ See 66 Pa.C.S. § 2807(e) (relating to obligation to serve). See also, 52 Pa. Code §§ 54.182—54.190 (relating to default service).

⁶ See 66 Pa.C.S. § 2807(e)(6) (relating to obligation to serve). See also, 52 Pa. Code § 54.185 (relating to default service programs and periods of service).

⁷ See Petition of PECO Energy Company for Approval of its Default Service Program for the Period from June 1, 2017 through May 31, 2021, (DSP IV), et al., Docket Nos. P-2016-2534980, et al.; Petition of Duquesne Light Company for Approval of a Default Service Plan for the Period from June 1, 2016 to May 31, 2021, Docket No. P-2016-254310. Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company for Approval of their Default Service Programs for the Period Beginning June 1, 2019 through May 31, 2023, Docket Nos. P-2017-2637855, et al.; Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period of June 1, 2017 through May 31, 2021, Docket No. P-2016-2526627.

⁸ See, Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period from June 1, 2017 through May 31, 2021, Docket No. P-2016-2526627 (Order entered October 27, 2016).

⁹ See, *Retail Energy Supply Ass'n. v. Pa. Public Utility Commission*, 185 A.3d 1206 (Pa. Cmwlth. 2018) (*RESA*). The Commission notes that the PECO Energy Company petitions for default service, which had been stayed by the presiding Administrative Law Judge (ALJ) pending the outcome of the *RESA* case on appeal, can now be litigated. Petition of PECO Energy Company for Approval of its Default Service Program (Customer Assistance Program Shopping Plan), Docket No. P-2012-2283641 (DSP II), and Petition of PECO Energy Company for Approval of its Default Service Program for the Period from June 1, 2017 through May 31, 2021, Docket No. P-2016-2534980 (DSP IV).

are then recovered from the rest of the utility's residential ratepayers, causing those ratepayers harm, as well. As a result, the Commission directed FirstEnergy to develop a CAP shopping program that allows CAP participants to only enter into a contract with an EGS for a rate that is always at or below the EDC's PTC(s) over the duration of the contract between the EGS and the CAP participant, and which contained no early termination or cancellation fees.¹⁰

Collectively, PPL and the four FirstEnergy companies serve approximately three million of the Commonwealth's nearly 5.1 million residential electric customers served by jurisdictional EDCs. Additionally, PPL and the FirstEnergy companies together serve nearly 765,000 of the Commonwealth's approximately 1.3 million estimated low-income customers, and about 430,000 of the Commonwealth's roughly 630,000 confirmed low-income customers.¹¹ This is a significant portion of the Commonwealth's electric customer base that is participating in CAP or could be in the future. As previously discussed, the Commission has already taken steps to prevent both CAP participants and residential ratepayers in PPL's and the FirstEnergy companies' service territories from being harmed by unrestricted CAP shopping.

Discussion

Again, both CAP participants, in potentially losing their CAP benefits, and non-CAP participants, because they subsidize uncollectibles resulting from CAP defaults, are harmed when CAP participants pay rates higher than their EDCs' applicable PTCs. Although EDCs CAP differ, all EDC CAP participants are at risk of using their CAP benefits more quickly if they are paying rates higher than the PTC. Additionally, all EDCs ultimately recover uncollectibles from their residential ratepayers, through mechanisms such as surcharges or base rates. As such, increased CAP participant default rates due to shopping at rates higher than the EDCs' PTCs harms non-CAP participants as well.

In response to CAP participants and non-CAP participants being harmed by unrestricted CAP shopping, the Commission is proposing the development of uniform guidelines for EDCs' CAP shopping programs in the form of a proposed policy statement.

In designing CAP shopping programs, EDCs should include the following provisions:

1. A requirement that the CAP shopping product has a rate that is always at or below the EDCs' PTC(s) over the duration of the contract between the EGS and the CAP participant.
2. A provision that the contract between the EGS and the CAP participant contains no early termination or cancellation fees.
3. A provision that, at the end of the contract, the CAP participant may re-enroll with the EGS at a product that meets the same requirements as outlined in numbers 1 and 2 above, switch to another EGS offering a product that meets those requirements or be returned to default service.

The mechanics of CAP shopping programs should be addressed by EDCs in their next default service plan

¹⁰ See Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company for Approval of their Default Service Programs for the Period Beginning June 1, 2019 through May 3, 2023, Docket Nos. P-2017-2637855, et al. (Order granting reconsideration of September 4, 2018 Opinion and Order entered November 1, 2018).

¹¹ See, Report on 2017 Universal Service Programs and Collections Performance of the Pennsylvania Electric Distribution Companies and Natural Gas Distribution Companies, Pennsylvania Public Utility Commission Bureau of Consumer Services.

proceedings following adoption of the proposed policy statement, so as not to impact current, Commission-approved programs, and to allow for due process for all parties. The Commission envisions that the proposed policy statement will establish a methodology to ensure that both CAP and non-CAP participants may continue to avail themselves of retail competition, while avoiding the harm caused by unrestricted CAP shopping.

The Commission reasons that proposing CAP participant shopping requirements balances both the intent of the Competition Act to allow shopping, while "ensuring that universal service plans are adequately funded and cost-effective."¹² The Commonwealth Court has held that competition as envisioned by the Competition Act does not necessarily mean absolute and unbridled competition, and that the Commission "may 'bend' competition so as to 'give way to other important concerns' such as 'ensuring that universal service plans are adequately funded and cost-effective.'"¹³ Consistent with the Commonwealth Court's holding in *RESA*, any CAP participant is free to shop outside of their EDC's CAP shopping program. However, any CAP participant who contracts with an EGS for a product that does not meet the Commission's CAP shopping guidelines shall be removed from CAP.¹⁴

If any party believes that it can show through a default service plan proceeding that there is a reasonable alternative to the Commission's proposed CAP shopping guidelines that will not result in harm to either CAP participants or non-CAP participants, they are encouraged to propose such a model.¹⁵

Proposed Policy Statement

In accordance with the discussion above and for the reasons expressed, we are proposing the following Policy Statement as set forth in Annex A to this Order. Initially, we propose paragraphs setting forth the scope and purpose of the proposed policy statement. These proposed paragraphs are intended to convey the scope of the proposed guidelines is limited to EDC programs permitting CAP participants to enter into contracts with an EGS for electric generation service and the harm and benefits the guidelines are intended to address in such programs. Specifically, we propose the following:

§ 69.271. Scope.

Sections 69.272—69.276 provide guidelines to EDCs regarding programs permitting CAP participants to enter into contracts with an EGS for electric generation service.

§ 69.272. Purpose.

While the Commission supports retail competition in electric markets, unbridled competition has proven to be detrimental to both CAP participants and non-CAP participant ratepayers when CAP participants contract for electric generation service at rates more than the PTC offered by the EDC. CAP participants paying more than the PTC may exhaust their available CAP benefits earlier than if they were on default service. Non-CAP partici-

¹² 66 Pa.C.S. § 2804(9).

¹³ See *Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania v. Pa. Public Utility Commission*, 120 A.3d 1087, 1103, 1107 (Pa. Cmwlth 2015) (en banc), allocatur denied, 136 A.3d 982 (Pa. 2016) (CAUSE-PA); *RESA* at 1221.

¹⁴ *RESA* at 1223.

¹⁵ Commissioner Andrew G. Place issued a statement on December 20, 2018, seeking additional comments as to whether EGS fixed price offers to CAP customers should alternatively be required to be at or below the PTC at the time of the offer, and whether such fixed price contracts should have a maximum fixed price term limit. In addition, Commissioner Place requested additional information to help guide the decision making, including information that will help identify the underlying causes of higher historical EGS prices for CAP participants and whether initial fixed price contracts at or below the PTC at the time the offer was agreed to were the cause of the CAP participant price premiums, or whether, for example, such premiums resulted from the repricing terms of the EGS contract with CAP participants.

pants subsidize the EDC's uncollectibles resulting from CAP participants' inability to pay their bills, resulting in higher distribution rates. Accordingly, with this Policy Statement the Commission seeks to provide guidelines to EDCs to limit this harm, but still provide CAP participants the benefits of the retail electric market. The guidelines are intended to balance both the requirement for nondiscriminatory access to electric service shopping while ensuring that EDCs' universal service plans are adequately funded and cost-effective as required by the Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. § 2804 (relating to standards for restructuring of electric industry).

Next, we propose the following definitions to provide clarity and understanding to the proposed policy statement:

§ 69.273. Definitions.

The following words and phrases, when used in §§ 69.271—69.276, have the following meanings, unless the context clearly indicates otherwise:

CAP—Customer Assistance Program.

CAP participant—A residential retail electric customer enrolled in CAP.

DSP—Default service provider—The term has the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

Default service—Electric generation supply service provided pursuant to a default service program to a retail electric customer not receiving service from an EGS.

Default service program—A filing submitted to the Commission by the DSP that identifies a procurement plan, an implementation plan, a rate design to recover all reasonable costs and all other elements identified in § 54.185 (relating to default service programs and periods of service).

EDC—Electric distribution company—The term has the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

EGS—Electric generation supplier—The term has the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

Low income customer—A residential utility customer whose annual household gross income is at or below 150% of the Federal poverty income guidelines.

PTC—Price-to-compare—A line item that appears on a retail customer's monthly bill for default service. The PTC is equal to the sum of all unbundled generation and transmission related charges to a default service customer for that month of service.

Retail customer or retail electric customer—These terms have the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

We then propose the following guidance on when and how EDCs should address the guidelines being proposed:

§ 69.274. CAP Participant Shopping Addressed in Electric Default Service Program.

(a) An EDC should develop a CAP participant electric generation shopping program consistent with the guidelines provided in §§ 69.275—69.276.

(b) An EDC should include the CAP participant electric generation shopping program in the first default service program filing submitted for Commission approval after

_____. (*Editor's note:* The blank refers to 6 months and 1 day after the effective date of the adoption of this statement of policy.)

Next, we propose the following guidelines for the design of a program that allows CAP participants to shop for electric generation supply service with an EGS:

§ 69.275. CAP Participant Shopping Program Design.

(a) The Commission has set forth guidelines for CAP programs in its CAP policy statement at §§ 69.261—69.267 (relating to policy statement on customer assistance programs), which are applicable to this policy statement concerning CAP participant electric generation shopping programs.

(b) When addressing CAP participant electric generation shopping in default service programs, an EDC should include the following limitations:

(1) A requirement that a contract between an EGS and a CAP participant has a rate per kilowatt-hour that is at or below the EDC's PTC in effect during the entire duration of the contract.

(2) A requirement that a contract between an EGS and a CAP participant contains no:

(i) Early termination fees.

(ii) Cancellation fees.

(iii) Other fees unrelated to the provision of electric generation service to the CAP participant.

(3) Provisions that allow an EGS and a CAP participant to take the following actions at the end of any contract between the EGS and the CAP participant:

(i) Enter into another contract with the same EGS that meets the requirements outlined in (1) and (2).

(ii) Enter into a contract with another EGS that meets the requirements outlined in (1) and (2).

(iii) Enroll the CAP participant in default service.

Finally, we propose the following language addressing the eligibility requirements for CAP participants to participate in the CAP shopping program:

§ 69.276. Eligibility.

(a) Participation in a CAP participant electric generation shopping program is contingent upon a CAP participant's continuing eligibility for CAP benefits, as verified through an annual reapplication for CAP benefits process established pursuant to § 69.265(6)(viii) (relating to CAP design elements).

(b) A CAP participant that enters into a contract with an EGS that does not fit the requirements set forth in this policy statement shall be disqualified from participation in CAP.

Conclusion

With this Order, the Commission is proposing guidance for the design of EDC customer assistance program participant shopping programs. The Commission welcomes comments on all aspects of this proposed policy statement; *Therefore,*

It Is Ordered That:

1. The proposed policy statement set forth in Annex A is issued for comment.

2. The Law Bureau shall submit this Order and Annex A to the Governor's Budget Office for review of fiscal impact.

3. The Law Bureau shall deposit this Order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. Interested parties shall have 45 days from the date of publication of this proposed policy statement in the *Pennsylvania Bulletin* to file written comments referencing Docket No. M-2018-3006578 to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, Second Floor, 400 North Street, Harrisburg, Pennsylvania 17120. Comments may also be filed electronically through the Commission's e-file System.

5. Written replies to comments referencing Docket No. M-2018-3006578 be submitted within 60 days of the date of publication of this proposed policy statement in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, Second Floor, 400 North Street, Harrisburg, Pennsylvania 17120. Comments may also be filed electronically through the Commission's e-file System.

6. A copy of this Order and Annex A be served on all jurisdictional electric distribution companies, all licensed electric generation suppliers, the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, The Office of Small Business Advocate, the Pennsylvania Utility Law Project, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, the Retail Energy Supply Association and the parties at Docket No. P-2012-2283641 and Docket No. P-2016-2534980.

7. The contact persons for this matter are Kriss Brown, Law Bureau, (717) 787-4518, kribrown@pa.gov, and Tiffany Tran, Law Bureau, (717) 783-5413, tiftran@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

Fiscal Note: 57-325. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 69. GENERAL ORDERS, POLICY STATEMENTS AND GUIDELINES ON FIXED UTILITIES

(Editor's Note: The following sections are proposed to be added and are printed in regular type to enhance readability.)

POLICY STATEMENT ON ELECTRIC CUSTOMER ASSISTANCE PROGRAM PARTICIPANT SHOPPING

§ 69.271. Scope.

Sections 69.272—69.276 provide guidelines to EDCs regarding programs permitting CAP participants to enter into contracts with an EGS for electric generation service.

§ 69.272. Purpose.

While the Commission supports retail competition in electric markets, unbridled competition has proven to be detrimental to both CAP participants and non-CAP participant ratepayers when CAP participants contract for electric generation service at rates more than the PTC offered by the EDC. CAP participants paying more than

the PTC may exhaust their available CAP benefits earlier than if they were on default service. Non-CAP participants subsidize the EDC's uncollectibles resulting from CAP participants' inability to pay their bills, resulting in higher distribution rates. Accordingly, with this Policy Statement the Commission seeks to provide guidelines to EDCs to limit this harm, but still provide CAP participants the benefits of the retail electric market. The guidelines are intended to balance both the requirement for nondiscriminatory access to electric service shopping while ensuring that EDCs' universal service plans are adequately funded and cost-effective as required by the Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. § 2804 (relating to standards for restructuring of electric industry).

§ 69.273. Definitions.

The following words and phrases, when used in §§ 69.271—69.276, have the following meanings, unless the context clearly indicates otherwise:

CAP—Customer Assistance Program.

CAP participant—A residential retail electric customer enrolled in CAP.

DSP—*Default service provider*—The term has the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

Default service—Electric generation supply service provided pursuant to a default service program to a retail electric customer not receiving service from an EGS.

Default service program—A filing submitted to the Commission by the DSP that identifies a procurement plan, an implementation plan, a rate design to recover all reasonable costs and all other elements identified in § 54.185 (relating to default service programs and periods of service).

EDC—*Electric distribution company*—The term has the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

EGS—*Electric generation supplier*—The term has the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

Low income customer—A residential utility customer whose annual household gross income is at or below 150% of the Federal poverty income guidelines.

PTC—*Price-to-compare*—A line item that appears on a retail customer's monthly bill for default service. The PTC is equal to the sum of all unbundled generation and transmission related charges to a default service customer for that month of service.

Retail customer or *retail electric customer*—These terms have the same meaning as defined in 66 Pa.C.S. § 2803 (relating to definitions).

§ 69.274. CAP Participant Shopping Addressed in Electric Default Service Program.

(a) An EDC should develop a CAP participant electric generation shopping program consistent with the guidelines provided in §§ 69.275—69.276.

(b) An EDC should include the CAP participant electric generation shopping program in the first default service program filing submitted for Commission approval after _____. *(Editor's note:* The blank refers to 6 months and 1 day after the effective date of the adoption of this statement of policy.)

§ 69.275. CAP Participant Shopping Program Design.

(a) The Commission has set forth guidelines for CAP programs in its CAP policy statement at §§ 69.261—69.267 (relating to policy statement on customer assistance programs), which are applicable to this policy statement concerning CAP participant electric generation shopping programs.

(b) When addressing CAP participant electric generation shopping in default service programs, an EDC should include the following limitations:

(1) A requirement that a contract between an EGS and a CAP participant has a rate per kilowatt-hour that is at or below the EDC's PTC in effect during the entire duration of the contract.

(2) A requirement that a contract between an EGS and a CAP participant contains no:

(i) Early termination fees.

(ii) Cancellation fees.

(iii) Other fees unrelated to the provision of electric generation service to the CAP participant.

(3) Provisions that allow an EGS and a CAP participant to take the following actions at the end of any contract between the EGS and the CAP participant:

(i) Enter into another contract with the same EGS that meets the requirements outlined in (1) and (2).

(ii) Enter into a contract with another EGS that meets the requirements outlined in (1) and (2).

(iii) Enroll the CAP participant in default service.

§ 69.276. Eligibility.

(a) Participation in a CAP participant electric generation shopping program is contingent upon a CAP participant's continuing eligibility for CAP benefits, as verified through an annual reapplication for CAP benefits process established pursuant to § 69.265(6)(viii) (relating to CAP design elements).

(b) A CAP participant that enters into a contract with an EGS that does not fit the requirements set forth in this policy statement shall be disqualified from participation in CAP.

[Pa.B. Doc. No. 19-892. Filed for public inspection June 14, 2019, 9:00 a.m.]

NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 18.167: New Storage Facility. The general project description includes construction of a new 17,200 square foot storage building employing pre-engineered metal building construction and all associated site and utility construction.

1. *General Contractor:* The general contractor will serve as the lead contractor and be responsible for coordination of the entire project with other prime contractors. The general contractor's scope of work generally includes but is not limited to: all site grading, cut and fill; domestic and fire protection water utilities beginning at a point 5 feet beyond the building wall; natural gas utility beginning at a point 5 feet beyond the building wall; sanitary sewer utility beginning at a point 5 feet beyond the building wall; excavation and backfill for foundations; concrete footings; CMU foundations; concrete slab-on-grade; pre-engineered metal building frame (including insulated roof and wall panels); exterior brick masonry wainscot around the perimeter of the building; interior CMU partitions, door, frames and hardware; window; overhead coiling doors; rack system; painting; site concrete work; asphalt paving; and seeding and mulching of lawn areas.

2. *HVAC Contractor:* The HVAC contractor's scope of work generally includes but is not limited to: exterior grade-mounted air handling units; sheet metal ductwork; fabric ductwork; toilet and janitor's closet exhaust systems; split system heat pump; and automatic temperature control system.

3. *Plumbing/Fire Protection Contractor:* The plumbing/fire protection contractor's scope of work generally includes but is not limited to: below grade sanitary piping; above ground sanitary and vent piping; domestic hot-water and cold-water piping; pipe insulation; plumbing fixtures; floor drains; point-of-use electric hot water heaters; and automatic sprinkler system.

4. *Electrical Contractor:* The electrical contractor's scope of work generally includes but is not limited to: coordination of electric service to the building with PP&L; MDP branch circuit panels; transformers; conduit and wire for power and lighting; light fixtures; receptacles; security system; fire alarm detection system; voice and data drops; and fiber optic connection to the MDF at the existing House Print Shop building.

The issue date of the request for proposals will be on the June 24, 2019. A mandatory preproposal conference will be held on July 8, 2019, at 9:30 a.m. in Room 630, Main Capitol Building, Harrisburg, PA. The proposal receipt date is July 17, 2019, at 2 p.m. Project documents may be obtained by contacting Vitetta, Attention: Sharon Hindermyer, (717) 612-4611, Hindermyer@vitetta.com.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 19-893. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

General Quarantine Order; Certified Poultry Technicians

Recitals.

A. Avian influenza, Chlamydiosis (psittacosis), Chronic respiratory disease of poultry caused by *Mycoplasma synoviae* or *Mycoplasma gallisepticum*, Duck viral enteritis, Newcastle Disease, *Salmonella pullorum*, and *Salmonella gallinarum* are designated "dangerous transmissible diseases" of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(d).

B. The Pennsylvania Department of Agriculture (Department), under the edicts established by section 2327 of the Domestic Animal Law (3 Pa.C.S.A. § 2327) (related to disease surveillance and detection) has the authority and duty to carry out disease surveillance and detection and more specifically to regularly monitor the domestic animal population of this Commonwealth to determine the prevalence and incidence of transmissible diseases or contamination by hazardous substances.

C. The Department, under the provisions set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. § 2329) (related to quarantine) has the authority to establish three different types of quarantine orders—Interstate and International, General and Special. The Department may establish a Quarantine Order, "Whenever a dangerous transmissible disease...exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease...or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease...so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease...impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal." (3 Pa.C.S.A. § 2329(a))

D. The Department may establish and enforce a general quarantine order within the Commonwealth for any reason set forth paragraph C above, "...to prevent a dangerous transmissible disease...from being carried into, within, from or out of the area or locality that is subject to the quarantine..."

E. Section 2321(related to dangerous transmissible diseases) of the Domestic Animal Law sets forth, at subsection (a), dangerous transmissible diseases (3 Pa.C.S.A. § 2321(a)). Section 2321(d) (related to designation of additional dangerous transmissible diseases through temporary order) allows the Department to designate additional transmissible diseases determined to, "...present a danger to public health, to domestic animal health, to the safety or quality of the food supply or to the economic well-being of the domestic animal industries..." as dangerous transmissible diseases through the issuance of a temporary order (3 Pa.C.S.A. § 2321(d)).

F. The dangerous transmissible diseases listed at section 2321(a) of the Domestic Animal Law and those designated by the Department through a temporary order

are known to exist within or outside of this Commonwealth and have been determined to pose a danger to public health, domestic animal health, the safety or quality of the food supply or to the economic well-being of the domestic animal industries.

G. The Act of April 6, 1956, P.L. (1955) 1429, at section 1, (Pullorum Act) provides that "The Secretary of Agriculture, when he determines that there is a need for trained technicians to aid in drawing blood from poultry to be used in pullorum testing programs, may license as many trained technicians as he deems necessary to aid the programs."

H. The Department developed and has administered such licensing and training programs.

I. As dangerous transmissible diseases other than pullorum have been identified, and additional regulatory poultry health programs have been implemented by the Department, other states and the United States Department of Agriculture (USDA), it has become necessary for the Department to train poultry technicians with regard to sampling and testing techniques necessary to detect and surveil for those additional diseases.

J. Avian influenza and other dangerous transmissible diseases of poultry are of concern to the entire Pennsylvania poultry industry and may severely limit the market for Pennsylvania poultry products or cause production losses or death in poultry flocks within and outside of the Commonwealth if not detected and controlled.

K. Avian influenza, in particular, has caused significant loss in the past to the Pennsylvania poultry industry and to the poultry industry in other states and as a whole.

L. Regulatory poultry health programs exist through the Pennsylvania Department of Agriculture and through the USDA National Poultry Improvement Plan (NPIP) to provide disease surveillance, promote healthy poultry and a healthy food supply, and to support interstate and international commerce.

M. Regulatory surveillance for movement of poultry not participating in official poultry health programs may be required for intrastate, interstate, and international commerce, and for entry into exhibitions or markets.

N. The following Order establishes testing and training requirements necessary for Certification and Licensing of Poultry Technicians.

O. Only persons certified and licensed in accordance with the provisions set forth in this Order may draw blood, collect swab and egg samples, and conduct approved on-site testing of poultry for dangerous transmissible diseases of poultry for regulatory testing purposes.

Order.

PDA enters a General Quarantine Order, incorporating the foregoing recitals. This Order is entered under authority of the Domestic Animal Law (at 3 Pa.C.S.A. § 2329) and § 1702 of the Administrative Code of 1929 (71 P.S. § 442), and establishes the following quarantine restrictions and standards with respect to training and testing of persons to become licensed as Certified Poultry Technicians and provides standards for the collection of samples for testing and rapid testing for regulatory purposes other than the detection of pullorum disease in poultry.

1. *General.* For purposes of this Order, the term "poultry" includes all domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds, except doves and pigeons, which are bred

for the primary purpose of producing eggs or meat, or as otherwise defined under subpart A of the current version of the National Poultry Improvement Plan (NPIP) and Auxiliary Provisions.

2. *Purpose.* This Order allows for qualified persons to become licensed as Certified Poultry Technicians to carry out certain sampling and testing procedures, in addition to testing and sampling for pullorum disease under the Pullorum Act, and thereby further fulfill the Department's duty to surveil for dangerous transmissible diseases in accordance with the Domestic Animal Law. This Order allows for a more proactive and preventative approach to current and future dangerous transmissible diseases and hazardous substances through surveillance, monitoring, and testing by the poultry industry. Such an approach furthers the legislative mandate of section 2327 of the Domestic Animal Law¹ (related to disease surveillance and detection) and provides greater protection to the poultry population and industry in this Commonwealth. This Order delineates education and testing criteria that will allow for and require the certification and licensure of private sector individuals to carry out domestic poultry sampling and rapid testing and thereby enhance monitoring, detection, and containment of dangerous transmissible diseases of poultry and contamination by hazardous substances.

3. *Scope of certification and licensure.* This Order allows persons licensed as Certified Poultry Technicians in the Commonwealth of Pennsylvania to perform the duties of a Certified Poultry Technician only within the Commonwealth of Pennsylvania, unless under a reciprocal agreement addressing license reciprocity between the Commonwealth of Pennsylvania and another state or Commonwealth. Final certification shall be obtained and the certificate issued prior to any person undertaking any testing, sampling or other activity requiring certification and licensure under this Order.

4. *Qualifications for certification and licensure.*

(a) Nothing in this Order may or shall supplant the provisions of the Veterinary Medical Practice Act² or its attendant regulations regarding the practice of veterinarian medicine. Persons licensed as Certified Poultry Technicians may only carry out those testing and diagnostic practices that would not rise to the level of veterinary medical practice as defined under the Veterinary Medicine Practice Act.

(b) Applicants for licensure as a Certified Poultry Technician shall furnish such information as the Department may reasonably require in order to ascertain competence and qualification, including at a minimum the following information and evidence thereof:

(i) That he or she is at least eighteen (18) years of age;

(ii) That he or she is a citizen of the United States;

(iii) That he or she has completed at least eight years of education in a public, parochial, or private school, or its equivalent as determined by the Pennsylvania Department of Education; and

(iv) An attestation related to whether he or she has ever been convicted of a violation of the Domestic Animal Law, a felony or a cruelty to animals charge under the Pennsylvania Crimes Code within the time periods established in subsection (c) below.

¹ 3 Pa.C.S.A. § 2327.

² Veterinary Medicine Practice Act (Act of December 27, 1974, P.L. 995, No. 326, as amended) (63 P.S. § 485.1 et seq.).

(c) An application for certification and licensure as a Certified Poultry Technician, including an application for renewal of license, shall be denied if the applicant has done any of the following:

(i) Has been convicted, within the previous three years, of any provision of the Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.), the Act of April 6, 1956, P.L. (1955) 1429 (Pullorum Act) or any regulation promulgated or order issued thereunder by the Department.

(ii) Within the previous ten years the applicant has been convicted of a felony.

(iii) Within the previous three years, the applicant has been convicted of any violation, other than a felony conviction which shall be treated as set forth in subparagraph (b)(ii) above, of 18 Pa.C.S.A § 5511 (related to cruelty to animals) or of substantially similar conduct pursuant to a cruelty law in another state or Commonwealth.

(d) Persons licensed by the Department as Certified Poultry Technicians under authority of the Act of April 6, 1956 (P.L. 1429, No. 466), may continue to carry out the duties and functions bestowed upon them under that statute until such time as that license has expired or been revoked in accordance with the provisions of that statute.

(e) Upon expiration of a Certified Poultry Technician license issued under the Act of April 6, 1956 (P.L. 1429, No. 466), the person shall obtain the certification and licensure required by this Order. Failure to do so shall mean the person may no longer perform the duties and functions of a Certified Poultry Technician.

5. *Application for certification and licensure.*

(a) A completed Certified Poultry Technician License Application shall be submitted to the Department for review before acceptance into the certification and training course.

(b) An applicant for Certified Poultry Technician certification and licensure shall complete the required and appropriate certification course and training, including passing a written examination, and subsequent field skills testing, administered or approved by the Department. Field skills testing must be successfully completed within six months after the classroom course and examination has been successfully completed.

(c) After successful completion of the field skills testing, submission of the form evidencing successful completion of the field skills testing to the Department shall be required within thirty (30) days after the date of the testing. Upon receipt of the completed field skills testing form, the Department will mail or email the license to the approved applicant. The applicant may then begin performing the duties of a Certified Poultry Technician.

6. *Renewal application for licensure.*

(a) Licensure shall expire on a biennial calendar year basis and shall be postmarked prior to January 1 of the year following the expiration of the license.

(b) Failure of a licensed Certified Poultry Technician to submit a license renewal application postmarked prior to January 1 of the year in which renewal is due will result in the following:

(i) The person will be unlicensed to practice as a Certified Poultry Technician.

(ii) The person may not continue to act or hold themselves out as a licensed Certified Poultry Technician.

(iii) Continuing to act or hold oneself out as a licensed Certified Poultry Technician shall be a violation of this Order and shall subject the person to the penalties provided for at sections 2383 (related to enforcement and penalties) and 2386 (related to civil remedy) of the Domestic Animal Law (3 Pa.C.S.A. §§ 2383 and 2386).

(iv) The person shall be required to successfully complete the written examination at a Department office, and, at the Department's discretion, may be required to complete the entire certification course, examinations and training as established in Sections nine (9) and 10 of this Order prior to the Department issuing a license.

7. *Duties and Limitations.*

(a) Any person licensed as a Certified Poultry technician may engage in carrying out the duties and procedures within the scope of their certification and licensure as outlined under the provisions of this Order.

(b) A licensed Certified Poultry Technician may carry out the following:

(i) The collection of blood, swab, and egg samples of sufficient quantity and quality for regulatory testing from poultry in accordance with applicable statutory and regulatory standards, and orders of the Department;

(ii) Performance of rapid tests for regulatory testing as approved by the Department and in accordance with applicable statutory and regulatory standards, and orders of the Department;

(iii) Handling, packaging, labeling, and timely submission of samples in accordance with applicable statutory and regulatory standards, and orders of the Department;

(iv) Completion of sample submission forms and all other forms required by the Department or USDA;

(v) Application of official animal identification as approved by the Department.

(vi) Maintenance of records of animal identification, approved rapid testing, and any other records required by the Domestic Animal Law, this Order, and any order issued by the Department;

(vii) Timely reporting of any suspected reportable diseases in accordance with applicable statutory and regulatory standards, and orders of the Department; and

(viii) Sampling and testing to meet Commonwealth of Pennsylvania and federal avian program standards and Commonwealth exhibition standards.

(c) Being licensed as a Certified Poultry Technician shall not entitle the person to perform any function for which a veterinary license or certification as a veterinary technician is required.

(d) *Ongoing oversight.* The Department may observe any Certified Poultry Technician performing the duties of a Certified Poultry Technician to assure compliance with the provisions of the Domestic Animal Law and this Order, and to assure proper procedures and protocols are being instituted and followed, and may conduct sampling and testing of its own to verify and assure the accuracy of the sampling and testing being conducted by a Certified Poultry Technician.

8. *Certification Requirements.*

(a) *General.* The Department will develop the Poultry Technician certification course in accordance with the standards established in Sections nine (9) and 10 of this Order. The Department may administer the course or may approve certification courses offered by an approved

vendor. All certification courses shall be conducted by either a Department veterinarian or a designee of the Department with the oversight of a Department veterinarian.

(b) *Access to Training.* The classroom portion of the certification course and examination will be offered at least once per calendar year, or more often as deemed necessary by the Department, and will be offered at various locations across the Commonwealth in a manner that will assure reasonable Commonwealth-wide coverage and access.

(c) *Criteria.* The following establish the criteria related to certification and maintaining certification under this Order:

(i) A person seeking to act as a Certified Poultry Technician shall complete the necessary certification course work, field skill training, and evaluation, which shall include classroom instruction and testing and field skill instruction and testing. A person shall be required to obtain a minimum score of seventy percent (70%) on a classroom written examination and have all skills checked as satisfactory on field skills testing.

(ii) A person acting as a Certified Poultry Technician shall maintain certification and licensure in accordance with the requirements set forth in this Order.

(iii) A person certified and acting as a Certified Poultry Technician shall conduct such sampling, testing, and other related activities in accordance with the requirements of this Order and any order issued by the Department.

(iv) A person certified as a Certified Poultry Technician shall maintain records of official animal identification, approved rapid testing, and any other records required by the Domestic Animal Law, this Order, and any order issued by the Department for a minimum of two years and shall make records available upon Department request.

9. *Certification course and training.*

(a) At a minimum, the successful completion of the certification course, training and examinations will demonstrate an applicant's understanding of and technical knowledge and proficiency relating to the duties as described in this Order. The examinations will address key topics and skills addressed during the classroom portion of the certification course and field skills training, as set forth in this Order.

(b) Field skills training will be offered to individual applicants at regional locations chosen by the Department to provide reasonable access, and will be administered by a Department veterinarian or designee with the oversight of a Department veterinarian.

(c) The certification course, training and testing requirements for a Certified Poultry Technician shall, at a minimum, address proper methods for the following:

(i) The collection of blood, swab, and egg samples of sufficient quantity and quality for regulatory testing from poultry in accordance with applicable Pennsylvania and federal statutory and regulatory standards, Quarantine Orders of the Department and federal National Poultry Improvement Plan standards.

(ii) Performance of rapid tests for regulatory testing as approved by the Department and in accordance with applicable Pennsylvania and federal statutory and regula-

tory standards, Quarantine Orders of the Department and federal National Poultry Improvement Program standards.

(iii) Handling, packaging, labeling, and timely submission of samples and sample submission forms in accordance with Pennsylvania statutory and regulatory standards and Quarantine Order provisions.

(iv) Comprehensive, timely and accurate completion of sample submission forms and all other forms required by the Department or USDA.

(v) Requirements for official animal identification and application of such.

(vi) Maintenance of records of official animal identification, approved rapid testing, and any other records required by the Domestic Animal Law, its attendant regulations, this Order, and any Quarantine Order issued by the Department.

(vii) Timely reporting of any suspected reportable diseases in accordance with applicable Domestic Animal Law statutory and regulatory standards, Quarantine Orders of the Department and statutory, regulatory and program standards, such as National Poultry Improvement Program standards established by the USDA.

(viii) Knowledge of and adherence to requirements for sampling and testing to meet Pennsylvania and federal statutory and regulatory standards, Quarantine Orders of the Department and federal National Poultry Improvement Program standards.

(ix) Understanding of and adherence to Pennsylvania and federal statutory, and regulatory standards and federal program standards and indemnity requirements related to biosecurity measures and practices.

10. *Certification Examination.*

(a) *Results.* The Department will notify the applicant of the results of the written examination and field skills test.

(b) *Written examination.*

(i) If the applicant passes the written examination, the applicant may schedule field skills testing with the Department's regional veterinarian located in the region in which the applicant resides.

(ii) If the applicant fails the written examination the applicant shall be allowed to take the next available written examination offered within one year from the date of the failed examination without repeating the classroom portion of the training.

(iii) If the applicant fails the written examination for a second time the applicant shall be denied certification and the applicant shall be required to again complete all of the necessary certification course training, pass the written examination and field skills testing, and obtain final certification under the provisions of this Order.

(iv) An applicant who has failed the written examination may request a copy of the results via by email or fax or by sending a written request, along with a self-addressed postage paid envelope, to the Department.

(c) *Field skills testing.*

(i) If the applicant passes the field skills testing, the Department instructor who evaluated the applicant will notify the applicant of the results.

(ii) In order to obtain certification, the applicant must remit a copy of the field skills testing form, signed by the instructor, to the Department's Harrisburg office. This

submission shall be required within thirty (30) days after the date of the field skills testing.

(iii) If the applicant fails the field skills testing, the applicant shall be allowed to schedule up to two additional field skills tests within the six months after successfully completing the written examination without repeating the classroom training or written examination.

(iv) If an applicant fails the field skills testing for a third time, the applicant shall be denied certification and the applicant shall be required to again complete all of the necessary certification course training, pass the written examination and field skills testing, and obtain final certification and licensure under the provisions of this Order.

11. *Recordkeeping.*

(a) *General requirements.* The Department will make available forms on which records of official animal identification, approved rapid testing, and any other records required by the Domestic Animal Law, this Order, and any order issued by the Department shall be recorded. Such forms shall be reviewed during the classroom training and shall be available from the Department for the regulated community.

(b) *Duty to keep and submit records.* A Certified Poultry Technician shall be responsible for keeping records as required by the Department, such as records of official animal identification, records of approved rapid testing performed and results of tests on each animal, and any other records required by the Domestic Animal Law, this Order, and any order issued by the Department. The Certified Poultry Technician shall keep required records for a minimum of two years and shall make records available upon Department request. Such records shall be kept on forms provided by the Department. All required records shall be made available to the Department for inspection or copying or both upon request of the Department.

12. *Duty to report.* Consistent with the purpose of the Domestic Animal Law and the provisions established at section 2327 (related to disease surveillance and detection) (3 Pa.C.S.A. § 2327(b)), a Certified Poultry Technician shall, immediately upon receiving information thereof, report to the Department each case of any dangerous transmissible disease and each case of potential contamination by substances declared hazardous by the Department. Failure to report shall be considered a violation of this Order.

13. *Reciprocity.*

(a) *General:* A person who has a valid certificate or license from another state or Commonwealth may obtain licensure in this Commonwealth if:

(i) The state or Commonwealth in which that person is certified or licensed has a reciprocal agreement with the Department.

(ii) The training requirements in the state or Commonwealth from which the applicant is applying satisfy and are at least as stringent as the required certification and licensing training standards set forth in this Order.

(iii) The applicant is currently certified or licensed and is in good standing in the state or Commonwealth with which the Department has a reciprocal agreement.

(iv) The applicant meets the qualification standards established in this Order.

(b) *Procedure.* A person desiring a license under sections five (5) and six (6) (relating to application for certification and licensure) shall submit to the Department a properly completed application as set forth in this Order, along with a copy of the person's out-of-State certificate or license and an affidavit or verification of good standing signed by the appropriate regulatory body in that state or Commonwealth.

(c) *Jurisdiction.* An out-of-state person applying for and receiving certification and licensure to act as a Certified Poultry Technician in the Commonwealth of Pennsylvania shall be subject to the Jurisdiction of the Department and this Order and shall be subject to all penalties and requirements established in the Domestic Animal Law and this Order.

(d) A Certified Poultry Technician certified in the Commonwealth of Pennsylvania wishing to perform the duties of a Certified Poultry Technician in another state or Commonwealth may only do so after meeting the application and certification requirements of a state or Commonwealth with which a reciprocity agreement exists.

14. *Violations and Penalties.*

(a) *Denial, suspension and revocation of license.* The Department may, after notice, including a statement of the reasons therefore, deny, suspend or revoke the license of a Certified Poultry Technician for any of the following:

(i) A violation of the Domestic Animal Law, this Order or any order issued by the Department.

(ii) Failure of a Certified Poultry Technician to meet the requirements of certification and licensure.

(iii) Inconsistency and demonstration of a lack of knowledge in the skills and techniques necessary to carry out the duties of a Certified Poultry Technician.

(iv) Deficiencies in sample collection, sample handling and submission, and testing techniques, procedures, requirements and criteria established by the Department.

(v) Failure to renew certification and licensure in the established timeframe.

(vi) Being unwilling or unable to carry out the duties of a Certified Poultry Technician.

(vii) Falsifying information, including on applications, reports, records or correspondence with the Department.

(viii) A violation of any requirement of certification and licensure, recordkeeping or other provision of this Order.

(ix) Denial, suspension or revocation of certification or licensure in a state that has a reciprocal agreement with the Department.

(x) The Department may impose a civil fine or revoke, suspend or deny, or both, the license of a Certified Poultry Technician for any conviction of the Crimes Code at section 5511 (18 Pa.C.S.A. § 5511) (related to cruelty to animals) or substantially similar conduct pursuant to a cruelty law of another state or Commonwealth and shall revoke the license of a Certified Poultry Technician where such person has been convicted of a felony under any statute in this Commonwealth or another state or Commonwealth.

(xi) It shall be unlawful for any person to impede, hinder or interfere with the sampling or testing of a domestic animal or to refuse to confine a domestic animal so as to allow testing without undue burden on the official conducting the test or to fail to present the person's domestic animals for testing by the Department

under authority of this Order after reasonable notice of the proposed testing has been given.

(xii) It shall be unlawful for any person who has knowledge that a domestic animal is infected with a dangerous transmissible disease or has been exposed to a dangerous transmissible disease or has been contaminated by a hazardous substance to conceal or attempt to conceal such a domestic animal or knowledge of such a domestic animal from the department.

(xiii) It shall be unlawful and a certification may be suspended, denied or revoked or civil fines and criminal penalties imposed, or any of the above, if a Certified Poultry Technician has violated any provision of the Domestic Animal Act or a final order of the Department, including failure to pay a civil penalty or comply with the provisions of the final order.

(b) *Appeal and request for a hearing.* An applicant or Certified Poultry Technician may request a hearing, in writing, within fifteen (15) days of receipt of notice of the proposed denial, suspension or revocation of their Certified Poultry Technician license or any proposed civil penalties to be assessed by the Department, as allowed under section 2383(b) of the Domestic Animal Law (3 Pa.C.S.A. § 2383(b)). The written request shall be sent to the Bureau of Animal Health and Diagnostic Services, Agriculture Building, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110. The written request for a hearing must clearly set forth the basis of any appeal, and clearly identify the relevant issues or objections to be resolved. If you deny or challenge any averment in the Department's proposed order of denial, revocation or suspension, the appeal notice must identify that averment by number and describe the general basis for your denial or challenge. The scope of any subsequent administrative hearings or proceedings would be limited to those issues and objections set forth in the written appeal notice. No suspension, denial or revocation of licensure or civil penalty issued shall become effective until the time to appeal the proposed action has expired and the proposed order has thus become final or, where a hearing is requested, a hearing in the matter has been completed and a final order of the Department has been issued.

(c) *Revocation or suspension.* The Department's decision to deny, revoke or suspend a Certified Poultry Technician's licensure will be based on the gravity of the offense. The Department will consider such factors as the willfulness of the violation, previous violations and whether the person in question has continued to act as a Certified Poultry Technician after licensure was denied, suspended or revoked.

(i) *Suspended license.* A Certified Poultry Technician whose license has been suspended may not operate until that person has completed the required certification and licensure requirements or any final order issued by the Department, or both.

(ii) *Denied or Revoked license.* A Certified Poultry Technician whose certification or licensure has been denied or revoked may not operate until the Department has issued a final license. To obtain final certification and licensure, the person whose certification and license has been denied or revoked shall satisfy the full certification and licensing requirements established by this Order and shall have complied with any final order of the Department, including payment of any civil penalties and compliance with any requirements of such final order.

15. *Criminal and civil penalties.* The Department may impose those criminal and civil penalties specifically

established at section 2383 of the Domestic Animal Law (3 Pa.C.S.A. § 2383) for any violation of the provisions of this Order.

16. *Civil remedy.* In addition to any other action or remedy sought, the Department may seek any civil remedy, as specifically established at section 2386 of the Domestic Animal Law (3 Pa.C.S.A. § 2386), for any violation of the provisions of this Order.

17. This Order shall not be construed as limiting the Department's authority to establish additional requirements for initial or continued certification of Certified Poultry Technicians or to limit any authority the Department possesses under the Domestic Animal Law or any other Act or Law administered by the Department.

18. This Order is effective upon publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 19-894. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

General Quarantine Order; Poultry Exhibition Requirements

Recitals.

A. Avian influenza and Pullorum-typhoid are infectious diseases of poultry.

B. Avian influenza and pullorum-typhoid are designated "dangerous transmissible diseases" of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(d).

C. Avian influenza can be transmitted between poultry and by contaminated people, vehicles, equipment, and other fomites, as well as by aerosol.

D. Avian influenza has caused significant loss in the past to the Pennsylvania poultry industry.

E. Avian influenza is of particular concern to the entire Pennsylvania poultry industry and may severely limit the market for Pennsylvania product.

F. Avian influenza subtypes H5 and H7 are of particular concern due to their potential for developing into a virulent (highly pathogenic) form of the disease.

G. Avian influenza is periodically identified in poultry flocks in Pennsylvania and surrounding states.

H. Salmonella Pullorum-typhoid is a bacterial disease which can produce significant mortality in young gallinaceous (chicken, turkey and game) birds. Birds that survive infection will be lifetime carriers and may be the source of infection of other poultry.

I. Transmission of pullorum-typhoid is primarily vertically through the egg but may also be through direct or indirect contact with infected birds, and may be carried by fomites.

J. Pennsylvania is designated as a pullorum-typhoid free state by the National Poultry Improvement Plan.

K. Avian influenza and Pullorum-typhoid can be transmitted between poultry.

L. The Pennsylvania Department of Agriculture (Department) requires official identification of poultry entering an exhibition to promote animal disease traceability in the event of a report of a dangerous transmissible disease (47 Pa.B. 1857).

M. The Department, under the edicts established by section 2327 of the Domestic Animal Law (3 Pa.C.S.A. § 2327) (related to disease surveillance and detection) has the authority and duty to carry out disease surveillance and detection and more specifically to regularly monitor the domestic animal population of this Commonwealth to determine the prevalence and incidence of transmissible diseases or contamination by hazardous substances.

N. The Department, under the provisions set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. § 2329) (related to quarantine) has the authority to establish three different types of quarantine orders—Interstate and International, General and Special. The Department may establish a Quarantine Order, “Whenever a dangerous transmissible disease. . .exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease. . .or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. . .so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease. . .impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal.” (3 Pa.C.S.A. § 2329(a)).

O. An exhibition is defined as a show or display of animals.

Order.

PDA enters a General Quarantine Order, incorporating the foregoing recitals. This Order is entered under authority of the Domestic Animal Law (at 3 Pa.C.S.A. § 2329) and § 1702 of the Administrative Code of 1929 (71 P.S. § 442), and establishes the following quarantine restrictions and standards with respect to health requirements for poultry entering Commonwealth of Pennsylvania exhibitions:

1. *General.* For purposes of this Order, the term “poultry” includes all domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds, but excludes doves, pigeons, and other species of birds.

2. *Purpose.* This Order allows for a proactive and preventative approach to prevention of the spread of dangerous transmissible diseases affecting poultry at Pennsylvania exhibitions.

3. Only veterinarians who are licensed or otherwise legally able to practice veterinary medicine and are USDA Category II Accredited in the state where sampling occurs, or persons certified and licensed as poultry technicians in accordance with the provisions set forth in the Department’s General Quarantine Order; Certified Poultry Technicians, may draw blood, collect swab and egg samples, and conduct approved on-site testing of poultry for dangerous transmissible diseases of poultry for regulatory testing purposes, including entry into exhibitions.

4. Sample collectors and testers must maintain records of animal identification, approved rapid testing, and any

other records required by the Domestic Animal Law, this Order, and any order issued by the Department for a minimum of two years and must make records available to the Department upon request.

5. Sample collectors and testers must report in a timely manner any suspected reportable diseases in accordance with applicable statutory and regulatory standards, and orders of the Department.

6. All poultry, including chickens, turkeys, waterfowl, and game birds entering an exhibition must bear an official PDA-issued leg band. Ratites must be identified with a neck band or an electronic implant device (the exhibitor must supply a reader). Pigeons, doves, and other avian species must bear a unique individual identification leg band but are not required to be identified with an official PDA leg band.

7. An Owner-endorsed Avian Health Certificate, or a Certificate of Veterinary Inspection (CVI) issued by a USDA Category II Accredited Veterinarian, must accompany all poultry, including chickens, turkeys, waterfowl, game birds, and ratites; pigeons, doves; and other avian species; and hatching eggs entering exhibitions. The Owner-endorsed Avian Health Certificate or CVI will be valid for thirty (30) days and must include the following:

- a. Name and location of the exhibition; and
- b. Name, address, and telephone number of the owner; and
- c. A statement that the entries and the flock of origin are free of evidence of infectious and contagious diseases; and
- d. Verification of testing as required in this Order; and
- e. A description of the birds or hatching eggs; and
- f. Owner signature and date of that signature.

8. *Testing and verification requirements for poultry:*

a. *Avian influenza testing and verification:*

i. National Animal Health Laboratory Network (NAHLN) protocols for sample collection, including the number of swabs/tube of viral transport media, and testing shall be followed. All samples must be tested at a NAHLN laboratory.

ii. All poultry, including chickens, turkeys, waterfowl, game birds, and ratites, and their hatching eggs must originate from a flock in which a random, representative sample of a minimum of 30 birds, three (3) weeks of age or older, were tested for avian influenza within the 30 days prior to entry into the exhibition.

iii. If there are fewer than 30 birds in the flock, all birds of age must be tested.

iv. Test results must be negative.

v. The birds or hatching eggs must be accompanied by the most recent test report (photocopies are acceptable).

vi. Gallinaceous birds may meet the testing requirements with blood testing or tracheal/oropharyngeal swab testing. If swab samples are collected, swabs from different species—e.g. chickens and turkeys—may not be combined in a tube of viral transport media.

vii. Waterfowl must be tested with cloacal swab samples. Swabs from different species—e.g. ducks and geese—may not be combined in a tube of viral transport media.

viii. Untested birds shall not be comingled with or added to the tested flock after negative samples have been collected and before birds or hatching eggs enter the exhibition.

b. *Pullorum-typhoid testing and verification:*

i. National Animal Health Laboratory Network (NAHLN) protocols for sample collection and testing shall be followed.

ii. All poultry, including chickens, turkeys, game birds, and ratites (waterfowl excluded) and their hatching eggs;

(1) Must originate from a flock enrolled, tested, and in good standing on the NPIP Pullorum-typhoid Clean Program, with no break in the chain of ownership by NPIP participants, and the birds or hatching eggs must be accompanied by the most recent laboratory test report or 9-3 form (Report of Sales of Hatching Eggs, Chicks, or Poults) which includes the NPIP number; or NPIP 9-2 form (Flock Selecting and Testing Report) for the rapid whole blood agglutination plate test which includes the NPIP number (photocopies are acceptable); or

(2) Must originate from a flock enrolled, tested, and in good standing on the PA Pullorum Equivalent Program, with no break in the chain of ownership by program participants, and the birds or hatching eggs must be accompanied by the most recent laboratory test report which includes the program enrollment number, or state rapid test reporting form for the rapid whole blood agglutination plate test for pullorum-typhoid which includes the program enrollment number (photocopies are acceptable); or

(3) All individual birds (poultry), including chickens, turkeys, waterfowl, game birds, and ratites, or poultry providing hatching eggs (waterfowl excluded) (maximum of 300 from a flock) entering a Pennsylvania exhibition must have had a pullorum-typhoid test within the ninety (90) days prior to the opening date of the exhibition. The birds or hatching eggs must be accompanied by the most recent laboratory test report; or the Department's rapid test reporting form for the rapid whole blood agglutination plate test for pullorum-typhoid performed on non-NPIP birds (photocopies are acceptable).

(4) Test results must be negative.

(5) The following age restrictions apply for pullorum-typhoid testing:

A. Chickens shall be tested at four (4) months of age or older.

B. Turkeys shall be tested at 12 weeks of age or older.

C. Game birds shall be tested at four (4) months of age or older, or upon sexual maturity, whichever comes first.

D. Ratites shall be tested at 12 months of age or older.

E. Birds which are individually tested for pullorum for exhibition must have a negative pullorum test if of age at the time of entry into the exhibition.

9. *Criminal and civil penalties.* The Department may impose those criminal and civil penalties specifically established at section 2383 of the Domestic Animal Law (3 Pa.C.S.A. § 2383) for any violation of the provisions of this Order.

10. *Civil remedy.* In addition to any other action or remedy sought, the Department may seek any civil remedy, as specifically established at section 2386 of the Domestic Animal Law (3 Pa.C.S.A. § 2386), for any violation of the provisions of this Order.

11. This Order shall not be construed as limiting the Department's authority to establish additional requirements for poultry for exhibition or to limit any authority the Department possesses under the Domestic Animal Law or any other Act or Law administered by the Department.

12. This Order is effective upon publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 19-895. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Pennsylvania Malt and Brewed Beverage Industry Promotion Board; Grant Solicitation and Application Procedures

1. *Introduction.* The Pennsylvania Malt and Brewed Beverage Industry Promotion Board (Board) annually, or more frequently as the availability of funds permits, solicits proposals for grants to conduct promotion, marketing and research projects to increase the quality, profitability, production and sale of malt and brewed beverages produced in this Commonwealth. The Board was established by section 446.1 of the Liquor Code (47 P.S. § 4-446.1). The Board makes recommendations for the awarding of grants by the Liquor Control Board from funds provided through the Liquor Code (47 P.S. §§ 1-101—10-1001). This notice establishes the procedures by which grant applications will be solicited and reviewed, and grants awarded.

2. *Grant Solicitation.* The Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made as determined by the Board and may include directly to State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural science located in this Commonwealth and individuals or entities who have requested notification from the Department of Agriculture or the Board of grant availability. The funding priorities of particular interest in this round are education and training, as well as a Statewide marketing plan.

3. *Process Overview.* The Board will employ the review process described as follows to select projects to recommend to the Liquor Control Board for the making of a grant. In the event of a recommendation to the Liquor Control Board to make and fund a grant, the decision as to whether to award a grant will be made by the Liquor Control Board. If the Liquor Control Board approves the grant recommendation, the terms and conditions of the grant will be governed by a grant agreement between the Liquor Control Board and the applicant, which shall be tendered to the applicant for execution by the Board on behalf of the Liquor Control Board, returnable in no more than 30 days.

4. *Concept Paper and Application Deadlines.*

a. *Concept Paper.* Interested applicants must deliver a one-page concept paper, plus a one-page draft budget, by e-mail by Friday, August 2, 2019, to chariley@pa.gov.

b. *Application.* Applicants whose concept papers are approved by the Board will be invited to submit a Project Proposal and Grant Application, in the form set forth in paragraph 6 of this notice, to the Board by 4 p.m. on Friday, October 4, 2019. Proposals should be sent electronically to chariley@pa.gov and 12 copies must be hand-delivered or sent by United States Mail and post-marked on or before the same date. Applications should be addressed and delivered to the Department of Agriculture, Bureau of Market Development, Attn: Agricultural Commodity Board Grant Program, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

c. *Presentations.* The Board may request applicants participate in person or by conference call to provide a brief 3-minute to 5-minute presentation of their proposal, followed by questions, at their next scheduled meeting on Wednesday, October 30, 2019, at 10 a.m. The meeting will be held in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA. In-person attendance of applicants is not required.

5. *Format of the Concept Paper.* The concept paper shall include:

a. *Organization/Business Type.* List the applicant's organization/business type.

b. *Organization/Business Information.* List the organization/business name along with the contact information and the amount of grant funds the entity is requesting.

c. *Project Coordinator/Qualifications.* Identify the person who will be directing the proposed project and clearly state their qualifications.

d. *Organization History.* Indicate whether the organization has previously received Malt and Brewed Beverage Industry Promotion Board or agriculture-related grant funds.

e. *Area of Focus.* Select a funding priority from paragraph 13 of this notice.

f. *Project Purpose.* In one or two paragraphs, clearly state the specific issue, problem, interest or need, and how the project will address it. Explain why the project is important and timely.

g. *Estimated Timeline.* State the estimated timeline for the proposed project.

h. *Expected Measurable Outcomes.* What are the goals and objectives of the project? How do the objectives support the goals? Goals are long-term broad visions and may take time to achieve. Objectives are significant steps that must be completed to achieve the goal. Objective statements should focus on the outcome, rather than the methods used. Each goal should have one or more objectives. Describe at least one distinct, quantifiable and measurable outcome that directly and meaningfully supports the project's purpose. Typically, outcomes are those measures that are quantifiable, measure direct benefit and are documented through data or information collection.

i. *Preliminary Project Work Plan.* List the major tasks of the proposed project.

j. *Draft Budget.* State the budget for the proposed project using the categories from paragraph 6.f. If a project is selected to submit a proposal, more detailed budget information will be required.

6. *Format of the Project Proposal and Grant Application.* The project proposal and grant application shall be formatted as follows:

a. Cover Page, titled Pennsylvania Malt and Brewed Beverage Industry Promotion Board—Project Proposal and Grant Application, providing: the title of the proposed project; the name and address of the applicant; the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; and the total maximum grant amount sought for the proposed project or program.

b. Section 1, titled Linkage to Funding Priorities, addressing: how the project will support one of the funding priorities established by the Board which are listed in paragraph 12; the geographic area of this Commonwealth where impact will occur; and the intended impact created by the project and who will benefit.

c. Section 2, titled Statement of Purpose, addressing: the purpose for which the grant funds would be utilized; how the project links, supports and benefits beer in this Commonwealth; the specific details of the proposed project, with an emphasis on innovation, including what is new or different about this project that will enhance success; and the staffing and resources required for project completion.

d. Section 3, titled Methodology and Evaluation, addressing: the type of project (promotion, marketing, outreach, research, tech transfer, and the like); the methodology to be employed, including an evaluation component; the expected impact and outcomes; a qualitative or quantitative estimate of economic impacts (direct, indirect, induced); and the sectors of the industry that will receive this benefit.

e. Section 4, titled Statement of Need, addressing: the need for the grant funds sought; any other partners or partner organizations that will be involved with the project; and any noncash resources that will be committed to the project and the sources thereof.

f. Section 5, titled Budget, presenting a detailed budget for the proposed project or program, including any other matching funds and the value of any noncash resources that will be included in the project.

i. *Personnel*—Includes employed personnel. Those employed elsewhere should be listed as subcontractors or consultants in the Contractual cost category. Identify the total for all Specialty Crop Block Grant Program—Farm Bill funded personnel.

ii. *Fringe Benefits*—Provide the rate of fringe benefits for each project participant's salary. Identify the total for all funded fringe benefits.

iii. *Travel*—Calculate the costs for travel by considering destinations, number of trips, days traveling, transportation costs, estimated lodging and meal costs, and estimated mileage rate.

iv. *Supplies*—This could be anything from office supplies and software to education or field supplies.

v. *Contractual*—If contractual work will be involved with carrying out the work of the project, identify the total contractual expenses. When determining the total cost for this category, include the fees for the professional services, travel costs, lodging expenses, indirect costs and any other related contractual expenses.

vi. *Other*—This category includes fees for conferences or meetings, facility and equipment rental costs, lodging and meal expenses, communication costs, speaker fees, publication costs and data collection.

g. Section 6, titled Industry Support, addressing: the extent of support, participation and funding from this

Commonwealth's beer industry, including associations or organizations, or both, that may represent the industry or government agencies with an interest in the project outcome; any letters of support should be attached.

7. *Scoring of Applications.* The Board will evaluate each complete and timely-filed project proposal and grant application received in accordance with a 100-point scale as set forth in Addendum 1.

8. *Scores.* Upon completion of evaluations, the Board will prepare a record of each complete and timely-filed project proposal and grant application received, and the numerical score assigned to each. In the event of one or more recommendations to the Liquor Control Board to make and fund a grant, the Board will transmit to the Liquor Control Board the project proposal and grant application along with the score assigned by the Board and any other information deemed relevant by the Board or requested by the Liquor Control Board. Request will be made by the Board that the Liquor Control Board respond to all recommendations for grant approval within 30 days.

9. *Term of Grants.* Applications should be submitted for projects beginning no later than June 30, 2020. Anticipated completion dates will be dictated by the project scope and parameters and may exceed 12 months from the beginning if the project warrants. Private sector parties are encouraged to apply if their project will have a positive macro impact on the industry. The Board may recommend that the Liquor Control Board approve grant funding for multiyear projects or extensions of ongoing projects, if applicable, if the Board identifies that a multiyear term or a project extension advances the overall grant project's objectives. Requests for extensions of ongoing projects shall be applied for, evaluated and processed in accordance with all the requirements of this notice. Progress reports are to be delivered by e-mail to chariley@pa.gov no later than October 1 and April 1 every year for the duration of the project, or as requested by the Board. Final reports and invoice should be submitted within 90 days of contract end date.

10. *Notice of Award.* Applicants shall be notified by e-mail of the decision on their grant applications by the Board.

11. *Grant Agreement.* With the mailed grant award notice, the Board will provide applicants with a grant agreement for execution and return within 30 days. The Board will obtain the required signature on the grant agreements, including the Liquor Control Board, and any other required Commonwealth entities, and return a copy to the applicant. Unless otherwise stated in the executed grant agreement, no grant agreement is effective, and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Board full and complete access to all records relating to the performance of the project and submit information as the Board may require.

12. *Cost-Reimbursement Grant.* Unless stated otherwise in the executed grant agreement, payment of all grant funds will occur on a reimbursement basis only and no funds will be included in any grant award for indirect costs.

13. *Funding Priorities.* In accordance with paragraph 5.b., the Board has identified the following funding priorities, listed in no particular order. The name given to each priority area is not intended to limit the intended scope and creative thought applied by applicants in developing projects that serve the purposes articulated in this notice.

a. *Agriculture:* Projects are sought that will lead to the expansion, through means including cultivation, value added manufacturing and research, of beer industry-related raw material produced or grown, or both in this Commonwealth. Some examples of desired project scope include:

i. Research and development that will increase the production, quality or yield, or both, of Pennsylvania-produced raw agricultural commodities (hops, barley, and the like) used by the beer industry.

ii. Research that will identify growing conditions for hop production and evaluate each of this Commonwealth's 67 counties on the criteria.

iii. Outreach and support to encourage existing agricultural producers to consider hop production.

iv. Matching funds for small Commonwealth-based start-up businesses or ventures focused on agricultural related cultivation (hops and barley) or value-added manufacturing of beer related raw materials (malting).

v. *Tourism:* Projects are sought from organizations interested in marketing and integrating this Commonwealth's beer industry into new or existing regional and Statewide tourism initiatives, such as:

vi. Development of beer tourism and beer trails (using and expanding upon the "Bourbon Trails" model).

vii. Regional integration of breweries and brewery visitation with existing attractions, destinations and the regional hospitality industry.

b. *D Retailer Outreach:* Projects are sought that will assist D license holders in efforts to change existing business models and remain viable, competitive and profitable within the parameters of the new Liquor Code, including providing consultation, training and business plan development to interested D retailers to assist them in transforming their business models based on recent changes to the Liquor Code. The proposer should illustrate the ability to:

i. Understand, interpret and transfer knowledge related to the current Liquor Code.

ii. Understand both the new opportunities as well as the threats presented to retailers as a result of recent changes to the Liquor Code.

iii. Have working knowledge of the beer industry retail trade and practices, the constraints on the industry, SOPs, financial models, and the like.

iv. Identify and document best practices within this Commonwealth's retail beer industry (D license holders) regarding layout and design (shelf space, lighting, signage), hours of operation and staff models, promotions and displays, value added merchandise, and best practices in urban, suburban and rural markets.

v. In conjunction with existing industry stakeholders, like the Malt Beverage Distributors Association (MBDA), develop guidelines, standards and communicate best practices in a user-friendly format, as well as offer training and outreach conferences in appropriate locations throughout this Commonwealth.

vi. In conjunction with existing industry stakeholders like the MBDA, the project may include efforts to create special grants or business loans made available to retailers to implement new business models.

c. *Beer Industry Research:* The Board seeks research and the development of quantitative data on the beer industry in this Commonwealth, such as:

i. Research that will identify and map the size and impacts of this Commonwealth’s macro beer industry (production, wholesale and retail) identifying direct, indirect, induced impacts.

ii. Research that will identify the upstream and downstream economic opportunities related to this Commonwealth’s beer industry.

iii. Research that can measure the economic impacts on this Commonwealth’s beer industry of recent changes to the Liquor Code.

iv. Research that will offer guidance on public policy and best practices to benefit the beer industry in this Commonwealth and improve regulatory efficiency.

d. *Technical Assistance, Support and Research and Development:* Projects are sought that will advance best practices, technology transfer, research and development, workforce development and training in this Commonwealth’s brewing industry. The Board is interested in funding projects that will: increase beer knowledge/

science; advance best practices in brewing; provide education/training opportunities related to beer production, quality, packaging, marketing and sales; and promote innovation in the brewing and manufacturing processes. Examples could include:

i. Engagement of consultants, speakers and subject matter experts for industry related training, presentations or problem solving in conjunction with conferences, technical work groups and association members.

ii. Research and development projects on relevant topics concerning brewing and manufacturing processes.

iii. Customized training/education in areas related to: differing levels of brewery, wholesale and retail management; sales and marketing; brewery—wholesaler relationships; beer market best practices; and industry recognized certifications.

e. *Innovation:* The Board will consider projects that do not fall into any of the other funding priorities but nevertheless offer unique approaches to supporting and promoting Pennsylvania beer. The Board believes that innovation is the driving force behind the growth and success of this Commonwealth’s beer industry. This category of funding is designed for projects and initiatives that demonstrate new thinking, ideas and approaches to promoting Pennsylvania beer—and do not fit into any other category.

Addendum 1 to Grant Solicitation Announcement and Application Procedures

<i>Section Title</i>	<i>Evaluation Criteria</i>	<i>Points</i>
Feasibility	<ul style="list-style-type: none"> To what extent can the Purpose be accomplished with the funds requested? Is there enough non-cash capacity to fulfill the objectives of the project? Are the proposed outcomes and impacts in proportion to the grant request? Can the project be completed within the timeline established? Are the outcomes proposed realistic? 	10
Linkages to PA’s Beer Industry	<ul style="list-style-type: none"> Is there a compelling link to PA’s Beer Industry? How quickly will the industry benefit from project outcomes? 	10
Innovation	<ul style="list-style-type: none"> Does the proposal offer a “new approach” in supporting PA Beer? Will the project offer or create any new competitive advantages? Do the project outcomes offer new and unique benefits to the industry? What components of the project are sustainable once completed? 	20
Expected Impacts & Outcomes	<ul style="list-style-type: none"> Will the project raise the visibility of PA Beer? Will the impacts and outcomes offer long-term benefits? Do they provide solutions to current industry challenges? How will the impacts and outcomes ultimately strengthen PA’s beer industry? How much of the industry will benefit from the project? 	20
Economic Benefits Generated	<ul style="list-style-type: none"> Does the project create jobs? Does the project save money for the industry? Will it strengthen the economic viability of the industry and how? Does the project support and promote intrastate and/or interstate tourism? 	20
Methodology & Evaluation	<ul style="list-style-type: none"> Can the methodology produce the desired outcomes? Does the evaluation component measure the right outcomes? Can the methodology produce stated economic benefits and can the evaluation accurately measure so benefits? 	10
Industry Support	<ul style="list-style-type: none"> Is there strong industry support for this project? Are there any matching funds or leveraged resources? 	10

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 19-896. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending June 4, 2019.

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, Bank Supervision or Credit Union and Trust Supervision (as applicable), 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, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
06-03-2019	Somerset Trust Company Somerset Somerset County Application for approval to merge First Bank of Lilly, Lilly, PA, with and into Somerset Trust Company, Somerset, PA.	Filed

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
06-03-2019	Hometown Bank of Pennsylvania Bedford Bedford County	149 Main Street Woodbury Bedford County	Approved
06-03-2019	Centric Bank Harrisburg Dauphin County	2003 South Easton Road Doylestown Bucks County	Approved
06-03-2019	Riverview Bank Marysville Perry County	3556 Gettysburg Road Camp Hill Cumberland County	Filed
06-03-2019	Riverview Bank Marysville Perry County	1120 South Cedar Crest Boulevard Allentown Lehigh County	Filed
06-04-2019	PeoplesBank, A Codorus Valley Company York York County	325 Wesley Drive Mechanicsburg Cumberland County (Limited Service Facility)	Approved

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. 19-897. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of July 2019

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301),

determines that the maximum lawful rate of interest for residential mortgages for the month of July 2019, is 5%.

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

owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government

securities is 2.61 to which was added 2.50 percentage points for a total of 5.11 that by law is rounded off to the nearest quarter at 5%.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-898. Filed for public inspection June 14, 2019, 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.

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>
Industrial Waste (IW)	Columbia Water Company 220 Locust Street Columbia, PA 17512	Lancaster County/ Columbia Borough	Susquehanna River/(7G)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263460 (Sewage)	Joseph Landis SFTF 414 Freepoint Street Saxonburg, PA 16056-9416	Butler County Clinton Township	Unnamed Tributary to Sarver Run (18-F)	Yes
PA0238911 (Industrial)	Titusville Dairy Products 217 S Washington Street Titusville, PA 16354-1660	Crawford County Titusville City	Municipal storm sewers draining to Oil Creek (CWF) (16-E)	Yes
PA0218367 (Industrial)	St Francis University WTP P.O. Box 600 Loretto, PA 15940-0600	Cambria County Loretto Borough	Unnamed Tributary of Chest Creek (9-C)	Yes
PA0101117 (Sewage)	Shady Acres MHP P.O. Box 358 Edinboro, PA 16412-0358	Crawford County Cussewago Township	Unnamed tributary to Cussewago Creek (WWF) (16-D)	Yes

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

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

PA0058572, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Penn Township STP. This existing facility is located in Penn Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary of East Branch Big Elk Creek (HQ-TSF, MF), is located in State Water Plan watershed 7-K and is classified for Migratory Fishes and High-Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .35 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	29.2	XXX	XXX	10	XXX	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	29.2	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	13.1	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	4.4	XXX	XXX	1.5	XXX	3
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Total Phosphorus	2.9	XXX	XXX	1.0	XXX	2
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				

Sludge use and disposal description and location(s): All biosolids are transported to the DELCORA Sewage Treatment Plant (PA0027103) for further processing. In addition, the permit contains the following major special conditions:

Propose Part C Conditions:

Chesapeake Bay Nutrient Requirements:

- I. Solids Management
- II. Other Requirements
 - A. No Stormwater to Sewer
 - B. Necessary Property Rights
 - C. Proper Sludge Disposal
 - D. Minimize Concentration of TRC
 - E. Notification of the Designation of Responsible Operator
 - F. Develop O&M Plan

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 not in effect.

PA0244031, Sewage, SIC Code 4952, **Chadds Ford Township Sewer Authority Delaware County**, 10 Ring Road, Chadds Ford, PA 19317-0628. Facility Name: Turners Mill STP. This existing facility is located in Chadds Ford Township, **Delaware County**.

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

The receiving stream(s), Harvey Run (WWF, MF), is located in State Water Plan watershed 3-H and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.21 MGD.—Limits.

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

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	17.5	26.0	XXX	10.0	15.0	20
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	17.5	26.0	XXX	10.0	15.0	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	50	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	66.7	XXX	XXX	38.0	XXX	76
Ammonia-Nitrogen Nov 1 - Apr 30	7.8	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	2.6	XXX	XXX	1.5	XXX	3
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	1.75	XXX	XXX	1.0	XXX	2

Sludge use and disposal description and location(s): DELCORA

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

I. Other Requirements:

- A. Responsible Operator
- B. Public Nuisance
- C. No Stormwater to Sanitary Sewers
- D. Property Rights
- E. Change of Ownership
- F. TRC Optimization
- G. Sludge Removal
- H. Act 11 Guidelines
- I. IMAX
- J. Developing O&M Plan
- K. Lab Certification
- L. 10% Fecal Coliform
- M. Non-Accept Hauled-In Wastes

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 not in effect.

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

PA0026522, Sewage, **W. Mifflin Sanitary Sewer Municipal Authority Allegheny County**, 1302 Lower Bull Run Road, West Mifflin, PA 15122. Facility Name: New England STP. This existing facility is located in West Mifflin Borough, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary of Monongahela River (WWF) and Unnamed Tributary of Monongahela River (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies. The proposed effluent limits for Outfall 101 are based on a design flow of 1.2 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Daily Maximum	
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	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	250.0	376.0	XXX	25.0	37.5 Wkly Avg	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	300.0	450.0	XXX	30.0	45.0 Wkly Avg	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	30.0	45.0	XXX	3.0	4.5 Wkly Avg	6
May 1 - Oct 31	20.0	30.0	XXX	2.0	3.0 Wkly Avg	4
Ultraviolet light dosage (mWsec/cm ²)	XXX	XXX	Report	Report	XXX	XXX
Total Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Aluminum, Total	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Iron, Total	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Manganese, Total	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	1.08	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	1.08	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	1.08	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	1.08	XXX

All sludge is dewatered and disposed of at Westmoreland County Sanitary Landfill, Permit No. 100277.

The EPA Waiver is not in effect.

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

PA0272183, Sewage, SIC Code 8800, **Melissia L. McClain**, 49671 Carmel Achor Road, Rogers, OH 44455-9750. Facility Name: Melissa L. McClain SRSTP. This proposed facility is located in Highland Township, **Clarion County** at 783 Reed Road, Clarion, PA 16214.

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

The receiving stream(s), Reed Run (CWF), is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies. The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min XXX	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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.

PA0020605, Sewage, SIC Code 4952, **Union City Borough Municipal Authority**, 22 South Main Street, Union City, PA 16438-1329. Facility Name: Union City STP. This existing facility is located in Union Township, **Erie 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), South Branch French Creek (CWF), is located in State Water Plan watershed 16-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Daily Minimum</i>	<i>Daily Maximum</i>		<i>Geometric Mean</i>	<i>Weekly Average</i>	
Mercury, Total (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Mercury, Total (ug/L)	0.0016	0.0032	XXX	0.14	0.28	0.35

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.7
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	233	350	XXX	20.0	30.0	40
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids		Daily Max				
Total Suspended Solids Raw Sewage Influent	233	350	XXX	20.0	30.0	40
Fecal Coliform (No./100 ml)		Daily Max				
Oct 1 - Apr 30	Report	Report	XXX	Report	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean 200 Geo Mean	XXX	10,000 1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	158	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	52.5	XXX	XXX	4.5	XXX	9
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	XXX	XXX
Bis(2-Ethylhexyl)Phthalate	XXX	XXX	XXX	Report	XXX	XXX
Chloroform	XXX	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): Sludge is dewatered and sent to Lake View Landfill in Erie County, PA for disposal.

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

- Whole Effluent Toxicity (WET)
- Water Quality-Based Effluent Limits for Toxic Pollutants
- WQBELs Below Quantification Limits

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

The EPA Waiver is not in effect.

PA0272167, Sewage, SIC Code 8800, **Ljubomir & Michelle Barbir**, 4862 Hogback Road, Hermitage, PA 16148. Facility Name: Ljubomir & Michelle Barbir SRSTP. This proposed facility is located on tax parcel 12-172-185 Frampton Road, Hermitage City, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary of Hogback Run (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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.

PA0272159, Sewage, SIC Code 8800, **Karyn Hemphill**, 10738 Station Road, Erie, PA 16428. Facility Name: Karyn Hemphill SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

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.

PA0272086, Sewage, SIC Code 8800, **Paul D. McCullough**, 20 Schultz Lane, Sharpsville, PA 16150. Facility Name: Paul D. McCullough SRSTP. This proposed facility is located in Jefferson Township, **Mercer County**.

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

The receiving stream, an Unnamed Tributary to the Magargee Run (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP, or disposal at an STP.

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.

PA0271667, Storm Water, SIC Code 3471, 3544, **Penn United Technologies, Inc.**, 799 North Pike Road, Cabot, PA 16023-2223. Facility Name: Penn United Tech. This proposed facility is located in Jefferson Township, **Butler County**. Description of Proposed Activity: The application is for a new NPDES permit for existing discharges of treated Industrial Stormwater.

The receiving stream(s), Unnamed Tributary to Little Buffalo Creek, is located in State Water Plan watershed 18-F and is classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 006 and 008 are based on a design flow of 0 MGD.

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

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

The EPA Waiver is 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. WQG02461904, Sewage, **Franconia Sewer Authority**, 671 Allentown Road, Franconia, PA 18924.

This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Action/Activity: Construction of 8 single family dwellings on individual lots.

WQM Permit No. 5119401, Sewage, **City of Philadelphia Water Department**, 1101 Market Street, 6th Floor, Philadelphia, PA 19107.

This proposed facility is located in the City of Philadelphia, **Philadelphia County**.

Description of Action/Activity: 300 mgd screening and grit removal facilities to supplement existing headworks to accommodate weather flows.

WQM Permit No. WQG02151906, Sewage, **Caln Township Municipal Authority**, 253 Municipal Drive, P.O. Box 72149, Thorndale, PA 19372.

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

Description of Action/Activity: Construction and operation of a low pressure sewer system.

WQM Permit No. 1519404, Sewage, **Utilities of Pennsylvania Inc.**, 1201 Sawmill Road, Downingtown, PA 19335-3830.

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

Description of Action/Activity: Screen addition to influent channel.

WQM Permit No. 0919402, Sewage, **Bedminster Municipal Authority**, 442 Elephant Road, Perkasio, PA 18944.

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

Description of Action/Activity: Installation of an influent screen at the existing Pennland Farms WWTP.

WQM Permit No. 1509407, Sewage, Amendment, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3489.

This proposed facility is Penns Township, **Chester County**.

Description of Action/Activity: 2 pump stations and to redirect the Elk Creek force main into the Big Elk collection system.

WQM Permit No. 1519403, Sewage, **East Marlborough Township**, 721 Unionville Road, Kennett Square, PA 19438.

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

Description of Action/Activity: Construction and operation of a pump station to convey a design flow of 9,660 gallons per day through a 3" force main.

WQM Permit No. WQG02091907, Sewage, **Penndel Borough**, 300 Bellevue Avenue, Penndel, PA 19047.

This proposed facility is located in Penndel Borough, **Bucks County**.

Description of Action/Activity: Construction and operation of 2 pumping stations.

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

WQM Permit No. 6719401, Sewerage, **Penn Township**, 20 Wayne Avenue, Hanover, PA 17331-3300.

This proposed facility is located in Penn Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of new sanitary sewer to be constructed primarily within and along existing roadways in Penn Township.

WQM Permit No. 0672403, Amendment # 4, Sewerage, **Oley Township Munic Authority**, 1 Rose Virginia Road, P.O. Box 19, Oley, PA 19547.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of Headworks Upgrade.

WQM Permit No. 3619404, Sewerage, **City of Lancaster**, 120 New Danville Pike, Lancaster, PA 17603.

This proposed facility is located in Lancaster City, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of the Eden Manor Interceptor.

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

WQM Permit No. 8775S A-4, Sewage, **Clairton City Municipal Authority Allegheny County**, 1 N State Street, Clairton, PA 15025-2172.

This existing facility is in City of Clairton, **Allegheny County**.

Description of Proposed Action/Activity: Replacement of 3,500 feet of 30-inch diameter, 1,100 feet of 18-inch diameter, 200 feet of 12-inch diameter and 500 feet of 8-inch diameter sanitary sewer. This work will also include the elimination of 2 unpermitted CSO and replacement of one existing CSO.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 8775S A-3, Sewage, **Clairton City Municipal Authority Allegheny County**, 1 N State Street, Clairton, PA 15025-2172.

This existing facility is in City of Clairton, **Allegheny County**.

Description of Proposed Action/Activity: Upgrade and expansion of the City of Clairton Waste Water Treatment Plant Phase II.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 0216408 A-1, Sewage, **Pleasant Hills Borough Allegheny County**, 410 E Bruceston Road, Pleasant Hills, PA 15236-4504.

This existing facility is located in Pleasant Hills Borough, **Allegheny County**.

Description of Proposed Action/Activity: Replacement of the existing Tassel Lane Pump Station and force main with a new submersible type pump station and new 4 inch diameter force main approximately 720 feet in length.

WQM Permit No. 0419400, Sewage, **Starr Wynn**, 1382 Lincoln Drive, Apt C, Monaca, PA 15061.

This proposed facility is located in Shippingport Borough, **Beaver County**.

Description of Proposed Action/Activity: Installation of a Small Flow Sewage Treatment Plant.

WQM Permit No. 0419400, Sewage, **Starr Wynn**, 1382 Lincoln Drive, Apt C, Monaca, PA 15061.

This proposed facility is located in Shippingport Borough, **Beaver County**.

Description of Proposed Action/Activity: Installation of a Small Flow Sewage Treatment Plant.

WQM Permit No. 0419200, Industrial, **Buckeye Pipeline Co. LP**, 3324 University Boulevard, Coraopolis, PA 15108.

This proposed facility is located in Neville Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit authorizing construction and operation of a mobile treatment system comprised of pre-filters, granulated carbon vessels and post filters associated with the discharge of hydrostatic test waters under NPDES PAG106212.

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

WQM Permit No. 2519414, Sewage, **Anthony Talarico**, 5895 Crane Road, Edinboro, PA 16412.

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

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

WQM Permit No. 1619403, Sewage, **PA American Water Co.**, 425 Waterworks Road, Clarion, PA 16214.

This proposed facility is located in Paint & Elk Townships, **Clarion County**.

Description of Proposed Action/Activity: Replacement of Maple Drive, State Route 66, State Route 208, and Riverhill pump stations.

WQM Permit No. 1080405 A-1, Sewage, **Butler Area Sewer Authority**, 100 Litman Road, Butler, PA 16001-3256.

This existing facility is located in Butler Township, **Butler County**.

Description of Proposed Action/Activity: Replacement of the Rock Lick Pump Station.

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

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

PAI130079, MS4, **Warwick Township**, 1733 Township Greene, Jamison, PA 18929. 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 Warwick Township, **Bucks County**. The receiving stream(s), Neshaminy Creek (TSF, MF), Unnamed Tributary to Little Neshaminy Creek (WWF, MF), and Unnamed Tributary to Neshaminy Creek (TSF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of 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 484-250-5910.

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

PAI130081, MS4, **New Britain Township**, 207 Park Avenue, Chalfont, PA 18914-2103. 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 New Britain Township, **Bucks County**. The receiving stream(s), Cooks Run (WWF, MF), Mill Creek (TSF, MF), Pine Run (TSF, MF), Unnamed Tributary to West Branch Neshaminy Creek (WWF, MF), North Branch Neshaminy Creek (TSF, MF), Reading Creek (WWF, MF), and Neshaminy Creek (TSF, MF) is located in State Water Plan watershed 2-F and is classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of 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 484-250-5910.

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

PAI130531, MS4, **West Pikeland Township Chester County**, 1645 Art School Road, Chester Springs, PA 19425-1402. 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 West Pikeland Township, **Chester County**. The receiving stream(s), Pine Creek (HQ-TSF, MF), Pickering Creek (HQ-TSF, MF), and Unnamed Tributary to Pickering Creek (HQ-TSF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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 484-250-5910.

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

PAI130003, MS4, **Phoenixville Borough Chester County**, 351 Bridge Street Floor 2, Phoenixville, PA 19460-3355. 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 Phoenixville Borough, **Chester County**. The receiving stream(s), Schuylkill River (WWF, MF) and French Creek (TSF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The 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 484-250-5910.

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.

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>
PAD450085	Equity Lifestyle Properties Inc. 2 N Riverside Plaza Ste 800 Chicago, IL 60606	Monroe	Pocono Twp	Scotrun (HQ-CWF, MF) UNT to Scotrun (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480093	Casey Jones Presbyterian Homes Inc 1 Trinity Dr East Ste 201 Dillsburg, PA 17019	Northampton	Bethlehem City	Monocacy Creek (HQ-CWF, MF)

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**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>
Oak Spring Farms 272 Middle Road Centre Hall, PA 16828	Centre	1,949.5	1,499.32	Dairy	NA	New
Shady Brae Farms, Inc. Theodore L. Esbenshade Marietta, PA 17547	Lancaster	750	3,586.98	Layers	NA	Renewal
Scott Kiskaddon 6470 Park Rd Orrstown, PA 17244	Franklin	396.3	1.70	Poultry & Beef	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 Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Application No. 5419502, Public Water Supply.

Applicant **Citizens Water Association of Deer Lake**
228 Lake Front Dr.
Orwigsburg, PA 17961

[Township or Borough] Deer Lake Borough
Schuylkill County

Responsible Official Mr. James Haffey, President
Citizens Water Association of
Deer Lake
228 Lake Front Dr.
Orwigsburg, PA 17961

Type of Facility PWS

Consulting Engineer Daniel P. Cook, P.E.
Alfred Benesch & Co.
400 One Norwegian Blvd.
Pottsville, PA 17901

Application Received Date 5/14/2019

Description of Action Application proposes the addition of soda ash and orthophosphate for corrosion control at Well Nos. 1 and 3.

Application No. 4819502, Public Water Supply.

Applicant **Bethlehem Authority**
10 E. Church St.
Bethlehem, PA 18108

[Township or Borough] East Allen Township

Responsible Official Mr. Ed Boscola, Director
Water & Sewer Resources
Bethlehem Authority
10 E. Church St.
Bethlehem, PA 18108

Type of Facility PWS

Consulting Engineer Mr. Michael A. Schober, P.E.
T&M Associates
74 W. Broad Street
Bethlehem, PA 18018

Application Received Date 5/13/2019

Description of Action Application proposes the addition of existing Country Squire Estates Well No. 3. and 4-log treatment.

Application No. 2450063, Public Water Supply.

Applicant **Aqua PA, Inc.**
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

[Township or Borough] Coolbaugh Township
Monrow County

Responsible Official David R. Kaufman
Aqua PA, Inc.
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

Type of Facility PWS

Consulting Engineer Ralph R. Wawrzyniakowski
PAWC
352 Industrial Park Dr.
Wampum, PA 16157

Permit Issued Date 05/21/2019

Application No. 6619502, Public Water Supply.

Applicant **Lemon DG, LLC**
361 Summit Boulevard
Suite 110
Birmingham, AL 35243

Municipality Lemon Township

County **Wyoming**

Responsible Official Steve Camp, Member
Lemon DG, LLC

Type of Facility Public Water Supply

Consulting Engineer Frederick E. Ebert, P.E.
Ebert Engineering, Inc.
P.O. Box 540
4092 Skippack Pike
Skippack, PA 19474

Application Received Date May 13, 2019

Description of Action This application proposes addition of an arsenic removal system, a manganese removal system, and a UV disinfection system for the existing well at the Lemon Dollar General Store.

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

Permit No. 3619509, Public Water Supply.

Applicant **Pequea Valley School District**

Municipality Salisbury Township

County **Lancaster**

Responsible Official Gavin J. Scalyer, Director
Support Services
422 School Lane
Gap, PA 17527

Type of Facility Public Water Supply

Consulting Engineer Jeremy S. Madaras, P.E.
J.S. Madaras Consulting LLC
250 Indian Lane
Boyetown, PA 19512

Application Received: 5/15/2019

Description of Action The installation of a pH adjustment chemical injection system with controls utilizing 25% sodium hydroxide for LCR corrosion control.

Permit No. 3619510, Public Water Supply.

Applicant **Fox Family Partners, LP**

Municipality Clay Township

County **Lancaster**

Responsible Official Corey R. Fox, Owner
2475 West Main Street
Ephrata, PA 17522

Type of Facility Public Water Supply

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

Application Received: 5/17/2019

Description of Action Installation of anion exchange treatment for nitrate removal.

Permit No. 0119501 MA, Minor Amendment, Public Water Supply.

Applicant **Gettysburg Municipal Authority**

Municipality Cumberland Township

County **Adams**

Responsible Official Mark Guise, Manager
601 E Middle Street
Gettysburg, PA 17325-3307

Type of Facility Public Water Supply

Consulting Engineer Paul E. Gross, P.E.
Buchart Horn Inc
445 West Philadelphia Street
York, PA 17405-7040

Application Received: 5/24/2019

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

Permit No. 0419509, Public Water Supply.

Applicant **Center Township Water Authority**
224 Center Grange Road
Aliquippa, PA 15001

[Township or Borough] Center and Potter Townships

Responsible Official Bill DiCioccio, Jr.
Operational Supervisor
Center Township Water Authority
224 Center Grange Road
Aliquippa, PA 15001

Type of Facility Water system

Consulting Engineer Lennon, Smith, Souleret
Engineering, Inc.
846 Fourth Avenue
Coraopolis, PA 15108

Application Received Date June 1, 2019

Description of Action Construction of a water filtration plant.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as

a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Former AESYS Technologies, Inc., 693 North Hills Road, York, PA 17402, Springettsbury Township, **York County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of SB2H Holdings, LP, 2900 Westchester Avenue, Suite 207, Purchase, NY 10577, and RREEF CPIF, 693 North Hills, LLC, 4 Radnor Corporate Center, Suite 105, Radnor, PA 19087 submitted a Notice of Intent to Remediate site soil and groundwater contaminated with chlorinated solvents, inorganics and PCBs. The site will be remediated to the Site-Specific Standard. Future use of the site is for a warehouse/commercial goods shipping/receiving logistics facility. The Notice of Intent to Remediate was published in *The Patriot News* on May 5, 2019.

Former Specialty Screw Machine Products, Inc., 1028 Dillerville Road, Manheim Township, **Lancaster County**. Liberty Environmental, 505 Penn St, Suite 400, Reading, PA 19601, on behalf of 1369 Fairline LLC, P.O. Box 20316, York, PA 17402, submitted a Notice of Intent

to Remediate soil and groundwater contaminated with solvents and petroleum constituents. The site will be remediated to the Site-Specific Standard. Future use of the site is mixed use for commercial and nonresidential purposes. The Notice of Intent to Remediate was published in the *LNP* on May 28, 2019.

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

1031 Hamilton Street, 1031 Hamilton Street, Allentown City, **Lehigh County**. Comstock Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Ethan Holding Company, 485 North Oswego Street, Allentown, PA 18109, submitted a Notice of Intent to Remediate. Soil contamination was caused by historic releases from a dry cleaner facility. Future use of the site will be residential. Site-Specific remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Morning Call* on May 23, 2019.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Applications received, withdrawn, denied or returned under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

RCRA Part B Permit No. PAD010154045. Envirite of Pennsylvania, Inc., has submitted a Form X—Radiation Protection Plan for its facility located at 730 Vogel song Avenue, York, PA 17404 in the City of York, **York County**. The Department is processing this submission as an application for a Class 1 Permit Modification to Envirite's RCRA Part B Permit No. PAD010154045. On May 30, 2019, the Department determined that the permit modification application was administratively complete.

Persons interested in obtaining more information about this application may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

Registration 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/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.

General Permit Application No. WMGR123SW035. EQT Production Company, 2400 Ansys Drive, Suite 200, Canonsburg, PA 15317. A request for registration for coverage under General Permit WMGR123 to construct and operate the Dragon Chan and Piston Honda Pads for storage and reuse of oil and gas liquid waste at a facility

located in Aleppo and Springhill Townships, **Greene County** was received by the Regional Office on May 29, 2019.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications deemed administratively complete 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

Permit No. 301343, Bedford Waste Oil Transfer Station, 170 Transport Road, Bedford, PA 15522. An application for a major permit modification was submitted by the Emaxx Central PA, LLC, to convert its waste oil transfer station into a waste oil processing facility. The waste oil transfer station is located in Bedford Township, **Bedford County**. This application was deemed administratively complete by the Southcentral Regional Office on May 29, 2019. The Department will accept comments from the general public recommending revisions to, and approval or denial of, the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this

publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

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

48-00057A: Steel Management Systems LLC (3045 Bath Pike, Nazareth, PA 18064) for the replacement of an existing shot blast machine with a new unit at their facility located in Upper Nazareth Twp., **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.

43-385A: Cronimet Specialty Metals USA, Inc. (209 Reynolds Industrial Park Road, Greenville, PA 16125), for the proposed construction of 2 burn-off ovens and the change in operation of 3 existing burn-off ovens permitted

under GP4-43-385A/B/C in Pymatuning Township, **Mercer County**. This is a State Only facility.

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.

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

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

48-00027B: Bethlehem Landfill Company (2335 Applebutter Road, Bethlehem, PA 18015) for the construction and operation of a new enclosed flare at their facility in Lower Saucon Township, **Northampton County**. The plan approval will include all appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the operations within all applicable air quality requirements.

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.

65-00887A: MSI Corporation (210 1st Street, Vandergrift, PA 15690-1100) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44 and 127.45 that the Department of Environmental Protection (“Department”) intends to issue Air Quality Plan Approval: PA-65-00887A to MSI Corporation (“MSI”) for installation and operation of an abrasive saw operations connected to a dust collector rated at 10,000 SCFM; and authorize the continued operation of previously installed sources which includes milling, cutting, sawing, grinding, heat treatment, and lathe turning etc. Emissions from the previously installed sources are controlled by two (2) identical Seneca baghouses each rated at 16,000 SCFM at their existing specialty metals processing MSI facility located in Vandergrift Borough, **Westmoreland County**.

The annual facility-wide emissions from all the new and existing sources are; 17.0 tons CO, 20.0 tons NO_x, 3.0 tons VOC, 1.0 ton HAPs, 3.0 tons PM₁₀, and 0.20 ton SO_x.

This authorization is subject to State regulations including 25 Pa. Code Chapters 123, 127, 129, and 135. Plan approval conditions include operational restrictions, monitoring requirements, work practice standards, associated recordkeeping. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise or submit a State Only Operating Permit (“SOOP”) application in accordance with 25 Pa. Code Subchapter F.

The application, DEP’s Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP’s Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP’s website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

A person may oppose the proposed Air Quality plan approval by filing a written protest with the Department or may submit written comments through Jesse S. Parihar via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; written comments may also be submitted via email to jparihar@pa.gov or via fax to

412-442-4194. Each set of written comments or protest must contain the name, address, and telephone number of the person submitting the comments or protest, identification of the proposed plan approval (65-00887A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30 days after the date of this publication. A protest to the proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice).

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 who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants 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.

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

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

24-083Z: Mersen USA (215 Stackpole Street, St. Marys, PA 15857), for the proposed construction of two excess air ovens and a shared oxidizer that will be controlled by an existing SO₂ scrubber (C406C) in City of St Marys, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the facility operating permit at a later date.

Plan approval No 24-083Z is for the proposed construction of two excess air ovens and a shared oxidizer that will be controlled by an existing SO₂ scrubber (C406C). This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 601A (Excess Air Oven # 7) & Source 601B (Excess Air Oven # 8):
 - Subject to 25 Pa. Code §§ 123.13 and 123.21.
 - The VOC emissions after the thermal oxidizer shall be controlled to one of the following:
 - 0.18 tpy based on a 12-month rolling total
 - 99% destruction efficiency
 - Source 601A and Source 601B shall not be operated at the same time.
 - Stack test initially and at operating permit renewal for VOC, SO_x, & PM.
 - All recordkeeping shall commence upon startup of the source/control device. All records shall be kept for a period of five (5) years and shall be made available to the Department upon request.
 - The permittee shall maintain a record of all preventive maintenance inspections of the control device.
- These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problems or defects, and any routine maintenance performed.
- The permittee shall maintain records of the operational inspections. These records shall, at a minimum, contain the following:
 - Pressure drop across the scrubber—daily
 - Scrubber gas flow rate—daily
 - Scrubber liquid pressure or scrubber liquid flow rate—daily
 - Scrubber liquid pH—continuously
 - Scrubber outlet gas temperature—daily
 - Thermal Oxidizer Combustion Chamber temperature at the exhaust—continuously
 - Check for the presence or absence of visible emissions—daily
- The permittee shall perform a daily operational inspection of the source and control device(s). This inspection shall, at a minimum, include the following:
 - A check for the presence or absence of visible emissions, via US EPA Method 22-like methods.
- The permittee shall perform a weekly preventative maintenance inspection of the thermal oxidizer.
- The permittee shall install, maintain, and operate the source and control device(s) in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
- Except for periods of malfunction, the scrubber shall be operated at all times when source reaches 200 degrees Celsius.
- The permittee shall operate the thermal oxidizer when the oven temperature is between 200°C and 600°C.
- Scrubber operating parameters, including pH and pressure drop shall be operated in a range defined by the manufacturer, or in a range developed during compliant stack testing. The operating range for pH and scrubber pressure drop shall be determined within 90 days after startup of the scrubber and shall be indicated to the Department in writing prior to administratively amending into the facility operating permit.
- The permittee shall adhere to the approved indicator range for the thermal oxidizer so that operation within the range shall provide reasonable assurance of compliance. The approved indicator range for the following shall be determined by one of the following: manufacturer's specifications, range operated at during the initial performance test, or range operated at during any subsequently approved performance tests unless otherwise stated:
 - Minimum one-hour average Thermal Oxidizer Combustion Chamber temperature at the exhaust greater than 1,400F or the one-hour average Thermal Oxidizer Combustion Chamber temperature at the exhaust during the most recently approved performance test.

In accordance with 25 Pa. Code § 127.44(f)(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(f)(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 [24-083Z] 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 Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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 Air Quality Program Manager.

If a plan approval has not undergone the previously listed public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

37-331D: RWE Holding Company (535 Rundle Road, New Castle, PA 16101), for the proposed increase in production of anti-skid to 100,000 tpy (Source 102); increase processing rate of Coke Screening Operation (Source 104) to 50 tph; increase hours of operation and throughput for Source 107 to 3,000 hr/yr & 15,000 tpy; and the removal of Source 109 (Cummins Engine—305 hp) in Taylor Township, **Lawrence County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code §§ 127.450 or 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 37-311D is for the proposed increase in production of anti-skid to 100,000 tpy (Source 102A); increase processing rate of Coke Screening Operation (Source 104) to 50 tph; increase hours of operation and throughput for Source 107 to 3,000 hr/yr & 15,000 tpy; and the removal of Source 109 (Cummins Engine—305 hp). This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- Source 102A (Anti Skid Processing Operation):
 - The operation of crushers, screens and conveying equipment shall not cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity.
 - The operation of crushers, screens and conveying equipment shall not cause to be discharged into the atmosphere from any crusher fugitive emissions which exhibit greater than 15 percent opacity.
 - The operation of a portable nonmetallic mineral processing plant shall not at any time result in the emission of:
 - Fugitive air contaminants in excess of the limitations specified in 25 Pa. Code §§ 123.1 and 123.2. All reasonable actions shall be taken to prevent particulate matter from becoming airborne. These actions include, but are not limited to, the following:
 - Proper installation of a water spray dust suppression system and operation in accordance with Condition 18 (of the GP).
 - Application of asphalt, water or suitable chemicals on dirt roads, material stockpiles and other surfaces that may give rise to airborne dusts.
 - Paving and maintenance of plant roadways.
 - Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosions by water, or other means.
 - Visible emissions from air pollution control devices in excess of the following limitations:
 - Equal to or greater than 20% for a period or periods aggregating more than three minutes in any one (1) hour.
 - Equal to or greater than 60% at any time.
- Subject to 40 CFR 60 Subpart OOO.
- Delete the following condition from Plan Approval 37-331C: The Anti-Skid Processing Operation shall operate a maximum of 150 hours per year calculated as a twelve-month rolling total.
- The Anti-Skid Processing Operation shall not exceed processing 100,000 tons of material per year based on a consecutive 12-month period. [This condition replaces the following condition from Plan Approval 37-331C: The Anti-Skid Processing Operation shall not exceed processing 100 tons of material per hour.]
- The Stone/Concrete Crushing shall not exceed processing 200,000 tons of material per year based on a consecutive 12-month period.
- No later than one hundred and eighty (180) days after initial start-up, the permittee shall demonstrate compliance with the emission limitations for particulate matters established in Condition 21.
- A daily record shall be kept of the hours of operation and throughput for the source, when it operates. The hours from the current month will be added to the totals from the previous 11 months to form a 12-month rolling total. The records shall be kept for a minimum of five years and made available to the Department upon request.

- The permittee shall notify the Department, by telephone, within 24 hours of the discovery of any malfunction of a portable nonmetallic mineral processing plant operating pursuant to this General Permit, or any malfunction of an associated air cleaning device, which results in, or may possibly be resulting in, the emission of air contaminants in excess of any applicable limitation specified herein or in excess of the limitations specified in any applicable rule or regulation contained in 25 Pa. Code Chapters 121—145 or which otherwise results in, or may possibly be resulting in, noncompliance with the requirements specified in any applicable condition of this General Permit (if the permittee is unable to provide notification within 24 hours of discovery due to a weekend or holiday, the notification shall be made to the Department by no later than 4 p.m. on the first Department business day following the respective weekend or holiday). The permittee shall additionally provide whatever subsequent written report the Department may request regarding any reported malfunction.
- The equipment making up Source 102 will be used to process only anti-skid material.
- Water spray dust suppression systems on crushers, screens and conveyors shall be operated on any and all occasions that the respective plant generates visible fugitive emissions. Operation without simultaneous operation of the water spray dust suppression system can take place only in those instances where processed materials contain sufficient moisture so as not to create air contaminant emissions in excess of the limitations and standards in 25 Pa. Code § 123.
- The crushers, screens, conveyors and any associated air cleaning devices shall be:
 - Operated in such a manner as not to cause air pollution, as the term is defined in 25 Pa. Code § 121.1.
 - Operated and maintained in a manner consistent with good operating and maintenance practices.
 - Operated and maintained in accordance with the manufacturer's specifications. A copy of the manufacturer's specifications shall be kept on site and made available to the Department upon request.
- Any portable nonmetallic mineral processing plant operating under this General Permit must comply with the terms and conditions of the General Permit. The portable nonmetallic mineral processing plant and any associated air cleaning devices shall be:
 - Operated in such a manner as not to cause air pollution, as the term is defined in 25 Pa. Code § 121.1.
 - Operated and maintained in a manner consistent with good operating and maintenance practices.
 - Operated and maintained in accordance with the manufacturer's specifications and the applicable terms and conditions of this General Permit.
- Water spray dust suppression systems on portable nonmetallic mineral processing plants shall be operated on any and all occasions that the respective plant is operated. Operation without simultaneous operation of the water spray dust suppression system can take place only in those unusual instances where processed materials contain sufficient moisture so as not to create air contaminant emissions in excess of the limitations and standards of this General Permit. If, however, the water spray dust suppression system is incapable of operation due to weather conditions or any other reason, the permittee may not operate the plant. A pressure gauge will be installed to indicate a normal operation of the dust suppression system.
- The permittee shall keep on hand such equipment and materials as are necessary to take reasonable action (including, but not limited to the application of water, oil or chemicals) to prevent fugitive particulate matter resulting from the use of any roadways and/or material stockpiling operations associated with the plant from becoming airborne and shall be used, as necessary, to prevent such fugitive particulate matter from becoming airborne.
- All conditions from the latest facility operating permit, currently dated December 2, 2015, remain in effect unless otherwise modified in this plan approval.
- Wherever a conflict occurs between this general plan approval and operating permit and any of the following regulations, the permittee shall, in all cases, meet the more stringent requirement:
 - 25 Pa. Code §§ 123.1, 123.2, 123.13(c), and 123.41.
 - 40 CFR 60, Subpart OOO.
- Source 104 (Coke Screening Operation):
 - The operation of crushers, screens and conveying equipment shall not cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity.
 - The operation of crushers, screens and conveying equipment shall not cause to be discharged into the atmosphere from any crusher fugitive emissions which exhibit greater than 15 percent opacity.
 - The Coke Screening Operation shall operate a maximum of 2,000 hours per year calculated as a twelve-month rolling total.
 - The Coke Screening Operation shall not exceed processing 50 tons of coke per hour. [This condition replaces the following condition from Plan Approval 37-331A: The Coke Screening Operation shall not exceed processing 25 tons of coke per hour.]
 - A daily record shall be kept of the hours of operation and throughput for the source, when it operates. The hours from the current month will be added to the totals from the previous 11 months to form a 12-month rolling total. The records shall be kept for a minimum of five years and made available to the Department upon request.
- The crushers, screens, conveyors and any associated air cleaning devices shall be:
 - Operated in such a manner as not to cause air pollution, as the term is defined in 25 Pa. Code § 121.1.
 - Operated and maintained in a manner consistent with good operating and maintenance practices.
 - Operated and maintained in accordance with the manufacturer's specifications. A copy of the manufacturer's specifications shall be kept on site and made available to the Department upon request.
- The equipment making up Source 104 will be used to process only coke.

- Water spray dust suppression systems on crushers, screens and conveyors shall be operated on any and all occasions that the respective plant generates visible fugitive emissions. Operation without simultaneous operation of the water spray dust suppression system can take place only in those instances where processed materials contain sufficient moisture so as not to create air contaminant emissions in excess of the limitations and standards in 25 Pa. Code § 123.
- All conditions from the latest facility operating permit, currently dated December 2, 2015, remain in effect unless otherwise modified in this plan approval.
- Source 107 (Graphite Drying Operation):
 - No person may permit the emission into the outdoor atmosphere of particulate matter from any process in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot, when the effluent gas volume is less than 150,000 dry standard cubic feet per minute.
 - The operation of crushers, screens and conveying equipment shall not cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity.
 - The operation of crushers, screens and conveying equipment shall not cause to be discharged into the atmosphere from any crusher fugitive emissions which exhibit greater than 15 percent opacity.
 - This source is limited to 2,000 hours of operation per 12 month rolling period. [This condition replaces the following condition from Plan Approval 37-331A: This source is limited to 1,000 hours of operation per 12 month rolling period.]
 - The Graphite Drying Operation shall not exceed processing 15,000 tons of material in a 12-month rolling period. [This condition replaces the following condition from Plan Approval 37-331A: The Graphite Drying Operation shall not exceed processing 5,000 tons of material in a 12-month rolling period.]
 - The permittee shall perform a daily observation of the pressure drop across the control device, when the source is in operation.
 - The permittee shall perform a daily observation of the visible emissions from the operation of the source, when the source is in operation.
 - The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects, any routine maintenance performed and the pressure drop across the control device.
 - The permittee shall maintain a record of the material processed by this source, when the source is in operation.
 - The permittee shall maintain a daily record of pressure drop across the control device when the source is in operation.
 - The permittee shall maintain a daily record of visible emissions from the source, when the source is in operation.
- The permittee shall maintain a record of the daily hours of operation for the source, when the source is in operation.
- The permittee shall maintain accurate records, which, at a minimum, shall include:
 - The number of hours of operating time and throughput will be kept on a daily basis when the source is in operation. At the end of each month, the hours of operation and throughput will be totaled and added to the totals from the previous 11 months.
 - The amount of fuel used per calendar year by the propane fueled dryer in the Graphite Drying Operation.
- A daily record shall be kept of the hours of operation and throughput for the source, when it operates. The hours from the current month will be added to the totals from the previous 11 months to form a 12-month rolling total. The records shall be kept for a minimum of five years and made available to the Department upon request.
- The permittee shall perform a monthly preventative maintenance inspection of the control device.
- The permittee shall maintain a manometer or similar device to measure the pressure drop across the control device.
- The permittee shall maintain a stock of 25% of the bags/filters for the control device.
- The permittee shall operate the control device at all times that this source is in operation.
- The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications.
- The crushers, screens, conveyors and any associated air cleaning devices shall be:
 - Operated in such a manner as not to cause air pollution, as the term is defined in 25 Pa. Code § 121.1.
 - Operated and maintained in a manner consistent with good operating and maintenance practices.
 - Operated and maintained in accordance with the manufacturer's specifications. A copy of the manufacturer's specifications shall be kept on site and made available to the Department upon request.
- The equipment making up Source 107 will be used to process only graphite material.
- The pressure drop range for 107A and 107B shall be maintained in the range of 1.0 to 8.5 inches.
- All conditions from the latest facility operating permit, currently dated December 2, 2015, remain in effect unless otherwise modified in this plan approval.
- Source 109 (Cummins Engine—305 hp):
 - This source has been removed and the source and conditions will be removed from the operating permit.

In accordance with 25 Pa. Code § 127.44(f)(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(f)(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 [37-311D] 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 Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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 Air Quality Program Manager.

If a plan approval has not undergone the previously listed public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

25-1058A: Francis V. Kloecker Funeral Home, Inc. (2502 Sassafras St, Erie, PA 16502), The Department of Environmental Protection intends to issue a plan approval to Francis V. Kloecker Funeral Home to provide authorization for the construction and initial operation of a human crematory at their existing Funeral Home located in the City of Erie, **Erie County**.

No air emission sources are currently authorized at the facility. The proposed source is not eligible for authorization under the GP-14 due to its limited door interlocks. The operator also intends to open the crematory's door during operation in order to reposition remains and to reduce cremation cycle times. This crematory was not eligible for authorization under General Plan Approval 14 per the Department's instruction that those facilities which open their primary chamber's door during operation, could no longer use the general permit. Special conditions will be included in this plan approval which address door opening and its impact on emissions and operation. The crematory will be required to meet all emission and temperature requirements while the door is opened and will have additional recordkeeping and monitoring requirements.

This application proposes the installation of a new source at a non-Title V facility. Public notice is obligatory for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Potential emissions

from the proposed source are estimated to be: less than 2.5 tons per year (tpy) of particulate matter, less than 1.0 tpy (each) of SO_x, NO_x, CO, VOC, and HAP.

In accordance with 25 Pa. Code § 127.44(f)(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) 332-6940.

In accordance with 25 Pa. Code § 127.44(f)(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 [25-1058A: Francis V. Kloecker Funeral Home, Inc.] 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. 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. 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.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

67-05120A: Magnesita Refractories Co. (425 South Salem Church Road, York, PA 17408-5955) for the quarry operation in West Manchester Township, **York County**. Plan Approval No. 67-05120A will authorize installation of a replacement primary crusher circuit. The replacement of the crushing circuit will not change the throughput capacity of 700 tph limestone and will be controlled by a wet suppression system as required. The estimated controlled potential emissions from the replacement crushing circuit, at 700 tph limestone, will be 23.27 tpy PM-filterable, 9.58 tpy PM₁₀, 1.42 tpy PM_{2.5} and will have no expected emissions of NO_x, CO, SO_x, VOC, and HAP. Review by DEP of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. The plan approval will include provisions derived from 40 CFR 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. Based on these findings, the Department

proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

OPERATING PERMITS

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

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

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

05-05021: Creative Pultrusions, Inc. (214 Industrial Lane, Alum Bank, PA 15521-8304) to issue a Title V Operating Permit renewal for fiberglass pultrusion operation at the Alum Bank plant located in West Saint Clair Township, **Bedford County**. The actual 2018 emissions from the facility were 6.845 tons of VOCs and HAPs, and 6.59 tons of a single HAP. The Operating Permit will include emission limits and work practice standards along with testing, 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 the following: The surface coating operation is subject to 25 Pa. Code § 129.52, § 129.52d and 40 CFR 63 Subpart PPPP. The other sources are variously subject to the following Federal 40 CFR Part 63 regulations: Subpart WWW for reinforced plastic production, Subpart N for small hard chrome plating operation, and Subpart ZZZZ for emergency engines.

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

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

14-00003: Pennsylvania State University (101P Physical Plant Bldg, University Park, PA 16802) to issue a renewal Title V Operating Permit for their University Park Campus located in College Township and State College Borough, **Centre County**. The facility is currently operating under Title V Operating Permit 14-00003. The facility's main sources are the boilers and combustion turbine at the facility's two steam plants, a waste incinerator, as well as several generators and smaller boilers located throughout the campus. The facility has potential emissions of 347 tons per year (tpy) nitrogen oxides, 159 tpy carbon monoxide, 23 tpy volatile organic compounds, 36 tpy particulate matter, 15 tpy sulfur oxides, 9 tpy of combined hazardous air pollutants, and 377,000 tpy of carbon dioxide equivalents (greenhouse gases). The terms and conditions of Plan Approvals 14-00003F, for conversion of the West Campus Steam Plant from coal to natural gas-fired operation, and General Plan Approvals GP-14-00003A, B, and C, for two 2 MW and one 750 kW diesel-fired generators, are also being incorporated into the operating as part of this renewal action. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements

have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Parts 52, 60, 62, 63 and 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.

63-00015: Flexsys America L.P. (829 Route 481, Monongahela, PA 15063) In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal Title V Operating Permit (TV-63-00015) to Flexsys America L.P. (Flexsys) for the operation of the Monongahela Plant located in Carroll Township, **Washington County**.

The facility's major sources of emissions include a Crystex Plant, two (2) 25.1 MMBtu/hr dual-fired (natural gas and fuel oil) boilers, a vaporizer, one 300,000 gallon sulfur storage tank, one 8,000 gallon carbon disulfide pressure vessel, two (2) 46,000 gallon process oil storage tanks, railcar & truck sulfur handling, two (2) diesel-fired fire pump internal combustion engines rated at 238 bhp each, and a diesel-fired emergency generator engine rated at 226 bhp.

The Monongahela Plant is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 PA. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). Flexsys has the potential to emit the following type and quantity of air contaminants (on an annual basis) from the Monongahela Plant: 23.26 tons of carbon monoxide (CO), 44.60 tons of nitrogen oxides (NO_x), 2.20 tons of particulate matter, 10-micron (PM₁₀), 45.80 tons of sulfur oxides (SO_x), 102.82 tons of volatile organic compounds (VOC), 84.49 tons of carbon disulfide (already accounted for in VOC emissions), 3.70 tons of hydrogen sulfide, and 42,674 tons of greenhouse gases (GHGs).

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 61, and 70, and 25 Pa. Code Article III, Chapters 121—145.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed TVOP or a condition thereof may submit the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice 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 Title V Operating Permit 63-00015) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

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

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

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

V13-003: Grays Ferry Cogeneration Partnership—Schuylkill Station (2600 Christian Street, Philadelphia, PA 19146) for the operation of a ship repairing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a 1,515 MMBtu/hr natural gas or # 2 fuel-fired combustion turbine with or without a 366 MMBtu/hr natural gas or # 2 fuel-fired Heat Recovery Steam Generator (HRSG) with Selective Catalytic Reduction System (SCR) and Oxidation Catalyst (OC), and a 1,119 MMBtu/hr natural gas or # 2 fuel-fired auxiliary boiler. The facility is a major source of Nitrogen Oxides (NO_x).

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

Persons wishing to file protest, comments, or request a public hearing on the previously listed 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.

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.

09-00183: Donaldson Company Inc. (85 Railroad Dr., Northampton Twp., PA 18974) for a non-Title V, State Only, Natural Minor operating permit in Ivyland Borough, **Bucks County**. The permit is for the operation of an existing polytetrafluoroethylene (PTFE) Extrusion Line No. 2 and a regenerative thermal oxidizer. The

facility's potential to emit criteria pollutants is greater than major thresholds; therefore, the facility is a Synthetic Minor. The extrusion process will emit 4.4 tons of volatile organic compounds per year, after control. This action is a second renewal of the State Only Operating Permit. The permit was initially issued on 4-2-2009 and renewed on 10-10-2014. The renewed permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

39-00061: Electro Chemical Engineering & Manufacturing Company (750 Broad Street, Emmaus, PA 18049). The Department intends to issue a renewal State-Only (Synthetic Minor) Permit for the metal coating, engraving, and allied services manufacturing facility in Emmaus Borough, **Lehigh County**. The main sources consist of 5 ovens and 2 spray booths for baking coating, sheet lining, epoxy painting, and mortar application. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00071: Diamond Dye and Finishing, Inc. (15 South Albert Street, Allentown, PA 18109). The Department intends to issue a renewal State-Only Natural Minor Permit for Diamond Dye and Finishing, located in the City of Allentown, **Lehigh County**. Operations performed at this facility include the dyeing and finishing of textile piece goods. The sources are considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 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.

22-03013: Pinnacle Health—Harrisburg Hospital (218 South 2nd Street, Harrisburg, PA 17104) to issue a State Only Operating Permit renewal for the hospital facility located in Harrisburg City, **Dauphin County**. The potential emissions are estimated at 26.6 tpy of NO_x, 30.1 tpy of CO, 3.0 tpy of PM, 0.2 tpy of SO_x and 2.0 tpy of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR Part 60 Subpart IIII—National Emission Standards for Compression Ignition Engines.

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

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

55-00020: Meckley's Limestone Products, Inc. (P.O. Box 503, Herndon, PA 17830-7332); the Department intends to issue a renewal State Only permit for their asphalt concrete production facility in Franklin Township, **Snyder County**. The facility is currently operating under State Only Permit No. 55-00020 issued on September 5, 2014. There were no physical changes to the facility-wide source operations since the previous permit was issued. Facility-wide Potential to Emit calculations for nitrogen oxides (NO_x, expressed as NO₂), carbon monoxide (CO), volatile organic compounds (VOCs), sulfur dioxide (SO₂), PM₁₀ & PM_{2.5}, and hazardous air pollutants (HAPs) are, as follows: NO_x: 9.43 tons per year (tpy); CO: 23.7 tpy; VOCs: 1.63 tpy; SO₂: 15.2 tpy; PM₁₀ & PM_{2.5}: 8.6 tpy; HAPs: 0.5 tpy. The Source ID P102 hot mix asphalt plant is to be operated and maintained in accordance with good air pollution control practices as well as the Department's Best Available Technology (BAT) requirements. In addition, the company is required to maintain compliance with the existing fuel and hours of operation restrictions to limit emissions below major facility thresholds and is subject to all applicable requirements pertaining to this hot mix asphalt facility, as specified in 40 CFR 60.90—60.93 of the Standards of Performance for Hot Mix Asphalt Facilities in 40 CFR Part 60 Subpart I. Based on the information provided in the permit renewal application submittal, 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.

03-00250: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201) Synthetic Minor State-Only Operating Permit is for a coal preparation plant located in West Franklin Township, **Armstrong County**. The site is located off of Lairds Crossing Road approximately 0.5 mile south of Davis Road. 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 previously-mentioned facility. The coal preparation plant consists of paved and unpaved roadways, a screening plant, stockpiles, conveyors, and truck and rail loading which are controlled using water sprays and a pressurized water truck. One 755-HP emergency generator is also located on site. The plant is currently idle and has submitted a maintenance and reactivation plan to the Department. Facility-wide potential emissions with controls are projected to be 12.74 TPY PM, 4.85 TPY PM₁₀, 1.99 TPY VOC, 1.99 TPY NO_x, 1.08 TPY CO, and 0.0009 TPY SO_x. The facility is required to

conduct daily surveys of the site when operating to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes throughput restrictions, 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 Specialist, 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 (03-00250) 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 Specialist, at the previously listed address.

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

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

04-00682: Harsco Metals Plant # 53 (6 Mount Street, Koppel, PA 16136) Synthetic Minor State-Only Operating Permit is for a facility that processes steel slag from the nearby IPSCO Koppel Tubular steel mill and is located in Koppel Borough, **Beaver 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 previously-mentioned facility. The plant is considered one air contamination source and consists of a number of screens and conveyors which are controlled by water sprays and a pressurized water truck. Facility-wide potential emissions with controls are projected to be 0.25 TPY PM, 0.09 TPY PM₁₀, and 0.01 TPY PM_{2.5}. The facility is required to conduct daily surveys of the site when operating to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes throughput restrictions, 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 Specialist, 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 (04-00682) 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 Specialist, at the previously listed address.

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

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

63-00968: MarkWest Liberty Midstream & Resources, LLC (320 Point Pleasant Road, Burgettstown, PA 15021) Natural Minor Operating Permit is for a natural gas compressor station and is located in Smith Township, **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 previously-mentioned facility. Sources of emissions consist of eight 1,980 BHP compressor engines, two 1,480 BHP compressor engines, one dehydration unit and reboiler, one flare, five storage tanks, pigging operations, venting/blowdowns, crankcase vents, and other fugitive emission sources such as truck loadout. The facility is required to conduct regular surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. Facility-wide potential emissions are projected to be 40.78 TPY NO_x, 54.86 TPY CO, 47.62 TPY VOC, 6.78 TPY PM, 90,500 TPY CO_{2e}, 12.44 TPY total HAP, and 2.38 TPY for single HAP (toluene). The air quality permit includes operation requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Bradley Spayd, Air Quality Engineering Specialist, 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 (63-00968) 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 Specialist, at the previously listed address.

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

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

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

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

OP17-00008: Exelon Generation Company, LLC—Richmond Generating Station (3901 North Delaware Avenue, Philadelphia, PA 19137) for the operation of an electric generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) combustion turbines firing No. 2 fuel oil or kerosene each rated 838 MMBtu/hr.

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 Permits Issued

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

30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES permit for installation of two (2) degas boreholes. Surface Acres Proposed 6.3. No additional discharges. The application was considered administratively complete on February 14, 2019. Application received: December 10, 2018. Permit issued: May 28, 2019.

32051601 and NPDES No. PA0236012. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the NPDES permit for the Crooked Creek Preparation Plant in Washington Township, **Indiana County**. A Department initiated revision to remove cadmium and lead monitoring for outfall 001; to remove cadmium, lead, selenium, and zinc monitoring for outfall 002; and to remove lead and zinc monitoring for outfall 003. No additional discharges. The application was considered administratively complete on January 17, 2018. Application received: January 18, 2018. Permit issued: May 28, 2019.

32901602 and NPDES No. PA0214442. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the NPDES permit for the I-22 Tipple in Burrell Township, **Indiana County**. A Department initiated revision to remove arsenic monitoring for outfalls 001 and 002. No additional discharges. The application was considered administratively complete on February 21, 2018. Application received: February 21, 2018. Permit issued: May 28, 2019.

17743702 and NPDES No. PA0215490. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the NPDES permit for the Lady Jane Plant in Huston Township, **Clearfield County**. A Department initiated revision to remove selenium monitoring for outfall 002. No addition discharges. The application was considered administratively complete on January 17, 2018. Application received: January 17, 2018. Permit issued: May 28, 2019.

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

Permit No. 11830102 and NPDES No. PA0607550. MB Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, permit renewal for the continued operation and restoration of a bituminous surface mine in Lower Yoder Township, **Cambria County** affecting 166.3 acres. Receiving stream: unnamed tributary to St. Clair Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles

downstream. Application received: November 28, 2018. Permit issued: May 29, 2019.

Permit No. 32130101. KMP Associates, Inc., 3756 State Route 981, Saltsburg, PA 15681, permit renewal for reclamation only of a bituminous surface & auger mine in Conemaugh & Young Townships, **Indiana County**, affecting 37 acres. Receiving streams: unnamed tributaries to/and Big Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 19, 2019. Permit issued: May 30, 2019.

Permit No. 32130101 and NPDES No. PA0269271, KMP Associates, Inc., 3756 State Route 981, Saltsburg, PA 15681, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from forestland to unmanaged natural habitat in Conemaugh & Young Townships, **Indiana County**, affecting 37 acres. Receiving stream: unnamed tributaries to/and Big Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 11, 2019. Permit issued: May 30, 2019.

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

17663136 and NPDES PA0126870. EnerCorp, Inc. (1310 Allport Cutoff, Morrisdale, PA 16858). Permit renewal for reclamation only and request for bond reduction of a bituminous surface coal mine located in Graham Township, **Clearfield County** affecting 202.0 acres. Receiving stream(s): Flat Run and Mons Run to Adler Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 18, 2018. Permit issued: May 30, 2019.

Noncoal Permits Issued

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

Permit No. 21940302, Hempt Bros., Inc., 205 Creek Road, P.O. Box 278, Camp Hill, PA 17011, commencement, operation and restoration of a bituminous surface large noncoal (industrial minerals) mine to change the land use from Pastureland (land occasionally cut for hay) to Commercial Highway District in Middlesex Township, **Cumberland County**, affecting 12.1 acres. Receiving stream: Conodoguinet Creek, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 3, 2019. Permit Issued: May 30, 2019.

Permit No. 56190801, Rockwood Stone LLC, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Black Township, **Somerset County**, affecting 4.9 acres, receiving streams Casselman River. Permit received: January 9, 2019. Permit issued: May 30, 2019.

PAM419001-GP104. Rockwood Stone, LLC, 195 Lost Mountain Lane, Rockwood, PA 15557. Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Noncoal Permit No. 56190801 located in Black Township, **Somerset County**. Receiving stream: Casselman River, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: January 8, 2019. Approved: May 30, 2019.

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

33100106. Strishock, LLC (P.O. Box 1006, DuBois, PA 15801). Revision to an existing bituminous surface mine to change the post-mining land use from forestland to unmanaged natural habitat on the properties of Ronald Raybuck (Donald Lee Raybuck, P.O.A.), David A. and Susan H. Moore, John Bradley Smith and Kelly E. Holt, John J. D'Anna (now Mary L. D'Anna and William J. D'Anna), Calvin M. Dickey (now David B. and Emma A. Byler), and Carol Java (now Steve D. and Sarah E. Byler) in Washington Township, **Jefferson County**. Receiving streams: Horm Run and Fivemile Run. Application received: March 14, 2019. Permit issued: May 23, 2019.

PAM613014. Fiesler Sand & Gravel, LLC (3853 Knoyle Road, Erie, PA 16510). Renewal of coverage under General NPDES Permit for stormwater discharges associated with mining activities (BMP GP-104) on Surface Mining Permit No. 2579301 in Greene Township, **Erie County**. Receiving streams: Unnamed tributary to Fourmile Creek. Application received: May 1, 2019. Permit issued: May 23, 2019.

24190801. Gerald T. Belsole (282 Belsole Road, St. Marys, PA 15857). Commencement, operation and restoration of a small industrial minerals mine in St. Marys City, **Elk County** affecting 6.0 acres. Receiving streams: South Fork Run and Trout Run. Application received: March 22, 2019. Permit issued: May 23, 2019.

10180304. Seneca Landfill, Inc. (P.O. Box 1080, Mars, PA 16046). Commencement, operation and restoration of a large industrial minerals mine in Jackson Township, **Butler County** affecting 34.3 acres. Receiving streams: Unnamed tributary to Connoquenessing Creek. Application received: September 17, 2018. Permit issued: May 23, 2019.

PAM618066. Seneca Landfill, Inc. (P.O. Box 1080, Mars, PA 16046). Coverage under General NPDES Permit for stormwater discharges associated with mining activities (BMP GP-104) on Surface Mining Permit No. 10180304 in Jackson Township, **Butler County**. Receiving streams: Unnamed tributary to Connoquenessing Creek. Application received: September 17, 2018. Permit issued: May 23, 2019.

6433-10180304-E-1. Seneca Landfill, Inc. (P.O. Box 1080, Mars, PA 16046). Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary No. 2 to Connoquenessing Creek in Jackson Township, **Butler County**. Receiving streams: Unnamed tributary to Connoquenessing Creek. Application received: September 17, 2018. Permit issued: May 23, 2019.

6433-10180304-E-2. Seneca Landfill, Inc. (P.O. Box 1080, Mars, PA 16046). Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary No. 1 to Connoquenessing Creek in Jackson Township, **Butler County**. Receiving streams: Unnamed tributary to Connoquenessing Creek. Application received: September 17, 2018. Permit issued: May 23, 2019.

10180304. Seneca Landfill, Inc. (P.O. Box 1080, Mars, PA 16046). Application for a wetlands encroachment to mine through 1.8 acre of palustrine emergent and palustrine forested wetlands, and construct 1.6 acre of new wetlands with the incorporation of 0.49 acre overbuild from wetland mitigation activities associated with Seneca's coal mine, SMP No. 10000103, in Jackson Township, **Butler County**. Receiving streams: Con-

noquenessing Creek, classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is Zelenople Water Company. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 301—303, 306, and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. Application received: September 17, 2018. Permit issued: May 23, 2019.

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

08190801. Dale Harrington (833 Warren Center Road, Warren Center, PA 18851), commencement, operation, and restoration of a small noncoal industrial minerals surface mine permit (flagstone) in Warren Township, **Bradford County** affecting 1.0 acre. Receiving stream(s): Unnamed Tributary to Wappasening Creek classified for the following use(s): CWF, MF. Application received: March 20, 2019. Permit Issued: May 24, 2019.

PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT

Chapter 81 of 27 Pa.C.S. (relating to Environmental Good Samaritan Act) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. For landowners and persons to qualify for immunity, the projects must be approved by the Department.

The following project proposals have been received by the Department. A copy of a proposal is available for inspection at the office indicated before each proposal.

Written comments or objections may be submitted by a person or office or head of a Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections, the proposal identification number and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

Blasting Permits Issued

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

Permit No. 36194121. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Musser Tract in Rapho Township, **Lancaster County** with an expiration date of April 26, 2020. Permit issued: May 28, 2019.

Permit No. 06194115. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Hamburg Logistics Park in Perry Township, **Berks County** with an expiration date of May 21, 2020. Permit issued: May 30, 2019.

Permit No. 40194108. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for at home at 469 PA 437 in Dennison Township, **Luzerne County** with an expiration date of May 22, 2020. Permit issued: May 30, 2019.

Permit No. 40194109. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Oak Hill Road Site in Wright Township, **Luzerne County** with an expiration date of May 23, 2020. Permit issued: May 30, 2019.

Permit No. 36194123. M & J Explosives, LLC, (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Warwick Woodland in Lititz Borough, **Lancaster County** with an expiration date of May 28, 2020. Permit issued: May 31, 2019.

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.

E4002219-007. Harveys Lake Beach Association, P.O. Box 281, Shawanese, PA 18654, in Harveys Lake Borough, Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a new 1,072 sq. ft., pile-supported dock within the basin of Harveys Lake (HQ-CWF). The project is located at Pole 001 along Lakeside

Drive (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 7"; Longitude: -76° 1' 59") in Harveys Lake Borough, Luzerne County. (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 7"; Longitude: -76° 1' 59").

E4002219-008. Brad Carver, 11 Morris Circle, Dallas, PA 18612, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District. To construct and maintain a 300 sq. ft., pile-supported dock expansion within the basin of Harveys Lake (HQ-CWF). The project is located at Pole 208 along Lakeside Drive (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 48"; Longitude: -76° 3' 13") in Harveys Lake Borough, Luzerne County. (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 48"; Longitude: -76° 3' 13").

F4002219-001. Meshoppen Borough, 154 Oak Street, Meshoppen, PA 18630, in Meshoppen Borough, **Wyoming County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River and Meshoppen Creek. Sites will be restored to open space. Sites are located in Meshoppen Borough, Wyoming County.

- 113 Church Street (Meshoppen, PA Quadrangle Latitude: 41.612550°; Longitude: -76.047594°)
- 121 Church Street (Meshoppen, PA Quadrangle Latitude: 41.612307°; Longitude: -76.047545°)
- 125 Church Street (Meshoppen, PA Quadrangle Latitude: 41.612108°; Longitude: -76.047499°)
- 131 Church Street (Meshoppen, PA Quadrangle Latitude: 41.611940°; Longitude: -76.047468°)
- 132 Church Street (Meshoppen, PA Quadrangle Latitude: 41.611838°; Longitude: -76.047845°)
- 135 Church Street (Meshoppen, PA Quadrangle Latitude: 41.611763°; Longitude: -76.047457°)
- 136 Church Street (Meshoppen, PA Quadrangle Latitude: 41.611681°; Longitude: -76.047812°)
- 139 Church Street (Meshoppen, PA Quadrangle Latitude: 41.611584°; Longitude: -76.047425°)
- 139 Church Street (Lot) (Meshoppen, PA Quadrangle Latitude: 41.611465°; Longitude: -76.047408°)
- 140 Church Street (Meshoppen, PA Quadrangle Latitude: 41.611563°; Longitude: -76.047743°)
- 147 Church Street (Meshoppen, PA Quadrangle Latitude: 41.611377°; Longitude: -76.047363°)
- 123 Allen Street (Meshoppen, PA Quadrangle Latitude: 41.614128°; Longitude: -76.043379°)
- 133 Allen Street (Meshoppen, PA Quadrangle Latitude: 41.614304°; Longitude: -76.043074°)

E5202219-003. UGI Utilities, Inc., 1 UGI Drive, Denver, PA 17517, in Milford Borough and Dingman Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Sawkill Avenue Gas Main Replacement Project which consists of the installation of a 2-inch, PE3408 medium pressure gas main by a direct burial method under Sawkill Creek (EV, MF). The proposed gas main will replace the existing pipeline that is located on the Wycoff Lane Bridge over Sawkill Creek. The new location will be 50-feet south of the bridge and tie back into the existing UGI facilities.

The project is located approximately 0.1 mile southwest of the intersection of Broad Street and East Harford Street on the left of Sawkill Avenue (Milford, PA Quadrangle Latitude: 41° 19' 17.58" Longitude: -74° 48' 19.97"), in Milford Borough and Dingman Township, Pike County.

(Milford, PA Quadrangle, Latitude: 41° 19' 17.58"; Longitude: -74° 48' 19.97").

E5402219-002. Aqua Pennsylvania, Inc., 1 Aqua Way, White Haven, PA 18661, in North Union Township, **Northampton County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with proposed improvements to the existing Aqua PA Eagle Rock Wastewater Treatment Plant, the construction of a drinking water well station (ER-7), and the construction of a 1,200-LF drinking water transmission line connecting Well ER-7 to Sayre Drive:

1. An impact within the floodway of Tomhicken Creek (CWF, MF) consisting of the removal of two (2) existing 12-ft wide, 50-ft long wastewater treatment plant tanks and associated concrete slab foundations. All existing grades will be restored.

2. An impact within the floodway of Tomhicken Creek (CWF, MF) consisting of the construction of a 665 ft² stormwater infiltration BMP.

3. A utility line crossing of PEM wetlands (EV) consisting of a 175-LF, 8-inch diameter ductile iron water pipe. The crossing will impact 0.12-acre of PEM wetlands (EV).

4. A utility line crossing of Tomhicken Creek (CWF, MF) consisting of a 20-LF, 8-inch diameter, concrete-encased ductile iron water pipe.

5. A utility line crossing of PFO wetlands (EV) consisting of a 40-LF, 8-inch diameter ductile iron water pipe. The crossing will impact 0.30-acre of PFO wetlands (EV).

6. A utility line crossing of PFO wetlands (EV) consisting of a 10-LF, 8-inch diameter ductile iron water pipe. The crossing will impact 0.01-acre of PFO wetlands (EV).

7. A utility line crossing of Sugarloaf Creek (CWF, MF) consisting of a 25-LF, 8-inch diameter, concrete-encased ductile iron water pipe.

The project is located approximately 0.25 miles northeast of the intersection of Mountain Road and Winters Road (Nuremberg, PA Quadrangle Latitude: 40° 55' 35.91"; Longitude: -76° 9' 5.75") in North Union Township, Schuylkill County.

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

E2803119-003: PennDOT Engineering District 8-0, 2140 Herr St., Harrisburg, PA in Saint Thomas Township, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To abandon existing structure and to install and maintain a 130.5 linear foot 72-inch diameter in UNT Campbell Run (CWF, MF). The project process to permanently impact 205 linear feet of stream channel and 32 linear feet temporarily. This is all for the purpose of improving transportation safety and roadway standards. The project is located along SR 30 in Saint Thomas Township, Franklin County (39.916°, -77.8034°)

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

E02052-1811, Borough of Oakmont, 767 Fifth Street, Oakmont, PA 15139, Borough of Oakmont, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

Construct, maintain, and operate 6,469 linear feet of multi-use trail, a bicycle pump track, installation of field lighting and installation of an outfield fence at the Creekside Park baseball field, and all appropriate stormwater management infrastructure within the floodway of Plum Creek (WWF).

To construct and maintain a new pedestrian/bicycle bridge over Plum Creek for the purpose of creating a multi-use trail system.

Permanent impacts include 100 linear feet of impact to Plum Creek for the construction of a new pedestrian bridge. Also, 100 square feet of impacts to an Unnamed Tributary of Plum Creek for construction of trail crossings. Floodway impacts include 0.64 acre of permanent impact.

No mitigation is required for this proposed project.

The project site is located at 100 Dark Hollow Road, Oakmont, PA 15139 (New Kensington-West, PA USGS topographic quadrangle; N: 40°, 30', 45"; W: -79°, 49', 46"; Sub-basin 18A; USACE Pittsburgh District), in Oakmont Borough, Allegheny County.

ENVIRONMENTAL ASSESSMENTS

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

D67-483EA. Jane Rineer, 155 Oak Road, Dallastown, PA 17313, and Harlowe and Susan Prindle, 255 School Street, York, PA 17402, York Township, **York County**, USACOE Baltimore District.

Project proposes to remove the Kehm Run Dam to eliminate a threat to public safety and to restore approximately 1,000 feet of stream channel to a free-flowing condition. The project is located across a tributary to Mill Creek (WWF, MF) (York, PA Quadrangle, Latitude: 39.9233 Longitude: -76.6675).

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.

D56-053. Greater Johnstown Water Authority, 640 Franklin Street, P.O. Box 1407, Johnstown, PA 15907-1407. To modify, operate and maintain North Fork Dam across North Fork Bens Creek (HQ-CWF), for the purpose of installing a new concrete spillway to increase capacity to comply with Department regulations. (Rachelwood, PA Quadrangle N: 40° 16' 09"; W: -79° 00' 14") in Conemaugh Township, **Somerset 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
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>
PA0051616 (Industrial)	Shady Lane WTP 137 Shady Lane Spring City, PA 19475-1132	Chester County East Vincent Township	3-D	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0084255 (Sew)	Swatara MHP STP 2228 Grace Avenue Lebanon, PA 17046-8028	Lebanon County Swatara Township	Unnamed Tributary of Swatara Creek (WWF) (7-D)	Yes
PA0009440 (IW)	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Silver Spring Township, Cumberland County	Conodoguinet Creek (WWF, MF) in Watershed(s) 7-B	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0088536 (Sew)	Camp Hebron Retreat 957 Camp Hebron Road Halifax, PA 17032-9520	Dauphin County Halifax Township	Powell Creek (TSF) (6-C)	Yes
PA0086967 (IW)	Myerstown Water Authority System 601 Stracks Dam Road Myerstown, PA 17067	Lebanon County Jackson Township	Unnamed Tributary to Tulpehocken Creek (CWF) (3-C)	Yes
PA0087742 (Sew)	Eagles Peak Campground 905 16th Place Vero Beach, FL 32960-5526	Lebanon County Millcreek Township	Unnamed Tributary to Furnace Creek (CWF) (3-C)	Yes
PA0031062 (Sew)	Robesonia Wernersville Municipal Authority P.O. Box 202 Wernersville, PA 19565-0202	Robesonia Borough Berks County	Spring Creek in Watershed(s) 3-C	No
PA0084565 (Sew)	York Water Co., 130 E Market Street York, PA 17401-1219	Lower Windsor Township York County	Cabin Creek in Watershed(s) 7-I	Yes
PA0087548 (Sew)	Artillery Ridge Campground LLC P.O. Box 544 Glenmoore, PA 19343	Cumberland Township Adams County	Unnamed Tributary to Rock Creek in Watershed(s) 13-D	Yes
PA0081825 (Sew)	UMH PA Rolling Hills Estates LLC 3499 US Highway 9 Suite 3C Freehold, NJ 07728-3277	Lower Frankford Township Cumberland County	Conodoguinet Creek (WWF) in Watershed(s) 7-B	Yes
PAS2035014 (Industrial Stormwater)	Buck Co., Inc. 897 Lancaster Pike Quarryville, PA 17566	Providence Twp Lancaster County	Conowingo Creek/7-K	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0111716 (Sewage)	Wonderview Sanitary Facilities Inc. Wastewater Treatment Plant Bloomsburg, PA 17815-9567	Columbia County Main Township	Susquehanna River (WWF, MF) (5-D)	Yes

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>
PA0094013 (Sewage)	Mutual MHP 1605 E Laurel Circle Mt Pleasant, PA 15666-2181	Westmoreland County Unity Township	Unnamed Tributary to Brinker Run (WWF) (19-D)	Yes
PA0218073 (Industrial)	Keyrock Energy LLC Scottdale Treatment Facility P.O. Box 2223 Johnson City, TN 37663-2371	Westmoreland County East Huntingdon Township	Jacobs Creek (WWF) (19-D)	Yes
PA0218944 (Sewage)	Franklin Fayette Sewer Authority WWTF P.O. Box 55 Smock, PA 15480-0055	Fayette County Franklin Township	Redstone Creek (WWF) (19-C)	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>
PA0034193 (Sewage)	Lake View Country Club 8351 Route 89 North East, PA 16428-5233	Erie County North East Township	Sixteenmile Creek (CWF, MF) (15-A)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0272655 (Sewage)	Amber Gregory SRSTP 1210 Sunset Drive Butler, PA 16001	Butler County Center Township	Swamp Run (HQ-CWF) (20-C)	Yes

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

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

NPDES Permit No. PA0266906, Sewerage, **Samuel Fogal**, 40 Swinging Bridge Road, Hollidaysburg, PA 16648.

This proposed facility is located in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Authorization for discharge to Robinson Run in Watershed 11-A.

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

NPDES Permit No. PA0271985, Sewerage, SIC Code 8800, **Theodore S. Carrington Jr.**, 2215 Irvine Run Road, Irvine, PA 16329.

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

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

NPDES Permit No. PA0271977, Sewerage, SIC Code 8800, **Robin Valone**, 565 Akeley Road, Russell, PA 16345.

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

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

NPDES Permit No. PA0024899 A-2, SIC Code 4952, **Lake City Borough Erie County**, 2350 Main Street, Lake City, PA 16423-1509.

This existing facility is located in Lake City Borough, **Erie County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Minor Amendment for an existing discharge of treated Sewage.

NPDES Permit No. PA0271993, Sewerage, SIC Code 8800, **Shane L Kosterman**, 10545 Plum Road, Wattsburg, PA 16442-9317.

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

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

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

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

WQM Permit No. WQG02151903, Sewerage, **Valley Forge Sewer Authority**, 333 Pawlings Road, Phoenixville, PA 19460-2656.

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

Description of Action/Activity: Low pressure sewer extension for Devault Village at Spring Oaks to connect to Valley Forge Sewer Authority.

WQM Permit No. 1518415, Sewerage, **Tredyffrin Township Municipal Authority**, 1100 Duportail Road, Berwyn, PA 19312.

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

Description of Action/Activity: Construction and operation of a new pump station Glen Avenue & Lancaster Ave.

WQM Permit No. 4602407, Sewerage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Action/Activity: Transfer of ownership from Limerick Township to Aqua PA.

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

WQM Permit No. 0719402, Sewerage, **Samuel Fogal**, 140 Swinging Bridge Road, Hollidaysburg, PA 16648.

This proposed facility is located in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of a small flow sewage treatment system to serve their single family residence.

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

WQM Permit No. 1813201 A-1, Industrial, SIC Code 2621, **First Quality Tissue, LLC**, 904 Woods Avenue, Lock Haven, PA 17745-3348.

This existing facility is located in Castanea Township, **Clinton County**.

Description of Proposed Action/Activity: Permit issued authorizing replacement and expansion of sludge dewatering facilities.

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

WQM Permit No. 6319404, Sewage, SIC Code 8811, **McDermitt Art**, 285 McCready Road, Burgettstown, PA 15021-2375. This proposed facility is located in Jefferson Township, **Washington County**.

Description of Proposed Action/Activity: The applicant proposes to construct a small flow sewage treatment plant for a single residence. The plant will be Norweco Singular 960 system consisting of pretreatment chamber, aeration chamber, Bio-Kinetic System/final clarification chamber, Hydro-Kinetic FEU Filter Chamber, UV disinfection, and outfall pipe.

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

WQM Permit No. 6219403, Sewage, **Theodore S Carrington Jr**, 2215 Irvine Run Road, Irvine, PA 16329.

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

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

WQM Permit No. 6219402, Sewage, **Robin Valone**, 565 Akeley Road, Russell, PA 16345.

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

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

WQM Permit No. 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. 2519401, Sewage, **Shane L Kosterman**, 10545 Plum Road, Wattsburg, PA 16442-9317.

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

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

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

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

<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>
PAI130026	West Chester Borough 401 East Gay Street West Chester, PA 19380-2729	West Chester Borough Chester County	Blackhorse Run (TSF, MF) Taylor Run (TSF, MF) Chester Creek (Goose Creek) (TSF, MF) and Plum Run (WWF, MF) TSF, WWF, and MF	Y	Y

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150054	North Bacton Hill Partners, LLC 26 North Bacton Hill Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV-MF
PAD510033 Phases 4 and 6	Department of the Navy Public Works Department Pennsylvania 4921 South Broad Street Philadelphia, PA 19112-1303	Philadelphia	City of Philadelphia	Schuylkill River CWF-MF Delaware Estuary WWF-MF

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.
Carbon County Conservation District, 5664 Interchange Road, Lehigh, PA 18235.*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130015	Indian Mountain Lakes Civic Association 95 Highridge Road Albrightsville, PA 18210	Carbon County	Penn Forest Township	Carpocroc Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390117	Cedar Crest Chestnut Development, Inc 201 S. Maple Ave Ste 100 Ambler, PA 19002	Lehigh	Emmaus Borough	UNT to Leibert Creek (HQ-CWF, MF)
PAD390092	Macungie Investors LLC 14 Balligomingo Rd P.O. Box 429 Conshohocken PA 19428	Lehigh	Lower Macungie Township	Cedar Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480009	Kay Trio, LLC 5930 Hamilton Boulevard Allentown, PA 18106	Northampton	Lower Nazareth Township & Upper Nazareth Township	Monocacy Creek (HQ-CWF, MF)
PAD480069	Spectrum Land Acquisition, Inc. c/o Mr. Kenneth Snyder 3312 Seventh Street Whitehall, PA 18052	Northampton	Bushkill Township	Monocacy Creek (HQ-CWF, MF)

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>
PAD520018	Aikolai USA One, LLC 105 Kahr Avenue Greeley, PA 18425	Pike County	Blooming Grove Township	UNT to Shohola Creek (HQ-CWF, MF) EV Wetlands
PAD520020	Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661	Pike County	Lackawaxen Township	Westcolang Creek (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site

PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Northampton Township Bucks County	PAC090247	Andrew Klimenko 105 Jakes Way Feasterville-Trevoise, PA 19053	Unnamed Tributary to Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bristol Township Bucks County	PAC090266	Bristol Township 2501 Bath Road Bristol, PA 19007-2150	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Haverford Township Delaware County	PAC230091	The School District of Haverford Township 50 East Eagle Road Havertown, PA 19083	Darby Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Delaware County	PAC230104	Williamson College of the Trades 106 South Middletown Road Media, PA 19063	Unnamed Tributary to Chrome Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Clifton Heights Borough Delaware County	PAC230083	BSS Clifton Heights, LLC 4825 NW 41st Street Suite 500 Riverside, MO 64150	Darby Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC350068	Summit Site Contractors 910 Edella Rd Clarks Summit, PA 18411	Lackawanna	S Abington Twp	Leggetts Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC480078	KRE Bethlehem LP 520 US Hwy 22 P.O. Box 6872 Bridgewater, NJ 08807	Northampton	Bethlehem Twp	UNT to Lehigh River (CWF, MF)
PAC480072	Chestnut Ave Assoc V LP 171 SR 173 Ste 201 Asbury, NJ 08802	Northampton	Lower Nazareth Twp	Schoeneck Creek (WWF, MF)

NOTICES

3135

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC480070	Carson Lehigh LLC Chris Hermance 201 King of Prussia Rd Ste 650 Radnor, PA 19087 Chrin of Delaware Inc Jim Chrin 400 S Greenwood Ave Easton, PA 18045	Northampton	Palmer Twp	Schoeneck Creek (WWF, 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>
New Oxford Borough Oxford Township Adams County Issued	PAC010085	Conewago Valley School District 130 Berlin Road New Oxford, PA 17350	UNTs South Branch Conewago (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
North Middleton Township Cumberland County Issued	PAC210104	Tri Corner Communities, LLC 3405 North 6th Street Harrisburg, PA 17110	Conodoguinet Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Upper Allen Township Lower Allen Township Cumberland County Issued	PAC210147	McNaughton Properties 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	UNT Conodoguinet Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Upper Allen Township Cumberland County Issued	PAC210126	G Pike Associates, LLC 2325 Paxton Street Harrisburg, PA 17110	Cedar Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Upper Allen Township Cumberland County Issued	PAC210134	Messiah College 1 College Avenue Suite 3001 Mechanicsburg, PA 17055	UNT Yellow Breeches Creek (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Lower Frankford Township Cumberland County Issued	PAC210138	Nelson High 149 Run Road Carlisle, PA 17015	Yellow Breeches Creek (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

<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 Middleton Township Cumberland County Issued	PAC210145	Yak Access, LLC 2438 Highway 98 East Columbia, SC 39429-8056	UNT Locust Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
St. Thomas Township Franklin County Issued	PAC280137	LSBP NE Development 1901 South 9th Street Suite 219D Philadelphia, PA 19148	Campbell Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Guilford Township Franklin County Issued	PAC280148	Turbotville Grain, LLC 1196 Holtwood Road Holtwood, PA 17532	UNT Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280116	SARAA 1 Terminal Drive Suite 300 Middletown, PA 17057	UNT Conococheague Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Lurgan Township Franklin County Issued	PAC280131	Roxbury Solar Project 1901 South 9th Street Suite 219D Philadelphia, PA 19148	Laughlin Run (WWF) Clippingers Brook (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Hamilton Township Franklin County Issued	PAC280149	Elk Ridge Development David H Martin Excavating 4961 Cumberland Highway Chambersburg, PA 17202	UNT East Branch Conococheague Creek (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Hamilton Township Franklin County Issued	PAC290132	Willow Creek Properties 1558 Strohm Drive Chambersburg, PA 17202	Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Lurgan Township Franklin County Issued	PAC280138	Scott Kiskaddon 6470 Park Road Orrstown, PA 17244	Paxton Run (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

NOTICES

3137

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Washington Township Franklin County Issued	PAC280141	Martin's Ridge 290 South Eaks Run Road Glen Rock, PA 17237	UNT East Branch Antietam (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280112	Frederick Drive, LLC P.O. Box 190 Greencastle, PA 17225	Paddy Run (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Jackson Township Lebanon County Issued	PAC380113	Chris Templin P.O. Box 156 Richland, PA 17078	UNT Tulpehocken Creek (CWF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Jackson Township Lebanon County Issued	PAC380107	Andy Jalbert 400 West Stoever Avenue Myerstown, PA 17067	Tulpehocken Creek (CWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
South Lebanon Township Lebanon County Issued	PAC380123	William Smeltzer 120 Troutman Drive Myerstown, PA 17067	Quittapahilla Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Cleona Borough North Lebanon Township Lebanon County Issued	PAC380115	Chris A. Zerfass 191 Lehigh Street Allentown, PA 18103	Quittapahilla Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Carroll Township York County Issued	PAC670229	Old York Homes One Limited 225 North Presidential Boulevard Bala Cynwyd, PA 19004	UNT Fishers Run (CWF) UNT Stony Run (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Jackson Township York County Issued	PAC670296	Joint Ventures, Inc. 570 Carlisle Street Hanover, PA 17331	UNT Little Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Dover Township York County Issued	PAC670299	Road Home, LLC 120 Red Fox Road Millersville, PA 17551	Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

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

*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>
Forward Township Butler County	PAC100014	Forward Associates Inc 8037 Rowan Road Cranberry Township, PA 16066	UNT to Connoquenessing Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Pine Creek Township Jefferson County	PAC330013	Donna C. Winner c/o Jack Campbell 32 West State Street Sharon, PA 16146	UNT to Mill Creek CWF	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
Wampum Borough Lawrence County	PAC370033	Universal Refractories P.O. Box 97 Wampum, PA 16157	Eckles Run WWF	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
City of Grove City Mercer County	PAC430033	Grove City College 100 Campus Drive Grove City, PA 16127	UNT to Wolf Creek CWF	Mercer County Conservation District 747 Greenville Road Mercer, PA 16137 724-662-2242
Cranberry Township Venango County	PAC610010	Adam Gilmore 3327 State Route 257 Seneca, PA 16346	UNT of Lower Two Mile Run	Venango County Conservation District 1793 Cherrytree Road Franklin, PA 16323 814-676-2832

General Permit Type—PAG-3

*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>
Center Township Indiana County	PAG038377	Kovalchick Corporation P.O. Box 279 Indiana, PA 15701-2951	Unnamed Tributary to Two Lick Creek (CWF) and Two Lick Creek (TSF)—18-D	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

General Permit Type—PAG-13

*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>
Manheim Boro Lancaster County	PAG133640	Manheim Borough 15 E High St Manheim, PA 17545-1505	Chiques Creek (WWF, MF); UNT Chiques Creek (WWF, MF); and Rife Run (WWF, MF)	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707
Penn Township Lancaster County	PAG133567	Penn Township 97 N. Penyrn Road Manheim, PA 17545	UNT Chiques Creek (WWF, MF); and UNT Little Conestoga Creek (TSF, MF)	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4707

*Facility Location:
Municipality &
County*

East Pennsboro
Township
Cumberland County

Permit No.

PAG133680

Applicant Name & Address

East Pennsboro Township
98 S. Enola Dr.
Enola, PA 17025

*Receiving
Water/Use*

UNT Susquehanna
River
(WWF, MF),
Conodoguinet Creek
(WWF, MF) and
Holtz Run
(WWF, MF)

*Contact Office &
Phone No.*

DEP Southcentral
Regional Office
Clean Water Program
909 Elmerton Avenue
Harrisburg, PA
17110-8200
717.705.4707

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>
Lavon Zimmerman 11653 William Penn Hwy Thompsons town, PA 17094	Juniata	61.7	386.53	Swine	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board.

The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Permit No. 5419501, Public Water Supply.
 Applicant **Municipal Authority of Township of Blythe**
 375 Valley Street
 New Philadelphia, PA 17959
 [Township or Borough] Blythe Township, **Schuylkill County**
 Responsible Official Mr. Michael Burda
 General Manager
 Municipal Authority of Township of Blythe
 375 Valley Street
 New Philadelphia, PA 17959
 Type of Facility PWS
 Consulting Engineer Karen C. Pollock, P.E.
 System Design Engineering, Inc.
 1032 James Drive
 Leesport, PA 19533
 Construction Permit issued 05/08/2019

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

Operation Permit No. 3617518 MA issued to: **West Earl Water Authority (PWS ID No. 7360143)**, West Earl Township, **Lancaster County** on 6/4/2019 for facilities approved under Construction Permit No. 3617518 MA.

Operation Permit No. 3119502 MA issued to: **SCI Huntingdon Department of Corrections (PWS ID No. 4310028)**, Smithfield Township, **Huntingdon County** on 5/29/2019 for facilities submitted under Application No. 3119502 MA.

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

Operations Permit issued to: **Southwestern Pennsylvania Water Authority**, P.O. Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (**PWSID # 5300017**) Franklin and Wayne Townships, **Greene County** on May 24, 2019 for the operation of facilities approved under Construction Permit # 3017503.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5650032**) Hempfield Township, **Westmoreland County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 6513518MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5650032**) South Greensburg Borough and Hempfield Township, **Westmoreland County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 6513517MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5650032**) Hempfield Township, **Westmoreland County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 6513513MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5650032**) Hempfield Township, **Westmoreland County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 6513514MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5650032**) Hempfield Township, **Westmoreland County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 6513520MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5650032**) Hempfield Township, **Westmoreland County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 6513519MA.

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (**PWSID # 5650032**) Plum Borough, **Westmoreland County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 6516511.

Operations Permit issued to: **Center Township Water Authority**, 224 Center Grange Road, Aliquippa, PA 15001, (**PWSID # 5040007**) Center and Potter Townships, **Beaver County** on May 30, 2019 for the operation of facilities approved under Construction Permit # 0415504-A3.

Permit No. 5619504MA, Minor Amendment. Public Water Supply.

Applicant	Municipal Authority of the Borough of Somerset 347 West Union Street P.O. Box 71 Somerset, PA 15501
[Borough or Township]	Borough of Somerset
County	Somerset
Type of Facility	Highland Park waterline project
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Permit to Construct Issued	May 30, 2019

Permit No. 0218540MA, Minor Amendment. Public Water Supply.

Applicant	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
[Borough or Township]	City of McKeesport
County	Allegheny
Type of Facility	Silver Alley waterline project
Consulting Engineer	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672
Permit to Construct Issued	May 28, 2019

Permit No. 0219503MA, Minor Amendment. Public Water Supply.

Applicant	Wilksburg Penn Joint Water Authority 2200 Robinson Boulevard Pittsburgh, PA 15221
[Borough or Township]	Braddock Hills and Penn Hills

County	Allegheny
Type of Facility	Painting of the Braddock Hills A & B tanks; and the Lougeay tank.
Consulting Engineer	MS Consultants, Inc. 333 Rouser Road Airport Office Park # 4 Coraopolis, PA 15108
Permit to Construct Issued	June 3, 2019

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Gulf Oil Fullerton Terminal, 2451 Main Street, Whitehall Township, **Lehigh County**. AECOM, 510 Carnegie Center, Princeton, NJ 08540, on behalf of Lucknow Highspire Terminals LLC, 900 South Eisen-

hower Boulevard, Middletown, PA 17057, submitted a final report. Soil was contaminated by historic releases of petroleum products at the site. The report is intended to document remediation of the site to meet Non-residential Statewide Health Standards.

Pocono Mobile Home Estates-Seclow Property, 346 Upper PMHE South Drive, Middle Smithfield Township, **Monroe County**. Geological & Environmental Associates, 430 West Mountain Road, Plymouth, PA 18651, on behalf of April Seclow, 346 Upper PMHE South Drive, East Stroudsburg, PA 18302, submitted a final report. Soil was contaminated by a release of heating oil from an aboveground storage tank. The report is intended to document remediation of the site to meet residential Statewide Health Standards.

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

Winifred Linton Property, 505 Donegal Springs Road, Mount Joy, PA 17522, Mount Joy Borough, **Lancaster County**. Reliance Environmental, Inc., 235 Duke Street, Lancaster, PA 17602, on behalf of Winifred Linton, 505 Donegal Springs Road, Mount Joy, PA 17522, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Former Birdsboro Army Tank Foundry/Armorcast Facility/Land Transfer Parcel Soil, 1 Armorcast Road, Birdsboro, PA 19508, Birdsboro Borough and Union Township, **Berks County**. AMO Environmental Decisions, Inc., 437 Point Pleasant Pike, P.O. Box 410, Dansboro, PA 18916, on behalf of Kiewit Power Constructors Company, 9401 Renner Boulevard, Lenexa, KS 66219, and Birdsboro Power LLC, P.O. Box 314, Birdsboro, PA 19508, submitted a Final Report concerning remediation of site soil and groundwater contaminated with PCBs, Inorganics and Benzo(a)pyrene. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Birdsboro Power LLC/Former Armorcast Tank Foundry, 1 Armorcast Road, Birdsboro, PA 19508, Birdsboro Borough, **Berks County**. AMO Environmental Decisions, Inc., 437 Point Pleasant Pike, P.O. Box 410, Dansboro, PA 18916, on behalf of Kiewit Power Constructors Company, 9401 Renner Boulevard, Lenexa, KS 66219 and Birdsboro Power, LLC, 1 Armorcast Road, Birdsboro, PA 19508-2017, submitted a Final Report concerning remediation of site groundwater contaminated with VOCs, PAHs, PCBs, and inorganics. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

UPS Lancaster Center, 115 Enterprise Road, East Petersburg, PA 17520, East Hempfield Township and East Petersburg Borough, **Lancaster County**. Arcadis U.S. Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940, on behalf of United Parcel Service, 115 Enterprise Road, East Petersburg, PA 17520, submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

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

Kerstetter Residence, 320 McLaughlin Road, Milton, Turbot Township, **Northumberland County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA

18073, on behalf of Randy and Susan Kerstetter, 320 McLaughlin Road, Milton, PA 17847, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Kennedy 137 Well Pad, 487 North Callahan Road, Wellsboro, Delmar Township, **Tioga County**. Arcadis U.S. Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of SWEPI LP, 12880 Route 6, Wellsboro, PA 16901, has submitted a Final Report concerning remediation of site soil contaminated with produced water. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Principle Enterprises LLC Diesel Fuel and Production Water Cleanup, State Route 414, Roaring Branch, Union Township, **Tioga County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Principle Enterprises, LLC, P.O. Box 177, Canton, PA 17724, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and production water. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Titusville Wax Plant, 1100 East Main Street (a.k.a. 1007 East Spring Street), City of Titusville, **Crawford County**. Wood Environment & Infrastructure Solutions, Inc., 4600 J Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of Honeywell, 100 Columbia Road, Morristown, NJ 07962, submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with Volatile Organic Compounds, Semi-volatile Organic Compounds, Polychlorinated Biphenyls, and Metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Kmart Plaza Dry Cleaners, 1901 Lincoln Highway, North Versailles **Allegheny County**. American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysburg, PA 15668 on behalf of Riverview Plaza Associates LP, 3 Gateway Center, Pittsburgh, PA 15222 has submitted a cleanup plan and final report regarding the site where elevated concentrations of chlorinated volatile organic compounds associated with dry cleaning solvents were found in soil and groundwater. Public notice of the reports was published in the *Pittsburgh Post-Gazette* on May 15, 2019.

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 Stan-

dards 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:

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

PA Turf Equipment, 1501 Quentin Road, Lebanon, PA 17042, North Cornwall Township, **Lebanon County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of 1501 Quentin Road, LLC, 1005 East King Street, Suite 100, York, PA 17403, and PA Turf Equipment, 2265 East Maple Street, Cleona, PA 17042, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on May 22, 2019.

Brian & Janette Parsons Residence, 14369 Dickey's Road, Mercersburg, PA 17236, Peters Township, **Franklin County**. PG Environmental Services, 1075 D Sherman Ave, Hagerstown, MD 21740, on behalf of Brian and Janette Parsons, 14369 Dickey's Road, Mercersburg, PA 17236, submitted a Final Report concerning remediation

of site soils contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard and was disapproved by the Department on May 22, 2019.

Rail Trail Partners, LLC Marietta Site, 421 West Market Street, Marietta, PA 17547, Marietta Borough, **Lancaster County**. POWER Engineers, Inc., 1410 East Market Street, York, PA 17403, on behalf of Rail Trail Partners, LLC, 421 West Market Street, Marietta, PA 17547, submitted a Remedial Investigation Report, Cleanup Plan, and Final Report concerning remediation of site soil and groundwater contaminated with inorganics, PCBs and # 2 fuel oil. The combined Report was administratively incomplete and was disapproved by the Department on May 30, 2019.

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

Ovees Carriers, LLC Diesel Fuel Spill Cleanup, Interstate 80 at MM 191E, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of Ovees Carriers, LLC, 34475 Stone Court, Apartment 12, Willoughby Hills, OH 44094, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 29, 2019.

C.M. Trucking, LLC, Interstate 80 at MM 219.8W, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of C.M. Trucking, 370 Matinger Road, Toledo, OH 43610, has submitted a Final Report concerning remediation of site soil contaminated with motor oil. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 24, 2019.

Cascade Express, Inc. Project, Lewis Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of Cascade Express, Inc., 4616 Longview Drive, North Highlands, CA 95660 has submitted a Final Report concerning remediation of site soils contaminated with diesel fuel, motor oil and antifreeze. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 28, 2019.

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

Calex Express, 58 Pittston Avenue, Yatesville Borough, **Luzerne County**. Geological & Environmental Associates, 430 West Mountain Road, Plymouth, PA 18651, on behalf of Calex Express, 58 Pittston Avenue, Pittston, PA 18640, submitted a Final Report concerning remediation of releases of diesel from an aboveground storage tank to soil. The report documented remediation of the site to meet nonresidential Statewide Health Standards and was approved by DEP on May 29, 2019.

Schilling Property, 1636 North 5th Street, Stroud Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Penny Wise Fuel, 219 Shine Hill Road, Henryville, PA 18332, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an aboveground storage tank. The report documented remediation of the site to meet residential Statewide Health Standards and was approved by DEP on May 29, 2019.

Young Property, 1462 East University Avenue, Lower Saucon Township, **Northampton County**. EMS Environ-

mental, 4550 Bath Pike, Bethlehem, PA 18017, Easton, on behalf of Arden Young, 1462 East University Avenue, Bethlehem, PA 18015, submitted a Final Report concerning remediation of soil contaminated by a release from an aboveground storage tank that contained heating oil. The report documented remediation of the site to meet residential Statewide Health Standards and was approved by DEP on June 3, 2019.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 (relating to authorization for general permit)).

Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGR124. Pixelle Specialty Solutions, LLC, Hershey Road and Rockery Road Extended, Spring Grove, PA 17362 located in North Codorus Township, **York County**. The Department of Environmental Protection has reissued a Determination of Applicability under General Permit WMGR124 to Pixelle Specialty Solutions, LLC. This general permit was originally issued to P.H. Glatfelter Company on March 18, 2011 for the processing of (1) bark and wood waste from the papermaking process; (2) soil material; and (3) scrap metals recovered from a captive lime/bark landfill area prior to beneficial use as (a) an ingredient or a component in the production of mulch material; (b) a topsoil or common borrow material for onsite landfill or impoundment closure activities; or (c) sale or delivery to a permitted processing facility for recycling purposes. This Determination of Applicability was reissued by the Department on May 31, 2019.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Revoked 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.

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

Permit No. 101468. Covanta 4Recovery Philadelphia, LLC, 3600 South 26th Street, Philadelphia, PA 19145. Permittee has requested final closure certification approval for the Girard Point Transfer Station Facility, a municipal waste transfer facility, located at 3600 South 26th Street in the City and **County of Philadelphia**, and the final closure certification has been accepted pursuant to the requirements of the closure requirements contained in Solid Waste Permit No. 101468. Accordingly, the permit was revoked by the Southeast Regional Office on May 8, 2019.

Persons interested in reviewing the permit may contact the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960.

TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

Permit Issued 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.

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

Permit No. 400593. Covanta Delaware Valley, LP, 10 Highland Avenue, Chester, PA 19013. This major permit modification application under the Solid Waste Permit No. 400593 is for the following: (1) expansion of existing property boundary; (2) relocation of intermodal container management operations, including an increase in intermodal capacity from 80 to 100 containers per day; (3) construction of a new metal recovery facility; (4) change in daily waste receipt state time from 5:00 am to 4:00 am; and (5) removal of the 26,100 tons per week limit on waste received at the facility with no change to the maximum daily limits of 5,700 tons per day, Monday to Friday, and 3,000 tons per day on Saturday and specific holidays. The Delaware Valley Resource Recovery Facility is a municipal waste resource recovery facility located at 10 Highland Avenue in the City of Chester, **Delaware County**. The permit was issued by the Southeast Regional Office on May 9, 2019.

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

AIR QUALITY

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

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

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

GP9-48-005: Calpine Bethlehem LLC (500 Delaware Avenue, Suite 600, Wilmington, DE 19801) on May 23, 2019 for the renewal of a Diesel I/C Engine(s) at the site located in Bethlehem, **Northampton County**.

GP9-58-052A: F.S. Lopke Contracting Inc (3430 State Route 434, Apalachin, NY 13732) on May 20, 2019 for the construction and operation of a diesel engine at Lenox Quarry site located in Lenox Twp., **Susquehanna County**.

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

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

GP1-36-05076B: Penn Medicine—Lancaster General Hospital (555 North Duke Street, P.O. Box 3555,

Lancaster, PA 17604-3555) on May 29, 2019, for a new 32.33 MMBtu/hr boiler (natural gas and No. 2 oil-fired), under GP1, at the hospital facility located in Lancaster City, **Lancaster County**.

GP3-36-03212: Kinsley Construction, Inc. (P.O. Box 2886, York, PA 17405) on May 30, 2019, for portable nonmetallic mineral processing equipment under GP3 at the Lancaster Landfill in Mount Joy Township, **Lancaster County**.

GP11-36-03212: Kinsley Construction, Inc. (P.O. Box 2886, York, PA 17405 on May 30, 2019, for seven diesel-fired internal combustion engines under GP11, to power portable nonmetallic mineral processing equipment, at the Lancaster Landfill in Mount Joy Township, **Lancaster 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.

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

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

15-0081C: Johnson Matthey Inc. (1401 King Rd., West Chester, PA 19380) On May 31, 2019, for the modification of an existing Metal Melt Room and the proposed installation of new packed bed wet scrubber and dry scrubber (e.g., chlorine scrubbers) at their precious metals processing facility in West Whiteland Township, **Chester County**.

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

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

54-00022D: Hydro Extrusions Inc. (53 Pottsville Road, Cressona, PA 17929) issued on June 3, 2019 for the installation of a new automotive press line at the facility located in Cressona Borough, **Schuylkill County**.

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

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

36-03187B: Allied Veterinary Cremation, Ltd. (1966 Mastersonville Road, Manheim, PA 17545) on May 28, 2019, for installation of a pet cremation unit at their facility located in Rapho Township, **Lancaster County**.

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.

46-0037AD: Global Advanced Metals USA Inc. (P.O. Box 1608, County Line Rd., Boyertown, PA 19512-6608) On May 31, 2019, to extend the temporary operation for

the source modification for operational options located in Douglass Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

38-03063A: PRL Industries, Inc. (64 Rexmont Road, Cornwall, PA 17016) on May 28, 2019, for installation of a jet arc burn booth controlled by a fabric collector at the facility in Cornwall Borough, **Lebanon County**. The plan approval was 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.

30-00089D: Dominion Transmission, Inc. (5000 Dominion Boulevard—2NW, Glen Allen, VA 23060) for Extension effective May 28, 2019, to extend the period of construction and temporary operation of two natural gas-fired compressor turbines controlled by an oxidation catalyst, microturbine generators, boiler, one produced fluids storage tank, 2,500 gallon capacity; one lube oil tank, 1,000 gallon capacity; and piping components in natural gas service authorized under PA-30-00089D, until November 28, 2019 at the Crayne Compressor Station located in Franklin Township, **Greene County**.

PA-63-00990B: Donora Dock LLC (11 Lloyd Ave, Suite # 200, Latrobe, PA 15650-1711), on May 21, 2019, 180-day plan approval extension issued to Donora Dock Terminal to continue operations for their existing coal handling facility located in Carroll 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.

03-151B: Rosebud Mining, Dutch Run Prep Plant (301 Market St., Kittanning, PA 16201) on May 28, 2019, effective May 28, 2019, has issued a plan approval extension in Plumcreek Township, **Armstrong County**. This will expire on November 28, 2019.

24-131S: SGL Carbon LLC (900 Theresia St., P.O. Box 1030, Saint Mary's, PA 15857) on May 30, 2019, effective May 31, 2019, has issued a plan approval extension for the construction and operation of a replacement scrubber control device in Saint Mary's City, **Elk County**. This is a State Only facility. This will expire on November 30, 2019.

32-438A: Rairigh-Bence Funeral Home (965 Philadelphia St, Indiana, PA 15701) on May 30, 2019, effective May 31, 2019, has issued a plan approval extension for the operation of a human crematory in Indiana Borough, **Indiana County**. This will expire on August 31, 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.

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

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

32-00230: Texas Eastern Transmission, L.P. (862 Horse Thief Road, New Florence, PA 15944). In accordance with 25 Pa. Code § 127.431, the Department of Environmental Protection (DEP) is providing notice that on June 3, 2019, DEP issued a renewed Title V Operating Permit to Texas Eastern Transmission, L.P. for the operation of a natural gas compressor station, known as the Armagh Compressor Station, located in West Wheatfield Township, **Indiana County**.

The facility's main sources include a GE Frame 5 Turbine equipped with a dry low-NO_x combustion system and a CO oxidation catalyst; a Solar Titan 130 Turbine equipped with a dry low-NO_x combustion system for NO_x control and an oxidation catalyst for CO, VOC, and HAP control; an 880-BHP Waukesha Emergency Generator; Gas Releases, which include pigging operations; and Component Leaks, which include fugitive emissions. In addition, the facility has a number of miscellaneous sources on site which include two small heaters, five pressure vessels, and a storage tank.

The facility has potential emissions of 113.3 TPY NO_x; 110.1 TPY CO; 49.9 TPY VOC; 5.1 TPY SO_x; 9.9 TPY PM_{10/2.5}; 6.6 TPY HAP total; 0.61 TPY single HAP for benzene; and 207,046 TPY for CO_{2e}. Source 104, a natural gas heater, was removed as a source in this action. Emission sources at the station have applicable requirements under 40 CFR Part 63, Subpart ZZZZ and 40 CFR Part 60, Subparts JJJJ and KKKK. Emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice conditions of this TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 63, and 98 and 25 Pa. Code Article III, Chapters 121—145.

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.

46-00179: Tuscan Lehigh Dairies LP (880 Allentown Road, Lansdale, PA 19946-5206), On May 29, 2019, for a renewal of a State Only, Natural Minor Operating Permit for the operation of two natural gas boilers in Upper Gwynedd Township, **Montgomery County**.

09-00192: Waste Management of Pennsylvania, Inc. (1000 New Ford Mill Rd, Morrisville, PA 19067) On May 31, 2019, for the renewal of a State Only Operating Permit for a marine bulk material handling and storage facility located in Falls Township, **Bucks County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton 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.

44-03010: Trinity Plastics, Inc. (13 Industrial Park Drive, Lewistown, PA 17044-9342) on May 24, 2019, for the polyethylene bag manufacturing facility located in Granville Township, **Mifflin County**. The State-only permit was renewed.

67-05135: BWAY Packaging—Division of BWAY Corp. (599 Davie Drive, York, PA 17402-8630) on May 28,

2019, for the metal can manufacturing facility located in Springettsbury Township, **York County**. The State-only permit was renewed.

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

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

18-00016: Pine Creek Veterinary Associates, PC (2161 Woodward Ave., Lock Haven, PA 17745) on May 22, 2019, was issued a renewal State only operating permit for the Susque Valley Animal Hospital located in Pine Creek Township, **Clinton County**. The State only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

12-00004: Wabtec US Rail, Inc. (55 S. Pine St., Emporium, PA 15834) on May 30, 2019, was issued a renewal State only operating permit for the Emporium Plant located in Emporium Borough, **Cameron County**. The State only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

04-00034: The Sherwin Williams Manufacturing Company (372 Cleveland Street, Rochester, PA 15074) Synthetic Minor Operating Permit on May 30, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor state-only operating permit for a facility that produces various coatings and paints and is located in Rochester Township, **Beaver County**. The permit includes throughput restrictions, 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 at Telephone: 814-332-6940.

33-00185: Columbia Gas Transmission (898 Iowa Rd, Brookville, PA 15825). On June 3, 2019, the Department issued the renewal State Only Natural Minor Operating Permit for the compressor station located in Pine Creek Township, **Jefferson County**. The facility's primary emission sources include two (2) natural gas-fired internal combustion engines to drive compressor units that pump natural gas through the system. The potential emissions of the primary pollutants from the facility are as follows: 33.36 TPY (tons per year) NO_x, 2.70 TPY CO, 9.39 TPY VOC, 0.81 TPY filterable PM₁₀ and PM_{2.5}, and 0.05 TPY SO_x; thus, the facility is a natural minor. The engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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:

OP17-000034: MIPC, LLC (G Street and Hunting Park Avenue, Philadelphia, PA 19124) for the operation of a gasoline and ethanol loading terminal in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a truck loading rack with two (2) loading bays controlled by one vapor recovery unit (VRU), six (6) internal floating roof light petroleum products storage tanks, two (2) horizontal fixed roof additive storage tanks, and one (1) vertical fixed roof pipeline surge tank.

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.

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

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

46-00278: TierPoint Two, LLC (1000 Adams Avenue, Norristown, PA 19403) On May 29, 2019, for a minor modification of State-Only Operating Permit (SOOP) Number 46-00278 located in Lower Providence Township, **Montgomery County**. This minor operating permit modification is to address changing the status of all six (6) Reciprocating Internal Combustion Engines (RICE) found in Source Number 101 from emergency to non-emergency operation. The engines will continue to be regulated under 40 CFR 60, Subpart IIII. The permit modification of the Operating Permit is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462.

23-00105: Hanson Aggregates PA LLC (7660 Imperial Way, Allentown, PA 18195-1040) On May 31, 2019, under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450, Administrative Amendment of the Synthetic Minor Operating Permit was issued. The Administrative Amendment incorporates terms and conditions from Plan Approval No. 23-0105A which is for the modification of the particulate matter emission limit at the existing Hot Mix Asphalt Plant (Source ID 100) located in Glen Mills, PA. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements. This facility is located in Middletown Township, **Delaware County**.

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

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

06-03091: The Rose Corp. (P.O. Box 15208, Reading, PA 19612-5208) on May 28, 2019, for the structural steel fabrication facility located in Reading City, **Berks County**. The State-only permit was administratively amended in order 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.

18-00006: Dominion Energy Transmission, Inc. (5000 Dominion Blvd., Glen Allen, VA 23060) on May 29, 2019, in accordance with the minor operating permit modification requirements of 25 Pa. Code § 127.462, to

allow fuel tariff documentation or contract to verify the sulfur content of the fuel used in Sources P101 through P114 and to revise the compliance dates for Sources P105 and P110 to reflect the maintenance schedules at the facility located in Leidy Township, **Clinton County**.

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

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

25-00025: Wabtec US Rail Inc., GE Transportation Erie Plant (Bldg 9, Rm 201, 2901 E. Lake Rd., Erie, PA 16531-0001). The Department on June 3, 2019, issued an administrative amendment of the Title V Operating Permit for the GE Transportation Erie facility to incorporate the change of ownership to Wabtec US Rail Incorporated. The facility is located in Lawrence Park Township, **Erie County**.

43-00359: Wabtec US Rail Inc (660 Barkeyville Road, Grove City, PA 16127-4802). The Department on May 23, 2019, issued an administrative amendment of the State Operating Permit for the GE Transportation Grove City Remanufacturing facility to incorporate the change of ownership to Wabtec US Rail Incorporated and the permit contact to Lauren Virden—EHS Manager. The facility is located in Pine Township, **Mercer County**.

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 Applications Received

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

Permit No. 29190101 and NPDES No. PA 0279722, J&J Svonavec Excavating, Inc., 110 Windermere Lane, Somerset, PA 15501, commencement, operation,

and restoration of a bituminous surface mine in Wells and Wood Townships, **Fulton and Huntingdon Counties**, affecting 164.0 acres. Receiving stream: great trough creek, classified for the following use: trout stocked fishery. The first downstream potable water supply intake from the point of discharge is Mifflintown Municipal Authority at Mifflintown, PA on Juniata River. Application received: May 22, 2019.

Permit No. 56890111 and NPDES No. PA0598577, Heritage Coal & Natural Resources, LLC, commencement, operation and restoration of a bituminous surface mine to change the land use from Woodland to Unmanaged Natural Habitat in Elk Lick Township, **Somerset County**, affecting 66.3 acres. Receiving streams: unnamed tributaries to/and Tub Mill Run; unnamed tributaries to/and Casselman River, classified for the following uses: cold water fishes & warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 30, 2019.

Permit No. 56990102 and NPDES No. PA0235105, Heritage Coal & Natural Resources, LLC, commencement, operation and restoration of a bituminous surface mine to change the land use from Woodland to Unmanaged Natural Habitat in Elk Lick Township, **Somerset County**, affecting 87.8 acres. Receiving streams: unnamed tributaries to/and Tub Mill Run; unnamed tributaries to/and Casselman River, classified for the following uses: cold water fishes & warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 30, 2019.

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

16190101. Ben Hal Mining, Inc. (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous mine to add 5.5 acres in Highland Township, **Clarion County** affecting 89.5 acres. Receiving streams: Four unnamed tributaries to Reed Run and Reed Run, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company. Application received: May 22, 2019.

33080108. P. and N. Coal Co., Inc. (P.O. Box 332, Punxsutawney, PA 15767) Renewal of an existing bituminous surface and auger mine in Porter Township, **Jefferson County**, affecting 457.8 acres. Receiving streams: Unnamed tributaries to Hamilton Run and Hamilton Run, and Sugarcamp Run, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: May 28, 2019.

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.

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

Permit No. 01930302 and NPDES Permit No. PA0223239, Specialty Granules, LLC, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214, renewal of NPDES Permit, located in Hamiltonban Township, **Adams County**. Receiving streams: unnamed tributaries to Toms Creek, classified for the following uses: high quality, cold water fishes and migratory fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 8, 2019.

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

37090302. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Renewal of NPDES Permit No. PA0258768 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributary to Slippery Rock Creek and Slippery Rock Creek, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application received: May 28, 2019.

37190302. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141). Commencement, operation and restoration of an industrial minerals mine in Taylor Township, **Lawrence County** affecting 73.1 acres. Receiving streams: Two unnamed tributaries to Beaver River, classified for the following: WWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company. Application to include a land use change from "Forestland" to "Unmanaged water impoundment and unmanaged natural habitat" on the lands of AMF Limited Partnership. Application received: May 13, 2019.

24589-37190302-E-1. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141). Application for a stream encroachment to construct a temporary haul road/stream crossing over unnamed tributary No. 1 to Beaver River in Taylor Township, **Lawrence County**. Receiving streams: Two unnamed tributaries to Beaver River, classified for the following: WWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company. Application received: May 13, 2019.

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

Permit No. 58970809. Lewis E. Conrad, (5475 Bull Run Road, Dover, PA 17315), Stage I & II bond release of a quarry operation in Harford Township, **Susquehanna County** affecting 1.0 acre on property owned by David Conrad, John Conrad and Kevin Conrad. Application received: May 22, 2019.

Permit No. 58020835. William H. Wallace, (RR1 Box 292, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Dimock Township, **Susquehanna County** affecting 1.0 acre on property owned by Andrew Arnold. Application received: May 16, 2019.

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.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

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 BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

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 362-0600-001, NPDES Program Implementation—Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. 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.

Noncoal NPDES Draft Permits

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

NPDES No. PA0202193 (Surface Mining Permit No. 26980601), Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425), renewal to the NPDES permit for noncoal surface mine (Rich Hill II Quarry), located in Bullsken Township, **Fayette County**, affecting 856.4 acres. Receiving stream: UNT to Breakneck Run, classified for the following use: WWF. Application received: September 21, 2018.

The following stormwater outfalls discharge to an unnamed tributary to Breakneck Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	No	Stormwater
002	No	Stormwater
003	No	Stormwater
004	No	Stormwater
005	No	Stormwater

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

Parameter	30-Day Average	Daily Maximum	Instant. Maximum
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35	70	90

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

Alkalinity must exceed acidity at all times.

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

NPDES Permit No. PA0225649 on Surface Mining Permit No. 7975SM5, KPK Development Corp., (149 Newbold Road, Fairless Hills, PA 19030), modification of NPDES Permit for a sand and gravel quarry operation in Falls Township, **Bucks County**, affecting 229.91 acres. Receiving stream: Martins Creek/Crosswicks-Neshaminy Creek Watershed, classified for the following uses: warm water and migratory fishes. Application received: August 20, 2018.

Non-discharge BMP's shall be in effect.

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.

E40022-817. Joel and Sally Freed, 644 West Timber Branch Parkway, Alexandria, VA 22302, Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District. To remove an existing dock and to construct and maintain a 550 sq. ft., pile-supported dock within the basin of Harveys Lake (HQ-CWF). The project is located at Pole # 270 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 11"; Longitude: -76° 2' 37") in Harveys Lake Borough, Luzerne County.

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

EA04-07-001 Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840. Request for permit waiver in accordance with 25 Pa. Code § 105.12(a)(16) in South Beaver Township, **Beaver County**, Pittsburgh ACOE District. The applicant is proposing a gas well pad restoration to return the site to its original contours. One permanent impact (fill) of 0.09 acre to a wetland (W-DBC2) is proposed. The project will restore 764 feet of stream channel that existed pre-construction. Also proposed is 0.10 of wetland restoration (Midland, PA 7.5 Minute Quadrangle, Latitude: 40.730010N—Longitude: 80.478647W).

ENVIRONMENTAL ASSESSMENTS

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

D02-143EA. Sam Mermelstein, 2 Manhattanville Road, Purchase, NY 10577, Richland Township, **Allegheny County**, USACOE Pittsburgh District.

Project proposes to remove the Pittsburgh Cut Flower Dam to eliminate a threat to public safety and to restore approximately 400 feet of stream channel to a free-flowing condition. The project is located across Montour Run (TSF) (Valencia, PA Quadrangle, Latitude: 40.6554, Longitude: -79.9833).

D02-146EA. Sam Mermelstein, 2 Manhattanville Road, Purchase, NY 10577, Richland Township, **Allegheny County**, USACOE Pittsburgh District.

Project proposes to remove the Cut Flower Upper Dam to eliminate a threat to public safety and to restore approximately 400 feet of stream channel to a free-flowing condition. The project is located across Montour Run (TSF) (Valencia, PA Quadrangle, Latitude: 40.6574, Longitude: -79.9818).

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-3 # ESX18-063-0002
Applicant Name Mountain Gathering, LLC
Contact Person Dewey Chalos
Address 190 Thorn Hill Road
City, State, Zip Warrendale, PA 15086
County Indiana
Township(s) Center Township
Receiving Stream(s) and Classification(s) Unnamed Tributaries to Aultmans Run, Aultmans Run, TSF, Siltation Impaired

ESCGP-3 # ESG18-129-0010
Applicant Name EQT Production Company
Contact Person Todd Klaner
Address 2400 Ansys Dr., Ste. 200
City, State, Zip Canonsburg, PA 15317
County Westmoreland County
Township(s) Rostraver Township
Receiving Stream(s) and Classification(s) UNTs to Monongahela River (WWF)
Secondary Receiving Water—Monongahela River (WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-3 # ESG290819001-00
Applicant Name Repsol Oil & Gas USA, LLC
Contact Person Lance Ridall
Address 337 Daniel Zenker Drive
City, State, Zip Horseheads, NY 14845
County Bradford
Township(s) Armenia Twp.
Receiving Stream(s) and Classification(s) UNT to Tioga River (CWF, MF)
Secondary: Tioga River

ESCGP-3 # ESG29-105-17-0002(01)
Applicant Name JKLM Energy LLC
Contact Person Joseph Harrick
Address 2200 Georgetown Dr, Suite 500
City, State, Zip Sewickley, PA 15143-8753
County Potter
Township(s) Sweden
Receiving Stream(s) and Classification(s) UNTs to Nelson Run (HQ-CWF)
Secondary—Nelson Run (HQ-CWF)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion 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 non-residential 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.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP 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 listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401.

540 W Dekalb Pike Shell, 46-21016, 540 W. Dekalb Pike, Upper Merion Township, **Montgomery County**. Resource Control Consultants, LLC, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060, on behalf of Bronson Oil Fee Holdings, LLC, 1800 Chapel Avenue, Suite 160, Cherry Hill, NJ 08002 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site specific standards.

SMWM, 09-38369, 2601 Route 1, Bensalem Township, **Bucks County**. JD2 Environmental, Inc., 800 East Washington Street, West Chester, PA 19380, on behalf of SMWM Inc., 2629 U.S. Route 1, Treose, PA 19053 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with petroleum products. The report is intended to document remediation of the site to meet residential Statewide health standards.

Former Fishers, 46-22682, 919 E. Willow Grove Ave., **Montgomery County**, Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Wyndmoor Properties LLC, 8218 Ardmore Avenue, Wyndmoor, PA 19038 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site specific standards.

Sunoco 0012 0352, 46-20322, 300 N. Lewis Rd., Limerick Township, **Montgomery County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site specific standards.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Whipple Dam Store, Storage Tank Primary Facility ID # 31-60255, 3527 McAlevys Fort Road, Petersburg, PA 16669, Jackson Township, **Huntingdon County**, Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Vicere Enterprises, LLC, 11350 Nut Hatch Lane, Petersburg, PA 16669 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Conestoga Heating & Plumbing Supply, Inc., Storage Tank Primary Facility ID # 36-00875, 340 West Roseville Road, Lancaster, PA 17601, City of Lancaster, **Lancaster County**, Reliance Environmental, Inc., 235 N. Duke Street, Lancaster, PA 17602, on behalf of Oak Tree Development Group, 2450 Marietta Avenue, Lancaster, PA 17601 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Carlisle Car & Truck Service, Storage Tank Primary Facility ID # 21-63686, 1257 Holly Pike (PA Route 34), Carlisle, PA 17013, Carlisle Borough, **Cumberland County**, Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Highlands'

Tire and Service, 1257 Holly Pike, Carlisle, PA 17013 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Turkey Hill Minit Markets—Store # 195, Storage Tank Primary Facility ID # 06-40726, 3248 Morgantown Road, Mohnton, PA 19540, Mohnton Borough, **Berks County**, Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Turkey Hill Minit Markets, 257 Centerville Road, Lancaster, PA 17603 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

UPS Lancaster Center, Storage Tank Primary Facility ID # 36-10414 and Land Recycling Program Primary Facility ID # 827086, 1155 Enterprise Road, East Petersburg, PA 17520, East Hempfield Township, **Lancaster County**, Arcadis U.S., Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940 on behalf of United Parcel Service, 1155 Enterprise Road, East Petersburg, PA 17520 submitted a combination Final Report and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Transue's Gulf, Storage Tank Primary Facility ID # 03-01495, 421 Butler Road, East Franklin Township, **Armstrong County**. Flynn Environmental, 5640 Whipple Avenue NW, North Canton, OH 44720, on behalf of Bradigan's, Incorporated, P.O. Box 995, Kittanning, PA 16201, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, cumene, methyl tertiary butyl ether (MTBE), naphthalene, toluene, and xylenes. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Radhe Oil, Storage Tank Primary Facility ID # 03-29674, 222 Buffalo Street, Freeport Borough, **Armstrong County**. Letterle & Associates, LLC, 191 Howard Street, Franklin, PA 16323, on behalf of Superior Petroleum Company, 8199 McKnight Road, Pittsburgh, PA 15237, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, cumene, methyl tertiary butyl ether (MTBE), naphthalene, toluene, xylenes, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Reed Oil, Storage Tank Primary Facility ID # 37-08592, U.S. Route 19 and State Highway PA 108, Harlansburg, PA 16101, Scott Township, **Lawrence County**. Antea Group, 10400 Blacklick Eastern Road, Suite 130, Pickerington, OH 43147, on behalf of Ashland, LLC, 500 Hercules Road, Wilmington, DE 19808, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, cumene, naphthalene, fluorene, phenanthrene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene and site groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, cumene, naphthalene,

fluorene, phenanthrene, and dissolved lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Meadville Yard, Storage Tank Primary Facility ID # 20-90278, Water and Linden Street, Meadville, PA 16335, City of Meadville, **Crawford County**. AECOM Technical Services, Inc., 681 Andersen Drive, Suite 400, Pittsburgh, PA 15220, on behalf of Norfolk Southern Corporation, 1200 Peachtree Street, NE—Box 13, Atlanta, GA 30309, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, methyl tert-butyl ether, cumene, naphthalene, 1,2,4- trimethylbenzene, and 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Bailey's Auto Sales, Storage Tank Primary Facility ID # 56-80111, 8704 Somerset Pike, Boswell, PA 15531, Jenner Township, **Somerset County**. Flynn Environmental, Inc., 5640 Whipple Avenue NW, North Canton, OH 44720, on behalf of Karl Bailey, 442 Acosta Road, Friedens, PA 15541, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Farmington Shell, Storage Tank Primary Facility ID # 26-83712, 3753 National Pike, Farmington, PA 15437, Wharton Township, **Fayette County**. Flynn Environmental, Inc., 5640 Whipple Avenue NW, North Canton, OH 44720, on behalf of Earl Johnson, P.O. Box 44 Farmington, PA 15437, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Wise's Amoco, Storage Tank Primary Facility ID # 63-09660, 99 East Maiden Street, Washington, PA 15301, City of Washington, **Washington County**. Letterle and Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15317, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Gas, Snacks, and More, Storage Tank Primary Facility ID # 65-23384, 2937 State Route 286, Saltsburg, PA 15681, Loyalhanna Township, **Westmoreland County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of TKL Holdings, Inc., 231 9th Street, Saltsburg, PA 15681, submitted a Revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site-specific standard.

Bridgeville BP, Storage Tank Primary Facility ID # 02-26653, 3010 Washington Pike, Bridgeville, PA 15017, South Fayette Township, **Allegheny County**. Flynn Environmental, Inc., 5640 Whipple Avenue NW, North Canton, OH 44720, on behalf of FIDC 63 LLC, 100 Debartolo Place # 400, Youngstown, OH 44512, submitted a Site Characterization Report/Remedial Action Plan concerning

remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site-specific standard.

American Natural # 14, Storage Tank Primary Facility ID # 02-37771, 2619 Wexford Bayne Road, Sewickley, PA 15143, Franklin Park Borough, **Allegheny County**. Letterle and Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Hypatia Holdings, LP, 333 Baldwin Road, 2nd Floor, Pittsburgh, PA 15205 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion 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 non-residential 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.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401.

Bergeys Fuel Ctr, 46-11173, 436 Harleysville Pike, Franconia Township, **Montgomery County**. Boucher & James, Inc., 1546 Ferry Road Building, Doylestown, PA 18901, on behalf of Bergey's Realty Co., submitted a

Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet attainment of nonresidential Statewide Health Standards and site specific standards and was approved by the DEP on May 24, 2019.

Kieffers Appliance, 46-41569, 785 Sumneytown Pike, Upper Gwynedd Township, **Montgomery County**. Earth Engineering Incorporated, 115 West Germantown Pike, Suite 200, East Norriton, PA 19401 on behalf of Marie Paone, 960 Pinehurst Drive, Chester Springs, PA 19425 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan demonstrated attainment of residential Statewide Health Standards and was approved by the DEP on May 28, 2019.

Lukoil 69267, 51-35251, 220 Franklin Mill Circle, **City of Philadelphia**. Envirotrac Ltd., Neshaminy Plaza, 3070 Bristol Pike, Building 1, Suite 221, Bensalem PA 19020, on behalf of Lukoil North America LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet residential Statewide Health Standards and was approved by the DEP on May 30, 2019.

Goldstein Funeral Directors, 51-44529, 6410 N. Broad Street, **City of Philadelphia**, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426, on behalf of Goldstein Funeral Directors, 6410 N. Broad Street, Philadelphia, PA 19126 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with unleaded gasoline. The Site Characterization Report 310(b) demonstrated attainment of residential Statewide Health Standard and was approved by the DEP on May 30, 2019.

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

Marty's Garage, Storage Tank ID # 64-01651, 1120 Hamlin Highway (Route 590), Salem Township, **Wayne County**. Taylor GeoServices, 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073, PA 17050, on behalf of John Martinkovitch, 310 Goose Pond Road, Lake Ariel, PA 18436, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of a combination of Site Specific and Statewide Health Standards for soil and groundwater and was approved by DEP on May 28, 2019.

Pump N Pantry 003, Storage Tank ID # 58-13085, 493 Main Street, New Milford Borough, **Susquehanna County**, Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Pump N Pantry Inc., 754 Grow Avenue, Montrose, PA 18801 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline and kerosene. The Remedial Action Plan was not acceptable to meet the Residential Statewide Health Standards and was disapproved by DEP on May 31, 2019.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Chrome Palace, Storage Tank Primary Facility ID # 06-34916, 3695 Mountain Road, Hamburg, PA, Upper Bern Township, **Berks County**, Liberty Environmental,

Inc., 505 Penn Street, Suite 400, Reading, PA 19601 on behalf of Jasby Management, Inc., 10905 John Wayne Drive, Greencastle, PA 17225, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of a combination of Statewide Health Standards and the Site-Specific Standards and was approved by the Department on October 5, 2018.

Pilot Travel Center 245, Storage Tank Primary Facility ID # 22-03902, 7961 Linglestown Road, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**, Sovereign Consulting, Inc., 359 Northgate Drive, Suite 400, Warrendale, PA 15086, on behalf of Pilot Travel Centers, LLC, P.O. Box 10146, 5508 Lonas Drive, Knoxville, TN 37939 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Remedial Action Plan was acceptable to meet the (Standard(s)) and was approved by the Department on May 31, 2019.

Rutter's Farm Store No. 38, Storage Tank Primary Facility ID # 67-26968, 700 West Market Street, York, PA 17406, Hellam Township, **York County**, United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972 on behalf of CHR Corporation, 2295 Susquehanna Trail, York, PA 17404 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Remedial Action Plan was not acceptable to meet the Statewide Health Standard and was disapproved by the Department on June 4, 2019.

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

Mifflinville Truck Plaza, Storage Tank Primary Facility ID # 19-70580, Interstate 80 Exit 242, Mifflin Township, **Columbia County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Raceway Management Co., Inc., P.O. Box 239, Harford, PA 18823-0239 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard(s) and was approved by DEP on June 3, 2019.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Stahl Oil, Storage Tank Primary Facility ID # 56-81539, 659 Berlin Plank Road, Somerset, PA 15501-2417, Somerset Township, **Somerset County**. P. Joseph Lehman, Inc., Olde Farm Office Centre, P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Stahl Oil Co. Inc., P.O. Box 773, Somerset, PA 15501-0773 submitted a Site Characterization Report/Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Site Characterization Report/Remedial Action Plan did not demonstrate attainment of the Standard and was disapproved by the Department on May 9, 2019.

Honey Bear Mini-Mart # 217, Storage Tank Primary Facility ID # 11-24175, 3100 Elton Road (Rt. 756), Johnstown, PA 15904, Richland Township, **Cambria County**. Insite Group Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of Graft Oil Company, P.O.

Box 899, Connellsville, PA 15425 submitted a Site Characterization Report/Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Site Characterization Report/Remedial Action Plan was acceptable to meet the Statewide Health Standard for soil and groundwater and was approved by the Department on May 24, 2019.

Former BP Lower Burrell, Storage Tank Facility ID # 65-14181, 3201 Leechburg Road, Lower Burrell, PA 15068-2805, Lower Burrell City, **Westmoreland County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of BP Products North America, Inc., 201 Helias Way, Sixth Floor, Houston, TX 77079, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report was acceptable to meet the Statewide Health Standard, Used-Aquifer with Total Dissolved Solids greater than 2,500 mg/L for soil and groundwater and was approved by the Department on May 24, 2019.

Cumberland Gulf # 143649, Storage Tank Primary Facility ID # 02-09190, 4001 Butler Street, Pittsburgh, PA 15201, City of Pittsburgh, **Allegheny County**. Kleinfelder, 51 Dutilh Road, Suite 240, Cranberry Township, PA 16066, on behalf of Cumberland Farms, Inc., 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report was acceptable to meet the Site-Specific Standard for soil and groundwater and was approved by the Department on May 28, 2019.

Sheetz Store # 230, Storage Tank Primary Facility ID # 30-37164, 973 State Route 88, Carmichaels, PA 15320,

Carmichaels Borough, **Greene County**. EnviroTrac, LTD, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sheetz, Inc., 5700 6th Avenue, Altoona, PA 16602, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report was acceptable to meet the Statewide Health Standard for soil and groundwater and was approved by the Department on May 28, 2019.

Blairsville Pacific Pride, Storage Tank Primary Facility ID # 65-27481, 2262 Route 217 South, Blairsville, PA 15717, Derry Township, **Westmoreland County**. Letterle and Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Lockard Co., 4470 West Pike Road, Indiana, PA 15701, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report was acceptable to meet the Statewide Health Standard for soil and groundwater and was approved by the Department on May 28, 2019.

Cuddy Associates, Storage Tank Primary Facility ID # 02-04161, Old Route 50 and Route 978 Junction, Cuddy, PA 15031, South Fayette Township, **Allegheny County**. Letterle and Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of John Kosky, P.O. Box 136, Cuddy, PA 15031, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report was acceptable to meet the Statewide Health Standard for soil and groundwater and was approved by the Department on May 30, 2019.

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of May 2019 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in this Commonwealth. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).)

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
David Artigliere	P.O. Box 4475 Reading, PA 19606	Testing
Brian Bacchus	125 Twin Oaks Drive Wexford, PA 15090	Testing
Jay Bauder Bauder Basement Systems, Inc.	110 South Line Road Ephrata, PA 17522	Mitigation
Thomas Biebel	2820 West 23rd Street Erie, PA 16506	Testing
Brian Cousins	100 4th Street, Suite 31 Honesdale, PA 18431	Mitigation
Lois Distenfeld	4326 Crestview Road Harrisburg, PA 17112	Laboratory Analysis
Kevin Dunkle	P.O. Box 211 Worthington, PA 16262	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
William Dunn, Jr.	3111 South 19th Street Philadelphia, PA 19145	Testing
Charles Gutridge Gutridge Inspections, LLC	1614 Laurelwood Road Pottstown, PA 19465	Testing
Charles Herpy, Jr.	5880 Schramling Road Pierpont, OH 44082	Testing
Housemaster Home Inspections	9125 Marshall Road, Suite B-12 Cranberry Township, PA 16066	Testing
Housing Inspection Services, Inc.	P.O. Box 373 Murrysville, PA 15668	Testing
Jeffrey Jackson Lake Shore Home Inspections & Radon Services	2502 Brooksboro Drive Erie, PA 16510	Mitigation
Brian Joyce	6195 Boxer Drive Bethel Park, PA 15102	Testing
William Kail	549 McCombs Road Venetia, PA 15367	Mitigation
Robert Koppenhaver Robert Koppenhaver Builder & Contracting Co.	2743 West Main Street Spring Glen, PA 17978	Mitigation
Gary Lyons Disaster Blaster, Inc.	536 North Main Avenue Scranton, PA 18504	Mitigation
Timothy Meyers	436 Orchard Lane Manheim, PA 17545	Testing
Matthew Mielnik	132 Lowry Drive Duncansville, PA 16635	Testing
Joseph Mihalik	8020 Mine Street Fogelsville, PA 18501	Mitigation
Michael Miller	129 Colonial Village Drive Pittsburgh, PA 15235	Testing
Ronald Moraski	112 Larch Drive Milford, PA 18337	Testing
Richard A. Onega	100 Rylie Drive Harmony, PA 16037	Testing
Greg Petruska	112 Lilac Lane Valencia, PA 16059	Testing
Thomas Schiavone	8090 Running Valley Road Stroudsburg, PA 18360	Testing
ValueGuard USA, Inc.	600 Chestnut Street, Suite 675 Philadelphia, PA 19106	Testing
Darren Verber	8020 Mine Street Fogelsville, PA 18051	Mitigation
Michael Walley	2441 Milwaukee Road Clarks Summit, PA 18411	Testing
Terry Wilver	1015 Green Street Milton, PA 17847	Testing
Jeffrey Zimmerman Gold Star Radon, Inc.	P.O. Box 179 Kutztown, PA 19530	Mitigation
John Zym	2862 Christian Springs Road Nazareth, PA 18064	Testing

Public Hearing

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

NPDES No. PA0223239 (Mining Permit No. 01930302), Specialty Granules, LLC, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214. Receiving stream: unnamed tributary to Toms Creek, classified for the following uses: High Quality, Cold Water Fishes, and Migratory Fishes. The NPDES permit facilitates two NPDES outfalls identified as outfall 001 and 002. Outfall 001 is located at 39° 45' 45"N, 77° 27' 05"W on the right-hand side of the unnamed tributary to Toms Creek. Outfall 002 is located at 39° 45' 46"N, 77° 27' 04"W on the right-hand side of unnamed tributary to Toms Creek.

The public hearing will be held on Wednesday, July 17, 2019, at the Fairfield Fire and EMS Building, 106 Steelman Street, Fairfield, PA 17320. The purpose of the public hearing is to discuss the renewal of the NPDES permit. An open house will be conducted between 6:30 p.m. to 7 p.m., during which time Department representatives will be available to answer questions concerning the permit application. Beginning at 7 p.m., formal comments regarding the permit application will be accepted. Those interested in making a formal comment will have the option of voicing their comment for the official record during the public hearing or submitting a written comment within two weeks of the public hearing. Attendees who choose to voice their comment will be called upon one at a time and allotted 5 minutes to speak. Commentators are encouraged to provide a written transcript of oral comments to the Department. A copy of the NPDES permit application is on file for public review at the Adams County Conservation District, 670 Old Harrisburg Road, Suite 201, Gettysburg, PA 17325 and at the Department of Environmental Protection, Ebensburg District Office, 286 Industrial Park Road, Ebensburg, PA 15931-4119, phone number 814.472.1900. The notice that the application was received was published in the *Pennsylvania Bulletin* on June 15, 2019.

Environmental Good Samaritan

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

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection (Department).

The following project proposals have been received by the Department. A copy of the proposals is available for inspection at the Knox District Mining Office, 310 Best Avenue, Knox, PA 16232.

Written comments or objections may be submitted by any person or any office or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address, and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

EGS24005. Western Pennsylvania Conservancy (800 Waterfront Drive, Pittsburgh, PA 15222). A project to treat abandoned mine drainage and reclaim abandoned mine land in Jay Township, **Elk County** affecting 25 acres. Receiving streams: Cherry Run and Bennett Branch of Sinnemahoning Creek, classified for the following uses: CWF. There are no potable surface water intakes within 10 miles downstream. Project proposal received: May 15, 2019.

[Pa.B. Doc. No. 19-899. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Grants through Driving PA Forward Ocean-Going Vessel Shorepower Grant Program

The Department of Environmental Protection (Department) announces an opportunity to apply for \$3 million in grants offered through the Ocean-Going Vessel Shorepower Grant Program (Grant Program), one of the new programs under the Driving PA Forward Initiative. This funding is available for eligible diesel emission reduction projects that will improve air quality and protect public health and the environment by reducing emissions from ocean-going vessels in port.

The Department is seeking applications for projects that will install eligible marine shorepower systems at eligible port locations in this Commonwealth. The marine shorepower system must comply with international shore power design standards (ISO/IEC/IEEE 80005-1-2012 High Voltage Shore Connection Systems or the IEC/PAS 80005-3:2014 Low Voltage Shore Connection Systems). Other restrictions may apply. Public and private entities that own or operate eligible project locations throughout this Commonwealth should apply. These entities may include school districts, municipal authorities, political subdivisions, State agencies, nonprofit entities, corporations, limited liability companies or partnerships incorporated or registered in this Commonwealth, air quality or transportation organizations, and metropolitan or rural planning organizations.

The Department will not reimburse grant recipients for project costs incurred prior to the grant performance period set forth in the applicable grant agreement. The Grant Program guidelines and application instructions are available on the Department's Driving PA Forward webpage at <http://www.depgis.state.pa.us/DrivingPAForward/> or by contacting the Bureau of Air Quality at ra-epvwmitigation@pa.gov or (717) 787-9495.

A webinar on the Grant Program will be held on Monday, July 1, 2019, from 10:30 a.m. to 12 p.m. See the Department's previously listed webpage to register.

Applications must be submitted through the Department of Community and Economic Development's Electronic Single Application web site, eGrants at <https://www.esa.dced.state.pa.us/Login.aspx>. Applications will be accepted through 4 p.m. on Wednesday, October 30, 2019. The Department will review and score applications after the application period closes on October 30, 2019.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-900. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 02(1712)101.1, Abandoned Mine Reclamation Project, Renton South, Plum Borough, Allegheny County. The principal items of work and approximate quantities include: implementation of the erosion and sediment pollution control plan, miscellaneous items; clearing and grubbing, 1 job; selective grading, 1 job; dewatering, diversion and care of water, 1 job; excavating, backfilling and compacting for utilities, slotted PVC well pipe, unclassified, 216 linear feet; excavating, backfilling and compacting for utilities, solid PVC pipe, unclassified, 162 linear feet; precast concrete manholes and appurtenances, 1 each; slotted PVC pipe, fittings and appurtenances, 230 linear feet; solid PVC pipe, fittings and appurtenances, 148 linear feet; PVC pipe, fittings and appurtenances, cleanouts and observation ports, 3 each; PVC pipe, fittings and appurtenances, clay dikes, 1 each; PVC geomembrane, 480 square yards; paving and roadway appurtenances restoration, bituminous driveways and sidewalks, 62 square yards; paving and roadway appurtenances restoration, bituminous curb, 10 square yards; paving and roadway appurtenances restoration, cement concrete curb/curb gutter/sidewalks, 1 square yard; paving and roadway appurtenances restoration, gravel driveways and stabilized shoulders, 1 square yard; paving and roadway appurtenances restoration, paved shoulders, Type III, 5 square yards; landscape restoration, plants, shrubbery, trees, miscellaneous items; and allowance for utility services, 1 invoice.

This bid issues on June 7, 2019, and bids will be opened on July 11, 2019, at 2 p.m. A mandatory prebid conference is scheduled for June 18, 2019, at 11 a.m. Representatives from the Department of Environmental Protection (Department) will meet the contractors at The Italian Club's parking lot, 113 Barnett Street, Plum, PA 15239 (coordinates: 40.497737, -79.724893). Failure to attend the prebid conference will be cause for rejection of the bid. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact

the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-901. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pennsylvania's 2019 Annual Ambient Air Monitoring Network Plan

The Department of Environmental Protection (Department) is seeking public comment on Pennsylvania's 2019 Annual Ambient Air Monitoring Network Plan (Plan). The Plan has been updated to address changes that have been made in the Commonwealth's ambient air monitoring network and to identify changes that are anticipated to occur in the remainder of 2019 and in 2020.

On October 17, 2006, the United States Environmental Protection Agency (EPA) promulgated final amendments to the National ambient air monitoring requirements for criteria pollutants at 40 CFR Parts 53 and 58 (relating to ambient air monitoring reference and equivalent methods; and ambient air quality surveillance). See 71 FR 61236 (October 17, 2006). The EPA's final rule requires state and local agencies to enhance air monitoring to "improve public health protection and better inform the public about air quality in their communities." Under 40 CFR 58.10 (relating to annual monitoring network plan and periodic network assessment), air quality state and local monitoring agencies must adopt an annual air monitoring network plan and make the plan available for public inspection for at least 30 days prior to final submission to the EPA Regional Administrator. The Plan must include a statement of purpose for each monitor and evidence that siting and operation of each monitor meets Federal requirements. The EPA may also provide an opportunity for review and comment prior to approving or disapproving a state's monitoring network plan.

The Plan is available on the Department's web site at www.ahs.dep.pa.gov/eComment or by contacting Nick Lazor at nlazor@pa.gov or (717) 783-9268.

The Department must receive comments no later than July 15, 2019. Commentators are encouraged to submit comments using the Department's eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be submitted to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "2019 Annual Monitoring Network Plan" as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-902. Filed for public inspection June 14, 2019, 9:00 a.m.]

**DEPARTMENT OF
GENERAL SERVICES**
Exemption from Requirements

A study to determine if the White Haven Center of the Department of Human Services located in Foster Township, Luzerne County, should be exempted from the requirements of section 2420 of The Administrative Code of 1929 (71 P.S. § 650) will be performed within the next 90 days. The results of this study may result in the conversion of the White Haven Center's coal fired heating system to a fuel other than coal.

For additional information, contact Gary R. Taylor, Director, Bureau of Preconstruction, Department of General Services, 2nd Floor, Arsenal Building, 1800 Herr Street, Harrisburg, PA 17103, (717) 787-6200, gtaylor@pa.gov.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 19-903. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Conestoga View
900 East King Street
Lancaster, PA 17602-3295
FAC ID # 035302

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-904. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Preventative Health and Health Services Block Grant Application for Federal Fiscal Year 2019; Public Hearing

The Department of Health (Department) is making available copies of the proposed Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2019 under section 300w-4 of the Public Health Service Act (act) (42 U.S.C.A. § 300w-4). This block grant application shall serve as the Commonwealth's request to the United States Department of Health and Human Services for block grant funding to address the Healthy People 2020 Health Status Objectives.

The block grant application, describing proposed services, program goals, and objectives and activities, is available for public comment. Copies (electronic or hard copy) of the proposed block grant application will be available on or after July 26, 2019, and can be obtained by calling the Bureau of Health Promotion and Risk Reduction (Bureau) at (717) 787-6214. For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact the Bureau, Room 1000, Health and Welfare Building, Harrisburg, PA at (717) 787-6214, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

A public hearing will be conducted by the Department for the purpose of receiving testimony on the previously-mentioned block grant application in accordance with section 300w-4 of the act. Comments and suggestions from the public should relate to the priorities and program plans included in the block grant application.

The hearing will be held from 2 p.m. until 3 p.m. on June 19, 2019, in Conference Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA. Persons wishing to testify are requested to preregister by contacting the Bureau at (717) 787-6214. Registration will be accepted on the day of the hearing. Persons will be allotted a maximum of 5 minutes to testify. Testifiers must submit two written copies of their testimony to the Department at the time of the hearing.

Written comments will be accepted and should be sent to the Bureau of Health Promotion and Risk Reduction, 625 Forster Street, Room 1000, Health and Welfare Building, Harrisburg, PA 17120 and should be received no later than 4 p.m. on June 18, 2019.

Persons with a disability who wish to comment or who require an alternative format of this application (for example, large print, Braille) or who wish to attend the public hearing and require special accommodations to do so should contact Teresa Sanders, Bureau of Health Promotion and Risk Reduction, at (717) 787-6214, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-905. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Public Health Council Meeting Regarding the Preventive Health and Health Services Block Grant

The Public Health Council will be holding a meeting (teleconference call) on June 19, 2019, from 10 a.m. to 11 a.m. The purpose of the meeting is to discuss the Preventive Health and Health Services Block Grant Federal Fiscal Year 2019 Application and Work Plan. The meeting (teleconference call) will be held in the Department of Health, Health and Welfare Building, Room 1000, Harrisburg, PA 17120.

For additional information contact Teresa Sanders, Administrative Officer, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA at (717) 787-6214.

Persons with a disability who wish to attend the meeting and require auxiliary aid, service or other special accommodations to do so should contact Teresa Sanders, Administrative Officer, at (717) 787-6214, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-906. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of the Low-Income Home Energy Assistance Program; Proposed State Plan and Public Hearing Schedule

The Department of Human Services (Department) is making available for public review and comment the Fiscal Year (FY) 2019-2020 Low-Income Home Energy Assistance Program (LIHEAP) proposed State Plan. Comments on this notice and testimony received at public hearings will be used to formulate the final State Plan for using Federal funds for FY 2019-2020 LIHEAP.

The Department has made the proposed State Plan available to the public at <http://www.dhs.pa.gov/foradults/heatingassistanceliheap>. In addition, copies of the proposed State Plan are available upon written request to the Division of Federal Programs and Program Management, Room 224, Willow Oak Building, 1006 Hemlock Drive, Harrisburg, PA 17110.

The Department will hold three public hearings throughout this Commonwealth to allow testimony on the proposed State Plan and to fulfill the Federal mandate for public input into the planning process. This mandate appears in Title XXVI (The Low-Income Home Energy Assistance Act of 1981) of the Omnibus Budget Reconciliation Act of 1981 (Pub.L. No. 97-35) (42 U.S.C.A. §§ 8621—8630) as amended by the Human Services Reauthorization Act of 1984 (Pub.L. No. 98-558), the Human Services Reauthorization Act of 1986 (Pub.L. No. 99-425), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub.L. No. 101-501), the National

Institutes of Health Revitalization Act of 1993 (Pub.L. No. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub.L. No. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub.L. No. 105-285) and the Energy Policy Act of 2005 (Pub.L. No. 109-58).

Public Hearing Schedule

Tuesday, June 25, 2019
10 a.m.—12 p.m.
Allegheny County Assistance Office
Room 3023
301 Fifth Avenue
Pittsburgh, PA

Thursday, June 27, 2019
10 a.m.—12 p.m.
Philadelphia Free Library—Parkway Central
Rooms 405 and 406
Philadelphia, PA

Tuesday, July 2, 2019
10 a.m.—12 p.m.
Commonwealth Keystone Building
Hearing Room 3—Plaza Level
400 North Street
Harrisburg, PA

This notice shall take effect upon publication in the *Pennsylvania Bulletin*.

Public Comment

Persons who wish to testify on the proposed State Plan at a public hearing should arrange a time by telephoning (717) 772-7906. Persons from outside the Harrisburg area should call (800) 692-7462 or send a written request, including telephone number, to the Division of Federal Programs and Program Management, Room 224, Willow Oak Building, Harrisburg, PA 17110.

Individuals also may submit written comments at any of the public hearings by e-mail to LIHEAPmail@pa.gov or by mail to the previously listed address by July 19, 2019.

Persons with a hearing or speech impairment may submit comments through the Pennsylvania Telecommunications Relay Service by calling 711.

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1348. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 19-907. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Income Limits and Co-payments for the Subsidized Child Care Program

This notice increases the income limits codified at 55 Pa. Code Chapter 3041, Appendix B (relating to co-payment chart family co-payment scale (based on the 2019 Federal Poverty Income Guidelines)) under 55 Pa. Code § 3041.107(b) (relating to availability and use of the Federal Poverty Income Guidelines). This increase is effective May 6, 2019.

Section 3041.107(b) of 55 Pa. Code requires the Department of Human Services to update the co-payment schedule in 55 Pa. Code Chapter 3041, Appendix B to reflect changes in the Federal Poverty Income Guidelines (FPIG). Effective May 6, 2019, the income guidelines for the subsidized child care program are being raised due to increases in the FPIG. Under section 408.3 of the Human Services Code (62 P.S. § 408.3), the co-payment schedule is adjusted to reflect the increases. Chapter 3041, Appen-

dix B of 55 Pa. Code also establishes the family co-payment levels according to the family's computed annual income and lists the weekly family co-payment based on the annual family income.

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1341. No fiscal impact; (8) recommends adoption.

**CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE EFFECTIVE MAY 6, 2019
(BASED ON THE 2019 FEDERAL POVERTY INCOME GUIDELINES)**

<i>Weekly Co-pay</i>	<i>Family Size: 1 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 2 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 3 Annual Income</i>	
\$5	Less than:	\$10,490	\$5	Less than:	\$8,660	\$5	Less than:	\$8,660
\$10	\$10,490.01	\$12,490	\$10	\$8,660.01	\$12,910	\$10	\$8,660	\$14,710
\$15	\$12,490.01	\$14,490	\$16	\$12,910.01	\$14,910	\$17	\$14,710	\$16,710
\$20	\$14,490.01	\$16,490	\$21	\$14,910.01	\$16,910	\$22	\$16,710	\$19,330
\$25	\$16,490.01	\$18,490	\$25	\$16,910.01	\$18,910	\$27	\$19,330	\$21,330
\$30	\$18,490.01	\$20,490	\$29	\$18,910.01	\$20,910	\$31	\$21,330	\$23,330
\$35	\$20,490.01	\$22,490	\$33	\$20,910.01	\$22,910	\$35	\$23,330	\$25,330
\$40	\$22,490.01	\$24,490	\$38	\$22,910.01	\$24,910	\$39	\$25,330	\$27,330
\$45	\$24,490.01	\$26,490	\$43	\$24,910.01	\$26,910	\$43	\$27,330	\$29,330
\$50	\$26,490.01	\$28,490	\$48	\$26,910.01	\$28,910	\$48	\$29,330	\$31,330
\$55	\$28,490.01	\$29,352	\$53	\$28,910.01	\$30,910	\$53	\$31,330	\$33,330
			\$58	\$30,910.01	\$32,910	\$58	\$33,330	\$35,330
			\$64	\$32,910.01	\$34,910	\$63	\$35,330	\$37,330
			\$70	\$34,910.01	\$36,910	\$68	\$37,330	\$39,330
			\$76	\$36,910.01	\$39,739	\$73	\$39,330	\$41,330
						\$79	\$41,330	\$43,330
						\$85	\$43,330	\$45,330
						\$91	\$45,330	\$47,330
						\$97	\$47,330	\$50,126
	200% FPIG	\$24,980		200% FPIG	\$33,820		200% FPIG	\$42,660

<i>Weekly Co-pay</i>	<i>Family Size: 4 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 5 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 6 Annual Income</i>	
\$5	Less than:	\$8,660	\$5	Less than:	\$8,660	\$5	Less than:	\$8,660
\$10	\$8,660.01	\$16,400	\$10	\$8,660.01	\$16,450	\$10	\$8,660.01	\$18,180
\$19	\$16,400.01	\$19,750	\$19	\$16,450.01	\$20,170	\$21	\$18,180.01	\$20,740
\$24	\$19,750.01	\$21,750	\$24	\$20,170.01	\$22,170	\$24	\$20,740.01	\$24,590
\$28	\$21,750.01	\$23,750	\$27	\$22,170.01	\$24,170	\$29	\$24,590.01	\$26,590
\$33	\$23,750.01	\$25,750	\$31	\$24,170.01	\$26,170	\$32	\$26,590.01	\$28,590
\$37	\$25,750.01	\$27,750	\$35	\$26,170.01	\$28,170	\$36	\$28,590.01	\$30,590
\$41	\$27,750.01	\$29,750	\$40	\$28,170.01	\$30,170	\$41	\$30,590.01	\$32,590
\$45	\$29,750.01	\$31,750	\$44	\$30,170.01	\$32,170	\$46	\$32,590.01	\$34,590
\$49	\$31,750.01	\$33,750	\$47	\$32,170.01	\$34,170	\$50	\$34,590.01	\$36,590
\$53	\$33,750.01	\$35,750	\$51	\$34,170.01	\$36,170	\$54	\$36,590.01	\$38,590
\$58	\$35,750.01	\$37,750	\$55	\$36,170.01	\$38,170	\$58	\$38,590.01	\$40,590
\$63	\$37,750.01	\$39,750	\$59	\$38,170.01	\$40,170	\$62	\$40,590.01	\$42,590
\$68	\$39,750.01	\$41,750	\$63	\$40,170.01	\$42,170	\$66	\$42,590.01	\$44,590

<i>Weekly Co-pay</i>	<i>Family Size: 4 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 5 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 6 Annual Income</i>	
\$73	\$41,750.01	\$43,750	\$68	\$42,170.01	\$44,170	\$70	\$44,590.01	\$46,590
\$78	\$43,750.01	\$45,750	\$73	\$44,170.01	\$46,170	\$75	\$46,590.01	\$48,590
\$83	\$45,750.01	\$47,750	\$78	\$46,170.01	\$48,170	\$80	\$48,590.01	\$50,590
\$89	\$47,750.01	\$49,750	\$83	\$48,170.01	\$50,170	\$85	\$50,590.01	\$52,590
\$95	\$49,750.01	\$51,750	\$88	\$50,170.01	\$52,170	\$90	\$52,590.01	\$54,590
\$101	\$51,750.01	\$53,750	\$93	\$52,170.01	\$54,170	\$95	\$54,590.01	\$56,590
\$107	\$53,750.01	\$55,750	\$98	\$54,170.01	\$56,170	\$100	\$56,590.01	\$58,590
\$113	\$55,750.01	\$57,750	\$103	\$56,170.01	\$58,170	\$105	\$58,590.01	\$60,590
\$118	\$57,750.01	\$60,513	\$109	\$58,170.01	\$60,170	\$110	\$60,590.01	\$62,590
			\$115	\$60,170.01	\$62,170	\$115	\$62,590.01	\$64,590
			\$121	\$62,170.01	\$64,170	\$121	\$64,590.01	\$66,590
			\$127	\$64,170.01	\$66,170	\$127	\$66,590.01	\$68,590
			\$134	\$66,170.01	\$70,900	\$133	\$68,590.01	\$70,590
						\$139	\$70,590.01	\$72,590
						\$145	\$72,590.01	\$74,590
						\$151	\$74,590.01	\$76,590
						\$156	\$76,590.01	\$81,287
	200% FPIG	\$51,500		200% FPIG	\$60,340		200% FPIG	\$69,180

<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 8 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 9 Annual Income</i>	
\$5	Less than:	\$8,660	\$5	Less than:	\$8,660	\$5	Less than:	\$8,660
\$10	\$8,660.01	\$18,180	\$10	\$8,660.01	\$19,050	\$10	\$8,660.01	\$19,900
\$21	\$18,180.01	\$20,770	\$22	\$19,050.01	\$22,420	\$23	\$19,900.01	\$24,090
\$24	\$20,770.01	\$23,340	\$26	\$22,420.01	\$24,990	\$28	\$24,090.01	\$26,090
\$27	\$23,340.01	\$25,640	\$29	\$24,990.01	\$29,430	\$31	\$26,090.01	\$29,450
\$30	\$25,640.01	\$29,010	\$35	\$29,430.01	\$31,430	\$35	\$29,450.01	\$33,850
\$34	\$29,010.01	\$31,010	\$38	\$31,430.01	\$33,430	\$41	\$33,850.01	\$35,850
\$38	\$31,010.01	\$33,010	\$41	\$33,430.01	\$35,430	\$44	\$35,850.01	\$37,850
\$42	\$33,010.01	\$35,010	\$45	\$35,430.01	\$37,430	\$47	\$37,850.01	\$39,850
\$48	\$35,010.01	\$37,010	\$49	\$37,430.01	\$39,430	\$51	\$39,850.01	\$41,850
\$53	\$37,010.01	\$39,010	\$54	\$39,430.01	\$41,430	\$55	\$41,850.01	\$43,850
\$57	\$39,010.01	\$41,010	\$59	\$41,430.01	\$43,430	\$60	\$43,850.01	\$45,850
\$60	\$41,010.01	\$43,010	\$63	\$43,430.01	\$45,430	\$65	\$45,850.01	\$47,850
\$64	\$43,010.01	\$45,010	\$66	\$45,430.01	\$47,430	\$69	\$47,850.01	\$49,850
\$68	\$45,010.01	\$47,010	\$70	\$47,430.01	\$49,430	\$73	\$49,850.01	\$51,850
\$72	\$47,010.01	\$49,010	\$74	\$49,430.01	\$51,430	\$77	\$51,850.01	\$53,850
\$76	\$49,010.01	\$51,010	\$78	\$51,430.01	\$53,430	\$81	\$53,850.01	\$55,850
\$80	\$51,010.01	\$53,010	\$82	\$53,430.01	\$55,430	\$85	\$55,850.01	\$57,850
\$85	\$53,010.01	\$55,010	\$86	\$55,430.01	\$57,430	\$89	\$57,850.01	\$59,850
\$90	\$55,010.01	\$57,010	\$90	\$57,430.01	\$59,430	\$93	\$59,850.01	\$61,850
\$95	\$57,010.01	\$59,010	\$95	\$59,430.01	\$61,430	\$97	\$61,850.01	\$63,850
\$100	\$59,010.01	\$61,010	\$100	\$61,430.01	\$63,430	\$101	\$63,850.01	\$65,850
\$105	\$61,010.01	\$63,010	\$105	\$63,430.01	\$65,430	\$106	\$65,850.01	\$67,850
\$110	\$63,010.01	\$65,010	\$110	\$65,430.01	\$67,430	\$111	\$67,850.01	\$69,850
\$115	\$65,010.01	\$67,010	\$115	\$67,430.01	\$69,430	\$116	\$69,850.01	\$71,850
\$120	\$67,010.01	\$69,010	\$120	\$69,430.01	\$71,430	\$121	\$71,850.01	\$73,850

<i>Weekly Co-pay</i>	<i>Family Size: 7 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 8 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 9 Annual Income</i>	
\$125	\$69,010.01	\$71,010	\$125	\$71,430.01	\$73,430	\$126	\$73,850.01	\$75,850
\$130	\$71,010.01	\$73,010	\$130	\$73,430.01	\$75,430	\$131	\$75,850.01	\$77,850
\$136	\$73,010.01	\$75,010	\$135	\$75,430.01	\$77,430	\$136	\$77,850.01	\$79,850
\$142	\$75,010.01	\$77,010	\$140	\$77,430.01	\$79,430	\$141	\$79,850.01	\$81,850
\$148	\$77,010.01	\$79,010	\$145	\$79,430.01	\$81,430	\$146	\$81,850.01	\$83,850
\$154	\$79,010.01	\$81,010	\$151	\$81,430.01	\$83,430	\$151	\$83,850.01	\$85,850
\$160	\$81,010.01	\$83,010	\$157	\$83,430.01	\$85,430	\$156	\$85,850.01	\$87,850
\$166	\$83,010.01	\$85,010	\$163	\$85,430.01	\$87,430	\$161	\$87,850.01	\$89,850
\$172	\$85,010.01	\$91,674	\$169	\$87,430.01	\$89,430	\$167	\$89,850.01	\$91,850
			\$175	\$89,430.01	\$91,430	\$173	\$91,850.01	\$93,850
			\$181	\$91,430.01	\$93,430	\$179	\$93,850.01	\$95,850
			\$187	\$93,430.01	\$95,430	\$185	\$95,850.01	\$97,850
			\$193	\$95,430.01	\$97,430	\$191	\$97,850.01	\$99,850
			\$198	\$97,430.01	\$102,061	\$197	\$99,850.01	\$101,850
						\$203	\$101,850.01	\$103,850
						\$209	\$103,850.01	\$105,850
						\$216	\$105,850.01	\$112,448
	200% FPIG	\$78,020		200% FPIG	\$86,860		200% FPIG	\$95,700

<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 11 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 12 Annual Income</i>	
\$5	Less than:	\$8,660	\$5	Less than:	\$8,660	\$5	Less than:	\$8,660
\$10	\$8,660.01	\$21,650	\$10	\$8,660.01	\$22,510	\$10	\$8,660.01	\$23,380
\$25	\$21,650.01	\$25,980	\$26	\$22,510.01	\$25,090	\$27	\$23,380.01	\$31,170
\$30	\$25,980.01	\$29,380	\$29	\$25,090.01	\$28,540	\$36	\$31,170.01	\$35,460
\$34	\$29,380.01	\$31,580	\$33	\$28,540.01	\$31,120	\$41	\$35,460.01	\$38,860
\$37	\$31,580.01	\$34,990	\$36	\$31,120.01	\$33,710	\$45	\$38,860.01	\$43,110
\$41	\$34,990.01	\$38,270	\$39	\$33,710.01	\$36,340	\$50	\$43,110.01	\$45,110
\$45	\$38,270.01	\$40,270	\$43	\$36,340.01	\$40,690	\$53	\$45,110.01	\$47,110
\$49	\$40,270.01	\$42,270	\$49	\$40,690.01	\$42,690	\$57	\$47,110.01	\$49,110
\$53	\$42,270.01	\$44,270	\$52	\$42,690.01	\$44,690	\$61	\$49,110.01	\$51,110
\$57	\$44,270.01	\$46,270	\$55	\$44,690.01	\$46,690	\$65	\$51,110.01	\$53,110
\$61	\$46,270.01	\$48,270	\$59	\$46,690.01	\$48,690	\$69	\$53,110.01	\$55,110
\$66	\$48,270.01	\$50,270	\$63	\$48,690.01	\$50,690	\$73	\$55,110.01	\$57,110
\$71	\$50,270.01	\$52,270	\$67	\$50,690.01	\$52,690	\$78	\$57,110.01	\$59,110
\$75	\$52,270.01	\$54,270	\$72	\$52,690.01	\$54,690	\$83	\$59,110.01	\$61,110
\$78	\$54,270.01	\$56,270	\$77	\$54,690.01	\$56,690	\$88	\$61,110.01	\$63,110
\$82	\$56,270.01	\$58,270	\$82	\$56,690.01	\$58,690	\$92	\$63,110.01	\$65,110
\$86	\$58,270.01	\$60,270	\$86	\$58,690.01	\$60,690	\$96	\$65,110.01	\$67,110
\$90	\$60,270.01	\$62,270	\$90	\$60,690.01	\$62,690	\$100	\$67,110.01	\$69,110
\$94	\$62,270.01	\$64,270	\$94	\$62,690.01	\$64,690	\$104	\$69,110.01	\$71,110
\$98	\$64,270.01	\$66,270	\$98	\$64,690.01	\$66,690	\$108	\$71,110.01	\$73,110
\$102	\$66,270.01	\$68,270	\$102	\$66,690.01	\$68,690	\$112	\$73,110.01	\$75,110
\$106	\$68,270.01	\$70,270	\$106	\$68,690.01	\$70,690	\$116	\$75,110.01	\$77,110
\$111	\$70,270.01	\$72,270	\$110	\$70,690.01	\$72,690	\$120	\$77,110.01	\$79,110
\$116	\$72,270.01	\$74,270	\$114	\$72,690.01	\$74,690	\$124	\$79,110.01	\$81,110
\$121	\$74,270.01	\$76,270	\$119	\$74,690.01	\$76,690	\$128	\$81,110.01	\$83,110

<i>Weekly Co-pay</i>	<i>Family Size: 10 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 11 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 12 Annual Income</i>	
\$126	\$76,270.01	\$78,270	\$124	\$76,690.01	\$78,690	\$133	\$83,110.01	\$85,110
\$131	\$78,270.01	\$80,270	\$129	\$78,690.01	\$80,690	\$138	\$85,110.01	\$87,110
\$136	\$80,270.01	\$82,270	\$134	\$80,690.01	\$82,690	\$143	\$87,110.01	\$89,110
\$141	\$82,270.01	\$84,270	\$139	\$82,690.01	\$84,690	\$148	\$89,110.01	\$91,110
\$146	\$84,270.01	\$86,270	\$144	\$84,690.01	\$86,690	\$153	\$91,110.01	\$93,110
\$151	\$86,270.01	\$88,270	\$149	\$86,690.01	\$88,690	\$158	\$93,110.01	\$95,110
\$156	\$88,270.01	\$90,270	\$154	\$88,690.01	\$90,690	\$163	\$95,110.01	\$97,110
\$161	\$90,270.01	\$92,270	\$159	\$90,690.01	\$92,690	\$168	\$97,110.01	\$99,110
\$166	\$92,270.01	\$94,270	\$164	\$92,690.01	\$94,690	\$173	\$99,110.01	\$101,110
\$171	\$94,270.01	\$96,270	\$169	\$94,690.01	\$96,690	\$178	\$101,110.01	\$103,110
\$177	\$96,270.01	\$98,270	\$174	\$96,690.01	\$98,690	\$183	\$103,110.01	\$105,110
\$183	\$98,270.01	\$100,270	\$179	\$98,690.01	\$100,690	\$188	\$105,110.01	\$107,110
\$189	\$100,270.01	\$102,270	\$184	\$100,690.01	\$102,690	\$193	\$107,110.01	\$109,110
\$195	\$102,270.01	\$104,270	\$189	\$102,690.01	\$104,690	\$198	\$109,110.01	\$111,110
\$201	\$104,270.01	\$106,270	\$195	\$104,690.01	\$106,690	\$203	\$111,110.01	\$113,110
\$207	\$106,270.01	\$108,270	\$201	\$106,690.01	\$108,690	\$209	\$113,110.01	\$115,110
\$213	\$108,270.01	\$110,270	\$207	\$108,690.01	\$110,690	\$215	\$115,110.01	\$117,110
\$219	\$110,270.01	\$112,270	\$213	\$110,690.01	\$112,690	\$221	\$117,110.01	\$119,110
\$225	\$112,270.01	\$114,270	\$219	\$112,690.01	\$114,690	\$227	\$119,110.01	\$121,110
\$232	\$114,270.01	\$122,835	\$225	\$114,690.01	\$116,690	\$233	\$121,110.01	\$123,110
			\$231	\$116,690.01	\$118,690	\$239	\$123,110.01	\$125,110
			\$237	\$118,690.01	\$120,690	\$245	\$125,110.01	\$127,110
			\$243	\$120,690.01	\$122,690	\$251	\$127,110.01	\$129,110
			\$249	\$122,690.01	\$124,690	\$257	\$129,110.01	\$131,110
			\$255	\$124,690.01	\$126,690	\$263	\$131,110.01	\$133,110
			\$261	\$126,690.01	\$133,222	\$269	\$133,110.01	\$135,110
						\$275	\$135,110.01	\$137,110
						\$280	\$137,110.01	\$143,609
	200% FPIG	\$104,540		200% FPIG	\$113,380		200% FPIG	\$122,220

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 14 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 15 Annual Income</i>	
\$5	Less than:	\$8,660	\$5	Less than:	\$8,660	\$5	Less than:	\$8,660
\$10	\$8,660.01	\$25,110	\$10	\$8,660.01	\$25,110	\$10	\$8,660.01	\$29,440
\$29	\$25,110.01	\$31,170	\$29	\$25,110.01	\$31,170	\$34	\$29,440.01	\$37,230
\$36	\$31,170.01	\$35,480	\$36	\$31,170.01	\$37,230	\$43	\$37,230.01	\$39,820
\$41	\$35,480.01	\$38,070	\$43	\$37,230.01	\$39,800	\$46	\$39,820.01	\$42,390
\$44	\$38,070.01	\$40,660	\$46	\$39,800.01	\$41,400	\$49	\$42,390.01	\$44,620
\$47	\$40,660.01	\$43,780	\$49	\$41,400.01	\$44,760	\$52	\$44,620.01	\$48,040
\$51	\$43,780.01	\$47,530	\$53	\$44,760.01	\$48,130	\$56	\$48,040.01	\$52,370
\$56	\$47,530.01	\$49,530	\$57	\$48,130.01	\$51,950	\$62	\$52,370.01	\$54,370
\$59	\$49,530.01	\$51,530	\$62	\$51,950.01	\$53,950	\$65	\$54,370.01	\$56,370
\$63	\$51,530.01	\$53,530	\$65	\$53,950.01	\$55,950	\$68	\$56,370.01	\$58,370
\$67	\$53,530.01	\$55,530	\$69	\$55,950.01	\$57,950	\$72	\$58,370.01	\$60,370
\$71	\$55,530.01	\$57,530	\$73	\$57,950.01	\$59,950	\$76	\$60,370.01	\$62,370
\$75	\$57,530.01	\$59,530	\$77	\$59,950.01	\$61,950	\$80	\$62,370.01	\$64,370
\$79	\$59,530.01	\$61,530	\$81	\$61,950.01	\$63,950	\$84	\$64,370.01	\$66,370

NOTICES

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 14 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 15 Annual Income</i>	
\$84	\$61,530.01	\$63,530	\$85	\$63,950.01	\$65,950	\$88	\$66,370.01	\$68,370
\$89	\$63,530.01	\$65,530	\$90	\$65,950.01	\$67,950	\$92	\$68,370.01	\$70,370
\$94	\$65,530.01	\$67,530	\$95	\$67,950.01	\$69,950	\$97	\$70,370.01	\$72,370
\$98	\$67,530.01	\$69,530	\$100	\$69,950.01	\$71,950	\$102	\$72,370.01	\$74,370
\$102	\$69,530.01	\$71,530	\$104	\$71,950.01	\$73,950	\$107	\$74,370.01	\$76,370
\$106	\$71,530.01	\$73,530	\$108	\$73,950.01	\$75,950	\$110	\$76,370.01	\$78,370
\$110	\$73,530.01	\$75,530	\$112	\$75,950.01	\$77,950	\$114	\$78,370.01	\$80,370
\$114	\$75,530.01	\$77,530	\$116	\$77,950.01	\$79,950	\$118	\$80,370.01	\$82,370
\$118	\$77,530.01	\$79,530	\$120	\$79,950.01	\$81,950	\$122	\$82,370.01	\$84,370
\$122	\$79,530.01	\$81,530	\$124	\$81,950.01	\$83,950	\$126	\$84,370.01	\$86,370
\$126	\$81,530.01	\$83,530	\$128	\$83,950.01	\$85,950	\$130	\$86,370.01	\$88,370
\$130	\$83,530.01	\$85,530	\$132	\$85,950.01	\$87,950	\$134	\$88,370.01	\$90,370
\$134	\$85,530.01	\$87,530	\$136	\$87,950.01	\$89,950	\$138	\$90,370.01	\$92,370
\$138	\$87,530.01	\$89,530	\$140	\$89,950.01	\$91,950	\$142	\$92,370.01	\$94,370
\$143	\$89,530.01	\$91,530	\$144	\$91,950.01	\$93,950	\$146	\$94,370.01	\$96,370
\$148	\$91,530.01	\$93,530	\$149	\$93,950.01	\$95,950	\$150	\$96,370.01	\$98,370
\$153	\$93,530.01	\$95,530	\$154	\$95,950.01	\$97,950	\$154	\$98,370.01	\$100,370
\$158	\$95,530.01	\$97,530	\$159	\$97,950.01	\$99,950	\$159	\$100,370.01	\$102,370
\$163	\$97,530.01	\$99,530	\$164	\$99,950.01	\$101,950	\$164	\$102,370.01	\$104,370
\$168	\$99,530.01	\$101,530	\$169	\$101,950.01	\$103,950	\$169	\$104,370.01	\$106,370
\$173	\$101,530.01	\$103,530	\$174	\$103,950.01	\$105,950	\$174	\$106,370.01	\$108,370
\$178	\$103,530.01	\$105,530	\$179	\$105,950.01	\$107,950	\$179	\$108,370.01	\$110,370
\$183	\$105,530.01	\$107,530	\$184	\$107,950.01	\$109,950	\$184	\$110,370.01	\$112,370
\$188	\$107,530.01	\$109,530	\$189	\$109,950.01	\$111,950	\$189	\$112,370.01	\$114,370
\$193	\$109,530.01	\$111,530	\$194	\$111,950.01	\$113,950	\$194	\$114,370.01	\$116,370
\$198	\$111,530.01	\$113,530	\$199	\$113,950.01	\$115,950	\$199	\$116,370.01	\$118,370
\$203	\$113,530.01	\$115,530	\$204	\$115,950.01	\$117,950	\$204	\$118,370.01	\$120,370
\$208	\$115,530.01	\$117,530	\$209	\$117,950.01	\$119,950	\$209	\$120,370.01	\$122,370
\$213	\$117,530.01	\$119,530	\$214	\$119,950.01	\$121,950	\$214	\$122,370.01	\$124,370
\$218	\$119,530.01	\$121,530	\$219	\$121,950.01	\$123,950	\$219	\$124,370.01	\$126,370
\$224	\$121,530.01	\$123,530	\$224	\$123,950.01	\$125,950	\$224	\$126,370.01	\$128,370
\$230	\$123,530.01	\$125,530	\$229	\$125,950.01	\$127,950	\$229	\$128,370.01	\$130,370
\$236	\$125,530.01	\$127,530	\$235	\$127,950.01	\$129,950	\$234	\$130,370.01	\$132,370
\$242	\$127,530.01	\$129,530	\$241	\$129,950.01	\$131,950	\$239	\$132,370.01	\$134,370
\$248	\$129,530.01	\$131,530	\$247	\$131,950.01	\$133,950	\$244	\$134,370.01	\$136,370
\$254	\$131,530.01	\$133,530	\$253	\$133,950.01	\$135,950	\$250	\$136,370.01	\$138,370
\$260	\$133,530.01	\$135,530	\$259	\$135,950.01	\$137,950	\$256	\$138,370.01	\$140,370
\$266	\$135,530.01	\$137,530	\$265	\$137,950.01	\$139,950	\$262	\$140,370.01	\$142,370
\$272	\$137,530.01	\$139,530	\$271	\$139,950.01	\$141,950	\$268	\$142,370.01	\$144,370
\$278	\$139,530.01	\$141,530	\$277	\$141,950.01	\$143,950	\$274	\$144,370.01	\$146,370
\$284	\$141,530.01	\$143,530	\$283	\$143,950.01	\$145,950	\$280	\$146,370.01	\$148,370
\$290	\$143,530.01	\$145,530	\$289	\$145,950.01	\$147,950	\$286	\$148,370.01	\$150,370
\$297	\$145,530.01	\$153,996	\$295	\$147,950.01	\$149,950	\$292	\$150,370.01	\$152,370
			\$301	\$149,950.01	\$151,950	\$298	\$152,370.01	\$154,370
			\$307	\$151,950.01	\$153,950	\$304	\$154,370.01	\$156,370
			\$314	\$153,950.01	\$164,383	\$310	\$156,370.01	\$158,370
						\$316	\$158,370.01	\$160,370

<i>Weekly Co-pay</i>	<i>Family Size: 13 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 14 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 15 Annual Income</i>	
						\$322	\$160,370.01	\$162,370
						\$328	\$162,370.01	\$164,370
						\$334	\$164,370.01	\$166,370
						\$339	\$166,370.01	\$174,770
	200% FPIG	\$131,060		200% FPIG	\$139,900		200% FPIG	\$148,740

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 17 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 18 Annual Income</i>	
\$5	Less than:	\$8,660	\$5	Less than:	\$8,660	\$5	Less than:	\$8,660
\$10	\$8,660.01	\$29,430	\$10	\$8,660.01	\$29,430	\$10	\$8,660.01	\$30,310
\$34	\$29,430.01	\$38,080	\$34	\$29,430.01	\$37,220	\$35	\$30,310.01	\$38,960
\$44	\$38,080.01	\$43,270	\$43	\$37,220.01	\$39,780	\$45	\$38,960.01	\$48,120
\$50	\$43,270.01	\$45,860	\$46	\$39,780.01	\$47,560	\$56	\$48,120.01	\$50,120
\$53	\$45,860.01	\$48,860	\$55	\$47,560.01	\$49,860	\$59	\$50,120.01	\$52,660
\$57	\$48,860.01	\$52,280	\$58	\$49,860.01	\$52,410	\$62	\$52,660.01	\$55,980
\$61	\$52,280.01	\$56,790	\$61	\$52,410.01	\$57,210	\$66	\$55,980.01	\$58,650
\$67	\$56,790.01	\$58,790	\$67	\$57,210.01	\$59,210	\$70	\$58,650.01	\$63,630
\$70	\$58,790.01	\$60,790	\$70	\$59,210.01	\$61,210	\$76	\$63,630.01	\$65,630
\$73	\$60,790.01	\$62,790	\$73	\$61,210.01	\$63,210	\$79	\$65,630.01	\$67,630
\$77	\$62,790.01	\$64,790	\$77	\$63,210.01	\$65,210	\$82	\$67,630.01	\$69,630
\$81	\$64,790.01	\$66,790	\$81	\$65,210.01	\$67,210	\$86	\$69,630.01	\$71,630
\$85	\$66,790.01	\$68,790	\$85	\$67,210.01	\$69,210	\$90	\$71,630.01	\$73,630
\$89	\$68,790.01	\$70,790	\$89	\$69,210.01	\$71,210	\$94	\$73,630.01	\$75,630
\$93	\$70,790.01	\$72,790	\$93	\$71,210.01	\$73,210	\$98	\$75,630.01	\$77,630
\$98	\$72,790.01	\$74,790	\$97	\$73,210.01	\$75,210	\$102	\$77,630.01	\$79,630
\$103	\$74,790.01	\$76,790	\$101	\$75,210.01	\$77,210	\$106	\$79,630.01	\$81,630
\$108	\$76,790.01	\$78,790	\$106	\$77,210.01	\$79,210	\$111	\$81,630.01	\$83,630
\$113	\$78,790.01	\$80,790	\$111	\$79,210.01	\$81,210	\$116	\$83,630.01	\$85,630
\$117	\$80,790.01	\$82,790	\$116	\$81,210.01	\$83,210	\$121	\$85,630.01	\$87,630
\$120	\$82,790.01	\$84,790	\$120	\$83,210.01	\$85,210	\$126	\$87,630.01	\$89,630
\$124	\$84,790.01	\$86,790	\$124	\$85,210.01	\$87,210	\$128	\$89,630.01	\$91,630
\$128	\$86,790.01	\$88,790	\$128	\$87,210.01	\$89,210	\$132	\$91,630.01	\$93,630
\$132	\$88,790.01	\$90,790	\$132	\$89,210.01	\$91,210	\$136	\$93,630.01	\$95,630
\$136	\$90,790.01	\$92,790	\$136	\$91,210.01	\$93,210	\$140	\$95,630.01	\$97,630
\$140	\$92,790.01	\$94,790	\$140	\$93,210.01	\$95,210	\$144	\$97,630.01	\$99,630
\$144	\$94,790.01	\$96,790	\$144	\$95,210.01	\$97,210	\$148	\$99,630.01	\$101,630
\$148	\$96,790.01	\$98,790	\$148	\$97,210.01	\$99,210	\$152	\$101,630.01	\$103,630
\$152	\$98,790.01	\$100,790	\$152	\$99,210.01	\$101,210	\$156	\$103,630.01	\$105,630
\$156	\$100,790.01	\$102,790	\$156	\$101,210.01	\$103,210	\$160	\$105,630.01	\$107,630
\$160	\$102,790.01	\$104,790	\$160	\$103,210.01	\$105,210	\$164	\$107,630.01	\$109,630
\$164	\$104,790.01	\$106,790	\$164	\$105,210.01	\$107,210	\$168	\$109,630.01	\$111,630
\$169	\$106,790.01	\$108,790	\$168	\$107,210.01	\$109,210	\$172	\$111,630.01	\$113,630
\$174	\$108,790.01	\$110,790	\$173	\$109,210.01	\$111,210	\$176	\$113,630.01	\$115,630
\$179	\$110,790.01	\$112,790	\$178	\$111,210.01	\$113,210	\$180	\$115,630.01	\$117,630
\$184	\$112,790.01	\$114,790	\$183	\$113,210.01	\$115,210	\$185	\$117,630.01	\$119,630
\$189	\$114,790.01	\$116,790	\$188	\$115,210.01	\$117,210	\$190	\$119,630.01	\$121,630
\$194	\$116,790.01	\$118,790	\$193	\$117,210.01	\$119,210	\$195	\$121,630.01	\$123,630

NOTICES

3167

<i>Weekly Co-pay</i>	<i>Family Size: 16 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 17 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 18 Annual Income</i>	
\$199	\$118,790.01	\$120,790	\$198	\$119,210.01	\$121,210	\$200	\$123,630.01	\$125,630
\$204	\$120,790.01	\$122,790	\$203	\$121,210.01	\$123,210	\$205	\$125,630.01	\$127,630
\$209	\$122,790.01	\$124,790	\$208	\$123,210.01	\$125,210	\$210	\$127,630.01	\$129,630
\$214	\$124,790.01	\$126,790	\$213	\$125,210.01	\$127,210	\$215	\$129,630.01	\$131,630
\$219	\$126,790.01	\$128,790	\$218	\$127,210.01	\$129,210	\$220	\$131,630.01	\$133,630
\$224	\$128,790.01	\$130,790	\$223	\$129,210.01	\$131,210	\$225	\$133,630.01	\$135,630
\$229	\$130,790.01	\$132,790	\$228	\$131,210.01	\$133,210	\$230	\$135,630.01	\$137,630
\$234	\$132,790.01	\$134,790	\$233	\$133,210.01	\$135,210	\$235	\$137,630.01	\$139,630
\$239	\$134,790.01	\$136,790	\$238	\$135,210.01	\$137,210	\$240	\$139,630.01	\$141,630
\$244	\$136,790.01	\$138,790	\$243	\$137,210.01	\$139,210	\$245	\$141,630.01	\$143,630
\$249	\$138,790.01	\$140,790	\$248	\$139,210.01	\$141,210	\$250	\$143,630.01	\$145,630
\$254	\$140,790.01	\$142,790	\$253	\$141,210.01	\$143,210	\$255	\$145,630.01	\$147,630
\$259	\$142,790.01	\$144,790	\$258	\$143,210.01	\$145,210	\$260	\$147,630.01	\$149,630
\$264	\$144,790.01	\$146,790	\$263	\$145,210.01	\$147,210	\$265	\$149,630.01	\$151,630
\$270	\$146,790.01	\$148,790	\$268	\$147,210.01	\$149,210	\$270	\$151,630.01	\$153,630
\$276	\$148,790.01	\$150,790	\$273	\$149,210.01	\$151,210	\$275	\$153,630.01	\$155,630
\$282	\$150,790.01	\$152,790	\$278	\$151,210.01	\$153,210	\$280	\$155,630.01	\$157,630
\$288	\$152,790.01	\$154,790	\$284	\$153,210.01	\$155,210	\$285	\$157,630.01	\$159,630
\$294	\$154,790.01	\$156,790	\$290	\$155,210.01	\$157,210	\$290	\$159,630.01	\$161,630
\$300	\$156,790.01	\$158,790	\$296	\$157,210.01	\$159,210	\$296	\$161,630.01	\$163,630
\$306	\$158,790.01	\$160,790	\$302	\$159,210.01	\$161,210	\$302	\$163,630.01	\$165,630
\$312	\$160,790.01	\$162,790	\$308	\$161,210.01	\$163,210	\$308	\$165,630.01	\$167,630
\$318	\$162,790.01	\$164,790	\$314	\$163,210.01	\$165,210	\$314	\$167,630.01	\$169,630
\$324	\$164,790.01	\$166,790	\$320	\$165,210.01	\$167,210	\$320	\$169,630.01	\$171,630
\$330	\$166,790.01	\$168,790	\$326	\$167,210.01	\$169,210	\$326	\$171,630.01	\$173,630
\$336	\$168,790.01	\$170,790	\$332	\$169,210.01	\$171,210	\$332	\$173,630.01	\$175,630
\$342	\$170,790.01	\$172,790	\$338	\$171,210.01	\$173,210	\$338	\$175,630.01	\$177,630
\$348	\$172,790.01	\$174,790	\$344	\$173,210.01	\$175,210	\$344	\$177,630.01	\$179,630
\$355	\$174,790.01	\$185,157	\$350	\$175,210.01	\$177,210	\$350	\$179,630.01	\$181,630
			\$356	\$177,210.01	\$179,210	\$356	\$181,630.01	\$183,630
			\$362	\$179,210.01	\$181,210	\$362	\$183,630.01	\$185,630
			\$368	\$181,210.01	\$183,210	\$368	\$185,630.01	\$187,630
			\$374	\$183,210.01	\$195,544	\$374	\$187,630.01	\$189,630
						\$380	\$189,630.01	\$191,630
						\$386	\$191,630.01	\$193,630
						\$392	\$193,630.01	\$195,630
						\$397	\$195,630.01	\$205,931
	200% FPIG	\$157,580		200% FPIG	\$166,420		200% FPIG	\$175,260

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 20 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 21 Annual Income</i>	
\$5	Less than:	\$8,660	\$5	Less than:	\$8,660	\$5	Less than:	\$8,660
\$10	\$8,660.01	\$31,170	\$10	\$8,660.01	\$32,900	\$10	\$8,660.01	\$45,890
\$36	\$31,170.01	\$43,210	\$38	\$32,900.01	\$45,000	\$53	\$45,890.01	\$53,660
\$50	\$43,210.01	\$49,200	\$52	\$45,000.01	\$48,000	\$62	\$53,660.01	\$55,390
\$57	\$49,200.01	\$54,050	\$56	\$48,000.01	\$54,220	\$64	\$55,390.01	\$57,900
\$63	\$54,050.01	\$56,050	\$64	\$54,220.01	\$58,470	\$67	\$57,900.01	\$59,940

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 20 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 21 Annual Income</i>	
\$66	\$56,050.01	\$58,050	\$70	\$58,470.01	\$60,470	\$70	\$59,940.01	\$63,350
\$69	\$58,050.01	\$60,050	\$73	\$60,470.01	\$62,470	\$74	\$63,350.01	\$68,890
\$72	\$60,050.01	\$62,050	\$76	\$62,470.01	\$64,470	\$81	\$68,890.01	\$70,890
\$77	\$62,050.01	\$64,050	\$80	\$64,470.01	\$66,470	\$84	\$70,890.01	\$72,890
\$80	\$64,050.01	\$66,050	\$85	\$66,470.01	\$68,470	\$87	\$72,890.01	\$74,890
\$84	\$66,050.01	\$68,050	\$89	\$68,470.01	\$70,470	\$90	\$74,890.01	\$76,890
\$87	\$68,050.01	\$70,050	\$92	\$70,470.01	\$72,470	\$94	\$76,890.01	\$78,890
\$91	\$70,050.01	\$72,050	\$96	\$72,470.01	\$74,470	\$98	\$78,890.01	\$80,890
\$94	\$72,050.01	\$74,050	\$99	\$74,470.01	\$76,470	\$102	\$80,890.01	\$82,890
\$100	\$74,050.01	\$76,050	\$103	\$76,470.01	\$78,470	\$106	\$82,890.01	\$84,890
\$103	\$76,050.01	\$78,050	\$106	\$78,470.01	\$80,470	\$110	\$84,890.01	\$86,890
\$107	\$78,050.01	\$80,050	\$110	\$80,470.01	\$82,470	\$114	\$86,890.01	\$88,890
\$110	\$80,050.01	\$82,050	\$113	\$82,470.01	\$84,470	\$118	\$88,890.01	\$90,890
\$114	\$82,050.01	\$84,050	\$117	\$84,470.01	\$86,470	\$122	\$90,890.01	\$92,890
\$117	\$84,050.01	\$86,050	\$120	\$86,470.01	\$88,470	\$126	\$92,890.01	\$94,890
\$121	\$86,050.01	\$88,050	\$124	\$88,470.01	\$90,470	\$131	\$94,890.01	\$96,890
\$125	\$88,050.01	\$90,050	\$127	\$90,470.01	\$92,470	\$136	\$96,890.01	\$98,890
\$129	\$90,050.01	\$92,050	\$131	\$92,470.01	\$94,470	\$141	\$98,890.01	\$100,890
\$133	\$92,050.01	\$94,050	\$135	\$94,470.01	\$96,470	\$145	\$100,890.01	\$102,890
\$137	\$94,050.01	\$96,050	\$139	\$96,470.01	\$98,470	\$149	\$102,890.01	\$104,890
\$141	\$96,050.01	\$98,050	\$143	\$98,470.01	\$100,470	\$153	\$104,890.01	\$106,890
\$145	\$98,050.01	\$100,050	\$147	\$100,470.01	\$102,470	\$157	\$106,890.01	\$108,890
\$149	\$100,050.01	\$102,050	\$151	\$102,470.01	\$104,470	\$161	\$108,890.01	\$110,890
\$153	\$102,050.01	\$104,050	\$155	\$104,470.01	\$106,470	\$165	\$110,890.01	\$112,890
\$157	\$104,050.01	\$106,050	\$159	\$106,470.01	\$108,470	\$169	\$112,890.01	\$114,890
\$161	\$106,050.01	\$108,050	\$163	\$108,470.01	\$110,470	\$173	\$114,890.01	\$116,890
\$165	\$108,050.01	\$110,050	\$167	\$110,470.01	\$112,470	\$177	\$116,890.01	\$118,890
\$169	\$110,050.01	\$112,050	\$171	\$112,470.01	\$114,470	\$181	\$118,890.01	\$120,890
\$173	\$112,050.01	\$114,050	\$175	\$114,470.01	\$116,470	\$185	\$120,890.01	\$122,890
\$177	\$114,050.01	\$116,050	\$179	\$116,470.01	\$118,470	\$189	\$122,890.01	\$124,890
\$181	\$116,050.01	\$118,050	\$183	\$118,470.01	\$120,470	\$193	\$124,890.01	\$126,890
\$185	\$118,050.01	\$120,050	\$187	\$120,470.01	\$122,470	\$197	\$126,890.01	\$128,890
\$189	\$120,050.01	\$122,050	\$191	\$122,470.01	\$124,470	\$201	\$128,890.01	\$130,890
\$194	\$122,050.01	\$124,050	\$195	\$124,470.01	\$126,470	\$205	\$130,890.01	\$132,890
\$199	\$124,050.01	\$126,050	\$199	\$126,470.01	\$128,470	\$210	\$132,890.01	\$134,890
\$204	\$126,050.01	\$128,050	\$204	\$128,470.01	\$130,470	\$215	\$134,890.01	\$136,890
\$209	\$128,050.01	\$130,050	\$209	\$130,470.01	\$132,470	\$220	\$136,890.01	\$138,890
\$214	\$130,050.01	\$132,050	\$214	\$132,470.01	\$134,470	\$225	\$138,890.01	\$140,890
\$219	\$132,050.01	\$134,050	\$219	\$134,470.01	\$136,470	\$230	\$140,890.01	\$142,890
\$224	\$134,050.01	\$136,050	\$224	\$136,470.01	\$138,470	\$235	\$142,890.01	\$144,890
\$229	\$136,050.01	\$138,050	\$229	\$138,470.01	\$140,470	\$240	\$144,890.01	\$146,890
\$234	\$138,050.01	\$140,050	\$234	\$140,470.01	\$142,470	\$245	\$146,890.01	\$148,890
\$239	\$140,050.01	\$142,050	\$239	\$142,470.01	\$144,470	\$250	\$148,890.01	\$150,890
\$244	\$142,050.01	\$144,050	\$244	\$144,470.01	\$146,470	\$255	\$150,890.01	\$152,890
\$249	\$144,050.01	\$146,050	\$249	\$146,470.01	\$148,470	\$260	\$152,890.01	\$154,890
\$254	\$146,050.01	\$148,050	\$254	\$148,470.01	\$150,470	\$265	\$154,890.01	\$156,890
\$259	\$148,050.01	\$150,050	\$259	\$150,470.01	\$152,470	\$270	\$156,890.01	\$158,890

<i>Weekly Co-pay</i>	<i>Family Size: 19 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 20 Annual Income</i>		<i>Weekly Co-pay</i>	<i>Family Size: 21 Annual Income</i>	
\$264	\$150,050.01	\$152,050	\$264	\$152,470.01	\$154,470	\$275	\$158,890.01	\$160,890
\$269	\$152,050.01	\$154,050	\$269	\$154,470.01	\$156,470	\$280	\$160,890.01	\$162,890
\$274	\$154,050.01	\$156,050	\$274	\$156,470.01	\$158,470	\$285	\$162,890.01	\$164,890
\$279	\$156,050.01	\$158,050	\$279	\$158,470.01	\$160,470	\$290	\$164,890.01	\$166,890
\$284	\$158,050.01	\$160,050	\$284	\$160,470.01	\$162,470	\$295	\$166,890.01	\$168,890
\$289	\$160,050.01	\$162,050	\$289	\$162,470.01	\$164,470	\$300	\$168,890.01	\$170,890
\$294	\$162,050.01	\$164,050	\$294	\$164,470.01	\$166,470	\$305	\$170,890.01	\$172,890
\$299	\$164,050.01	\$166,050	\$299	\$166,470.01	\$168,470	\$310	\$172,890.01	\$174,890
\$304	\$166,050.01	\$168,050	\$304	\$168,470.01	\$170,470	\$315	\$174,890.01	\$176,890
\$309	\$168,050.01	\$170,050	\$309	\$170,470.01	\$172,470	\$320	\$176,890.01	\$178,890
\$315	\$170,050.01	\$172,050	\$314	\$172,470.01	\$174,470	\$325	\$178,890.01	\$180,890
\$321	\$172,050.01	\$174,050	\$319	\$174,470.01	\$176,470	\$330	\$180,890.01	\$182,890
\$327	\$174,050.01	\$176,050	\$324	\$176,470.01	\$178,470	\$335	\$182,890.01	\$184,890
\$333	\$176,050.01	\$178,050	\$330	\$178,470.01	\$180,470	\$341	\$184,890.01	\$186,890
\$339	\$178,050.01	\$180,050	\$336	\$180,470.01	\$182,470	\$347	\$186,890.01	\$188,890
\$345	\$180,050.01	\$182,050	\$342	\$182,470.01	\$184,470	\$353	\$188,890.01	\$190,890
\$351	\$182,050.01	\$184,050	\$348	\$184,470.01	\$186,470	\$359	\$190,890.01	\$192,890
\$357	\$184,050.01	\$186,050	\$354	\$186,470.01	\$188,470	\$365	\$192,890.01	\$194,890
\$363	\$186,050.01	\$188,050	\$360	\$188,470.01	\$190,470	\$371	\$194,890.01	\$196,890
\$369	\$188,050.01	\$190,050	\$366	\$190,470.01	\$192,470	\$377	\$196,890.01	\$198,890
\$375	\$190,050.01	\$192,050	\$372	\$192,470.01	\$194,470	\$383	\$198,890.01	\$200,890
\$381	\$192,050.01	\$194,050	\$378	\$194,470.01	\$196,470	\$389	\$200,890.01	\$202,890
\$387	\$194,050.01	\$196,050	\$384	\$196,470.01	\$198,470	\$395	\$202,890.01	\$204,890
\$393	\$196,050.01	\$198,050	\$390	\$198,470.01	\$200,470	\$401	\$204,890.01	\$206,890
\$399	\$198,050.01	\$200,050	\$396	\$200,470.01	\$202,470	\$407	\$206,890.01	\$208,890
\$405	\$200,050.01	\$202,050	\$402	\$202,470.01	\$204,470	\$413	\$208,890.01	\$210,890
\$411	\$202,050.01	\$204,050	\$408	\$204,470.01	\$206,470	\$419	\$210,890.01	\$212,890
\$419	\$204,050.01	\$206,050	\$414	\$206,470.01	\$208,470	\$425	\$212,890.01	\$214,890
\$424	\$206,050.01	\$216,318	\$420	\$208,470.01	\$210,470	\$431	\$214,890.01	\$216,890
			\$426	\$210,470.01	\$212,470	\$437	\$216,890.01	\$218,890
			\$432	\$212,470.01	\$214,470	\$443	\$218,890.01	\$220,890
			\$438	\$214,470.01	\$226,705	\$449	\$220,890.01	\$222,890
						\$455	\$222,890.01	\$237,092
	200% FPIG	\$184,100		200% FPIG	\$192,940		200% FPIG	\$201,780

[Pa.B. Doc. No. 19-908. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Notice of Taxable and Exempt Property

The Department of Revenue (Department) is hereby giving notice to the public, in accordance with the provisions of 61 Pa. Code §§ 52.1 and 58.1 (relating to purchases of medicines, medical supplies, medical equipment and prosthetic or therapeutic devices; and publication of the list of taxable and exempt tangible personal property), of additions, deletions and revisions to the list of taxable and exempt property under the sales and use tax provisions of the Tax Reform Code of 1971 (71 P.S. §§ 7101—10004), published at 46 Pa.B. 3142 (June 18, 2016). Under 61 Pa. Code §§ 52.1 and 58.1, this list is required

to be published by notice at least once every 3 years. In addition, quarterly the Department will publish notice of any additions, deletions or revisions to the list.

Copies of the Retailers' Information Booklet may be obtained by calling the 24-hour answering service numbers for forms ordering: Nationwide (800) 362-2050; and TT only (800) 447-3020.

Index to Categories

<i>Title</i>	<i>Category</i>
Books and Stationery	(1)
Business Supplies and Equipment	(2)
Clothing and Accessories	(3)

<i>Title</i>	<i>Category</i>
Computer Hardware and Software	(4)
Cosmetics and Toiletries	(5)
Farming Supplies and Equipment	(6)
Flowers, Seeds, Fertilizers, etc.	(7)
Food and Beverages Sold From a Caterer or Establishment Selling Ready-to-Eat Food	(8)
Food and Beverages Sold From a Vending Machine, Delicatessen, Grocery Store, Supermarket, Farmers Market, Bakery, Donut Shop, Pastry Shop, Convenience Store and Other Similar Establishments	(9)
Hair Goods and Notions	(10)
Hobby Supplies, Toys, Games, Radios, etc.	(11)
Home Sewing, Millinery and Craft Supplies	(12)
Household Goods and Supplies A. Soaps and Detergents B. Cleaning and Polishing Preparations C. Paper Goods D. Wrapping Supplies	(13)
Infant Supplies	(14)
Jewelry	(15)
Luggage, Handbags, Carrying Bags, Wallets, Etc.	(16)
Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices	(17)
Miscellaneous	(18)
Optical Goods	(19)
Pets	(20)
Religious Articles	(21)
Restaurant Equipment and Supplies	(22)
Shoes and Shoe Accessories	(23)
Sporting Equipment, Clothing, Supplies and Recreational Equipment	(24)
Tobacco Products	(25)
Utilities and Fuel	(26)
Tires, Motor Vehicle, Leases and Rental (PTA Tax)	(27)
Vehicle Rental Tax (VRT)	(28)

Listing of Taxable and Exempt Property

T—TAXABLE

NT—NONTAXABLE

***—INDICATES CHANGE OR CLARIFICATION**

****—INDICATES NEW ITEM**

(1) Books and Stationery

Tax is imposed on books, stationery and stationery supplies, including Bibles and religious publications sold by religious groups. Tax is imposed whether physically, electronically, or digitally delivered, streamed or accessed.

- T—Bibles
- T—Comic books
- T—Crossword, game books
- T—Dictionaries
- *T—E-books

- T—Greeting Cards
- T—Instruction books for needle-craft, embroidery, knitting, etc.
- NT—Mail order catalogues
- NT—Newspapers of general circulation qualified to carry a legal advertisement
- T—Periodicals and magazines not purchased by subscription
- NT—Periodicals and magazines purchased by subscription
- T—Photographs
- T—School supplies, except when sold directly to a school district or qualified nonprofit educational institution
- T—Subscription to access e-books
- NT—Textbooks, when sold by a school or an authorized book store
- T—Yearbooks

(2) Business Supplies and Equipment

Generally, sales of business supplies and equipment used in construction, repair, etc., of real estate are taxable.

- T—Building materials, supplies, and equipment used in construction, repair, etc., of real estate, except building machinery and equipment purchased by or for certain exempt entities
- T—Business forms such as invoices, order books, etc.
- T—Cash register receipt paper
- NT—Direct mail advertising materials, including calendars, matchbooks, etc.
- T—Display cases and merchandising equipment
- NT—Dry ice, when sold for internal packaging with the sale of property to others
- T—Fans
- T—Signs, circulars, show cards and posters
- T—Vending machines and equipment
- NT—Wrapping supplies used in connection with the sale of products

(3) Clothing and Accessories

Generally, clothing is nontaxable except the following: (1) Formal day or evening apparel; (2) Articles made of real, imitation, or synthetic fur, where the fur is more than three times the value of the next most valuable component material; and (3) Sporting goods and clothing normally worn or used when engaged in sports (See Category 24).

- T—Accessories and ornamental wear
- NT—Aprons
- NT—Belts and suspenders
- T—Biking clothing
- NT—Boots and shoes, designed for everyday wear
- T—Bridal apparel and accessories
- **NT—Compression clothing
- T—Corsages and boutonnières
- T—Costumes—Halloween, Christmas, etc.
- NT—Dress shields
- *T—Formal clothing or clothing designed for formal functions and not normally worn except while attending a formal function, including mother of the bride dresses, flower girl dresses, tuxedos, dinner jackets, and formal ties.
- T—Fur, articles made of fur on hide or pelt, or any material imitative of fur, and articles of which fur, real, imitation, or synthetic, is the component material of chief value; and fur trimmed articles, if the value of fur is more than three times the value of the next most valuable component material. Felt, wool, or fabric is not taxable unless it resembles fur on the hide.

NT—Garters and garter belts
 NT—Girdles
 T—Gloves, baseball, golf, racquet, etc.
 NT—Gloves, cloth and leather, for everyday wear
 NT—Gloves, gardening
 T—Gloves, sheepskin, fur, rubber
 T—Graduation caps and gowns
 NT—Gym suits
 T—Handkerchiefs
 NT—Headwear for everyday wear
 T—Helmets
 NT—Hosiery, pantyhose, and peds
 NT—Hunting clothing, including camouflage and blaze orange
 NT—Leotards and tights
 NT—Leather wearing apparel
 NT—Lingerie
 NT—Maternity clothing for everyday wear
 NT—Neckwear, ties
 NT—Nightgowns
 T—Prom dresses
 NT—Rainwear
 NT—Receiving blankets
 NT—Repairing of wearing apparel
 T—Safety clothing—(See Category 18)
 NT—Scarves, for headwear and neckwear
 NT—Scout uniforms and camp clothes
 **T—Sheepskin boots
 T—Sheepskin coats
 NT—Stockings, including support-hose
 NT—Suspenders
 T—Swimming suits
 NT—T-shirts, imprinted
 T—Tuxedos
 T—Umbrellas
 NT—Underclothing
 NT—Work clothes, work uniforms
 NT—Yard goods (to make clothing)

(4) *Computer Hardware and Software*

Generally, tax is imposed upon the sale or use of computer hardware. Canned software is taxable including canned software products and services accessed by end users in Pennsylvania via computer devices, such as smart phones. Canned software is software that is not designed, created, and developed for and to the specifications of an original purchaser. Additionally, sales and use tax applies to any transfer of a digital product where the purchaser pays a consideration, unless that transfer is otherwise exempt.

T—Canned computer software, whether accessed by physical medium such as a CD-ROM or accessed electronically
 T—Cellular telephones, smart phones, and accessories
 T—Computer tablets, e-readers, and accessories
 T—Desktop computer hardware and accessories such as monitors, keyboards, and mice
 T—GPS navigation equipment and services
 T—Laptop computers
 T—Mobile applications (apps); in app purchases
 T—Satellite radio equipment, services, and subscriptions
 *T—Updates and maintenance to support the above items
 T—Video and audio including downloads, subscriptions and streaming services, consoles, and equipment
 T—Video games, including downloads, subscriptions and streaming services, consoles, and equipment

(5) *Cosmetics and Toiletries*

T—After shave creams, lotions, powders
 T—Antiperspirants

T—Aromatherapy products (candles, oils, washes, etc.)
 T—Atomizers containing perfume and other liquids
 T—Bath milks, oils, powders, salts, tablets, crystals, etc.
 T—Bath and shower gels, and body shampoos
 T—Bleach creams and lotions
 T—Blush, rouges
 T—Body lotion and creams
 T—Breath fresheners and breath sprays
 T—Bubble bath preparations
 T—Cocoa butter, if advertised or labeled for cosmetic purposes
 T—Colognes
 T—Compacts containing blush or powder, compact refills
 T—Cosmetics
 T—Creams, cleansing, beauty or cold
 T—Creams, protective (having cosmetic claims or use as skin creams, antiperspirants)
 T—Cuticle softeners and removers
 T—Deodorants (even though having a medicinal or curative value, if advertised or labeled for use as a body deodorant)
 T—Deodorants (for use in closets, bureau drawers, etc., for imparting fragrance to clothing)
 NT—Deodorants, colostomy
 T—Dusting powders
 T—Eye shadows, eyeliner
 T—Eyebrow pencils
 T—Eyelash mascara and eyelash and brow dyes
 T—Face lotions, facial oils, face creams
 T—Face packs
 T—Face powders, in loose or cake and liquid form
 T—Foundation makeup
 T—Freckle removers, vanishing creams
 T—Hair conditioners and rinses
 T—Hair dyes, colorings, tints, rinses, and bleaches
 T—Hair gels and mousse
 T—Hair oils
 T—Hair removers
 NT—Hair restorative medications
 T—Hair straighteners
 T—Hair straightening lotions, creams, conditioners, and rinses
 T—Hairdressings, lotions, tonics, and pomades (regardless of whether they are colored or scented)
 T—Hairsprays
 T—Hand lotions, creams, and sanitizers
 T—Lip balm and ointments
 T—Lipsticks, lipstick refills, liquid lip color, lip liner, and lip gloss
 T—Lotions, cleansing and beauty
 T—Makeup remover
 T—Manicure preparations and kits
 T—Mask preparations
 T—Massage creams
 T—Mouthwashes
 T—Nail bleaches
 T—Nail polish removers
 T—Nail polishes, nail lacquers, nail enamel
 T—Perfume novelties, containing perfume
 T—Perfumes and perfume ingredient kits
 T—Permanent waving creams, lotions, neutralizer, and kits
 T—Powder bases (liquid, cream, and pressed)
 T—Sachets containing powder or aroma producing materials
 T—Scalp lotions, which are used or intended for use as a treatment for dry or oily hair
 T—Shampoos
 T—Shaving preparations, creams, lotions, powders, including medicated preparations

T—Skin balms, bleaches, creams, fresheners, lotions, oils, tonics, or whiteners
 T—Sun allergy cream
 T—Sunburn preventives—suntan creams, lotions, oils, sunblock, etc.
 NT—Sunburn treatment, lotions or creams
 T—Talcum powder
 NT—Toothbrush, electric
 NT—Toothbrush, toothpaste, tooth cleaners, dental floss, and replacement brushes for electric toothbrush
 T—Water piks
 T—Wave set, paste, powder, or lotion
 T—Wrinkle removing and concealing preparations

(6) *Farming Supplies and Equipment*

The tax is not imposed upon the sale of property to a farmer to be used or consumed directly in the business of producing agricultural products. Home gardening is not considered farming. See REV-1729, Tax Information for Farmers, for additional information.

NT—Artificial breeding equipment and supplies
 NT—Blacksmith/farrier services for commercial race-horses or horses used directly in farming
 T—Building supplies and materials used to build and repair barns, sheds, coops, etc.
 NT—Cleaners and disinfectants used in cleaning milking equipment and to sterilize milk cans to prevent spoilage. (Property used for general farm cleaning and maintenance is taxable.)
 NT—Equipment used to extract a product from productive animals or from the soil, such as harvesters, combines, binders, forage blowers, milking equipment, egg collecting equipment, corn shuckers, threshers, manure handling equipment
 NT—Equipment such as barn shovels, ensilage forks, wheelbarrows and feed carts
 NT—Feed and feed additives for productive animals
 **T—Feed for the raising of non-productive animals for hunting or zoos
 T—Fencing
 NT—Fertilizer and chemical additives to be added to soil
 T—Fire prevention and safety equipment
 NT—Fuel for use in heating poultry brooder and greenhouses
 NT—Fumigation services upon agricultural commodities or containers used for agricultural commodities
 T—Greenhouses and mushroom houses (if permanently installed to the real estate)
 NT—Grooming materials, equipment, and supplies when necessary for the health of productive animals
 NT—Harnesses used to control productive animals on the farm
 NT—Ice
 NT—Livestock equipment to dispense chemicals, medicines, and feed additives
 NT—Livestock feeding equipment such as tubs, buckets, cans, etc., feed scoops, and portable watering devices
 T—Maintenance facilities including tools, machinery and equipment to maintain machinery, equipment or building property, such as chain hoists, tire spreaders, drills, sanders, lumber, nails, wrenches, brooms, welding equipment, paint brushes and sprayers
 NT—Milk strainers and strainer discs and towels (dispensers to store and dispense the discs are taxable)
 T—Motor vehicles, if required to be licensed by the Department of Transportation
 NT—Pest control services for agricultural purposes
 NT—Property which becomes an ingredient or constituent of a farm product or is consumed by productive animals or plant growth, such as seeds, fertilizer, chemical

additives, etc., and property such as seeders, planters, plows, harrows, cultivators, sprayers, and similar equipment used to till soil, plant, seed, and care for productive plants

NT—Property used to handle, store, or preserve farm products or productive animals on farm premises such as chemicals, grooming equipment (dehorners, debeakers, hoof trimmers, calf weaners, etc.)
 T—Property used to transport or convey the farm product after the final farming operation
 NT—Refrigeration or cooling equipment used to store farm products
 NT—Replacement parts such as tires, motors, belts, cutting edges, air filters, gears, and similar replacement parts installed on exempt equipment. Motor fuels, lubricants, compressed air, distilled water, abrasives, and similar supplies when used in operating exempt machinery are not taxable. Tools and equipment to apply parts and supplies are taxable.
 NT—Seeds
 NT—Silos
 T—Water heater for cleaning dairy equipment and supplies
 NT—Water pump for farm use
 NT—Wrapping supplies and containers which are non-returnable to deliver self-produced farm products.

(7) *Flowers, Seeds, Fertilizers, etc.*

The tax is imposed upon the sale of property which is purchased by persons not engaged in the business of farming.

T—Fertilizer, sprays, insecticides
 T—Gardening supplies
 T—Seeds and bulbs
 T—Vegetable seeds, vegetable plants, flowers, and fruit trees
 NT—Vegetable seeds, vegetable plants, and fruit trees purchased with food stamps

(8) *Food and Beverages Sold From a Caterer or Establishment Selling Ready-to-Eat Food*

Generally, tax is imposed on food and beverages sold from a caterer or an establishment selling ready-to-eat food and beverages for consumption on or off the premises, on a take-out or to-go basis, or delivered to the purchaser or consumer. An establishment selling ready-to-eat food and beverages is defined by law to include a restaurant, cafe, lunch counter, private or social club, tavern, dining car, hotel, night club, fast food operation, pizzeria, fair, carnival, lunch cart, ice cream stand, snack bar, lunch truck, cafeteria, employee cafeteria, theatre, stadium, arena, amusement park, juice stand, carryout shop, coffee shop, popcorn stand and other establishments, whether mobile or immobile. The law specifically excludes certain businesses from this definition and these establishments are discussed in Section 9.

T—All food and beverages, in any quantity, including both food and beverages prepared on the premises, and prepackaged food and beverages, unless specifically exempt
 NT—Candy and gum
 T—Food supplements and substitutes
 NT—Ice
 T—Nonalcoholic beverages
 NT—Water

(9) *Food and Beverages Sold From a Vending Machine, Delicatessen, Grocery Store, Supermarket, Farmers Market, Bakery, Donut Shop, Pastry Shop, Convenience Store and Other Similar Establishments*

Generally, tax is not imposed on food and beverages sold from other than a caterer or establishment selling ready-to-eat food and beverages. However, tax is imposed upon selected food and beverage items listed as taxable as follows, when sold from the establishments previously listed.

- NT—Bitters and grenadine
- T—Breath mints
- T—Brewed coffee
- NT—Candy apples
- NT—Candy and gum
- NT—Caramel corn
- NT—Coffee beans, whole bean or ground
- NT—Coffee, cold bottled, and flavored
- T—Coffee, hot
- NT—Deli items such as meats and cheeses, potato salad, macaroni salad, etc.
- **T—Energy drink or shot 4 ounces or greater
- **NT—Energy drink or shot less than 4 ounces
- NT—Food, fruit drinks, soft drinks, and sandwiches purchased with food stamps
- NT—Food supplements in any form
- NT—Fruit drinks, noncarbonated or reconstituted, containing at least 25% natural fruit juice
- T—Fruit drinks, noncarbonated or reconstituted, containing less than 25% natural fruit juice
- T—Hot beverages
- T—Hot food items
- T—Hot soup
- T—Hot pizza
- NT—Ice
- T—Ice cream, yogurt, and other ice based products when hand dipped or hand served
- T—Kool-Aid
- T—Meals—not including prepackaged frozen meals or meals requiring additional preparation
- NT—Milk
- T—Nonalcoholic beverages, unless specifically exempt
- NT—Party trays, vegetable, cheese, seafood, meat
- NT—Power/Energy bars
- NT—Pretzels and chips
- NT—Protein bars
- T—Pumpkins—for decoration
- NT—Pumpkins—for food
- T—Salad bars, self-service
- T—Sandwiches
- T—Soft drinks, bottled and non-bottled (including soft drink mixes and powder, liquid or tablet form)
- NT—Soy milk
- T—Sports drinks
- T—Sushi
- NT—Sweeteners, artificial
- NT—Tea, all forms including liquid and powdered tea, except hot tea
- NT—Water, including nonflavored mineral water
- T—Water, flavored, including vitamin water

(10) *Hair Goods and Notions*

Generally, hair goods are taxable unless the item qualifies as clothing.

- T—Blow-dryers
- T—Hair goods and notions, such as barrettes, hair pins, hair nets, curlers, clips, hair bow holders, combs, brushes, chignons, bandeaux
- T—Irons, curling and flat

- T—Shower caps
- T—Wigs and toupees (the service of cleaning, styling, etc., also is taxable)

(11) *Hobby Supplies, Toys, Games, Radios, etc.*

- **T—Amusement rentals
- T—Audio players, components and accessories, records, compact discs
- T—Baseball, football cards, etc.
- T—Bicycles and parts
- T—Boats and equipment
- **T—Bounce house rentals
- T—Games
- T—Hobby supplies
- T—Musical instruments and sheet music
- T—Photographic and projection equipment and supplies
- T—Photographic services, film developing, printing, processing, mounting, coloring, etc.
- T—Playing cards
- T—Pocket knives
- T—Radios, TV sets, receiving equipment
- T—Tape recorders and tapes
- T—Toys
- T—Video cassettes and discs, recorders, players, components and accessories, and cameras

(12) *Home Sewing, Millinery and Craft Supplies*

Clothing is defined as articles designed for everyday wear. Goods and items which are to become a component part of clothing are not taxable. Goods and items which become a component of articles other than clothing, such as formal wear and crafts, are taxable. Equipment and supplies used in sewing are taxable.

- T—Artificial flowers
- T—Buckles for articles other than clothing
- NT—Buckles for clothing
- T—Buttons for articles other than clothing
- NT—Buttons for clothing
- T—Dress forms
- NT—Dress patterns
- NT—Dye, clothing fabric
- T—Elastics for articles other than clothing
- NT—Elastics for clothing
- T—Embroidery hoops
- NT—Embroidery of clothing
- T—Embroidery of formalwear and other items
- T—Fabrics for articles other than clothing
- NT—Fabrics for clothing
- T—Hooks and eyes for articles other than clothing
- NT—Hooks and eyes for clothing
- T—Knitting yarn for articles other than clothing
- NT—Knitting yarn for clothing
- T—Laces, ribbons, edgings, trimmings for articles other than clothing
- NT—Laces, ribbons, edgings, trimmings for clothing
- T—Needle-craft instruction books
- T—Needles
- T—Rug yarns
- T—Scissors
- T—Sewing kits
- NT—Shoulder pads
- T—Tape measures
- T—Thimbles
- T—Thread for articles other than clothing
- NT—Thread for clothing
- T—Yarn goods for articles other than clothing
- NT—Yarn goods for clothing
- T—Yarn holders
- T—Zippers for articles other than clothing
- NT—Zippers for clothing

(13) *Household Goods and Supplies*

T—Air fresheners
 T—Ant traps
 T—Basin stoppers
 T—Batteries
 T—Bedding
 T—Books
 T—Boot caddy
 T—Brooms
 T—Buckets
 T—Candles
 T—Charcoal
 T—Cloth laundry bags
 T—Cloth towels, dish, bath, and hand
 T—Clothesline
 T—Clothespins
 T—Coat hangers
 T—Cookware, pots and pans
 T—Cutlery
 T—Decorations, household and yard
 T—Dinnerware
 T—Dishpans
 T—Door mat
 T—Drinking glasses
 T—Easter egg color/paint
 T—Extension cords
 T—Filters, disposable air
 T—Fire extinguishers
 T—Fly swatters
 T—Fly tapes
 T—Furnishings, appliances, fittings, ornaments, furniture, equipment, and accessories. Furnishings including bedding, rugs, lamps, hardware, electrical goods, mirrors, pillows, scarves for furniture, bookends, clocks, glassware, crockery, silverware, flatware, and other household wares.
 T—Fuses
 T—Glue
 T—Grills, and replacement parts, utensils, and scrapers
 T—Hardware and tools
 T—Household linens, blankets
 T—Insecticide sprays
 T—Ironing board and covers
 T—Jars for canning and jar lids
 T—Light bulbs
 T—Lubricating oils
 T—Matches
 T—Metal and plastic cooking utensils and flatware
 T—Mops
 T—Moth balls and moth flakes
 T—Mouse traps
 T—Needles
 T—Notebooks
 T—Oilcloth
 T—Paints, brushes, and painting equipment
 T—Paint removers
 T—Plants, vegetable and flower (see Category 7)
 T—Polishing cloths
 T—Refrigerator deodorants
 T—Rubber gloves
 T—Rug shampoo applicators
 T—Salt, water softeners
 T—Sandpaper
 T—Scrub brushes
 T—Seeds, vegetable and flower (see Category 7)
 T—Shoe brushes
 T—Sponges
 T—Stationery
 T—Static control spray, sheets
 T—Thermometers

T—Thermoses
 T—Thimbles
 T—Tie racks
 T—Toothpicks
 T—Turpentine and paint thinner
 T—Vacuum cleaners, and disposable bags, parts
 T—Ventilating fans and equipment
 T—Water filters, replacement
 T—Wax applicators
 T—Wax paraffin

A. Soaps and Detergents

T—Bleaches
 T—Cleaner, septic tank, hand, oven, toilet bowl, or tile
 T—Cleansers
 T—Detergents
 T—Drain opener
 T—Dry cleaning kits
 T—Pre-soaks
 T—Rug shampoo
 T—Soaps, scented and unscented
 T—Softeners (fabric)
 T—Spot removers and stain treatments
 T—Starch
 T—Whiteners

B. Cleaning and Polishing Preparations

T—Car cleaners and waxes
 T—Glass cleaner
 T—Polishes, floor, furniture, silver and similar items
 T—Removers, rust or wax
 T—Scouring pads
 T—Steel wool

C. Paper Goods

T—Cups, paper, plastic or styrofoam
 NT—Disposable diapers and incontinence products
 T—Drop cloths, paper and plastic
 T—Facial tissue
 T—Filters, coffee
 T—Napkins
 T—Place mats
 T—Plates, paper, plastic, or styrofoam
 NT—Sanitary napkins, tampons, or similar items used for feminine hygiene
 T—Shelf paper, liners
 T—Straws for drinking
 T—Tablecloths
 T—Toilet seat covers
 NT—Toilet tissue
 T—Towels
 NT—Wet-wipes

D. Wrapping Supplies

T—Aluminum foil
 T—Food bags
 T—Plastic wraps
 T—Tape, masking, scotch, plastic, freezer, duct
 T—Trash bags, paper and plastic
 T—Twine
 T—Wax paper
 T—Wrapping paper, including gift wrapping, ribbons, etc.

(14) Infant Supplies

T—Accessories, nursing bottles, nipples, teething beads, teethingers
 NT—Bibs
 T—Car seats, infant
 T—Crib blankets
 T—Diaper bags
 NT—Diaper cream

NT—Diaper pins
 NT—Diapers, cloth and disposable
 NT—Diaper service
 NT—Formula
 T—Furniture including cribs, high chairs and booster seats
 T—Liners, (nursing bottles)
 T—Monitors
 NT—Receiving blankets for infants
 NT—Rubber pants
 **T—Swim diapers
 NT—Wipes, baby

(15) *Jewelry*

T—Beads, materials used in jewelry-making
 T—Earring backs
 T—Jewelry, including those with religious symbols incorporated
 T—Jewelry, used for body piercing
 T—Jewelry repair services
 T—Ornaments and pins for hats and dresses

(16) *Luggage, Handbags, Carrying Bags, Wallets, etc.*

T—Bags, carrying, athletic, book, etc.
 T—Handbags, pocketbooks and purses
 T—Knitting bags
 T—Leather goods, except clothing
 T—Luggage, briefcases
 T—Wallets and billfolds

(17) *Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices*

The tax is not imposed on prescription or nonprescription medicines and drugs or medical supplies, crutches, and wheelchairs for the use of people with disabilities, artificial limbs, artificial eyes, and artificial hearing devices, when designed to be worn on the person of the purchaser or user, false teeth and materials used by a dentist in dental treatment, eyeglasses, when especially designed or prescribed by an ophthalmologist, oculist or optometrist for the personal use of the owner or purchaser, and artificial braces and supports designed solely for the use of people with disabilities, or any other therapeutic, prosthetic or artificial device designed for the use of a particular individual to correct or alleviate a physical incapacity, including, but not limited to, hospital beds, iron lungs, and kidney machines.

T—Acne cleaners and acne pads
 NT—Acne treatments, lotions, creams
 T—Adhesive removers
 NT—Adhesives used for medical treatment
 T—Air cleaners and electrostatic machines
 NT—Alcohol, rubbing, swabs and wipes
 NT—Analgesics
 NT—Antacids
 NT—Antiseptics, for external use only
 NT—Applicators (See “Cotton applicators”)
 NT—Arch supports
 NT—Arm slings
 NT—Artificial eyes
 NT—Artificial limbs
 NT—Aspirin
 T—Autoclave
 NT—Automobile accessories, when noted by the Department of Transportation upon the motor vehicle operator’s license of the purchaser that such accessories are necessary, and when charges for accessories are stated separately by the vendor on the sales invoice.
 NT—Automobile wheelchair lifts
 T—Baby powder

NT—Bandages, dressings, gauze, and cotton
 T—Bath tub and bathroom safety devices
 T—Batteries, unless purchased for use in medical equipment and from a medical supply house
 NT—Bed boards
 NT—Bed drain bags
 NT—Bed pans
 NT—Bed trapeze bars
 NT—Benzoin
 T—Bidet toilet seats
 T—Blankets
 T—Blood agar plates
 NT—Blood glucose monitors used to treat diabetes (therapeutic devices)
 NT—Blood pack units
 T—Blood pressure testing apparatus
 NT—Bone pins
 NT—Braces and supports worn on the body to correct or alleviate a physical incapacity
 NT—Braille teaching texts
 T—Breast pumps
 NT—Breathing units, intermittent positive pressure
 NT—Burn ointment and lotion
 NT—Calamine lotion
 NT—Canes
 NT—Cardiac emergency kit
 NT—Cardiac pacemakers and electrodes
 NT—Castor oil
 NT—Catheters and accessories
 T—Chemical agents and related supplies for analysis of patients’ specimens
 NT—Cod liver oil
 NT—Colostomy appliances
 NT—Colostomy deodorants
 NT—Commodes, chair bedside
 NT—Commode seats, elevated for use by incapacitated persons
 NT—Contact lenses, and wetting solutions
 T—Contact lenses cleaning solutions
 NT—Corn pads and plasters for the removal of corns
 NT—Cotton applicators, cotton rolls, cotton balls and cotton swabs
 NT—Cough and cold items, cough drops, cough syrups
 NT—Crutches
 NT—Crutch pads
 NT—Defibrillators
 T—Dehumidifiers
 NT—Dental floss
 NT—Dental materials which are transferred to the patient, including dentures, fillings, crowns, inlays, bridges and lingual or palatal bars
 NT—Dental supplies used in dental treatment, including X-ray film, cotton, impression and materials
 T—Dentist chair
 NT—Dentist drills, disposable
 T—Dentist replacement burs, drills, reusable
 NT—Denture products, including denture cleaners and adhesives
 T—Deodorants, personal and room
 T—Diagnostic equipment
 T—Diagnostic glassware and diagnostic testing materials
 NT—Dialysis machines
 NT—Diathermy machines
 NT—Dietary supplements and substitutes, in any form
 NT—Diet pills
 T—Disinfectants
 NT—Drapes, paper
 T—Ear plugs
 T—EKG mounts and EKG paper
 NT—Elastic bandages and braces

- T—Electrocardiocorder
 NT—Emesis basins or pans
 NT—Epsom salts
 T—Esophageal dilator
 T—Eucalyptus oil
 NT—Examining table paper
 T—Exercise equipment, including exercise bikes and treadmill exercisers
 NT—Eye ointment
 NT—Eye pads
 NT—Eye washes
 NT—Eyeglasses, prescription
 NT—False teeth
 NT—First aid kits
 NT—Fluidic breathing assistor
 NT—Food substitutes
 NT—Foot pads, insoles, all types
 NT—Foot products for treatment of infections
 NT—Gauze
 NT—Gloves, surgical, disposable
 NT—Glucose tablets
 NT—Glycerin
 NT—Gowns, medical
 NT—Hearing aids and batteries
 T—Heaters, portable, room
 NT—Heating pads
 NT—Hospital beds, having side rails, electric and non-electric with attachments
 NT—Hot water bottles
 T—Humidifiers
 NT—Hygienic needs, douche powder, vaginal preparations
 NT—Hydrocortisone cream
 NT—Hydrogen peroxide
 NT—Ice bags
 NT—Ileostomy bags
 NT—Incontinence products, including incontinence pants
 NT—Infusion pumps
 NT—Inhalation therapy equipment and equipment used to provide emergency breathing assistance
 NT—Insulin
 NT—Insulin pumps
 T—Intravenous stand
 NT—IUD devices
 T—Laboratory testing and analysis equipment and supplies
 NT—Lactose intolerance medication
 NT—Lamps, ultraviolet and infrared
 NT—Lancets
 NT—Laxatives and cathartics
 NT—Lice shampoo
 NT—Lifters, patient
 NT—Lubricating jelly
 NT—Lymphedema pumps
 T—MRI equipment
 T—Mattresses, air
 NT—Mattresses, alternating positive pressure
 NT—Mattresses and covers for hospital beds
 T—Medical alert cards
 T—Medical alert systems
 NT—Medicated powder
 NT—Medicine cups, disposable
 T—Microscopes
 NT—Milk of magnesia
 T—Mouthwashes
 NT—Muscle stimulator, electronic for physical therapy
 NT—Nasal cannula
 T—Nasal speculum
 T—Needle holder
 NT—Needles and syringes, disposable
 T—Needles and syringes, reusable
 NT—Orthodontic brackets
 T—Orthodontic trays
 NT—Orthopedic splints
 T—Overbed tables
 NT—Oxygen and oxygen equipment, when used for medical treatment
 NT—Pads, moist heat pad, alternating positive pressure pad, flotation pad, lamb's wool pad
 NT—Paraffin bath units, standard or portable
 T—Percussors
 NT—Pet medicines
 NT—Petroleum jelly
 NT—Physical therapy equipment, when designed exclusively for use in correcting or alleviating a physical incapacity
 T—Plaque remover
 T—Pore cleaners, medicated, pore strips
 NT—Postural drainage boards
 NT—Postural support chairs
 NT—Prefilled syringes for injection
 NT—Pre-moistened wipes
 NT—Prophylactics
 NT—Prostheses (mammary, malar, chin, urinary, incontinence, etc.)
 T—Pumice powder
 NT—Pump, diaphragm, pressure vacuum
 T—Razor blades, unless disposable and used for medical procedure preparation
 NT—Rectal preparations
 T—Safety grab bars
 NT—Sanitary napkins, tampons, and similar items
 T—Sanitizer, air
 T—Sauna baths
 T—Scissors
 T—Shaving products
 T—Sheets, cloth
 NT—Sheets, disposable
 NT—Shoe insoles, orthopedically designed
 NT—Sitz bath
 NT—Smoking deterrents, gum and patch
 T—Soaps
 NT—Specimen containers, disposable
 T—Sphygmomanometer
 T—Sphygmostat
 NT—Stair gliders for persons having a physical disability, installed in the purchaser's home and pursuant to a physician's prescription
 T—Stethoscope
 NT—Styptic pencils
 T—Suction machines and pumps
 NT—Sunburn treatment lotions or creams
 T—Sunglasses (unless prescription)
 T—Suntan lotion, sunblock
 NT—Suppositories
 T—Surgical instruments
 NT—Surgical instruments and supplies, single use disposable
 NT—Surgical masks, disposable
 NT—Sutures
 T—Tables, bedside
 T—Tables, examining
 T—Talcum powder
 T—Teeth whitening strips
 T—Telecaption equipment
 NT—Test strips used in treatment of diabetes
 T—Testing kits, pregnancy, UTI
 NT—Thermal pads, disposable
 T—Thermometer, medical
 NT—Thermometer covers, disposable
 NT—Tongue depressor, disposable

T—Tooth whitening kits
 NT—Toothache drops
 NT—Toothbrushes
 NT—Toothpaste
 T—Tooth whitening kits
 NT—Tourniquets
 NT—Trachea tubes
 NT—Traction units, including bed stand, anklet, extension, pelvic or cervical units, head holder, fracture unit with trapeze bar set, weights, weight bags, pelvic lacing belt, and over door traction equipment
 NT—Tubing, intravenous
 NT—Urine drain bag
 T—Vacutainers
 NT—Vaginal diaphragms
 T—Vapona strips
 T—Vaporizers
 NT—Vitamins
 NT—Walking bars and walkers
 NT—Wheelchairs, manual and motorized, scooters, and batteries
 T—Whirlpool baths and whirlpool pumps
 T—Wigs
 T—X-ray equipment and machines
 T—X-ray film and chemicals not used by dentists

(18) *Miscellaneous*

NT—Acupuncture and massage services
 T—Antiques
 NT—Body tattooing and piercing services
 NT—Bullion, investment metal
 T—Car wash, automated or self-serve
 NT—Caskets, burial vaults, markers, interred cremation urns and tombstones for human graves, including foundations
 T—Christmas trees
 T—Coin banks and coin holders
 NT—Coins, investment (numismatic coins and legal tender)
 T—Compressed air, dispensed
 T—Corkage fee
 NT—Coupon books sold to individual consumers
 T—Cremation urns, not interred
 T—Dry ice, except when sold as an internal packaging material to retailer, manufacturer, or processor
 NT—Safety equipment and devices designed and worn by production personnel employed in manufacturing, processing, mining, public utility, farming, and dairying. Examples: asbestos suits, gloves, aprons, boots, masks, helmets, goggles, and similar items.
 T—Equipment and devices worn by nonproduction personnel
 T—Fencing materials
 NT—Flags of the United States and Commonwealth. Bunting and other flags are taxable.
 T—Flags kits, that include poles or brackets
 T—Fuel for motor vehicles, except when subject to Liquid Fuel or Fuel Use Tax
 NT—Gift cards
 NT—Golf green fees
 NT—Health club membership fees
 T—Hot tubs and spas, regardless of physician recommendation
 T—Lunch kits, thermoses, and replacement parts
 T—Motor vehicle repair services (including labor), accessories, parts, supplies, lubricants, equipment, vehicle and emission inspection
 T—Paper money, which is not legal tender in the United States, is taxable on full purchase price

T—Paper money, which is legal tender in the United States, is taxable on amount in excess of face value
 NT—Parking fees
 T—Party favors
 NT—Pony rides and trail rides
 T—Prepaid telephone cards
 NT—Retail club memberships
 T—Scout supplies and training manuals, except when sold to a scout troop
 T—Sheds, unless purchaser has a building permit
 T—Souvenirs
 T—Stamps, cancelled United States stamps and all foreign stamps are taxable on the full purchase price
 T—Stamps, uncanceled United States stamps are taxable on amount in excess of face value
 NT—Tanning booth fees
 NT—Tickets for admission to the theater, concerts, sporting events, amusement parks, and amusement or activity complexes
 T—Trading stamp redemption for taxable property

(19) *Optical Goods*

NT—Contact lenses, prescription, and wetting solutions
 T—Contact lenses cleaning solutions
 NT—Eyeglasses, prescription
 T—Magnifying glasses
 T—Opera glasses and field glasses
 T—Sunglasses (prescription sunglasses are exempt)

(20) *Pets*

NT—Boarding, sitting, or walking
 T—Clippers and clipper lubricants
 **T—Clothing
 T—Equipment (collars, leashes, etc.)
 T—Farrier services for pet horses
 NT—Flea collars, flea powder, flea and tick soap, and tick sprays
 T—Food, including food supplements and prescription food
 T—Grooming, unless performed by a veterinarian for the purpose of or incidental to medical treatment
 NT—Medicines and medical supplies
 T—Pet caskets and urns
 NT—Pet cremation and burial services
 T—Sale or rental of pets, or adoption from shelters, which includes fees for shots and spaying or neutering
 T—Shampoo
 T—Veterinarian equipment
 NT—Veterinarian services
 T—Vitamins

(21) *Religious Articles*

Bibles, religious publications, and religious articles are subject to tax unless purchased by organizations qualifying as institutions of purely public charities which hold an exemption number prefixed by the number 75, and government entities.

T—Bibles
 T—Candles used in religious worship
 T—Clergy vestments and choir and altar server clothing
 T—Holy water bottles
 T—Nativity scenes
 T—Religious publications sold by religious groups
 T—Religious statues, medals and symbols used in religious worship
 T—Rosaries
 T—Wines used in religious services

(22) *Restaurant Equipment and Supplies*

Equipment, implements and similar property for use in the preparation and service of food is taxable.

NT—Carbon dioxide for soda fountain
 T—Carbonator for soda fountain operation
 NT—Chef hats
 T—Disposable trays
 T—Equipment used to prepare and serve food and beverages
 T—Ice making equipment
 T—Latex gloves
 T—Napkins, wooden or plastic spoons, forks, straws, and similar articles for use in restaurants, vending machines, and other eating places
 T—Placemats
 T—Toothpicks
 T—Vending machines and equipment
 NT—Work uniforms
 NT—Wrapping supplies, paper or plastic plates, cups, and similar articles for the delivery of food, used by restaurants or in vending machines

(23) *Shoes and Shoe Accessories*

Generally, shoes designed for everyday wear are exempt. However, shoes designed for formal wear or sporting activities are taxable.

T—Bathing (swimming) shoes
 NT—Overshoes
 NT—Safety shoes
 T—Shoe brushes, applicators, and shoe trees
 T—Shoe clips
 NT—Shoe dye
 NT—Shoe laces
 NT—Shoe polish
 NT—Shoe repairs
 NT—Shoe soles and heels for shoe repair
 T—Shoes for baseball, bowling, football, golf, soccer, hockey, dance, etc.
 T—Shoes for formal wear, such as metallic cloth, brocade, satin, or silver leather, primarily for formal wear
 NT—Shower clogs
 NT—Slippers
 NT—Sneakers, jogging, tennis and aerobic shoes
 NT—Toe sneakers

(24) *Sporting Equipment, Clothing, Supplies and Recreational Equipment*

Tax is imposed on sporting and recreational equipment, clothing and supplies which are designed to be worn and are normally worn only when engaged in sports.

T—Accessories such as ammunition belts, hip waders, and fly vests
 T—Ballet shoes
 NT—Baseball caps and tee shirts
 T—Bathing caps
 T—Bathing suits

T—Beach coats
 T—Bicycles, parts, accessories, and supplies
 T—Boats, pleasure boats, and equipment and parts
 NT—Bowling shirts
 T—Bowling shoes, purchase and rental
 T—Equipment and supplies for baseball, football, hockey, basketball, and other sports
 T—Exercise equipment
 T—Guns and ammunition
 NT—Gym suits, outfits
 T—Helmets
 T—Hunting accessories
 NT—Hunting clothing, including camouflage and blaze orange
 NT—Jogging outfits, running shoes
 T—Mats, floor
 T—Protective equipment, knee pads, elbow pads, forearm pads, etc.
 T—Sleeping bags
 NT—Sneakers, jogging, tennis and aerobic shoes, etc.
 NT—Snowmobile suits
 T—Uniforms, baseball, football, soccer, basketball, hockey etc.
 NT—Warm-up suits, cloth sweat suits
 T—Weights
 T—Skates, ice, roller, in-line, sharpening and rental

(25) *Tobacco Products*

T—Chewing tobacco, all types
 T—Cigarettes, little cigars
 T—Cigars, all types
 T—Electronic cigarettes and vaporizers, and accessories
 T—Smoking accessories, including lighters
 T—Tobacco, all types

(26) *Utilities and Fuel*

T—Cellphone services
 NT—Coal
 NT—Coin-operated telephone charges
 T—Corn and corn pellets
 T—Fire logs, processed
 NT—Firewood, kindling and wood pellets for residential use
 T—Fuel oil, gas, steam, or electricity purchased for commercial use
 NT—Fuel oil, gas, steam, or electricity purchased for residential use
 T—Interstate and intrastate telephone services for residential or commercial use
 T—Basic telephone service and subscriber line charges for commercial use
 NT—Basic telephone service and subscriber line charges for residential use
 T—Utilities for office or business within home

(27) *Tires and Motor Vehicle Leases and Rentals Subject to Public Transportation Assistance Fund Taxes and Fees (PTA)*
 (61 Pa. Code § 47.19)

The following items are subject to a Public Transportation Assistance Fund Taxes or Fees as indicated. The tax or fee is in addition to any Sales or Use Tax which may be due. However, the Sales, Use, PTA Taxes or PTA Fees shall not be included within the tax base when imposing such taxes or fees.

<i>Item</i>	<i>PTA Tax / Fee</i>	<i>Exemption</i>
Tires, new tires for highway use (used tires and tires for off highway use are not subject to the fee).	\$1 fee upon the sale of each new tire.	Exempt only if purchased by a government entity.
Rentals of Motor Vehicles (the term rental shall mean the transfer of the possession of a motor vehicle for a period of less than 30 days.)	\$2 fee upon each rental day or part thereof.	Exempt, if lessee qualifies for Sales Tax Exemption.
Leases of Motor Vehicles (the term lease shall mean the transfer of possession of a motor vehicle for a period of 30 or more days).	3% tax upon the total lease payment including down payment and accelerated lease payments.	Exempt, if lessee qualifies for Sales Tax Exemption.

(28) *Vehicle Rental Tax (VRT) (61 Pa. Code § 47.20)*

Rental companies that have available for rental 5 or more motor vehicles designed to carry 15 or less passengers, or a truck, trailer, or semi-trailer used in the transportation of property, other than commercial freight that is rented without a driver, are responsible for collecting an additional 2% tax. This tax is imposed on the purchase price, as calculated for Sales Tax purposes, of each rental contract for a period of 29 consecutive days or less. The VRT is separate from, and in addition to, any applicable state or local Sales Tax or the \$2 daily PTA fees.

Effective October 30, 2017, a prorated partial day fee for carsharing services was provided as a clarification to the current vehicle rental fee.

The fee schedule is as follows:

<i>Rental Interval</i>	<i>Fee</i>
Less than 2 hours	25¢
2 to 3 hours	50¢
More than 3 hours, but less than 4 hours	\$1.25
4 or more hours	\$2

Rental companies may claim a refund up to the amount of tax remitted for licensing and titling fees paid to the Commonwealth during a previous calendar year.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania \$1 Million Spectacular Instant Lottery Game 1407

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1 Million Spectacular (hereinafter “\$1 Million Spectacular”). The game number is PA-1407.

2. *Price:* The price of a \$1 Million Spectacular instant lottery game ticket is \$20.

3. *Play Symbols:* Each \$1 Million Spectacular instant lottery game ticket will contain one play area featuring a

“WINNING NUMBERS” area, a “YOUR NUMBERS” area, and a “SPECTACULAR BONUS” area. The “SPECTACULAR BONUS” area is played separately. The play symbols and their captions located in the “WINNING NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORT). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), CASH (CASH) symbol, Bills (WIN200) symbol, and a Win Burst (WINALL) symbol. The play symbols and their captions located in the “SPECTACULAR BONUS” area are: Chest (NO BONUS) symbol, Safe (TRY AGAIN) symbol, Bank (NO BONUS) symbol, Coins (TRY AGAIN) symbol, Bell (NO BONUS) symbol, and a Gold (GOLD) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO), and \$1MILL (ONE MIL). The prize symbols and their captions, located in the “SPECTACULAR BONUS” area are: \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in the “SPECTACULAR BONUS” area are: \$20, \$40, \$50, \$100, \$200, and \$500. A player can win up to 21 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the \$1 Million Spectacular instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1MILL (ONE MIL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CASH (CASH) symbol and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Win Burst (WINALL) symbol and a prize symbol of \$1,000 (ONE THO) appears in six of the "prize" areas, a prize symbol of \$500 (FIV HUN) appears in four of the "prize" areas and a prize symbol of \$200 (TWO HUN) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Win Burst (WINALL) symbol and a prize symbol of \$500 (FIV HUN) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CASH (CASH) symbol and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Win Burst (WINALL) symbol and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "prize" areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Win Burst (WINALL) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in all twenty of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CASH (CASH) symbol and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a Gold (GOLD) symbol appears in the "SPECTACULAR BONUS" area and a prize symbol of \$500 (FIV HUN) appears to the right of that Gold (GOLD) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Win Burst (WINALL) symbol and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in fifteen of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CASH (CASH) symbol and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Win Burst (WINALL) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bills (WIN200) symbol and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Bills (WIN200) symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which a Gold (GOLD) symbol appears in the "SPECTACULAR BONUS" area and a prize symbol of \$200 (TWO HUN) appears to the right of that Gold (GOLD) symbol, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a CASH (CASH) symbol and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that CASH (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a Gold (GOLD) symbol appears in the "SPECTACULAR BONUS" area and a prize symbol of \$100 (ONE HUN) appears to the

right of that Gold (GOLD) symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CA\$H (CASH) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that CA\$H (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which a Gold (GOLD) symbol appears in the “SPECTACULAR BONUS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears to the right of that Gold (GOLD) symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CA\$H (CASH) symbol and a prize symbol of \$40⁰⁰ (FORTY) appears in

the “prize” area under that CA\$H (CASH) symbol, on a single ticket, shall be entitled to a prize of \$40.

(cc) Holders of tickets upon which a Gold (GOLD) symbol appears in the “SPECTACULAR BONUS” area and a prize symbol of \$40⁰⁰ (FORTY) appears to the right of that Gold (GOLD) symbol, on a single ticket, shall be entitled to a prize of \$40.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a CA\$H (CASH) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that CA\$H (CASH) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which a Gold (GOLD) symbol appears in the “SPECTACULAR BONUS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears to the right of that Gold (GOLD) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Spectacular Bonus:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
	\$20 w/ GOLD	\$20	30	180,000
\$20 w/ CA\$H		\$20	16.67	324,000
\$20		\$20	30	180,000
\$20 × 2		\$40	300	18,000
\$20	\$20 w/ GOLD	\$40	100	54,000
	\$40 w/ GOLD	\$40	100	54,000
\$40 w/ CA\$H		\$40	100	54,000
\$40		\$40	300	18,000
	\$50 w/ GOLD	\$50	30	180,000
\$50 w/ CA\$H		\$50	37.5	144,000
\$50		\$50	150	36,000
\$20 × 5		\$100	300	18,000
\$40 + \$20	\$40 w/ GOLD	\$100	300	18,000
(\$40 w/ CA\$H) + (\$20 × 2)	\$20 w/ GOLD	\$100	150	36,000
\$50 w/ CA\$H	\$50 w/ GOLD	\$100	100	54,000
	\$100 w/ GOLD	\$100	150	36,000
\$100 w/ CA\$H		\$100	150	36,000
\$100		\$100	300	18,000
\$20 × 10		\$200	12,000	450
\$40 × 5		\$200	12,000	450
(\$20 × 8)	\$40 w/ GOLD	\$200	12,000	450
(\$20 w/ CA\$H) × 5	\$100 w/ GOLD	\$200	1,500	3,600
(\$20 w/ CA\$H) × 10		\$200	2,400	2,250
	\$200 w/ GOLD	\$200	12,000	450

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Spectacular Bonus:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets:</i>
\$200 w/ BILLS		\$200	171.43	31,500
\$200		\$200	12,000	450
WIN BURST w/ (\$20 × 20)		\$400	2,667	2,025
\$100 × 4		\$400	24,000	225
(\$50 × 4) + (\$40 × 4)	\$40 w/ GOLD	\$400	24,000	225
\$200 w/ BILLS	\$200 w/ GOLD	\$400	24,000	225
(\$200 w/ BILLS) × 2		\$400	12,000	450
\$400 w/ CA\$H		\$400	24,000	225
\$400		\$400	24,000	225
WIN BURST w/ ((\$40 × 5) + (\$20 × 15))		\$500	12,000	450
WIN BURST w/ (\$20 × 20)	\$100 w/ GOLD	\$500	12,000	450
\$50 × 10		\$500	60,000	90
(\$200 w/ BILLS) + ((\$100 w/ CA\$H) × 2)	\$100 w/ GOLD	\$500	24,000	225
(\$200 w/ BILLS) × 2	\$100 w/ GOLD	\$500	24,000	225
	\$500 w/ GOLD	\$500	60,000	90
\$500 w/ CA\$H		\$500	120,000	45
\$500		\$500	120,000	45
WIN BURST w/ (\$50 × 20)		\$1,000	6,000	900
WIN BURST w/ ((\$100 × 5) + (\$40 × 10) + (\$20 × 5))		\$1,000	6,000	900
WIN BURST w/ ((\$40 × 5) + (\$20 × 15))	\$500 w/ GOLD	\$1,000	6,000	900
\$200 × 5		\$1,000	120,000	45
(((\$200 w/ BILLS) × 2) + ((\$100 w/ CA\$H) × 5))	\$100 w/ GOLD	\$1,000	24,000	225
(((\$200 w/ BILLS) × 2) + (\$40 × 10))	\$200 w/ GOLD	\$1,000	20,000	270
(\$200 w/ BILLS) × 5		\$1,000	120,000	45
\$1,000 w/ CA\$H		\$1,000	120,000	45
\$1,000		\$1,000	120,000	45
WIN BURST w/ (\$500 × 20)		\$10,000	1,080,000	5
WIN BURST w/ ((\$1,000 × 6) + (\$500 × 4) + (\$200 × 10))		\$10,000	1,080,000	5
\$1,000 × 10		\$10,000	1,080,000	5
(\$1,000 w/ CA\$H) × 10		\$10,000	1,080,000	5
\$10,000 w/ CA\$H		\$10,000	1,080,000	5
\$10,000		\$10,000	1,080,000	5
\$10,000 × 10		\$100,000	1,080,000	5
\$100,000		\$100,000	1,080,000	5
\$1,000,000		\$1,000,000	1,080,000	5

Reveal a "CA\$H" (CASH) symbol, win prize shown under that symbol automatically.

Reveal a "BILLS" (WIN200) symbol, win \$200 instantly.

Reveal a "WIN BURST" (WINALL) symbol, win all 20 prizes shown!

SPECTACULAR BONUS: Reveal a "GOLD" (GOLD) symbol, win prize shown to the right of that symbol. SPECTACULAR BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$1 Million Spectacular instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of \$1 Million Spectacular, prize money from winning \$1 Million Spectacular instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$1 Million Spectacular instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$1 Million Spectacular or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-910. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 7-11-21® Instant Lottery Game 1411

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 7-11-21® (hereinafter referred to as “7-11-21®”). The game number is PA-1411.

2. *Price:* The price of a 7-11-21® instant lottery game ticket is \$1.

3. *Play Symbols:* Each 7-11-21® instant lottery game ticket will contain one play area consisting of three “GAME” areas. Each “GAME” is played separately. The play symbols and their captions, located in the three “GAME” areas, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), a 7 (SEVEN) symbol, an 11 (ELEVN) symbol, and a 21 (TWYONE) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$7⁰⁰ (SVN DOL), \$10⁰⁰ (TEN DOL), \$11⁰⁰ (ELVNDOL), \$21⁰⁰ (TW ONE), \$42⁰⁰ (FRY TWO), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$210 (TWOHUNTEN), \$700 (SVN HUN), and \$7,000 (SVN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$7, \$10, \$11, \$21, \$42, \$50, \$100, \$210, \$700, and \$7,000. A player can win up to 3 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the 7-11-21® instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$7,000 (SVN THO) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$7,000.

(b) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$700 (SVN HUN) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$700.

(c) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$210 (TWOHUNTEN) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$210.

(d) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$42⁰⁰ (FRY TWO) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$42.

(g) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$21⁰⁰ (TW ONE) appears in the “Prize” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$21.

(h) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$11.⁰⁰ (ELVNDOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$11.

(i) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$7.⁰⁰ (SVN DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$7.

(k) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$3.⁰⁰ (THR DOL)

appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$3.

(m) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(o) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN), or 21 (TWYONE), and a prize symbol of FREE (TICKET) appears in the "Prize" area for that "GAME," on a single ticket, shall be entitled to a prize of one 7-11-21[®] instant lottery game ticket or one Pennsylvania Lottery instant lottery game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A 7, 11, or 21 In Any Game, Win Prize Shown For That Game. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
FREE	FREE \$1 TICKET	10	960,000
\$1	\$1	25	384,000
\$1 × 2	\$2	100	96,000
\$2	\$2	100	96,000
\$1 × 3	\$3	333.33	28,800
\$2 + \$1	\$3	500	19,200
\$3	\$3	500	19,200
(\$2 × 2) + \$1	\$5	333.33	28,800
\$3 + \$2	\$5	333.33	28,800
\$5	\$5	333.33	28,800
(\$2 × 2) + \$3	\$7	200	48,000
(\$3 × 2) + \$1	\$7	200	48,000
\$5 + \$2	\$7	200	48,000
\$7	\$7	166.67	57,600
\$5 × 2	\$10	1,000	9,600
\$7 + \$2 + \$1	\$10	1,000	9,600
\$10	\$10	1,000	9,600
(\$3 × 2) + \$5	\$11	1,000	9,600
(\$5 × 2) + \$1	\$11	500	19,200
\$7 + \$3 + \$1	\$11	500	19,200
\$11	\$11	500	19,200
\$7 × 3	\$21	1,200	8,000
(\$5 × 2) + \$11	\$21	1,333	7,200
\$11 + \$10	\$21	1,200	8,000
\$21	\$21	800	12,000
\$21 × 2	\$42	6,000	1,600

<i>Reveal A 7, 11, or 21 In Any Game, Win Prize Shown For That Game. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$21 + \$11 + \$10	\$42	6,000	1,600
\$42	\$42	12,000	800
\$42 + \$7 + \$1	\$50	6,000	1,600
\$50	\$50	12,000	800
\$50 × 2	\$100	12,000	800
\$100	\$100	12,000	800
(\$100 × 2) + \$10	\$210	60,000	160
\$210	\$210	60,000	160
\$700	\$700	60,000	160
\$7,000	\$7,000	960,000	10

Each GAME is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 7-11-21® instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of 7-11-21®, prize money from winning 7-11-21® instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the 7-11-21® instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote 7-11-21® or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-911. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 9s In A Line Instant Lottery Game 1410

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 9s In A Line (hereinafter referred to as “9s In A Line”). The game number is PA-1410.

2. *Price:* The price of a 9s In A Line instant lottery game ticket is \$2.

3. *Play Symbols:* Each 9s In A Line instant lottery game ticket will contain one play area consisting of two “GAME” areas and one “BONUS” area. The “BONUS” area is played separately. The play symbols and their captions, located in the two “GAME” areas, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), and a 9 (NINE) symbol. The play symbols and their captions, located in the “BONUS” area, are: Gold Bar (NO BONUS), Piggy Bank (TRY AGAIN), Key (NO BONUS), Bell (TRY AGAIN), Star (NO BONUS), Crown (TRY AGAIN), and a Fistful of Cash (WIN\$9) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$9⁰⁰ (NIN DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$45⁰⁰ (FRY FIV), \$90⁰⁰

(NINTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$900 (NIN HUN), and \$9,000 (NIN THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$3, \$5, \$6, \$9, \$10, \$15, \$20, \$30, \$45, \$90, \$100, \$150, \$300, \$900, and \$9,000. The prize that can be won in the “BONUS” area is: \$9. A player can win up to 3 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the 9s In A Line instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$9,000 (NIN THO) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$9,000.

(b) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$900 (NIN HUN) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$900.

(c) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$300 (THR HUN) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$150 (ONEHUNFTY) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$150.

(e) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$100 (ONE HUN) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$90⁰⁰ (NINTY) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$90.

(g) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$45⁰⁰ (FRY FIV) appearing in the “PRIZE BOX” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$45.

(h) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$30⁰⁰

(THIRTY) appearing in the “PRIZE BOX” area for that “GAME,” on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$20⁰⁰ (TWENTY) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$15⁰⁰ (FIFTN) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$10⁰⁰ (TEN DOL) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$9⁰⁰ (NIN DOL) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$9.

(m) Holders of tickets with a Fistful of Cash (WIN\$9) symbol in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$9.

(n) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$6⁰⁰ (SIX DOL) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$6.

(o) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$5⁰⁰ (FIV DOL) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$3⁰⁰ (THR DOL) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$3.

(q) Holders of tickets with three matching 9 (NINE) symbols appearing in a vertical, horizontal, or diagonal line in any “GAME,” and a prize symbol of \$2⁰⁰ (TWO DOL) appearing in the “PRIZE BOX” for that “GAME,” on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal Three “9” (NINE) Symbols In A Vertical, Horizontal Or Diagonal Line, Win Prize Shown In The Prize Box For That Game. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$2	\$2	9.93	966,400
\$3	\$3	42.86	224,000
\$5	\$5	65.22	147,200
\$3 × 2	\$6	75	128,000

<i>Reveal Three "9" (NINE) Symbols In A Vertical, Horizontal Or Diagonal Line, Win Prize Shown In The Prize Box For That Game. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$6	\$6	75	128,000
\$6 + \$3	\$9	750	12,800
\$9 w/ BONUS	\$9	39.47	243,200
\$9	\$9	750	12,800
\$5 × 2	\$10	500	19,200
\$10	\$10	500	19,200
(\$9 w/ BONUS) + (\$3 × 2)	\$15	375	25,600
(\$9 w/ BONUS) + \$6	\$15	300	32,000
\$15	\$15	1,500	6,400
(\$9 w/ BONUS) + \$6 + \$5	\$20	750	12,800
(\$9 w/ BONUS) + \$9 + \$2	\$20	750	12,800
\$20	\$20	1,500	6,400
(\$9 w/ BONUS) + \$15 + \$6	\$30	375	25,600
\$30	\$30	1,500	6,400
(\$9 w/ BONUS) + \$30 + \$6	\$45	600	16,000
\$45	\$45	4,000	2,400
\$45 × 2	\$90	2,000	4,800
\$90	\$90	1,714	5,600
\$100	\$100	12,000	800
\$150	\$150	6,000	1,600
\$300	\$300	12,000	800
\$900	\$900	960,000	10
\$9,000	\$9,000	960,000	10

Each GAME is played separately.

BONUS: Reveal a "Fistful of Cash" (WIN\$9) symbol, win \$9 instantly! BONUS played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 9s In A Line instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after

the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of 9s In A Line, prize money from winning 9s In A Line instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the 9s In A Line instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote 9s In A Line or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-912. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Gold Fish® Instant Lottery Game 1409

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Gold Fish® (hereinafter “Gold Fish®”). The game number is PA-1409.

2. *Price:* The price of a Gold Fish® instant lottery game ticket is \$3.

3. *Play Symbols:* Each Gold Fish® instant lottery game ticket will contain one play area featuring a “YOUR NUMBERS” area, a “GOLD FISH NUMBERS” area, and a “Prize Legend” area. The play symbols, located in the scratched “YOUR NUMBERS” area, are: the numbers 1 through 35. The play symbols, located in the unscratched “GOLD FISH NUMBERS” area, are: the numbers 1 through 35. The play symbols, located in the scratched “GOLD FISH NUMBERS” area, are: Anchor symbol, Turtle symbol, Castle symbol, Starfish symbol, Clownfish symbol, Purple Fish symbol, Green Fish symbol, and a Gold Fish symbol.

4. *Prizes:* The prizes, located in the “Prize Legend” area that can be won in this game, are: \$3, \$5, \$10, \$25, \$50, \$100, \$500, and \$50,000. A player can win up to 4 times on a ticket.

5. *Approximate Number of Tickets Available for the Game:* Approximately 8,400,000 tickets will be printed for the Gold Fish® instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Gold Fish symbols under the scratched “GOLD FISH

NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Green Fish symbols under the scratched “GOLD FISH NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Purple Fish symbols under the scratched “GOLD FISH NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Clownfish symbols under the scratched “GOLD FISH NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Starfish symbols under the scratched “GOLD FISH NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$25.

(f) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Castle symbols under the scratched “GOLD FISH NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Turtle symbols under the scratched “GOLD FISH NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets upon which the player matches the “YOUR NUMBERS” play symbols to any of the “GOLD FISH NUMBERS” play symbols, revealing three like Anchor symbols under the scratched “GOLD FISH NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$3.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Scratch The Your Numbers Area. Then Scratch Each Matching Number Found In The Gold Fish Numbers Area. When You Match 3 Like Symbols, Win Prize Shown In The Prize Legend Below. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
3—ANCHOR SYMBOLS	\$3	8.33	1,008,000
3—TURTLE SYMBOLS	\$5	19.61	428,400
3—CASTLE SYMBOLS	\$10	32.26	260,400
(3—CASTLE SYMBOLS) + (3—TURTLE SYMBOLS)	\$15	50	168,000
3—STARFISH SYMBOLS	\$25	200	42,000

<i>Scratch The Your Numbers Area. Then Scratch Each Matching Number Found In The Gold Fish Numbers Area. When You Match 3 Like Symbols, Win Prize Shown In The Prize Legend Below. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
(3—STARFISH SYMBOLS) + (3—TURTLE SYMBOLS)	\$30	142.86	58,800
3—CLOWNFISH SYMBOLS	\$50	685.71	12,250
(3—CLOWNFISH SYMBOLS) + (3—STARFISH SYMBOLS)	\$75	1,200	7,000
(3—CLOWNFISH SYMBOLS) + (3—STARFISH SYMBOLS) + (3—CASTLE SYMBOLS) + (3—TURTLE SYMBOLS)	\$90	923.08	9,100
3—PURPLE FISH SYMBOLS	\$100	3,000	2,800
(3—PURPLE FISH SYMBOLS) + (3—CLOWNFISH SYMBOLS)	\$150	6,000	1,400
(3—PURPLE FISH SYMBOLS) + (3—CLOWNFISH SYMBOLS) + (3—STARFISH SYMBOLS)	\$175	6,000	1,400
3—GREEN FISH SYMBOLS	\$500	12,000	700
3—GOLD FISH SYMBOLS	\$50,000	840,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Gold Fish® instant lottery game tickets.

9. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of the Gold Fish® instant lottery game, prize money from winning Gold Fish® instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Gold Fish® instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any,

will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Gold Fish® or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-913. Filed for public inspection June 14, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania The Wizard of Oz™ Instant Lottery Game 1408

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania The Wizard of Oz™ (hereinafter “The Wizard of Oz™”). The game number is PA-1408.

2. *Price:* The price of a The Wizard of Oz™ instant lottery game ticket is \$5.

3. *Play Symbols:* Each The Wizard of Oz™ instant lottery game ticket will contain one play area featuring a

“WINNING NUMBERS” area, a “YOUR NUMBERS” area, and a “GLINDA BONUS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWININ), 30 (THIRT), Rainbow (RAINBOW) symbol, and a Wand (WINALL) symbol. The play symbols and their captions located in the “GLINDA BONUS” area, are: 1X (PRIZE) symbol, 2X (2TIMES) symbol, 5X (5TIMES) symbol, and a 10X (10TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO), and \$100,000 (ONEHUNTHO). A player can win up to 12 times on a ticket.

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$5,000, and \$100,000.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a Second-Chance Drawing for The Wizard of Oz™ for which non-winning The Wizard of Oz™ instant lottery game tickets may be eligible as provided in section 10.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for The Wizard of Oz™ instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 10X (10TIMES) symbol appears in the “GLINDA BONUS” area, 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 matches any of the

“WINNING NUMBERS” play symbols, a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the “YOUR NUMBERS” area, a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 5X (5TIMES) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 10X (10TIMES) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wand (WINALL) symbol and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Wand (WINALL) symbol and a prize symbol of \$100 (ONE HUN) appears in eight of the “prize” areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the “prize” areas and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$400 (FOR HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the “YOUR NUMBERS” area, a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the

matching "YOUR NUMBERS" play symbol and a 2X (2TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 10X (10TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wand (WINALL) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in seven of the "prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "prize" areas and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wand (WINALL) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in two of the "prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in six of the "prize" areas and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 5X (5TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$250.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the "YOUR NUMBERS" area, a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 2X (2TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 5X (5TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 10X (10TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wand (WINALL) symbol and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "prize" areas and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wand (WINALL) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in eight of the "prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the "prize" areas and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the "YOUR NUMBERS" area, a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 2X (2TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 5X (5TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(cc) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol and a 10X (10TIMES) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wand (WINALL) symbol and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the "prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in eight of the "prize" areas and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(ee) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Wand (WINALL) symbol, a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the "prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "prize" areas and a 1X (PRIZE) symbol appears in the "GLINDA BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(gg) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the “YOUR NUMBERS” area, a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 5X (5TIMES) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(ii) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 10X (10TIMES) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(jj) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$40.

(kk) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the “YOUR NUMBERS” area, a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$40.

(ll) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 2X (2TIMES) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$40.

(mm) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the

matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$20.

(nn) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the “YOUR NUMBERS” area, a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$20.

(oo) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 2X (2TIMES) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$20.

(pp) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$10.

(qq) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the “YOUR NUMBERS” area, a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$10.

(rr) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol and a 2X (2TIMES) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$10.

(ss) Holders of tickets upon which a Rainbow (RAINBOW) symbol appears in the “YOUR NUMBERS” area, a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under that Rainbow (RAINBOW) symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$5.

(tt) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol and a 1X (PRIZE) symbol appears in the “GLINDA BONUS” area, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any of Your Numbers Match Any Winning Number, Win Prize Shown Under the Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$5	\$5	30	360,000
\$5 w/ RAINBOW	\$5	12	900,000
\$5 × 2	\$10	200	54,000
\$5 w/ 2X MULTIPLIER	\$10	37.5	288,000
\$10 w/ RAINBOW	\$10	60	180,000

<i>When Any of Your Numbers Match Any Winning Number, Win Prize Shown Under the Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$10	\$10	300	36,000
\$5 × 4	\$20	300	36,000
\$10 × 2	\$20	300	36,000
\$10 w/ 2X MULTIPLIER	\$20	85.71	126,000
\$20 w/ RAINBOW	\$20	85.71	126,000
\$20	\$20	300	36,000
\$5 × 8	\$40	600	18,000
(\$10 w/ RAINBOW) + (\$10 × 3)	\$40	600	18,000
(\$10 × 2) w/ 2X MULTIPLIER	\$40	600	18,000
\$20 w/ 2X MULTIPLIER	\$40	600	18,000
\$40 w/ RAINBOW	\$40	600	18,000
\$40	\$40	600	18,000
\$5 × 10	\$50	600	18,000
(((\$10 w/ RAINBOW) × 4) + (\$5 × 2))	\$50	600	18,000
\$5 w/ 10X MULTIPLIER	\$50	600	18,000
\$10 w/ 5X MULTIPLIER	\$50	300	36,000
\$50 w/ RAINBOW	\$50	600	18,000
\$50	\$50	600	18,000
WAND w/ ((\$10 × 8) + (\$5 × 4))	\$100	1,500	7,200
WAND w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	1,500	7,200
\$20 × 5	\$100	20,000	540
\$50 × 2	\$100	20,000	540
(((\$10 w/ RAINBOW) × 5) + (\$10 × 5))	\$100	12,000	900
(\$50 w/ RAINBOW) × 2	\$100	6,000	1,800
\$10 w/ 10X MULTIPLIER	\$100	2,400	4,500
\$20 w/ 5X MULTIPLIER	\$100	2,400	4,500
\$50 w/ 2X MULTIPLIER	\$100	12,000	900
\$100 w/ RAINBOW	\$100	6,000	1,800
\$100	\$100	12,000	900
WAND w/ ((\$20 × 8) + (\$10 × 4))	\$200	4,000	2,700
WAND w/ ((\$50 × 2) + (\$10 × 10))	\$200	4,000	2,700
\$50 × 4	\$200	24,000	450
\$100 × 2	\$200	24,000	450
(\$20 w/ RAINBOW) × 10	\$200	24,000	450
\$20 w/ 10X MULTIPLIER	\$200	12,000	900
\$40 w/ 5X MULTIPLIER	\$200	12,000	900
\$100 w/ 2X MULTIPLIER	\$200	24,000	450
\$200 w/ RAINBOW	\$200	12,000	900
\$200	\$200	24,000	450
WAND w/ ((\$20 × 6) + (\$50 × 4) + (\$40 × 2))	\$400	12,000	900
WAND w/ ((\$50 × 7) + (\$10 × 5))	\$400	12,000	900
\$100 × 4	\$400	120,000	90
(((\$40 w/ RAINBOW) × 5) + (\$50 × 2) + (\$20 × 5))	\$400	120,000	90
(\$40 × 2) w/ 5X MULTIPLIER	\$400	120,000	90

<i>When Any of Your Numbers Match Any Winning Number, Win Prize Shown Under the Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$40 w/ 10X MULTIPLIER	\$400	120,000	90
\$200 w/ 2X MULTIPLIER	\$400	120,000	90
\$400 w/ RAINBOW	\$400	120,000	90
\$400	\$400	120,000	90
WAND w/ ((\$100 × 8) + (\$50 × 4))	\$1,000	1,080,000	10
WAND w/ ((\$200 × 2) + (\$100 × 5) + (\$20 × 5))	\$1,000	1,080,000	10
\$100 × 10	\$1,000	1,080,000	10
(\$50 × 4) w/ 5X MULTIPLIER	\$1,000	1,080,000	10
\$100 w/ 10X MULTIPLIER	\$1,000	1,080,000	10
\$200 w/ 5X MULTIPLIER	\$1,000	1,080,000	10
\$1,000 w/ RAINBOW	\$1,000	1,080,000	10
\$1,000	\$1,000	1,080,000	10
\$500 × 10	\$5,000	1,080,000	10
\$500 w/ 10X MULTIPLIER	\$5,000	1,080,000	10
\$5,000	\$5,000	1,080,000	10
\$100,000	\$100,000	1,080,000	10

Reveal a "RAINBOW" (RAINBOW) symbol, win prize shown under that symbol automatically.

Reveal a "WAND" (WINALL) symbol, win all 12 prizes shown!

GLINDA BONUS: Reveal a multiplier, multiply any prize won in the play area below.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's Second-Chance Drawing for The Wizard of Oz™ (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-1408 The Wizard of Oz™ (\$5) instant 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 Second-Chance Drawing for The Wizard of Oz™. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. June 16, 2019, through 11:59:59 p.m. August 22, 2019, will be entered into the Drawing to be held between August 23, 2019 and September 2, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) Each time a Qualifying Ticket is entered, a predetermined instant cash prize may be awarded. Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an instant cash prize is awarded.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1408 The Wizard of Oz™ (\$5) = 5 entries.

(6) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by five. 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.

(7) 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 10(e), or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(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 \$50,000, less required income tax withholding.

(ii) The second through eleventh entries selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$5,000, less required income tax withholding.

(3) All prizes will be paid as lump-sum cash payments.

(4) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(5) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(6) 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 1 year of the drawing date of the drawing in which the prize was won. If no claim is made within 1 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.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell The Wizard of Oz™ instant lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed Prize Money:* For a period of 1 year from the announced close of The Wizard of Oz™ instant lottery game, prize money from winning The Wizard of Oz™ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the The Wizard of Oz™ instant lottery game, the right of a ticket holder to claim the prize represented by the

ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote The Wizard of Oz™ or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-914. Filed for public inspection June 14, 2019, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission’s web site at www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-205	Pennsylvania Gaming Control Board Table Game Rules of Play	6/3/19	7/18/19
14-538	Department of Human Services Outpatient Psychiatric Services and Psychiatric Outpatient Clinics	6/4/19	7/18/19

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 19-915. Filed for public inspection June 14, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

AF&L Insurance Company (AFLI-131945013); Rate Increase Filing for Several Individual Home Health LTC Forms

AF&L Insurance Company is requesting approval to increase the premium an aggregate 14% on 282 policyholders of home health forms HHC, HHC-4 and HHC-93. The requested increases vary from 12.5% to 20% depending upon the policy benefit period and inflation rider status.

Unless formal administrative action is taken prior to August 29, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov (hover the cursor over the “Consumers” tab, then select “Long Term Care Rate Filings”).

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department’s Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-916. Filed for public inspection June 14, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Merge with Windsor-Mount Joy Mutual Insurance Company

Windsor-Mount Joy Mutual Insurance Company, a Pennsylvania domiciled mutual property insurance company, has submitted a Plan of Merger, whereby it proposes to merge with Farmers’ and Mechanics’ Mutual Insurance Association of Cecil County, Inc., a Maryland domiciled mutual property insurance company. The survivor of the merger would be Windsor-Mount Joy Mutual Insurance Company. The filing was received on May 31, 2019, and was made under the requirements set forth under Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on the merger 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 Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-917. Filed for public inspection June 14, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

John Hancock Life Insurance Company (USA) (MULF-131962004); Rate Increase Filing for Sev- eral Individual LTC Forms

John Hancock Life Insurance Company (USA) is requesting approval to increase the premium an aggregate 45.1% on 6,291 policyholders of forms LTC-PA-91, NH-PA-91, LTC-94 PA, LTC-94 PA 2/95, NH-94 PA, NH-94 PA 2/95, LTC-96 PA 9/96, LTC-96 PA 6/98, LTC-98FR PA 6/98, LTC-96CL PA 9/96, NH-99 PA 4/99, NH-99FR PA 4/99 and LTC2000 PA 4/00. The requested increases vary from 9.5% to 120.9% depending upon the policy benefit period and inflation rider status.

Unless formal administrative action is taken prior to August 29, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-918. Filed for public inspection June 14, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Use of Opioid Overdose Reversal Agents in Under- writing and Rating; Notice 2019-03

Questions have been raised regarding the Insurance Department's (Department) expectations concerning underwriting and rating practices for an applicant or enrollee¹ for a policy for which health status may be considered, where those practices may include consideration of the presence of an opioid overdose reversal agent on a list of medications identified with the applicant or enrollee. The consideration of health status may occur for many types of policies, including but not limited to life insurance, limited benefit health insurance and short-term limited duration insurance.

For policies for which health status may be considered, an insurance company may underwrite or rate policies based on legitimate health status factors, including health conditions for which medications are prescribed. However, it is possible that the presence of a medication on a list of medications identified with an applicant or enrollee may not be indicative of a health condition, but may be on the list for other reasons. Opioid overdose reversal agents, such as Naloxone Hydrochloride

¹ The concern has been identified predominantly in the context of underwriting an applicant, but the reasoning applies as well in the context of rating an enrollee.

(Naloxone), are medications that may be carried by individuals for reasons other than an indication of a health condition.

Pennsylvania, like many, if not all, of the states in the United States, is making significant efforts to address an ongoing opioid crisis. For example, the General Assembly enacted The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144) to, inter alia, increase the ability of persons to have and use Naloxone without being subject to criminal liability or professional disciplinary action. In January 2018, Governor Tom Wolf issued a Proclamation of Disaster Emergency, subject to multiple subsequent renewals, most recently on March 20, 2019, to address the ongoing opioid crisis.²

On April 18, 2018, Dr. Rachel L. Levine, Secretary of Health for the Commonwealth, issued Standing Order DOH-002-2018 (Standing Order), which permits "family members, friends or other persons who are in a position to assist a person at risk of experiencing an opioid-related overdose (Eligible Persons) . . . to obtain Naloxone"³. The week of December 10, 2018, the Wolf Administration held a number of events for "Stop Overdoses in PA: Get Help Now Week"⁴, a Statewide initiative to get Naloxone to Pennsylvanians and to get help for residents suffering from the disease of opioid-use disorder. That initiative included providing Naloxone for free at multiple locations across this Commonwealth, to more than 6,000 individuals.⁵

By this notice, the Department reminds insurers that underwriting and rating policies and practices, like other trade practices in the business of insurance, may not be discriminatory, unfair or deceptive. See, for example, 40 P.S. §§ 477a, 1171.4, 1171.5 and 3801.304(b). The Department urges carriers, before making an underwriting or rating decision based on the presence of a prescription for an opioid overdose reversal agent in a person's prescription drug history, to gather sufficient information to determine in what context an applicant or enrollee has obtained the prescription. It would frustrate the Commonwealth's public health efforts to address the ongoing opioid crisis if, for example, applications for life insurance and other underwritten or health status-rated products were denied simply because of the presence of a prescription, without considering whether it is relevant to the applicant's health. The Department strongly encourages carriers to carefully research and consider the reason for, and intended user of, an opioid overdose reversal agent prescription prior to issuing an underwriting decision or making a rating decision.

Questions concerning this notice may be directed to the Bureau of Market Actions, Office of Market Regulation, 1209 Strawberry Square, Harrisburg, PA 17120, RA-IN-MarkRegulation@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-919. Filed for public inspection June 14, 2019, 9:00 a.m.]

² <https://www.governor.pa.gov/wp-content/uploads/2019/03/20190320-opioid-disaster-emergency-renewal.pdf>.

³ <https://www.health.pa.gov/topics/Documents/Opioids/General%20Public%20Standing%20Order.pdf>.

⁴ <https://www.media.pa.gov/pages/Health-details.aspx?newsid=547>.

⁵ <https://www.governor.pa.gov/governor-wolf-renews-opioid-disaster-declaration-notes-recent-successes/>.

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Manual No. 210.9—The Commonwealth of Pennsylvania General Records Retention and Disposition Schedule, Amended May 15, 2019.

Administrative Circular No. 19-06—Closing Instruction No. 3, Fiscal Year 2018-19; Pending Lapse/Lapse Transactions and Reporting Deadlines, Dated April 30, 2019.

Administrative Circular No. 19-07—Closing Instruction No. 4, Fiscal Year 2018-19; Year-End Processing Deadlines and an Important Reminder about SAP Budget Period Values, Dated May 10, 2019.

DUANE M. SEARLE,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 19-920. Filed for public inspection June 14, 2019, 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 Tuesday, June 25, 2019.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,
Executive Director

[Pa.B. Doc. No. 19-921. Filed for public inspection June 14, 2019, 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 if 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, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by July 1, 2019. 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-2019-3009744. CT Home Care Services, LLC (813 Erford Road, Camp Hill, Cumberland County, PA 17011) persons in paratransit service, limited to persons with intellectual disabilities and autism spectrum disorder, between points in the Counties of Dauphin, Cumberland, Perry, Lebanon and Lancaster.

A-2019-3009806. On The Town Limousines, Inc. (5112 Pegasus Court, Suite V, Frederick, MD 21704) persons in group and party service, in vehicles seating 11 to 15, including the driver, from points in the Counties of Adams, Bedford, Cumberland, Dauphin, Franklin, Fulton, Lancaster and York, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2019-3010264. On The Town Limousines, Inc. (5112 Pegasus Court, Suite V, Frederick, MD 21704) persons in limousine service, between points in Pennsylvania; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2019-3010315. Polar Moving, LLC (828 Red Lion Road, Apartment D13, Philadelphia, Philadelphia County, PA 19115) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-922. Filed for public inspection June 14, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due July 1, 2019, and must be made with

the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Reliable Delivery Group, LLC; Docket No. C-2019-3009339

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Reliable Delivery Group, LLC, (respondent) is under suspension effective April 13, 2019 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 93 Glenview Drive, Willingboro, NJ 08046-3230.
3. That respondent was issued a Certificate of Public Convenience by this Commission on July 17, 2018, at A-8919722.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8919722 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 5/1/2019

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street
 Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-923. Filed for public inspection June 14, 2019, 9:00 a.m.]

STATE BOARD OF NURSING

Automatic Suspension of the License to Practice Practical Nursing of Amy Klinger Lehman, LPN; Case No. 17-51-07939

On February 1, 2019, Amy Klinger Lehman, LPN, Pennsylvania license No. PN264189, last known of Lapel, IN, had her practical nurse license automatically suspended based on her felony conviction in another state that would be equivalent to a felony under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 19-924. Filed for public inspection June 14, 2019, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Lillie K. Massingill, RN; Case No. 18-51-00656

On January 30, 2019, Lillie K. Massingill, RN, Pennsylvania license No. RN358044L, last known of Meridian, MS, had her registered nurse license indefinitely suspended until she proves that she is fit to practice professional nursing with reasonable skill and safety and was assessed a \$500 civil penalty based on receiving disciplinary action by the proper licensing authority of another state and failing to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the Final Adjudication and Order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 19-925. Filed for public inspection June 14, 2019, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Mary Rudick Paolucci, LPN; Case No. 17-51-03562

On January 28, 2019, Mary Rudick Paolucci, LPN, license No. PN075521L, last known of Sturges, Lackawanna County, had her practical nurse license indefinitely suspended until such a time as she demonstrates that she can practice with reasonable skill and safety to patients and was assessed \$350 in costs of investigation based on her addiction to hallucinogenic, narcotic or other drugs which tend to impair judgement or coordination.

Individuals may obtain a copy of the Final Adjudication and Order by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 2649, Harrisburg, PA 17105-2649.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 19-926. Filed for public inspection June 14, 2019, 9:00 a.m.]

STATE BOARD OF NURSING

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Ronald S. Russo, RN, Respondent; File No. 14-51-04021; Doc. No. 0343-51-16

Notice to Ronald S. Russo, RN:

On February 19, 2016, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Professional Nursing Law, Act of May 22, 1951, P.L. 317, ("Act"). Pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, the State Board of Nursing has issued an Order authorizing service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601

North Third Street, P.O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. **IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING.** To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 19-927. Filed for public inspection June 14, 2019, 9:00 a.m.]

